

WARREN TOWNSHIP SEWERAGE AUTHORITY

RESOLUTION NO. 14-89

RESOLUTION GRANTING PRELIMINARY AND FINAL APPROVAL OF THE APPLICATION OF PHIL NISBET FOR CHANGE IN USE OF CONNECTION FOR A PROPOSED JERSEY MIKE'S SUBS RESTAURANT TO BE LOCATED IN THE PHEASANT RUN SHOPPING CENTER AT BLOCK 75, LOT 3.03, 177 WASHINGTON VALLEY ROAD, SUITE 6, IN THE MIDDLEBROOK SEWER SERVICE AREA

WHEREAS, the applicant, Phil Nisbet, has applied to the Authority for preliminary and final approval for a Change in Use of Connection to server a proposed Jersey Mike's Subs restaurant in currently vacant tenant space previously occupied by a jewelry store in the Pheasant Run Shopping Center at 177 Washington Valley Road, Block 75, Lot 3.03 in the Middlebrook sewer service area; and

WHEREAS, the Authority's Engineer has reviewed the application and the plans submitted on behalf of the applicant, which include: Application for Change in Use of Connection to Sanitary Sewers, with attachments; signed and sealed plans dated July 31, 2014, entitled Jersey Mike's Subs, Phil Nisbet, 177 Washington Valley Road, Warren, NJ 07059, by Gregory Ralph, Architect, Westfield, NJ, Sheets G-100 and A-100, 200, 300, 400, 500, 600, and 601; and signed and sealed plans dated July 31, 2014, entitled Jersey Mike's Subs, by Adaptive Engineering Professionals (AEP) Engineering, West Orange NJ, Sheets M-001, 002, 101, 501, 502, 503, 601; E-001, 101, 601; and P-001, 002, and 101; and

WHEREAS, the proposed restaurant layout, indicating a kitchen area, serving area, and seating area are typical of a fast food sandwich restaurant, with individual men's and women's bathrooms within the restaurant. The applicant's engineer has stated that no wait service will be provided and no dishwasher, non-disposable dishes nor silverware will be provided within the restaurant. The architectural drawings indicate proposed seating for 20 patrons; and

WHEREAS, pursuant to N.J.A.C. 7:14A-23.3, the NJDEP criteria for fast food restaurants is 15 gpd per seat. Therefore, projected flow calculation for the proposed Jersey Mike's Subs is $20 \times 15 \text{ gpd} = 300 \text{ gpd}$, or 1.07 EDUs. Pheasant Run Shopping Center is currently approved for 64 EDUs and has current water usage of only 50 EDUs according to WTSA records; and

WHEREAS, by memorandum dated August 19, 2014, the Authority's Engineer has advised that he has reviewed the application and drawings and has recommended approval of the Application for Change in Use of Connection to Sanitary Sewers for the proposed Jersey Mike's Subs restaurant at 177 Washington Valley Road. However, because the property has been approved for 64 EDUs, it is the recommendation of the Authority's Engineer that no additional EDUs need be approved for the proposed restaurant construction and operation.

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 Phil Nisbet for a Change in Use of Connection to Sanitary Sewers to serve a proposed Jersey Mike's Subs restaurant, at Block 75, Lot 3.03, 177 Washington Valley Road, Suite 6 in the Pheasant Run Shopping Center with no additional EDUs 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 not be issued a connection permit until applicant has provided confirmation that the applicable SRVSA connection fee has been paid to SRVSA or the SRVSA will not require payment of a connection fee.
3. Indoor restaurant seating shall be limited to 20 patrons.
4. Should future flows at 177 Washington Valley Road exceed 64 EDUs or 17,920 gpd on an annual basis, a recalculated connection fee shall be charged to cover that increased flow amount.
5. In the event the Authority determines at a later date that the water usage entering into the sanitary sewer system associated with the existing building in which the restaurant is located exceeds 64 EDUs of capacity, then the sewer service fee for this property shall be charged a recalculated connection fee equivalent to the then applicable connection fee for each such additional EDU.
6. All new sanitary conveyance facilities construction on the subject parcel is under the jurisdiction of the Local Plumbing Sub-Code Official.

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