

RESOLUTION 2014-352

**RESOLUTION OF THE TOWNSHIP OF BARNEGAT,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
APPROVING AN APPLICATION FOR PRELIMINARY
SANITARY SEWERAGE FACILITIES
APPROVAL FOR BARNEGAT TOWNE CENTER**

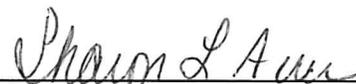
WHEREAS, the Enterprise Development Corp, has submitted an Application for Preliminary Sanitary Sewerage Facilities Approval, and

WHEREAS, the Township Engineer has reviewed applications and plans for the Barnegat Towne Center and submitted his comments and recommendations in a letter dated June 2, 2014; now

THEREFORE BE IT RESOLVED by the Township Committee of the Township of Barnegat, County of Ocean, State of New Jersey that the Application for Preliminary Sanitary Sewerage Facilities is hereby approved for the Barnegat Towne Center, Block 195, Lots 5 and 6.01 contingent upon all items set forth in the Engineer's letter dated June 2, 2014.

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 28th day of July, 2014, in the Municipal Complex, 900 West Bay Avenue, Barnegat, New Jersey.



Sharon L. Auer
Acting Municipal Clerk



June 2, 2014

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

**Re: Docket No. PB 13-22
Barnegat Towne Center
Application for Preliminary Sanitary
Sewerage Facilities Approval - Review #1
Block 195, Lots 5 & 6.01
97 & 107 South Main Street (Route 9)
Applicant: Enterprise Development Corp.
99 St. Thomas Lane
Owings Mills, MD 21117
Barnegat Township, Ocean County, New Jersey
Our File: HBGU195.01 (60001)**

Dear Mayor & Township Committee:

Our office has received for review an application for Preliminary Sanitary Sewerage Facilities approval for the above referenced property. The application was accompanied by the following information:

- A set of plans (3 sheets) entitled "Preliminary Water and Sewer Utility Plan" prepared by Douglas W.F. Klee, PE, PP with Owen, Little & Associates, Inc. of Beachwood, New Jersey, dated March 19, 2014.
- A print of sheet 7 of 16 of the Ocean County Sewerage Authority South Bayshore Interceptor As-Builts (1 sheet) prepared by John C. Fellows, Jr., PE, LS with Fellows, Read & Weber Inc. of Toms River, NJ and bearing a latest revision date of July, 1980.
- A completed Application for Review of Preliminary Plans for Sanitary Sewer System Facilities dated March 31, 2014 and received by the Township Clerk on April 23, 2014. March 19, 2014.
- An Engineer's Report for Proposed Sanitary Sewer Facilities prepared by Douglas W.F. Klee, PE, PP dated March 2014.
- A set of Sanitary Sewer Specifications for Sanitary Sewer Extension prepared by Douglas W.F. Klee, PE, PP dated March 2014.

We have reviewed the submitted information and offer the following comments:





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A. GENERAL COMMENTS

The property in question is an irregularly shaped tract having street frontage along both Old Main Shore Road and South Main Street (Route 9). It is located in the Commercial Core Planned Highway Development (CC-CPHD) Overlay Zone and has an area of approximately 6.12 acres. Lot 5 is partially wooded and was previously occupied by the Sweet Jenny's Restaurant which was destroyed by fire on December 28, 2010. At the present time, lot 5 is occupied by the remains of the restaurant and a miniature golf course. Lot 6 is presently vacant and partially wooded.

At the April 29, 2014 Planning Board meeting, the Applicant was granted Preliminary Major Site Plan approval to permit the construction of mixed use development at the site. The Resolution of Approval (Resolution P-2014-12) was memorialized by the Planning Board at the May 27, 2014 meeting. The proposed development, known as the "Barnegat Towne Center", will consist of five (5) buildings containing two (2) restaurants, a grocery store, eleven (11) retail stores and thirty (30) second floor apartment units. Each restaurant will have a gross floor area of 4,050 sf (Buildings C & D), the grocery store will have a gross floor area of 15,886 sf (Building E), and the retail stores will be located in two (2) buildings having gross floor areas of 6,239 sf (Building A) and 5,679 sf (Building B).

The Applicant has applied to the Township Committee for Preliminary Sanitary Sewerage Facilities approval to permit the installation of the sewer mains and laterals necessary to connect the proposed buildings to the existing Ocean County Utilities Authority (OCUA) South Bayshore Interceptor on Old Lower Shore Road. The proposed work will include the off-site installation of approximately 1,316 lf of 8" PVC sewer and 5 manholes within the Route 9 and Old Lower Shore Road rights-of-way. In addition, the Applicant proposes the on-site installation of approximately 263 lf of 8" PVC sewer, 2 manholes and 5 sewer laterals.

B. REVIEW FEES

The Schedule of Equivalent Dwelling Units in Chapter 74 of the Code of Barnegat Township stipulates that each 3,200 square feet of gross floor area or part thereof in a shopping center is equal to one (1) equivalent dwelling unit (EDU). It further stipulates that each apartment unit is equal to one (1) EDU. Since the commercial uses in the proposed buildings have a total gross floor area of 35,904 sf, this equates to 12 EDU's. In addition, the 30 apartment units are equal to 30 EDU's. As a result, the proposed uses represent a total of 42 EDU's. Therefore, we have calculated that the following Preliminary Sewer Review Fee is required:





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Preliminary Sewer Review Fee:

0-30 lots or units – Base Fee	\$ 500.00
Plus \$50.00 per lot or unit (EDU's)	<u>\$2,100.00</u>
Total	\$2,600.00

The Township should verify that the Applicant has paid the required Preliminary Sewer Review Fee of \$2,600.00.

