

RIDER TO APPLICATION

To: Planning Board, Township of Wyckoff
Date: November 1, 2022
RE: Application of Ridgewood Water
Location: Block 392, Lot 24 Cedar Hill Avenue

Members of the Planning Board:

In 2020, the State of New Jersey adopted recommended State wide standards set by the New Jersey Department of Environmental Protection (hereinafter "NJDEP") for maximum containment levels (MCLs) of Perfluorooctanoic Acid (PFOA) and Perfluorooctanesulfonic Acid (PFOS) in drinking water. PFOA and PFOS are commonly known now as the "forever chemicals" since they do not degrade or dissolve and for many years have leached into the aquifers and drinking water systems throughout the Country. They have been in the potable water systems in the United States for many years. The MCLs set by the State are the most stringent and restrictive contaminant levels of any State.

All potable water suppliers in the State, whether public or private, were given one (1) year to comply with meeting those standards from the effective date of their adoption. This one-year time period is widely accepted as being unrealistic due to the mandated manner in which the PFOA and PFOS particles are required to be removed from the water. However, Ridgewood Water has filed a treatment Plan for compliance for the entire Ridgewood Water system with NJDEP which has been accepted and approved.

Ridgewood Water has been at the forefront of identifying and treating the water in its system to remove these particles from the drinking water. Initial investigation and testing within the system revealed that there are nine (9) points or locations where water enters the Ridgewood Water system that exceeded these MCLs. These nine points of entry are required to be treated to bring the water into compliance with the maximum permitted levels of PFOAs and PFOSs. Ridgewood Water has already constructed treatment systems for two (2) of the points of entry and needs to address the remaining points of entry with treatment systems. The Ames well on Hartung Avenue is one of the remaining points of entry that must be treated.

This project, along with each of the treatment systems for the effected points of entry, are part of a capital project for Ridgewood Water that is mandated by the regulations established by the State of New Jersey for the protection and safety of its residents. The Municipal Land Use Law, (hereinafter "MLUL") addresses projects such as this in N.J.S.A. 40:55D-31, entitled "Review of Capital Projects".

The Statute provides that the public entity's capital project shall be referred to the Planning Board in the municipality for review and recommendation. This application is filed as a capital project of Ridgewood Water mandated by the NJDEP to treat water within the Ridgewood Water system that exceeds the permitted MCLs. Recognizing that Ridgewood Water operates subject to the regulations

established by NJDEP and adopted by the State, the treatment systems mandated by the established MC Ls cannot be avoided. The treatment system proposed by Ridgewood Water in this application is the same system deployed in the first two treatment systems that are up and running for the effected points of entry discussed above.

The NJDEP mandates the treatment of the water to gain compliance with the MCL for potable water. This mandate supersedes and preempts local zoning regulations as it is expressly mandated by NJDEP regulations which are specifically established for safety and health reasons. Additionally, N.J.S.A. 40:55-31 does not require notices to property owners within 200 feet pursuant to N.J.S.A. 40:55D-10 be sent. The statute further exempts the public utility from having to provide the site plan check list and identifying waivers that are customarily required for full site plan applications.

As stated in the correspondence forwarding the application to your Board for filing, if the Board so requests as a matter of courtesy that Notices be sent to the 200 foot property owners, Ridgewood Water would consider doing so as long as the Forty five (45) day time period prescribed in N.J.S.A. 40:55D-31 is met. Thank you in advance for your assistance in this regard.

TOWNSHIP OF WYCKOFF
BERGEN COUNTY, NEW JERSEY

APPLICATION FOR SITE PLAN APPROVAL

Date filed 10/24/2022 Fee _____ Block 392 Lot(s) 24

A. APPLICATION IS HEREBY MADE FOR:

- Minor site plan
 Preliminary/final major site plan
 Waiver, modification or amendment of an existing site plan
 Fence permit

B. OWNER: Ridgewood Water Tele # 201-670-5520 Ext. 2272

Address: 111 N Maple Avenue, Ridgewood, NJ 07450

Applicant's Name (if other than owner):

Richard Calbi Jr., P.E., P.P. Tele# 201-670-5520 Ext. 2272

Address: _____

Name and address of person presenting application:

