

RESOLUTION NO. 2012-627

**RESOLUTION OF THE TOWNSHIP OF BARNEGAT,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
APPROVING WAIVER REQUEST FOR A ROAD
OPENING PERMIT SUBMITTED BY WALTERS
DEVELOPMENT FOR WHISPERING HILLS**

WHEREAS, the Township of Barnegat, County of Ocean, State of New Jersey, (hereinafter referred to as the "Township") has received a request from Walters Development (the "applicant") for a road opening permit for a connecting Gas lines to Whispering Hills, Barnegat, New Jersey (the "property"); and

WHEREAS, the Township Committee has reviewed the letter request from the applicant and is advised the reason for the road opening permit is to allow for the connection to the existing gas main with New Jersey Natural Gas Company in order to install a new heating system in his home; and

WHEREAS, the applicant has agreed to comply with all terms and conditions set forth in the letter dated November 28, 2005 from the Township Engineer, John J. Hess, P.E.; and

WHEREAS, the Township finds that the request of the applicant under these circumstances is reasonable and appropriate, and compliance with all conditions set forth in the aforementioned letter of November 28, 2005 being adhered to, the Township will be adequately protected:

**DASTI, MURPHY
McGUCKIN, ULAKY,
CHERKOS & CONNORS**

COUNSELLORS AT LAW

620 WEST LACEY ROAD
P.O. BOX 1057
FORKED RIVER, N.J. 08731

NOW, THEREFORE, BE IT RESOLVED, this 2nd day of November, 2009 by the Township Committee of the Township of Barnegat, County of Ocean, State of New Jersey, as follows:

1. The Township approves the request for a road-opening permit for Whispering Hills as requested by Walters. This approval is contingent upon the property owner complying with all terms and conditions set forth in the aforementioned letter dated November 28, 2005.

2. The Township further directs that payment of the second road vacation permit fee of \$50.00 be and hereby is waived

3. The Township authorizes and directs the Mayor, Township Clerk, and Township Administrator to execute any and all necessary documents in order to implement the intent of this resolution.

4. A certified copy of this resolution shall be forwarded by the Township Clerk to the following:

- (a) Honorable Alfonso Cirulli, Mayor;
- (b) John J. Hess, P.E.;
- (c) Walters;
- (d) Barnegat Township Building Department; and
- (e) Jerry J. Dasti, Esq.

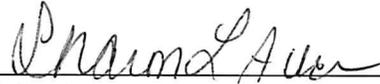
**DASTI, MURPHY
McGUCKIN, ULAKY,
CHERKOS & CONNORS**

COUNSELLORS AT LAW

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CERTIFICATION

I certify that the foregoing Resolution was duly adopted by the Township of Barnegat at a meeting held on December 17, 2012, a quorum being present and voting in the majority.



**SHARON L. AUER,
ACTING TOWNSHIP CLERK**

Prepared by:

DASTI, MURPHY, McGUCKIN, ULAKY,
CHERKOS & CONNORS
Forked River, New Jersey 08731

JJD:caf[Barnegat Resolutions 2009-GL#17982]

**DASTI, MURPHY
McGUCKIN, ULAKY,
CHERKOS & CONNORS**

COUNSELLORS AT LAW

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Barnegat Township
900 West Bay Avenue
Barnegat, New Jersey 08005
Tel 609.698.0080 Fax 609.698.7446
www.barnegat.net

ROAD OPENING / CURB CUT APPLICATION

DATE: 9/17/12
ADDRESS: Rosehill Rd / Emerson Lane
BLOCK: _____ LOT: _____
SIZE OF OPENING: 3x3
LENGTH OF OPENING: _____

PERMIT # 029-Rd-12
FEE \$ 50-
CASH _____ CHECK 589233
DATE 9-17-12

REQUEST BY: Walter's for Whispering Hills
PHONE #: 1-800-221-0051

ROAD OPENING/ CURB CUT FEES: Contact Code Enforcement at (609) 698-0080 x159

*NOTE: Bond and Inspection Fees to be posted with Clerk's Office

Official Use Only:

ROAD OPENING PERMIT:

BOND POSTED: YES NO

INSPECTION FEE POSTED: YES NO

APPROVED _____
Date John Durasky, Code Enforcement Officer

DENIED 9/17/12 _____
Date John Durasky, Code Enforcement Officer

COMMENTS: MORATORIUM ON Road.

WALTERS GROUP

100 Centre Boulevard, Suite E | Marlton, New Jersey 08053 | 856.983.1220, Ext. 102 | Fax 856.983.1219

December 11, 2012

Barnegat Township
900 West Bay Avenue
Barnegat, New Jersey 08005

Attention: Township Committee

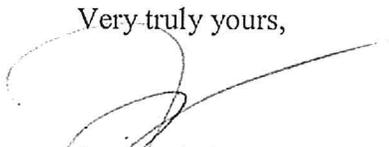
Re: Whispering Hills Residential, Phase 2

Dear Township Committee Members:

We have requested that New Jersey Natural Gas ("NJNG") to install a gas main in Rose Hill Road necessary to service the fully approved Whispering Hills, Phase 2 residential subdivision. NJNG applied for a road opening permit in Rose Hill Road to complete the work but that permit was denied. Township staff indicated that Walters needed to request that the road opening permit be granted and to acknowledge that there is no objection to the disturbance to Rose Hill Road. Please accept this letter as our request and authorization accordingly. Naturally we are anxious to move the project along and we appreciate any help you can provide in that regard.

If you have any questions please feel free to contact us. We appreciate your consideration.

Very truly yours,


JOSEPH A. DEL DUCA
GENERAL COUNSEL

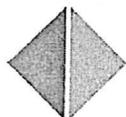
JAD:mmr

cc: John J. Hess, P.E., P.P., C.M.E.
Jerry Dasti, Esquire

RECEIVED

DEC 12 2012

CONSTRUCTION DEPT.



Email jdelduca@walters-group.com