

WARREN TOWNSHIP SEWERAGE AUTHORITY

RESOLUTION NO. 14- 88

**RESOLUTION GRANTING CONDITIONAL
PRELIMINARY AND FINAL APPROVAL FOR THE
APPLICATION OF RAFAL IMIOLEK FOR CONNECTION
WITH ONE (1) EDU OF CAPACITY TO SERVE AN
EXISTING SINGLE-FAMILY DWELLING LOCATED AT 4
WHISPERING WAY, BLOCK 71, LOT 73 IN THE
MIDDLEBROOK SEWER SERVICE AREA**

WHEREAS, the applicant, Rafal Imiolek, has applied to the Authority for preliminary and final approval for a connection with one (1) EDU of capacity to serve an existing single-family dwelling on Block 71, Lot 73, located at 4 Whispering Way, in the Middlebrook sewer service area; and

WHEREAS, the Authority's Engineer has reviewed the plans submitted by the applicant and prepared by Parker Engineering, entitled "Sewer Connection Plan, Tax Map Lot 73, Block 71, Township of Warren, Somerset County, NJ" Sheet 1, Dated August 6, 2014, last revised August 19, 2014 and a letter dated July 30, 2014 from the applicant's attorney with a letter from the Warren Township Board of Health attached ; and

WHEREAS, the existing dwelling is currently served by a septic system which has been deemed to be failing and indicated as a "health hazard" by the Warren Township Board of Health in a letter dated March 31, 2014; and

WHEREAS, the property is currently included in a project to activate the existing dry sewers in the area of Geiger Lane, Krausche Road and Whispering Way, which the Township of Warren plans to implement as a public improvement to be funded through a special assessment on the benefited properties; and

WHEREAS, under the Township project, the property would be connected into an existing 8-inch dry sewer that runs from Whispering Way southeasterly along the border of the property with Block 71, Lot 22.05 and into Block 71, Lot 78, where a pump station is proposed to be constructed to handle the flow from Block 71 Lots 73 and 72 as well as from Geiger Lane and Krausche Road sewers, and then through existing municipal/utility easements on Block 71, Lots 78, 73 and 22.05 into the existing active sewer on Block 71, Lot 22.05; and

WHEREAS, because of the need to address the health concerns, the applicant has proposed to connect directly to the existing sewer on Block 71, Lot 22.05 through the existing 25 ft. wide municipal easement on Block 71, Lot 73 and the 20 ft. wide utility easement on Block 71, Lot 22.05; and

WHEREAS, the design proposes connecting this property only, by way of 214 LF of 4-inch later at 4% slope from the existing home extending southwest toward the southern point of Lot 73 at the municipal easement, then turning southeastward and crossing over the municipal

easement and running 119 LF through the existing utility easement at 1% slope to a point of connection via saddle tap into the existing sewer; and

WHEREAS, if there was not a current health hazard due to the failed septic system and if there was not the prospect of activation of the existing dry line, the Authority's preference would be for the applicant to sewer this property by construction an 8-inch sewer extension into the existing manhole on Block 71, Lot 22.05 to connect with the existing dry sewer on Block 71, Lot 73 to pick up sewage flows from both Block 71 Lots 72 and 73. Under such an approach, the remainder of the existing dry sewer from Block 71 Lot 73 to Block 71 Lot 78 to the proposed pump station would be abandoned. This approach would allow service to two properties and provide better sewer maintenance conditions for the Authority, by eliminating the potential for future low flow condition created by connection of a single home by approximately 650 LF in an 8-inch sewer until reaching the pump station; and

WHEREAS, however, this preferred approach would require delay in addressing the health hazard as such a sewer extension would NJDEP Treatment Works Approval (TWA) permit for the sewer extension, requiring additional engineering work and a potential 90 day NJDEP review period; and

WHEREAS, in addition, the concerns regarding the low flow in the existing dry line if on Lot 72 connects if and when the Pump Station is constructed and the dry lines activated can be addressed by conditioning approval of this application on a requirement that the property connect the proposed lateral to the dry line when that line is activate, and abandon and cap the portion of that lateral that extends beyond that dry line to the existing active sewer on Block 71, Lot 22.05; and

WHEREAS, due to the unique circumstances and urgency to obtain sewer service so that the home may be occupied, coupled with concerns regarding the activation of the dry sewer on Block 71 Lots 73 and 78, the Authority's Engineer has recommended approval of this connection, but conditioned on abandonment of the lateral connection to the sewer on Block 71, Lot 22.05 should the dry sewer line across Block 71, Lots 73 and 78 become active; and