Name: Earl Schneider, PE Profession Senior Vice President

Address: 111 Wood Avenue South, Iselin, NJ 08830 Tele # +1 973-912-2574

Name of development: _____

C. PROPERTY DESCRIPTION

Location: Cedar Hill Avenue, Wyckoff, NJ 07481 Zone: RA-25

Lot size: 10.5 AC Tax Map #: 50 Block 392 Lot(s) 24

Size of building in square feet: N/A Stories: N/A

D. YARD DIMENSIONS – PROPOSED DEVELOPMENT APPLICATION

(See Zoning Application Section J
and Zoning Table on Dwg C102)

Zone: RA-25 Minimum lot requirements: Area (sq. ft.): _____

Frontage: _____ Depth: _____

Proposed yard dimensions: Principal building Front _____ Rear _____

Side: One _____ Both _____

Accessory buildings: Rear _____ Side _____

Maximum building height: Stories _____ Feet _____

Minimum habitable floor area per dwelling unit _____

Maximum lot coverage _____

Principal building %: _____ Principal & accessory building %: _____

E. IF APPLICATION IS FOR WAIVER, MODIFICATION OR AMENDMENT OF AN EXISTING SITE PLAN,
EXPLAIN REQUEST: N/A See attached Rider

F. PROPOSED LAND USE: Utility - Water Treatment Plant - Installation of mandated PFAS treatment facility
on a site with existing well facilities

G. DESCRIPTION OF PROPOSED OPERATIONS, INCLUDING DAYS AND HOURS OF OPERATION: _____

Unmanned facility for treatment of drinking water including pumping for distribution. Hours of operation will
vary but can be considered continuous. Visits by operational staff will be periodic. An emergency generator will
be installed on site, which will require monthly testing, to be conducted each month on a week day at a time to be
appointed between 9 A.M. and 5 P.M.

H. IF PROPOSAL IS FOR RESIDENTIAL CONSTRUCTION, STATE NUMBER OF DWELLING UNITS AND TYPE OF OWNERSHIP: _____

I. ESTIMATED COST OF CONSTRUCTION: \$9,820,000

J. ARE ANY DEED RESTRICTIONS APPLICABLE TO THE PROPOSED USE KNOWN OR CONTEMPLATED? Yes _____ No X If yes, attach copy.

K. IS DEDICATION OF LAND FOR ROAD OR OTHER REASON REQUIRED? Yes _____ No X
If yes, complete the following:
Name of roads: N/A
Number of feet: _____ Remarks: _____

L. PREVIOUS ACTION BY PLANNING BOARD: Date _____ Details: _____
N/A
Amendment requested: _____

M. DOES THIS DEVELOPMENT PLAN INCLUDE OR REQUIRE A SIMULTANEOUS APPLICATION FOR ANOTHER TOWNSHIP APPROVAL? Yes _____ No X
If yes, state type of additional approval being sought: _____

N. LIST OF MAPS AND OTHER MATERIAL ACCOMPANYING THE APPLICATION AND THE NUMBER OF EACH ITEM:

ITEM	NUMBER
1. General Sheets	<u>2</u>
2. Site Civil Plans, Details, and Soil Erosion and Sediment Control Details	<u>6</u>
3. Architectural Plans	<u>2</u>
4. Architectural Rendering	<u>1</u>
5. NJDEP - Notice of Non-Compliance for PFAS Contamination	<u>6</u>

O. DOES THE FINAL PLAT FOLLOW EXACTLY THE PRELIMINARY PLAT IN REGARD TO DETAILS AND AREA COVERED? Yes _____ No _____
If no, indicate changes: N/A, Initial Submission

P. SIGNATURE OF APPLICANT: [Signature]

SIGNATURE OF OWNERS: [Signature]

DATE OF APPLICATION: 10/25/22

**TOWNSHIP OF WYCKOFF
BERGEN COUNTY, NEW JERSEY**

APPLICATION IS HEREBY MADE FOR:

- () Appeal from Building Officer based on or made in the enforcement of the Zoning Ordinance. N.J.S.A. 40:55D-70a
- () Zoning map interpretation N.J.S.A. 40:55D-70b
- () Hardship variance N.J.S.A. 40:55-70c-1
- () Flexible variance N.J.S.A. 40:55-70c-2
- () Variance for use or principal structure N.J.S.A. 40:55D-70d-1
- () Expansion of a nonconforming use N.J.S.A. 40:55D-70d-2
- () Deviation from standard of conditional use N.J.S.A. 40:55-70d-3

