

**R-103-23**

**RESOLUTION**

**WHEREAS, Wharton Developments A (Urban Renewal) LP desires to connect premises known and designated as Tax Block 903 Lot 2.03, on the official Tax Map Sheet 9 of the Borough of Wharton, located on Harry Shupe Boulevard, to the municipal sanitary sewer system for the ultimate discharge to the Rockaway Valley Regional Sewerage Authority (RVRSA); and**

**WHEREAS, a portion of the property to be connected to the municipal sewer system contains designated wetlands (Environmentally Sensitive Areas – ESA) as defined by the United States Fish and Wildlife Service; and**

**WHEREAS, one of the conditions imposed by the United States Environmental Protection Agency ("EPA") upon the grant for the construction of the RVRSA facilities prohibits the connection of any sewer generating structure located within any parcel of land containing a wetland area to the System for a period of 50 years after November 29, 1983; and**

**WHEREAS, said grant conditions provide for exceptions to the prohibition if approved, in writing, by the Regional Administrator of EPA; and**

**WHEREAS, the waiver request procedures established by the USEPA and the New Jersey Department of Environmental Protection (USEPA) require the grantee (i.e. RVRSA) approve the submission of the waiver/mapping revision; and**

**WHEREAS, by Resolution dated March 13, 1986, the RVRSA determined that issues relating to the approval or denial of such a request are more appropriately the subject of evaluation by the officials of the municipality within which the site of the proposed project is located, than by members of a regional sewerage authority; and**

**WHEREAS, those procedures provide that projects which do not adversely impact wetlands may be approved by way of a mapping revision or waiver request; and**

**WHEREAS, the Wharton Developments A (Urban Renewal) LP, has submitted to the Borough a request for a Wetlands Waiver Permit for sewer gallonage and indicated that no sewerage generating structures to be located within the wetlands; and**

**WHEREAS, the Planning Board Engineer finds that the project, as proposed by Wharton Developments A (Urban Renewal) LP, will not involve the construction of sewerage generating structures within a delineated wetland and is designed so as**

**to minimize any adverse impacts on such delineated wetlands, and has recommended the endorsement of said waiver by the Borough.**

**NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Wharton that the request by the Wharton Developments A (Urban Renewal) LP, for the “Proposed Multi-Family Residential Development” be submitted to the RVRSA for a waiver of the EPA grant condition, related to servicing the property with wetlands for Block 903 Lot 2.03, on the official Tax Map Sheet 9 of the Borough of Wharton, is hereby endorsed.**

**Adopted: June 26, 2023**

**BOROUGH OF WHARTON**

**ATTEST:**

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**WILLIAM CHEGWIDDEN,  
MAYOR**

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**Gabrielle Evangelista,  
Municipal Clerk**