RESOLUTION 2012-591

RESOLUTION OF THE TOWNSHIP OF BARNEGAT, COUNTY OF OCEAN, STATE OF NEW JERSEY, APPROVING DOMESTIC WATER APPLICATION FOR OCEAN ACRES, PHASE 11

WHEREAS, Walters Development Inc., the developer of Ocean Acres Phase 11, have submitted Preliminary & Final applications and plans for Water Systems Facility which was approved on January 23, 2006 by Resolution 2006-131, and

WHEREAS, Walter Development, Inc., has completed Well #9 and by letter from the New Jersey Department of Environmental Protection dated November 5, 2012 has issued an Operating Permit for said Well #9 under Permit #WCP090001; and

WHEREAS, the Township Engineer has reviewed said Operating Permit for Well #9 for said development and submitted his comments and recommendations in a letter dated November 27, 2012, now

THEREFORE **BE IT RESOLVED** by the Township Committee of the Township of Barnegat, County of Ocean, State of New Jersey that Water Systems Facilities Approval is hereby approved for Ocean Acres Phase 11, for the domestic water applications for Ocean Acres Phase 5 contingent upon Walters Development providing to the Township of Barnegat that they have addressed the comments in the February 9, 2006 review letter.

CERTIFICATION

I, Sharon L. Auer, Acting Municipal Clerk of the Township of Barnegat, County of Ocean, State of New Jersey do hereby certify that the foregoing resolution was duly adopted by the Barnegat Township Committee at their regular meeting held on the 3rd day of December, 2012, in the Municipal Complex, 900 West Bay Avenue, Barnegat, New Jersey.

Sharon L. Auer

Sharon L. Auer
Acting Municipal Clerk

BIRDSALL SERVICES GROUP
ENGINEERS & CONSULTANTS

Mayor & Township Committee
Township of Barnegat
900 West Bay Avenue
Barnegat, NJ 08005

November 27, 2012
Job No. 2-06351-350066

RECEIVED
NOV 30 2012
CLERK'S OFFICE

Re: Request for Amended Preliminary & Final Water System Facilities Approval
Ocean Acres Development – Phase 11
Applicant: Walters Development Company, LLC

Dear Mayor & Township Committee:

Our office is in receipt of a copy of a November 16, 2012 letter from Edmond C. Speitel, Jr. with the Walters Group to the Township of Barnegat (copy attached) which requests that the Water System Facilities approval for the subject project be amended to permit the homes in this section of the development to be connected to the water mains that were previously approved from fire protection only. In support of this request, Mr. Speitel submitted a copy of the Permit to Operate (Permit No. WCP090001) which was issued by the New Jersey Department of Environmental Protection on November 5, 2012 for new Well No. 9.

Based on our review of the submitted information, we offer the following comments:

1. The applicant previously obtained Preliminary and Final Water System Facilities approval for the installation of water mains for fire protection purposes only in Phases 9-15 of the Ocean Acres development by Resolution 2006-197 which was adopted on February 27, 2006. The applicant is now seeking to amend the Water System Facilities approval to permit the 68 single-family dwellings in Phase 11 to be connected to the water mains that were previously approved for fire protection only.

2. With the issuance of a Permit to Operate for new Well #9, the Township of Barnegat now has adequate firm water capacity to service this project.

3. As a condition of any amended approval granted by the Township, the applicant must demonstrate that they have addressed the comments in our February 9, 2006 review letter.

Based on the above, it is our recommendation that the applicant be granted amended Final Water System Facilities approval to permit the 68 single-family dwellings in Phase 11 to be connected to the water mains that were previously approved for fire protection only subject to the applicant complying with condition #3 above.

We trust that this letter will answer all of your questions regarding the subject matter. If we can be of further assistance, please feel free to call.

Very truly yours,

BIRDSALL SERVICES GROUP, INC.

John J. Hess, P.E., P.P., C.M.E.
Water & Sewer Utility Engineer
JJH:ps
Enclosure
cc: David Breeden, Township Administrator
Jerry J. Dasti, Esq.
Walters Group
Joseph Del Duca, Esq.
Speitel & Speitel, Inc.

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WALTERS GROUP

100 Centre Boulevard, Suite E | Marlton, New Jersey 08053 | 856.983.1220 | Fax 856.983.1219
500 Barnegat Boulevard North, Building 100 | Barnegat, New Jersey 08005 | 609.607.9500 | Fax 609.607.9550

Reply to Marlton Office

November 16, 2012

Sharon Auer
Township of Barnegat
900 West Bay Avenue
Barnegat, NJ 08005-1298

Re: Ocean Acres Water
Phases 6, 7, 10, 11, 12, 15

Dear Sharon;

The above phases in Ocean Acres do not have domestic water approval from the Township or NJDEP. The primary reason for this is that Barnegat Township did not have the sufficient water capacity to service these projects. On November 5, 2012, NJDEP issued an Operating Permit for Well 9. I enclose a copy for your reference. Barnegat Township now has the firm capacity available for these projects.

Based on the foregoing, we respectfully request that Barnegat Township take the necessary action to approve the domestic water applications for the above-listed phases in Ocean Acres. Should you have any questions or require additional information, please do not hesitate to contact me.

Very truly yours,

WALTERS GROUP

EDMOND C. SPEITEL, JR.

ECS:mmr
Enclosure
cc: John Hess