PROPERTY HISTORY:

A. Owner: _____
Address: _____
Telephone: _____
Applicant name (if other than owner): _____
Address: _____
Telephone: _____

B. Property Description:
Location: _____
Zoning district: _____ Block: _____ Lot: _____
Existing use of building or premises: _____

C. Type of variance requested: _____

D. The variance requested is for the purpose of: _____

E. Does the attached survey reflect the property as it presently exists? Yes _____ No _____
If no, explain _____

F. Is the property sewerred or septic? _____ Locate on survey.

G. Is this request connected with the simultaneous approval of another application before a Township board?
Yes _____ No _____
If yes, explain _____

H. Have there been any previous applications before a Township board involving the premises: Yes ___ No ___
If yes, state the date and disposition: _____

I. If this application is for an appeal of a decision of the Building Officer or a zoning map interpretation, explain the appeal or question:

ALL APPLICANTS COMPLETE SECTION J

J. ZONING DISTRICT – RA-25

DIMENSIONS

	Zoning			
	Requirement	Present Layout	Proposed Layout	**See Note
1. LOT SIZE (sq. ft.)	25,000 min.	451,000	451,000	()
Frontage	125 feet min.	940 feet	940 feet	()
Depth	150 feet min.	480 feet	480 feet	()
2. SETBACKS (Corner Lot)				
Principal Building				
Front Yard (#1) (ft.)	40 feet min.	N/A	N/A	()
Front Yard (#2) (ft.)	40 feet min.	N/A	N/A	()
Rear Yard (ft.)	40 feet min.	N/A	N/A	()
Side Yard (ft.)	20 feet min.	N/A	N/A	()
2. SETBACKS (Interior Lot)				
Principal Building				
Front Yard (#1) (ft.)	40 feet min.	N/A	238.8	()
Rear Yard (#2) (ft.)	40 feet min.	N/A	145.5	()
Side Yard (ft.)	20 feet min.	N/A	121.9	()
* Accessory Structure(s) (deck, garage, shed, pool, etc.)		(Attach a separate sheet if necessary).		
Rear Yard (ft.)	15 feet min.	27.2	N/A	()
Side Yard (ft.)	20 feet min.	13.4	N/A	()

***ALL ACCESSORY STRUCTURE SETBACKS SHOULD BE INDICATED ON SURVEY**

3. BUILDING AREAS (footprint)				
Principal Building (sq. ft.)	.....	0	7,330	
Accessory Structures (sq. ft.)	LIST			
Well Houses (6), and storage building, combined	.....	1,720	1,720	
Chemical Building (FUTURE)	.....	0	750	
4. LOT COVERAGE				
A. Principal Building (%)	15 max.	0	1.63	()
B. Total Access. Structures (%)	20 max.	0.38	0.55	()
C. Total (%) (A & B)	35 max.	0.38	2.18	()
5. DWELLING AREA (Total sq. ft.)	1500 min.	N/A	N/A	()
First Floor	.....	N/A	N/A	
6. BUILDING HEIGHT (ft.)				
Number of stories	2.5 (35 feet)max.	N/A	1 (29.8 feet)	()
7. IMPERVIOUS COVERAGE				

Calculation:

For lots over 25,000 sq. ft., the maximum allowable impervious coverage shall be 28.5% of the lot area. For lots between 10,000 and 25,000 sq. ft., the maximum allowable impervious coverage shall be equal to 45 divided by the square root of the lot area. Lots less than 10,000 sq. ft., the maximum allowable impervious coverage shall be 45% of the lot area.

