

WARREN TOWNSHIP SEWERAGE AUTHORITY

RESOLUTION NO. 13-76

RESOLUTION MEMORIALIZING THE AUTHORITY'S GRANT OF PRELIMINARY AND FINAL APPROVAL OF THE REVISED APPLICATION OF BYRON SALAZAR FOR THE CONSTRUCTION OF A TURF-N-SURF RESTAURANT WITH 37 SEATS TO UTILIZE TWO (2) OF THE FOUR (4) EDUS 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, by Resolution No. 12-122, the Authority granted preliminary and final approval to the applicant, Byron Salazar, for the construction of a fast-food Turf-N-Surf Restaurant in the Arch Plaza Shopping Center, with 18 seats to 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, at the time of that approval it was suggested that there were two approved EDUs for the associated property, however, further research of historical documents have revealed that the building had been approved for what is the equivalent of four (4) EDUs, as reflected in the gallonage approved by Resolution No. 85-19; and

WHEREAS, the applicant has applied to the Authority for preliminary and final approval of a revised application for the Turf-N-Surf Restaurant; and

WHEREAS, the revised drawings submitted show that the eating area of the restaurant will include seating for thirty-seven (37) occupants, and, in accordance with NJAC 7:14A-23.3, the NJDEP criteria for fast food restaurants is 15 gpd per seat. The proposed 37 seats in the eating areas will result in a projected flow of 555 gpd, or two (2) EDUs of capacity; and

WHEREAS, the Authority has determined that the water usage associated with the building is equivalent to three (3) EDUs of capacity, including the one (1) EDU already associated with the tenant space in which the restaurant will be located, so that the addition of one (1) EDU for the Turf-N-Surf Restaurant would bring the total anticipated water usage to four (4) EDUs, the number of EDUs for which the property and building have previously been approved; and

WHEREAS, the Authority has determined that the Turf-N-Surf Restaurant with the type of service and number of seats proposed is not expected to result in an exceedance of the four (4) EDUs of capacity previously approved for the property, so no additional connection fee is required; and

WHEREAS, the Authority's Engineer, by memorandum dated June 20, 2013, has

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indicated that they have reviewed the revised application and drawing submitted on behalf of the applicant by BEER Architectural Group, LLC, and has determined that the connection is designed in accordance with the Authority's Rules and Regulations and has recommended that the Authority grant preliminary and final approval to the revised application; and

NOW, THEREFORE, BE IT RESOLVED, by the Warren Township Sewerage Authority in the County of Somerset, New Jersey that the Authority hereby grants preliminary and final approval to Byron Salazar, for the revised application for construction of a Turf-N-Surf Restaurant with 37 seats and to be operated as a fast food restaurant in existing 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. 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, but no connection fee is owed as the use will remain within the four (4) EDUs for which the property has previously been approved.

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. The restaurant seating shall be limited to 37 and the restaurant is to be operated as a fast-food restaurant.

5. In the event the Authority determines at a later date that the water usage associated with 51 Mount Bethel Road exceed four (4) EDUs of capacity due either to an increase in the number of seats in the Turf-N-Surf Restaurant and/or the nature of the operation changes from a fast-food restaurant to a sit-down full service restaurant, 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 this Resolution memorializes the action taken by the Authority at its June 19, 2013, meeting and supersedes Resolution No. 12-122.

Moved by Mr. Truglio
 Seconded By Mr. Checchio

Roll Call Vote	Yes	No
Chairman Reeder	x _____	_____
Mr. Truglio	x _____	_____
Ms. Garafola	_____	_____
Mr. Mosquera	_____	_____
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 July 17, 2013.



Deborah Catapano, Authority Secretary