

Township of West Milford

Passaic County, New Jersey

~ Resolution 2019 – 245 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY PROVIDING CONSENT TO FILE A TREATMENT WORKS APPROVAL (TWA) APPLICATION TO MODIFY AN EXISTING INDIVIDUAL SUBSURFACE DISPOSAL SYSTEM (ISSDS) ON LOT 1 IN BLOCK 2802 AT 355 WARWICK TURNPIKE, IN THE TOWNSHIP OF WEST MILFORD WHICH IS UNDER THE JURISDICTION OF THE NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION POLLUTANT DISCHARGE ELIMINATION SYSTEM, DISCHARGE TO GROUNDWATER (NJPDES-DWG) AUTHORIZATION NUMBER NJG0289167

WHEREAS, Moe's Plaza LLC is the owner of property known as 355 Warwick Turnpike, West Milford, NJ 07480 in the Township of West Milford, which is known as Block 2802 Lot 1; and

WHEREAS, Moe's Plaza, LLC made an application to alter the existing ISSDS on the property which was reviewed by the West Milford Health Department (WMHD) in October 2018; and

WHEREAS, the WMHD determined that aspects of the proposed ISSDS application did not conform to the design Standards outlined in N.J.A.C. 7:9A; and

WHEREAS, the application proposes to treat and dispose of wastewater based on a volume that was calculated using superseded standards and the actual wastewater volume based on the various uses on the site will exceed 2,000 gallons per day (gpd) according to the current effective standards in the NJDEP Standards for Individual Subsurface Sewage Disposal Systems, N.J.A.C. 7:9A; and

WHEREAS, the WMHD is not authorized under N.J.A.C. 7:9A to permit the repair, alteration, or construction of an ISSDS which treats and disposes of wastewater flows in excess of 2,000 gpd, and directed the owner/applicant to obtain a NJPDES-DGW permit from the NJDEP; and

WHEREAS, Moe's Plaza, LLC has obtained a NJPDES-DGW permit from the NJDEP, and has submitted a request to the Township of West Milford for Consent to File a TWA with the NJDEP to alter the existing ISSDS on the property; and

WHEREAS, the Township Engineer has reviewed the request and has determined that the ISSDS is regulated by the NJDEP and conforms with the requirements of all municipal ordinances pertaining to the proposed disposal system; and

WHEREAS, submittal of a TWA application to the NJDEP requires the municipality to, by way of resolution, consent to the project; and

WHEREAS, a copy of the application is on file in the WMHD; and

WHEREAS, the Township Engineer recommends to the Mayor and Township Council that it in fact consents to this application.

NOW, THEREFORE, BE IT RESOLVED that the Township council of the Township of West Milford, County of Passaic, State of New Jersey hereby consents to the Treatment Works Application as submitted for the property known as Moe's Plaza, LLC in the Township of West Milford which is known as Block 2802 Lot 1 with respect to septic alterations.

Adopted: September 4, 2019

Adopted this 4th day of September, 2019
and certified as a true copy of an original.

Diane Curcio, Acting Township Clerk