▪ Structures/Buildings	Sq. ft.	9,800	<u>Space reserved for calculation</u>
▪ Driveways (paved or gravel)	Sq. ft.	13,600	
▪ Patios and/or paved areas	Sq. ft.	_____	
▪ Walkways and brick pavers	Sq. ft.	765	24,165 / 451,000
▪ Tennis Court	Sq. ft.	_____	
▪ Swimming Pool Water Surface	Sq. ft.	_____	
▪ Decks w/o free drainage	Sq. ft.	_____	
TOTAL IMPERVIOUS COVERAGE:	Sq. ft.	24,165	Calculated % = <u>5.4</u> ()

****NOTE: MARK (X) WHERE NOT IN CONFORMANCE WITH ZONING**

K. OTHER REQUIREMENTS

1. PARKING: Spaces required N/A provided _____
Actual area to be utilized (each floor): _____

Comments: _____

Buffer required _____
Buffer provided _____
Comments: _____

2. SIGN: (Also fill out separate Application for Sign Construction Permit)

Dimensions: N/A - See Rider _____
Height: _____
Location: _____
Lighting: _____
Setbacks: _____

3. FENCE:

Height: Existing chainlink fence to remain. _____
Style: _____
Location: _____

IF APPLICATION IS FOR A HARDSHIP OR FLEXIBLE VARIANCE, COMPLETE SECTION L

L. 1. How will the benefits of the proposed application outweigh any detriments? N/A _____

2. What are the exceptional circumstances or conditions applicable to the property involved or to the intended use of development of the property that do not apply generally to other properties in the same zone or neighborhood?

3. Explain what efforts have been made by the applicant to acquire adjoining lands so as to reduce the extent of the variances or eliminate such?

4 State how the proposed variance:

a. Will not cause substantial detriment to the public good _____

b. Will not substantially impair the intent and purpose of the zoning plan and ordinance _____



State of New Jersey

PHILIP D. MURPHY
GOVERNOR

SHEILA Y. OLIVER
LT. GOVERNOR

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Mail Code 401-04Q
Division of Water Supply & Geoscience
Water System Operations Element
Bureau of Safe Drinking Water
401 E. State Street - P.O. Box 420
Trenton, New Jersey 08625-0420
Tel #: (609) 292-5550 - Fax #: (609) 633-1495
<https://www.nj.gov/dep/watersupply/>

SHAWN M. LATOURETTE
COMMISSIONER

Notice sent via email only Rcalbi@Ridgewoodnj.Net

November 30, 2021

Richard Calbi Jr.
Ridgewood Water
131 North Maple Ave
Ridgewood Village, NJ 07451

**RE: Notice of Non-Compliance –Perfluorooctanoic acid (PFOA) Perfluorooctane Sulfonic Acid (PFOS) MCL Exceeded
Ridgewood Water
PWSID: NJ0251001
Sample Point IDs: TP001001, TP035083, TP024060, TP018047, TP005023,
TP004012, TP025062, TP021053, TP033079, TP028068, TP020051, TP014038,
TP019049, TP002003, TP030072, TP041094, TP023057, TP010030
EA ID #: PEA210016 - 0251001
Violation #s: 211586, 211587, 211583, 211582, 211588, 211585, 211584, 211594,
211591, 211596, 211595, 211590, 211597, 211592, 211598, 211602, 211599, 211601,
211600**

Dear Richard Calbi Jr.:

Enclosed for service upon you is a Notice of Non-Compliance (Notice) issued by the Department of Environmental Protection. **Submit your response to this Notice to the Bureau of Safe Drinking Water (Bureau) via email to watersupply@dep.nj.gov, unless otherwise noted. When submitting via email, reference your PWSID No., the violation number, and the specific submission and/or form number in the subject line.** If you need further assistance contact Leronda Aviles at (609) 292-5550 or Leronda.Aviles@dep.nj.gov. When contacting the Bureau, reference PWSID NJ0251001 and EA ID #: PEA210016 so that we can assist you more efficiently.

Sincerely,

Matthew Wilson, Bureau Chief
Bureau of Safe Drinking Water

Enclosure



State of New Jersey

PHILIP D. MURPHY
GOVERNOR

SHEILA Y. OLIVER
LT. GOVERNOR

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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SHAWN M. LATOURETTE
COMMISSIONER

NOTICE OF NON-COMPLIANCE

EA ID #: PEA210016 - 0251001

Name: Ridgewood Water
Location: 131 North Maple Ave
Ridgewood Village, NJ 07450
Violation #: 211586

