

RESOLUTION AUTHORIZING ENDORSEMENT OF  
APPLICATION FOR TREATMENT WORKS APPROVAL - (TWA-1)  
**North Main Street (CR-634) & Harry Shupe Parkway**  
**Block 903, Lot 2.03**  
**Borough of Wharton**

**WHEREAS**, a revised application for Treatment Works Approval, has been submitted by the Borough of Wharton for the installation of a 10” sanitary sewer lateral connection within North Main Street to serve a 4-story multi-family residential building containing one hundred and eighty-two (182) dwelling units consisting of one hundred and three (103) one-bedroom units; seventy-two (73) two-bedroom units and six (6) three-bedroom units on Tax Block 903, Lot 2.03, located at North Main Street (CR-634) & Harry Shupe Parkway, Wharton, New Jersey (the “Project”) for review by the Rockaway Valley Regional Sewerage Authority (RVRSA), which Project is more particularly described in the Treatment Works Approvals Permit Application Form (TWA-1), attached hereto and made a part hereof; and

**WHEREAS**, RVRSA approved the original application for construction of a 4-story multi-family residential building at this site by adoption of Resolution 23-129, however, a TWA was never issued by the NJDEP for the original project, and the Project has now been revised to re-align the proposed sewer lines; and

**WHEREAS**, the New Jersey Department of Environmental Protection (NJDEP) presently requires the certification of the 201 Sewerage Agency, as well as the certification of the owner of the sewerage treatment facility, that its treatment system contains sufficient capacity to accept the additional flow, which would emanate from the sewer extension proposed in the said application; and

**WHEREAS**, one of the conditions imposed by the United States Environmental Protection Agency (USEPA) upon the grant for the construction of the RVRSA wastewater treatment plant prevents the connection of any structure within wetlands (as delineated on maps approved by USEPA) and upon parcels wherein wetlands are subsequently delineated to the RVRSA treatment facilities for a period of 50 years from November 29, 1983; and

**WHEREAS**, the project site contains delineated wetlands that have been reviewed/approved by NJDEP as per Letter of Interpretation: Line Verification File No. 1439-20-0001.2, LUP220001. By letter dated September 14, 2023, USEPA approved a waiver of the ESA Special Grant Condition for this Project. The sewer connection restriction of the ESA Special Grant Condition remains in effect for any future construction or proposed disturbance to wetland areas. There is no proposed increase to the area of disturbance, therefore, USEPA's prior approval remains valid; and

**WHEREAS**, pursuant to RVRSA's planning estimates the gallonage required to service proposed project is in the amount of 21,422 GPD, allocated from the First Come/First Serve category; and

**WHEREAS**, the gallonage required to service the project pursuant to the calculation of the NJDEP is 33,675 GPD; and

**WHEREAS**, the Borough of Wharton is required to endorse the Project; which, it has done by Resolution R-77-23, adopted April 24, 2023, with respect to the original project, and Resolution R-104-24, adopted June 10, 2024, relative to the revised application; and

**WHEREAS**, RVRSA is desirous of facilitating the Borough of Wharton's application for sewer service extension.

**NOW, THEREFORE, BE IT RESOLVED** by the Rockaway Valley Regional Sewerage Authority as follows:

1. There shall be allocated from RVRSA's "First Come/First Serve" category gallonage in the amount of 21,422 GPD.
2. JoAnn Mondsini, Executive Director of the RVRSA is authorized and directed to execute the Treatment Works Approval (TWA-1 Application) Form WQM-003 entitled Endorsements at subsection D, subject to the following conditions:

- A. That this approval explicitly excludes connection of vacant lot(s), which encroach any environmentally sensitive areas (ESA) pursuant to Special Grant Condition No. 4, federal project C340389-04-2, effective November 29, 1983.
- B. This approval is expressly conditioned upon compliance, by the Applicant, with any relevant provisions of the Highlands Preservation and Planning Act or any rules or regulations issued pursuant thereto, if any.
- C. That any connection from a non-domestic source is subject to the RVRSA's industrial pretreatment program regulations. The applicant shall first obtain a clearance form the RVRSA's pretreatment program prior to seeking for obtaining the necessary permit(s) for connection to the RVRSA's local/regional conveyance system.
- D. That the qualified property owner shall obtain the necessary permit(s) for sewer connection(s) to the RVRSA system, in connection therewith and the requirements of other governmental entities having jurisdiction.
- E. That the sewer mainline and each of the building lateral to be installed in connection with the project shall be subject to inspection(s) by the RVRSA.
- F. That this endorsement shall expire automatically unless the attached application is filed with the NJDEP within 60 days of the day of the adoption of this Resolution. Evidence of submission shall be submitted by the Applicant to RVRSA in order to satisfy this requirement.
- G. In the event that the allocation remains unconnected to the RVRSA System for longer than eighteen (18) months from the date of this resolution, then payments shall be made to the RVRSA representing the debt service and capital cost funded by the users for the prior year—calculated on the number of gallons per day allocated but unconnected. Such payment shall be made each year until the allocated gallonage is connected or terminated.