C. DESIGN COMMENTS

1. Based on our review of the submitted information, we have determined that the proposed project is located within the existing sanitary sewer system service area in Barnegat Township.
2. The proposal to connect the proposed sewer extension to the OCUA South Bayshore Interceptor at existing manhole #7-3 is acceptable subject to compliance with all applicable OCUA requirements.
3. As stipulated in Section II.B of the Sanitary Sewer System Rules and Regulations, the review of an Application for Review of Preliminary Plans by the Water & Sewer Utility Engineer will, in general, determine the following information:
 - a) The extent and scope of the facilities required.
 - b) The acceptable outlet for the development or subdivision, either by the construction of an extension to a Township sewer or by the construction of an interim facility.

Based on the above, our office has not performed a detailed technical review of the information submitted in support of this application. A detailed technical review will be performed once an Application for Review of Final Plans is submitted to the Township. However, we have included some general comments to guide the Applicant's Engineer when finalizing the plans for this project.

4. The Preliminary Water and Sewer Utility Plans show that the sewer between Pr. San. MH #1 & Pr. San. MH #2 will be installed using the open cut method. In our opinion, it is unlikely that the New Jersey Department of Transportation (NJDOT) will not allow the open cut method to be used on Route 9. Therefore, the Applicant must demonstrate that the NJDOT will approve the proposed installation method.





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5. It shows on sheet 1 of the Preliminary Water and Sewer Utility Plans that the invert elevation of the existing 18" pipe in OCUA manhole #7-3 is 30.75 and the rim elevation is 38.25. The Applicant proposes to connect a new 8" sewer pipe to this manhole at an invert elevation of 35.25. Therefore, the top of pipe elevation will be approximately 36.23. As a result, a depth of cover of only 2 ft is proposed which is unacceptable. As stipulated in NJAC 7:14A-23.6(b)8, sewer pipes shall be constructed at least 3 ft below the proposed grade as measured from the top of the pipe to the grade elevation. It is our recommendation that the crown of the proposed 8" pipe be set at the same elevation as the crown of the existing 18" pipe.
6. It shows on sheet 1 of the Preliminary Water and Sewer Utility Plans that the invert elevation of the 8" pipe entering Pr. San. MH #5 will be 40.99 and the rim elevation will be 44.21. Therefore, the top of pipe elevation will be approximately 41.98. As a result, a depth of cover of only 2.23 ft is proposed which is unacceptable. As stipulated in NJAC 7:14A-23.6(b)8, sewer pipes shall be constructed at least 3 ft below the proposed grade as measured from the top of the pipe to the grade elevation.
7. It appears that Pr. San. MH #1 & Pr. San. MH #2 will be located outside of the existing pavement limits. Therefore, watertight frames and covers must be provided on these manholes.
8. The sanitary sewer layout shown on sheet 2 of the Preliminary Water and Sewer Utility Plans does not agree with the information shown on the site plan drawings that were approved by the Planning Board. It appears that a manhole and approximately 100 ft of sewer main have been eliminated. The reason for these discrepancies must be clarified.
9. The Preliminary Water and Sewer Utility Plans must be revised to include profiles of the on-site sanitary sewer pipes. The profiles must show all proposed pipe crossings (water, drainage, etc.) to demonstrate that adequate separation is proposed and no conflicts will exist.
10. The sanitary sewer details on the Preliminary Water and Sewer Utility Plans must be revised to agree with the details in the Sanitary Sewer System Rules and Regulations dated February 2014.
11. The Engineer's Report includes a table showing the Engineer's Wastewater Flow Breakdown for the project. The floor areas listed on the table for the retail space in Buildings A & B and the grocery store in Building E do not agree with the floor areas shown on the site plan drawings that were approved by the Planning Board. These discrepancies must be resolved.





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12. Before any construction can commence at the site, the Applicant must apply for, and obtain, Final Sanitary Sewerage Facilities approval for this project.

D. OUTSIDE AGENCY APPROVALS

This application is subject to the following outside agency approvals:

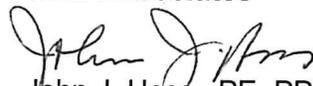
1. Ocean County Soil Conservation District.
2. Ocean County Utilities Authority.
3. New Jersey Department of Transportation.
4. New Jersey Department of Environmental Protection - Sanitary Sewer Extension Permit.
5. All other outside agency approvals as required.

Upon receipt, the Applicant must submit copies of all outside agency approvals to the Township and our office.

Based on the above, it is our recommendation that the Applicant be granted Preliminary Sanitary Sewerage Facilities approval for this project subject to the Applicant complying with the various requirements set forth above. If you have any questions or require any additional information regarding this application, please feel free to call.

Very truly yours,

CME Associates


John J. Hess., PE, PP, CME
Water & Sewer Utility Engineer

JJH/ps

cc: David Breeden, Administrator
Stacey Cole, Planning Board Secretary
Roger Budd, Water & Sewer Utility Supervisor
Jerry J. Dasti, Esq., Water & Sewer Utility Attorney
Enterprise Development Corp. – Applicant
Richard P. Visotcky, Esq. – Applicant's Attorney
Douglas WF Klee, PE, PP, CME – Applicant's Engineer