You are hereby Notified that a review of The New Jersey Department of Environmental Protection (Department), Bureau of Safe Drinking Water (Bureau) records conducted on October 28, 2021, found that your facility was out of compliance with the regulations promulgated pursuant to the New Jersey Safe Drinking Water Act, NJSA 58: 12A-1 et seq. This Notice of Non-Compliance (Notice) has been recorded as part of the permanent enforcement history of Ridgewood Water at the above location because your water system failed to comply with the following requirement:

Requirement: Comply with the Maximum Contaminant Level (MCL) for Perfluorooctanoic Acid (PFOA) set forth in [N.J.A.C. 7:10- 5.2(a)5]

Violation Details: RUNNING ANNUAL AVERAGE (RAA) for PERFLUOROCTANOIC ACID (PFOA) exceeded during the period October 1, 2021 to December 31, 2021 for the samples in the chart below. *Specifically, the RAA for PERFLUOROCTANOIC ACID (PFOA) exceeded the MCL of 0.014 µg/L during the 4th quarter of 2021, at eighteen (18) locations.*

Requirement: Comply with the Maximum Contaminant Level (MCL) for Perfluorooctane Sulfonic Acid (PFOS) set forth in [N.J.A.C. 7:10- 5.2(a)5]

Violation Details: RUNNING ANNUAL AVERAGE (RAA) for PERFLUOROCTANE SULFONIC ACID (PFOS) exceeded during the period October 1, 2021 to December 31, 2021 for the following sample point ID: TP001001 MEER TREATMENT HOUSE. *Specifically, the RAA for PERFLUOROCTANE SULFONIC ACID (PFOS) during the 4th quarter of 2021 was 0.0142 µg/L which exceeded the MCL of 0.013 µg/L.*

	1 st Quarter 2021	0.0118	
TP019049 MIDLAND	4 th Quarter 2021	0.0172	0.017
	3 rd Quarter 2021	0.0174	
	2 nd Quarter 2021	0.019	
	1 st Quarter 2021	0.0153	
TP002003 EDER TREATMENT HOUSE	4 th Quarter 2021	0.0115	0.021
	3 rd Quarter 2021	0.0257	
	2 nd Quarter 2021	0.025	
	1 st Quarter 2021	Offline	
TP030072 STEVENS	4 th Quarter 2021	0.0261	0.022
	3 rd Quarter 2021	0.0184	
	2 nd Quarter 2021	0.0221	
	1 st Quarter 2021	Offline	
TP041094 TWINNEY TREATMENT FACILITY	4 th Quarter 2021	0.019	0.022
	3 rd Quarter 2021	0.0207	
	2 nd Quarter 2021	0.026	
	1 st Quarter 2021	Offline	
TP023057 LAKEVIEW	4 th Quarter 2021	0.0256	0.027
	3 rd Quarter 2021	0.0272	
	2 nd Quarter 2021	0.0294	
	1 st Quarter 2021	Offline	
TP010030 AMES 3	4 th Quarter 2021	0.0222	0.021
	3 rd Quarter 2021	0.0223	
	2 nd Quarter 2021	0.0242	
	1 st Quarter 2021	0.0162	

PERFLUOROCTANE SULFONIC ACID (PFOS)

Facility ID	Reporting Period	Quarterly Value (µg/l)	Running Annual Average (µg/l)
TP001001 MEER TREATMENT HOUSE	4 th Quarter 2021	0.0166	0.014
	3 rd Quarter 2021	0.013	
	2 nd Quarter 2021	0.0163	
	1 st Quarter 2021	0.0108	

In response to this Notice of Non-Compliance, the following corrective actions must be undertaken to achieve compliance:

1. A public water system exceeding the MCL for Perfluorooctanoic acid (PFOA) must report the violation to the Bureau within forty-eight (48) hours after becoming aware of the violation, in accordance with 40 CFR 141.31(b). *The initial results were submitted to the Bureau by your lab on October 27, 2021.*
2. Tier 2 public notification (PN) requirements must be completed in accordance with 40 CFR 141.201 et seq. It is strongly recommended that all PN materials be reviewed by the Bureau prior to issuing. **Public notification must be completed as soon as practical but no later than thirty (30) days after the system learns of the violation** and must continue for the duration of the violation or situation, but in no case for less than seven (7) days, even if the violation is resolved (**due November 29, 2021**).