

NOTE: THIS IS A COURTESY COPY OF THIS PLAN AMENDMENT PROPOSAL. THE OFFICIAL VERSION WILL BE PUBLISHED IN THE MAY 1, 2023 NEW JERSEY REGISTER. SHOULD THERE BE ANY DISCREPANCIES BETWEEN THIS TEXT AND THE OFFICIAL VERSION OF THE PROPOSAL, THE OFFICIAL VERSION WILL GOVERN.

**PUBLIC NOTICE**

**ENVIRONMENTAL PROTECTION**

**WATERSHED AND LAND MANAGEMENT**

**DIVISION OF WATERSHED PROTECTION AND RESTORATION**

**Proposed Amendment to the Upper Raritan Water Quality Management Plan**

**Take notice** that the New Jersey Department of Environmental Protection (Department) is seeking public comment on a proposed amendment to the Upper Raritan Water Quality Management (WQM) Plan in accordance with the New Jersey Water Quality Planning Act, N.J.S.A. 58:11-1 et seq., and the Water Quality Management Planning rules, N.J.A.C. 7:15. The proposed amendment, identified as the Chester Borough Center (aka Mill Ridge Lane and Turkey Farm) (Program Interest No. 435434, Activity No. AMD220001), would establish a new discharge to groundwater (DGW) sewer service area (SSA) of 15.2 acres on Block 101, Lots 12.07, 12.08, 13, 14, 15, and 16 in Chester Borough, Morris County. The proposed SSA is to accommodate a multi-use development consisting of twenty 3-bedroom townhouses, eight 1-bedroom apartments, twenty-two 2-bedroom apartments, seven 3-bedroom apartments, 40,000 square feet of office and retail space for a medical building, drug store, and office building, and a 225-seat restaurant. The project will generate a projected wastewater flow of 26,125 gallons per day (gpd) based on flow calculated in accordance with N.J.A.C. 7:14A-23.3.

This notice represents the Department's determination that the proposed amendment is compliant with the applicable regulatory criteria at N.J.A.C. 7:15, as described below.

In accordance with N.J.A.C. 7:15-3.3(b), site specific amendments are limited to proposed alterations to the eligible SSAs needed to address a specific project or activity. N.J.A.C. 7:15-3.5(j)2 requires that site specific amendments proposing to add 100 or more acres or generating 20,000 gpd or more of wastewater flow shall include a proposed modification to the wastewater treatment capacity

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analysis prepared in accordance with N.J.A.C. 7:15-4.5(b) to include the proposed project or activity. The proposed project involves less than 100 acres of proposed SSA but would generate 20,000 gpd or more of wastewater flow. However, since the wastewater is to be treated by a proposed new on-site wastewater treatment facility specifically for this project, a wastewater treatment capacity analysis is not required.

The proposed project is located in the Highlands Region, as defined in the Highlands Water Protection and Planning Act, N.J.S.A. 13:20-7.a. Chester Borough is located entirely in the planning area of the Highlands region and is a fully conforming municipality. For fully conforming municipalities in the planning area, sewer service eligibility is determined by N.J.A.C. 7:15-4.4(c)2. On January 16, 2020, the Highlands Council approved an amended petition for Plan Conformance for Chester Borough that incorporated a Highlands Center designation for all of Chester Borough. Additionally, 308 acres of Chester Borough were delineated as Highlands Environmental Resource Zones (HERZ) due to the presence of environmentally sensitive resources. The delineated HERZ on the project site has been excluded from the proposed SSA. The proposed project is located in a HUC-14 subwatershed that is in deficit of Net Water Availability. The water supply for the project is also located in a HUC-14 subwatershed that is in deficit of Net Water Availability. However, Chester Borough is developing a municipal-wide Water Use and Conservation Management Plan which will address water uses and implement water conservation measures to address Net Water Availability deficits within Chester Borough. In a letter dated November 9, 2020, the Highlands Council found the proposed project consistent with the Highlands Regional Master Plan and Executive Order No. 114 (2008).

Pursuant to N.J.A.C. 7:15-4.4(h)1 and 2, the Department considered the land uses allowed in adopted zoning ordinances, future land uses shown in adopted municipal and county master plans, and other local land use objectives. In a letter dated December 30, 2022, Chester Borough stated that the project is consistent with the municipal zoning and master plan. Morris County took no position on the project.

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This notice is to inform the public that a plan amendment has been proposed for the Upper Raritan WQM Plan. All information related to this plan and the proposed amendment is located at:

New Jersey Department of Environmental Protection  
Division of Watershed Protection & Restoration  
Bureau of NJPDES Stormwater Permitting and Water Quality Management  
Water Quality Management Planning Program  
PO Box 420, Mail Code 501-02A  
501 East State Street  
Trenton, New Jersey 08625-0420

The Department's file is available for inspection between 9:00 A.M. and 4:00 P.M., Monday through Friday, upon request. An appointment to inspect the file must be arranged by calling the Bureau of NJPDES Stormwater Permitting & Water Quality Management (609) 633-7021.

Interested persons may submit written comments on the proposed amendment to the Department at the address cited above or at the email: [wqmp.publiccomments@dep.nj.gov](mailto:wqmp.publiccomments@dep.nj.gov). Comments should reference Program Interest No. 435434, Activity No. AMD220001 and must be submitted within 30 days of the date of this public notice.

Interested persons may request, in writing, that the Department hold a nonadversarial public hearing on the amendment or extend the public comment period specified in this notice. Such requests should reference Program Interest No. 435434, Activity No. AMD220001 and must demonstrate sufficient public interest for the public hearing or extension of the comment period, as defined at N.J.A.C. 7:1D-5.2(d). The request must be submitted within 30 days of the date of this notice to the Department address cited above. Should the Department decide to hold a public hearing, additional notice will be published in a future issue of the New Jersey Register and the comment period will be extended to 15 days after the

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public hearing. All comments submitted prior to the close of the comment period shall be considered by the Department before making a final decision on the proposed amendment.

Sewer service is not guaranteed should this amendment be adopted as it represents only one part of the permit process and other issues may need to be addressed. Inclusion in the SSA as a result of the approval of this amendment does not eliminate the need to obtain all necessary permits, approvals, or certifications required by any Federal, State, county, or municipal review agency with jurisdiction over this project/activity.

3/22/2023

Date



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Gabriel Mahon, Bureau Chief  
Bureau of NJPDES Stormwater Permitting and Water Quality Management  
Division of Watershed Protection and Restoration  
NJ Department of Environmental Protection