

**RESOLUTION 2014-353**

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

**WHEREAS**, the Enterprise Development Corp, has submitted an Application for Preliminary Water System 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 Water System 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 28<sup>th</sup> day of July, 2014, in the Municipal Complex, 900 West Bay Avenue, Barnegat, New Jersey.



Sharon L. Auer  
Acting Municipal Clerk



JOHN H. ALLGAIR, P.E., P.P. (1983-2001)  
DAVID J. SAMUEL, P.E., P.P.  
JOHN J. STEFANI, P.E., L.S., P.P.  
JAY B. CORNELL, P.E., P.P.  
MICHAEL J. McCLELLAND, P.E., P.P.  
GREGORY R. VALES, P.E., P.P.

TIMOTHY W. GILLEN, P.E., P.P.  
BRUCE M. KOCH, P.E., P.P.  
BEHRAM TURAN, P.E.  
TREVOR J. TAYLOR, P.E., P.P.  
LOUIS J. PLOSKONKA, P.E.

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 Water  
System 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 Water System 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 completed Application for Review of Preliminary Plans for Water 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 Water Facilities prepared by Douglas W.F. Klee, PE, PP dated March 2014.
- A set of Water System Specifications prepared by Douglas W.F. Klee, PE, PP dated March 2014.

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

#### **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





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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 Water System Facilities approval to permit the installation of the water mains and water services necessary to connect the proposed buildings to the existing water system on Old Main Shore Road. The proposed work will include the installation of approximately 990 lf of 8" water main, 3 fire hydrants and 5 service connections.

## 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 Water Review Fee is required:

### ***Preliminary Water 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>
<b>Total</b>	<b>\$2,600.00</b>

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





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### C. DESIGN COMMENTS

1. Based on our review of the submitted information, we have determined that the proposed project is located within the existing water system service area in Barnegat Township.
2. The proposal to connect the end of the existing water main in Old Main Shore Road approximately 200 ft north of the intersection with Starboard Avenue is acceptable.
3. As stipulated in Section II.B of the Water 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 water supply for the development or subdivision, either by the construction of an extension to a Township water main or by the construction of interim supply and treatment facilities.
  - c) The size and extent of water mains, storage tanks and pumping stations required under the Master Plan.

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 a proposed water service connection to each building. The size of each water service connection must be shown. In addition, the Applicant's Engineer should clarify whether a sprinkler system or Siamese fire hose connection is proposed in any of the buildings. If sprinkler systems or Siamese fire hose connections are proposed, then the type, locations and sizes must be shown on the plans.
5. The Preliminary Water and Sewer Utility Plans must be revised to show the size of the water main serving each fire hydrant.
6. The Preliminary Water and Sewer Utility Plans must be revised to show the size of the proposed water service connection to each building.





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7. The water system details on the Preliminary Water and Sewer Utility Plans must be revised to agree with the details in the Water Supply System Rules and Regulations dated February 2014.
8. The Engineer's Report includes a table showing the Water Demand Breakdown for the project. The following discrepancies must be addressed:
  - a) 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.
  - b) The table indicates that the proposed apartments have an average daily water demand of 75 gallons/apartment which is incorrect. Table 1 in NJAC 7:10-12.6(b) stipulates that the average daily demand for an apartment shall be 75 gallons/person.
  - c) The table includes an asterisk next to the water demands for the restaurants in Buildings C & D. The reason for the asterisk must be clarified.
9. It states in the Design Criteria section of the Engineer's Report that "the water main extension proposed will provide a minimum pressure of 20 psi at peak flow demand plus fire flow". Calculations supporting this statement must be included in the Engineer's Report.
10. On June 5, 2006, the Township of Barnegat and Mark Madison, LLC executed a Water Facilities Agreement which provides that certain water system improvements are to be constructed by Mark Madison. Under the terms of this agreement, all developers within the water system service area that benefit from the water system improvements must reimburse Mark Madison for their share of the cost of the improvements. Therefore, as a condition of any approval granted by the Township Committee, the Applicant will be required to pay his share of the water system costs in the amounts and at the times set forth in the developers' agreement.
11. Before any construction can commence at the site, the Applicant must apply for, and obtain, Final Water System 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.





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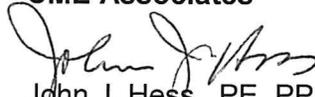
2. New Jersey Department of Environmental Protection – Water Main Extension Permit.
3. All other outside agency approvals as required.

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 Water System 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

