

WARREN TOWNSHIP SEWERAGE AUTHORITY

RESOLUTION NO. 12-122

RESOLUTION MEMORIALIZING THE AUTHORITY'S GRANT OF PRELIMINARY AND FINAL APPROVAL OF THE APPLICATION OF BYRON SALAZAR FOR THE CONSTRUCTION OF A TURF-N-SURF RESTAURANT WITH 18 SEATS TO UTILIZE THE ONE (1) EDU OF CAPACITY ALREADY ASSOCIATED WITH THE TENANT SPACE IN THE ARCH PLAZA SHOPPING CENTER LOCATED AT 51 MOUNT BETHEL ROAD, SUITE 101, BLOCK 74, LOT 6 IN THE MIDDLEBROOK SEWER SERVICE AREA

WHEREAS, the applicant, Byron Salazar, had applied to the Authority for preliminary and final approval for the construction of a Turf-N-Surf Restaurant in the Arch Plaza Shopping Center, with 18 seats which would utilize the one (1) EDU of capacity already associated with the tenant space, such tenant space being located in the Arch Plaza Shopping Center at 51 Mount Bethel Road, Suite 101, Block 74, Lot 6 in the Middlebrook sewer service area; and

WHEREAS, the applicant proposes to renovate and convert the currently vacant space in Suite 101 for use as a fast-food, self-service type restaurant with no wait staff, and the applicant is proposing renovations to the kitchen, the serving areas and counters, as well as certain handicap upgrades to the new restaurant; and

WHEREAS, the drawings submitted show that the eating area of the restaurant will include seating for eighteen (18) occupants, and, in accordance with NJAC 7:14A-23.3, the NJDEP criteria for fast food restaurants is 15 gpd per seat. The proposed 18 seats in the eating areas will result in a projected flow of 270 gpd, or one (1) EDU of capacity; and

WHEREAS, the space to be utilized was previously utilized by a retail frozen yogurt establishment, with one (1) EDU of capacity associated with such use; and

WHEREAS, the Authority's Engineer, by memorandum dated October 16, 2012, has indicated that they have reviewed the application and drawings submitted on behalf of the applicant by BEER Architectural Group, LLC for the currently vacant tenant space in Suite 101 in the Arch Plaza Shopping Center with 18 seats and no additional EDU's of capacity required, and had determined that this connection was designed in accordance with the Authority's Rules and Regulations and had recommended that the Authority grant preliminary and final approval. The drawings submitted consist of Sheets A-1 through A-2, dated October 10, 2012 and Rev-1, dated October 16, 2012; and

WHEREAS, the Authority voted at its October 17, 2012 meeting to grant preliminary and final approval of the application made by resolution on the application; and,

WHEREAS, the Authority desires to memorialize its October 17, 2012 decision.

NOW, THEREFORE, BE IT RESOLVED, by the Warren Township Sewerage Authority in the County of Somerset, New Jersey that the Authority hereby memorializes its decision made at the October 17, 2012 meeting to grant preliminary and final approval to Byron Salazar, for the construction of a Turf-N-Surf Restaurant in existing tenant space located in the Arch Plaza Shopping Center, with 18 seats with one (1) EDU of capacity associated with such use, located at 51 Mount Bethel Road, Suite 101, Block 74, Lot 6 in the Middlebrook sewer service area. The approval granted herein is subject to the following conditions:

1. The applicant shall comply with all of the Authority's Rules and Regulations, and the payment of all fees.
2. The applicant shall comply with the local Plumbing Sub-code Official regarding any new sanitary sewer construction that may be required.
3. The applicant shall not commence any construction without first obtaining the necessary permits.
4. In the event the Authority determines at a later date that the water usage associated with this tenant space exceeds one (1) EDU of capacity, then the sewer service fee for this property shall be billed based on such greater number of units, and the property shall be charged a recalculated connection fee equivalent to the then applicable connection fee for each such additional EDU.

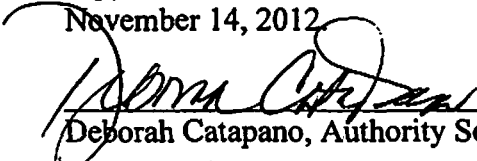
BE IT FURTHER RESOLVED that the resolution memorializes the action taken by the Authority at its October 17, 2012, meeting.

Moved by Mr. Truglio
 Seconded By Mr. Checchio

Roll Call Vote	Yes	No
Chairman Reeder	x _____	_____
Mr. Truglio	x _____	_____
Ms. Garafola	_____	_____
Mr. Kaufman	_____	_____
Mr. Vetter	_____	_____
Mr. Checchio (Alternate #1)	x _____	_____
Mr. Paoella (Alternate #2)	_____	_____

CERTIFICATION

I, Deborah Catapano, Secretary of the Warren Township Sewerage Authority in the County of Somerset, New Jersey, do hereby certify that the above resolution is a true and correct copy of a resolution adopted at a meeting of the Warren Township Sewerage Authority on November 14, 2012



 Deborah Catapano, Authority Secretary
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