WHEREAS, the applicant's engineer has indicated that no environmentally sensitive areas exist on the property, and as such the connection is in compliance with the USEPA requirements stipulated in the Grant Agreement for the Middlebrook Interceptor and no waiver is required; and

WHEREAS, the Authority's Engineer, by memorandum dated August 19, 2014, has indicated that he has reviewed the plans submitted by Parker Engineering on behalf of the applicant, and has determined that this connection was designed in accordance with the Authority's Rules and Regulations and has recommended that the Authority grant preliminary and final approval, subject to certain conditions.

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 the applicant, for the connection of a single family dwelling at 4

Whispering Way, Block 71, Lot 73, for one (1) EDU of capacity 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, including the payment to the Authority of the then applicable connection fees.
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 applicant must provide a metes and bounds description of the easements required for construction and continued maintenance of the proposed lateral connection to the existing sewer in Block 71, Lot 22.05, and enter into an easement agreement with the Township in form and substance satisfactory to the Township. The easement agreement is to be prepared by the Township Attorney and subject to the approval of the Authority Attorney, and the applicant is required to pay all attorney fees associated with such easements. All easements must be recorded with the County before the applicant may apply for necessary building and/or plumbing permits for the proposed construction. The applicant should coordinate a separate escrow account for the Township attorney's work related to the necessary easements.
4. The applicant's engineer must provide a revised signed and sealed drawing to the satisfaction of the Authority's Engineer that includes all required temporary construction and continued maintenance easements on the existing municipal and utility easements located on Block 71, Lots 73 and 22.05, respectively, for the proposed sewer lateral connection. The revised drawing must also note that no environmentally sensitive areas exist on the subject property as indicated by the applicant's engineer.
5. The applicant shall maintain, at his own cost and expense, the new lateral connection on Block 71, Lot 73 and across Block 71, Lot 22.05.
6. If and when the Authority's dry sewer line across Block 71, Lots 73 and 78 becomes active, the owner of Block 71, Lot 73 must abandon the lateral connection to the sewer on Block 71, Lot 22.05 and connect into the existing dry sewer on his property. The new connection and abandonment of the existing lateral must be done in accordance with Authority requirements.
7. The applicant shall execute a recordable agreement in form and substance satisfactory to the Authority setting forth the obligations contained in condition paragraphs 5 and 6, which agreement must be fully executed before any construction commences. The applicant must enter into an indemnification and hold harmless agreement covering his or her ownership, maintenance and responsibility for the lateral within the public easements. Such agreement shall be in a form provided by the Authority's Attorney, and shall be filed and recorded with the County of Somerset. Satisfaction of this condition shall be evidenced by a memorandum from the Authority's Attorney.
8. The applicant must formally notify and coordinate with the owners of Block 71, Lot 22.05 regarding the proposed construction on that property. All disturbed areas are to be

restored in accordance with regulatory requirements, the details on the submitted drawings and to the satisfaction of the Authority's Engineer. Any existing improvements that are damaged as a result of the construction of the sewer line are to be replaced in kind.

9. All new sanitary conveyance facilities construction on the subject parcel is to be conducted in accordance with the Authority's Rules and Regulations and in accordance with the National Standard Plumbing Code. Construction outside of the existing municipal easement and utility easement is under the jurisdiction of the local Plumbing Sub-Code Official. The saddle tap connection and installation of approximately 119 LF of sewer lateral within the existing Township easements on Block 71, Lots 73 and 22.05 are under the jurisdiction of the Authority. The applicant shall pay the additional escrow amount required by the Authority to cover inspection by the Authority's Engineer. Based on input from the Authority's Engineer, the amount of the escrow shall be \$2,380.

10. The applicant shall properly abandon the existing septic system once connection to the Authority's sewer system has been made.

11. If applicable, the applicant, prior to any excavation, must provide written notice to the Somerset-Union Soil Conservation District.

12. 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.

13. 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.

Moved by _____
 Seconded by _____

Roll Call Vote	Yes	No
Chairman Truglio	_____	_____
Mr. Mosquera	_____	_____
Ms. Garafola	_____	_____
Mr. Vetter	_____	_____
Mr. Reeder	_____	_____
Mr. Checchio (Alt 1)	_____	_____
Mr. Paolella (Alt 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 August 20, 2014.

Deborah Catapano, Authority Secretary