

RESOLUTION 2014-089

RESOLUTION OF THE TOWNSHIP OF BARNEGAT, COUNTY OF OCEAN, STATE OF NEW JERSEY, DENYING THE RELEASE OF A MAINTENANCE BOND FOR CVS PHARMACY SITE IMPROVEMENTS

WHEREAS, Cashin, Spinelli & Ferretti, the builder of CVS Pharmacy has requested the release of the Maintenance Bond for Site Improvements; and

WHEREAS, the Township Engineer has inspected subject site, and recommends denying the release of the Maintenance Bond, Site Improvements for CVS Pharmacy; now

THEREFORE BE IT RESOLVED by the Township Committee of the Township of Barnegat, County of Ocean, State of New Jersey that the request for the release of the Maintenance Bonds for CVS Pharmacy, Site Improvements is hereby denied based on the recommendation of the Township Engineer, in his letter dated January 8, 2014 contingent upon the following items being completed:

Maintenance

1. The stop sign at the exit onto West Bay Avenue is bent and must be repaired.
2. The exit sign at the West Bay Avenue exit is leaning and must be repaired.
3. It remains for the gate in the fence surrounding the bioretention/infiltration basin to be repaired as necessary to insure that it latches properly.

Concrete

1. It remains for all broken or missing Belgian block curb joints to be repaired.
2. It remains for all broken Belgian blocks in the curb-line to be replaced and broken pieces to be cleaned up.
3. It remains for all concrete and/or asphalt splatter to be cleaned from the Belgian block curbing.
4. Cracks and settlement exist on the traffic island in the driveway on Lighthouse Drive.
5. Sidewalk on right side of the driveway on Lighthouse Drive have cracked and settled.

Asphalt

1. The asphalt road for the exit from the parking lot to Lighthouse Drive has a dip that requires repair.

Drainage

1. Water is pooling in the parking lot directly in from the exit for the drive-thru pharmacy and is not flowing into the drainage inlet easily.
2. Water is pooling in the parking near the exit sign for West Bay Avenue, and is not flowing into the drainage easily.
3. The temporary basin along the Lighthouse Drive site frontage is not draining properly and requires repair.

Landscaping

1. It is evident that the Northern Bayberry shrubs (*Myrica pennsylvanica*) did not fare well on the site and we therefore do not recommend replacement in kind. The following plant substitutions are suggested in lieu of Northern Bayberry:

- a. Arrowwood *Viburnum* (*Viburnum dentatum*)
- b. "Dat's Due" or "Allegheny" Leatherleaf *Viburnum* (*Viburnum rhytidophylloides*)
- c. *Clethra alnifolia* (Sweet Pepperbush)
- d. *Ilex glabra* 'Densa' (Densa *Viburnum*) – mature height 8' – 10'
- e. *Ilex glabra* 'Compacta' (Compact Inkberry) – mature height 4' – 6'
- f. *Myrica pennsylvanica* (Northern Bayberry) – is permitted if desired.

2. Attached to this resolution is a graphic that is keyed to the following listing of required landscape improvements. All of the existing site plantings are acceptable with the following exceptions:

Area 'A'

A.1 Remove 5 dead inkberry shrubs and replace with five (5) inkberry shrubs.

A.2 Remove any dead or declining bayberry shrubs and install five (5) substitution shrubs to be evenly spaced in area.

Area 'B' Remove any dead or declining bayberry shrubs and install three (3) substitution shrubs to be evenly spaced in area.

Area 'C' Remove 2 dead inkberry shrubs and replace with two (2) inkberry shrubs.

Area 'D' Remove any dead or declining bayberry shrubs and install five (5) substitution shrubs to be evenly spaced in area.

Area 'E' Area consists of gravel and weeds. Developer shall topsoil and reseed area or continue mulch bed to corner and add perennials or groundcover (similar to existing plantings on site).

Area 'F' Remove 1 dead inkberry shrub and replace with one (1) inkberry shrub.

Area 'G' Remove any dead or declining bayberry shrubs and install six (6) substitution shrubs to be evenly spaced in bed.

Area 'H' Remove any dead or declining bayberry shrubs and install six (6) substitution shrubs to be evenly spaced in bed.

Area 'I' Remove two (2) dead inkberry shrubs and replace with two (2) inkberry shrubs.

Area 'J' All but 2 of the originally 25 installed bayberry shrubs remain along the building's foundation. Developer shall provide twenty-two (22) substitution shrubs evenly spaced along the foundation. Utilizing two different plant species would be preferential.

Area 'K' None of the plantings associated with the temporary basin have been provided, however, no plantings will be required since the basin is adjacent to a construction area.

Miscellaneous

1. It remains for a letter of final acceptance to be obtained from the Ocean County Engineer for the improvements within the West Bay Avenue and Lighthouse Drive rights-of-way

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 18th day of February, 2014, at the Municipal Complex, 900 West Bay Avenue, Barnegat, New Jersey.

Sharon L. Auer
Acting Municipal Clerk