

WARREN TOWNSHIP SEWERAGE AUTHORITY

RESOLUTION NO. 13 - 67

RESOLUTION GRANTING CONDITIONAL PRELIMINARY AND FINAL APPROVAL TO THE REVISED APPLICATION OF SHELTER DEVELOPMENT LLC FOR THE PROPOSED GRAVITY CONNECTION VIA A SIX INCH LATERAL TO AN EXISTING EIGHT INCH SANITARY SEWER SYSTEM WITHIN A TOWNSHIP OF WARREN ACCESS AND UTILITY EASEMENT IN BLOCK 74, LOT 6.02, SERVING A PROPOSED ASSISTED LIVING FACILITY ON LOTS 7, 8 & 9 OF BLOCK 74, WITH APPROXIMATELY FORTY-TWO (42) ADDITIONAL EDUS OF CAPACITY FOR A TOTAL OF FORTY-FOUR (44) EDUS IN THE MIDDLEBROOK SEWER SERVICE AREA

WHEREAS the applicant is seeking preliminary and final approval for a revised proposal for a privately-owned gravity sanitary sewer system, and forty-two (42) EDUs of additional EDU's of capacity, for a total of forty-four (44) EDUs, to serve a proposed 122 bed assisted living facility on Lots 7, 8 & 9 of Block 74 on Mount Bethel Road, in the Middlebrook service area; and

WHEREAS by Resolution 12-136 the Authority granted conditional preliminary and final approval for and forty-two (42) EDUs of additional EDU's of capacity, for a total of forty-four (44) EDUs, to serve a proposed 122 bed assisted living facility on Lots 7, 8 & 9 of Block 74 on Mount Bethel Road, in the Middlebrook service area; and

WHEREAS, the application before the planning board resulted in modifications to the building layout and resulting modifications to the sanitary sewer design; and

WHEREAS the applicant has amended its application for which conditional preliminary and final approval had been granted; and

WHEREAS, the Authority's Engineer had reviewed the application and the plans submitted on behalf of the applicant which includes: Application for Revised Preliminary Approval for Construction of Proposed Sanitary Sewers and Permit to Construct dated 06/11/13, in addition to Sanitary Sewer Cost Estimate, Letter dated June 5, 2013, from Page Engineering with attached Resolution No. 12-136, JSA Architects, Architectural plans dated 04/19/13, consisting of four 11x17 sheets, and Page Engineering Consultants, P.C., Preliminary and Final Site Plan drawings, Sheets SP-1 through SP-12 and L-1, revised 04/22/13, and drawings SP-4 and SP-9 last revised 06/10/13; and

WHEREAS the Applicant's engineer has noted that an Environmentally Sensitive Area (ESA) exists within the project area. As the property is located within the Middlebrook Service Area, the Applicant has been made aware of the required United States Environmental Protection Agency (USEPA) waiver for connection to the Middlebrook sewer system; and

WHEREAS by memoranda dated June 12, 2013, the Authority's Engineer has indicated that he has reviewed the application documents submitted on behalf of the applicant, and the Applicant was requested to and did revise the design in response to the Engineer's comments and technical requirements of the Authority Rules and Regulations; and

WHEREAS the Engineer has determined that all technical specifications have been met for preliminary and final approval and has recommended that the Authority grant conditional preliminary and final approval be granted for the revised application subject to the conditions set forth below.

NOW, THEREFORE, BE IT RESOLVED by the Warren Township Sewerage Authority, County of Somerset, State of New Jersey, that the Authority hereby grants conditional and final approval to the applicant, Shelter Development, LLC, for the revised proposed sanitary sewers for the proposed assisted living facility located at Block 74, Lots 7, 8, and 9, consisting of a gravity lateral connection of a net increase of 42 EDUs to an existing 8-inch sewer within an existing access and utility easement in Block 74, Lot 6.02, off of Town Center Drive, in the Middlebrook Service Area, 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, including the payment to the Authority of the then applicable connection fee.
2. The applicant shall not be issued a connection permit until applicant has provided confirmation that the applicable SRVSA connection fee has been paid to SRVSA.
3. The new sanitary sewer construction on the subject parcel is under the jurisdiction of the local plumbing sub-code official.
4. The applicant shall not commence any construction requiring engineering inspection until it has provided proof to the Authority that the applicant has notified the "One-Call Damage Prevention System" pursuant to the Underground Facility Protection Act, N.J.S.A. 48:2-73, et seq., which proof shall be provided by supplying the Authority with the confirmation number assigned to the notice of intent pursuant to said Act.
5. The applicant shall complete all site restoration work associated with the construction of the sanitary sewer to the satisfaction of the Authority and the Township.
6. If applicable, prior to any excavation, the applicant must provide written notice to the Somerset Union Soil Conservation District.
7. An NJDEP Treatment Works Approval (TWA) permit from Somerset County will be required for the project, which will require the endorsement of both the Authority and the Somerset Raritan Valley Sewerage Authority, and it is the

applicant's responsibility to obtain this permit.

- 8. Since an ESA exists within the project area and the connection is located within the Middlebrook Service Area, the applicant must submit to the Authority the documentation required in the USEPA Waiver Checklist in order that the Authority may request a release from the USEPA regarding stipulations in the Grant Agreement for the Authority's Middlebrook interceptor. This preliminary and final approval is conditioned on receipt from the USEPA of the required release.
- 9. The connection to the existing sanitary manhole and installation of 118 LF of 6-inch SDR 35 PVC lateral piping to the existing manhole within the sanitary sewer easement located on Block 74, Lot 6.02 is under the jurisdiction of the Authority and must be inspected by a representative of the Authority. In accordance with Section 3.15 of the Authority's Rules and Regulations, the applicant must pay an escrow amount of \$2,360.00 to cover the cost of this inspection, based upon the total of 118 LF of 6-inch pipe located within the WTSA easement (118 LF x \$20 = \$2,360.00).

BE IT FURTHER RESOLVED that the Authority's Chairman is hereby authorized and directed to execute the required New Jersey Department of Environmental Protection TWA-1 permit application and, upon receipt of the required materials, request a release from the United States Environmental Protection Agency regarding stipulations in the Grant Agreement for the Authority's Middlebrook interceptor. As this approval is explicitly conditioned on receipt of the TWA and of the USEPA release, no construction shall commence until both conditions have been satisfied.

BE IT FURTHER RESOLVED that this Resolution supersedes Resolution No. 12-136.

Moved by Mr. Truglio
Seconded By Mrs. Garafola

Roll Call Vote	Yes	No
Chairman Reeder	x _____	_____
Mr. Truglio	x _____	_____
Ms. Garafola	x _____	_____
Mr. Mosquera	x _____	_____
Mr. Vetter	x _____	_____
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 June 19, 2013.

Deborah Catapano
Deborah Catapano, Authority Secretary