- H. This approval is subject to compliance with revised Service Rules of the RVRSA, and the payment of the appropriate fees and/or charges of the RVRSA including, but not limited to those set forth at Section 4.03 (3) Revised Service Rules of the RVRSA, and payment of the appropriate fees of any other governmental authority having jurisdiction.
- I. The approval of the use of NJDEP's gallonage determination is made under protest and for the sole purpose of approving the TWA-1 sewer extension application and shall not affect in any way gallonage allocated for RVRSA's planning purposes.

### CERTIFICATION

I hereby certify that this Resolution was adopted at a meeting of the Rockaway Valley Regional Sewerage Authority held on August 8, 2024.

On motion of Commissioner Andes

Second by Commissioner Howarth

And a Roll Call Vote as Follows:

Yeas: (9) Andes, Cegelka, Corbett, Farrell, Howarth, Isselin, Lavery, Schorno, and Zuppa.

Nays: (0) None

Abstain: (0) None

Absent: (1) Commissioner of Randolph

  
Donald Farrell  
Board Secretary

**FACT SHEET**  
**Wharton Developments A – Wharton**

**Action Request:** WQM-003-T Part D Endorsement for Revised application for a Treatment Works Approval  
(RVRSA approved the original application by Resolution 23-129 on December 14, 2023 but a TWA was never issued)

**Project Location:** Borough of Wharton  
North Main Street (CR-634) & Harry Shupe Parkway  
Block 903, Lot 2.03

**Applicant:** Wharton Developments A (Urban Renewal) LP  
c/o Ori Belavin  
145 Adelaide Street West, Suite 500 Toronto Ontario Canada M6J2J1

**Project:** Construction of a 4-story multi-family residential building containing 182 dwelling units. The building proposes a 10" sanitary sewer lateral connection within North Main Street.  
103 One Bedroom Units  
73 Two-Bedroom Units  
6 Three Bedroom Units  
(The revision was a minor re-alignment of the proposed sewer lines with no increase to the limit of disturbance)

**Service Area:** The property is located within the RVRSA service area as per the current Morris County Sewer Service Area Map

**Wetlands:** The project site contains delineated wetlands that have been reviewed/approved by NJDEP as per Letter of Interpretation: Line Verification File No. 1439-20-0001.2, LUP220001  
  
The USEPA issued a partial waiver of the ESA special grant condition on September 14, 2023.

**Gallorage (FC/FS):** NJDEP criteria 33,675 gpd  
RVRSA gallorage 21,422 gpd

**Flow Metered at:** MC: W1

**Local Approval:** Borough of Wharton Resolution R-77-23, dated 4/24/2023  
Borough of Wharton Resolution R-104-24, dated 6/10/2024 (for the revised application)

**Ownership Disclosure Statement:** David Asher Bistricher

**Engineer:** Steve L. Schwartz, PE, CME  
Dynamic Engineering Consultants, PC  
245 Main Street, Suite 110 Chester NJ 07930  
(908) 879-9229

08/02/2023

**RESOLUTION AUTHORIZING ENDORSEMENT OF  
APPLICATION FOR TREATMENT WORKS APPROVAL - (TWA-1)  
North Main Street (CR-634) & Harry Shupe Parkway  
Block 903, Lot 2.03  
Borough of Wharton**

**WHEREAS**, a revised application for Treatment Works Approval, has been submitted by the Borough of Wharton for the installation of a 10” sanitary sewer lateral connection within North Main Street to serve a 4-story multi-family residential building containing one hundred and eighty-two (182) dwelling units consisting of one hundred and three (103) one-bedroom units; seventy-two (73) two-bedroom units and six (6) three-bedroom units on Tax Block 903, Lot 2.03, located at North Main Street (CR-634) & Harry Shupe Parkway, Wharton, New Jersey (the “Project”) for review by the Rockaway Valley Regional Sewerage Authority (RVRSA), which Project is more particularly described in the Treatment Works Approvals Permit Application Form (TWA-1), attached hereto and made a part hereof; and

**WHEREAS**, RVRSA approved the original application for construction of a 4-story multi-family residential building at this site by adoption of Resolution 23-129, however, a TWA was never issued by the NJDEP for the original project, and the Project has now been revised to re-align the proposed sewer lines; and

**WHEREAS**, the New Jersey Department of Environmental Protection (NJDEP) presently requires the certification of the 201 Sewerage Agency, as well as the certification of the owner of the sewerage treatment facility, that its treatment system contains sufficient capacity to accept the additional flow, which would emanate from the sewer extension proposed in the said application; and

**WHEREAS**, one of the conditions imposed by the United States Environmental Protection Agency (USEPA) upon the grant for the construction of the RVRSA wastewater treatment plant prevents the connection of any structure within wetlands (as delineated on maps approved by USEPA) and upon parcels wherein wetlands are subsequently delineated to the RVRSA treatment facilities for a period of 50 years from November 29, 1983; and