

**READINGTON TOWNSHIP SEWER ADVISORY COMMITTEE
MEETING – October 31, 2018**

The meeting was called *to order at 4:00 p.m.* announcing that all laws governing the Open Public Meetings Act have been met and that this meeting has been duly advertised.

PRESENT: Chairman Ron Monaco, Vice-Chairman David Olsen, Bill Meglaughlin

ALSO PRESENT: Engineer Rob O'Brien, Attorney Sharon Dragan, Secretary Karin Parker
Engineer John Hansen (*acting as Conflict Engineer*)

ABSENT: None

A. APPROVAL OF THE MINUTES of meeting July 11, 2018

Attorney Dragan amended the language regarding *capacity running with the land* on a portion of the minutes.

A MOTION was made by Mr. Olsen to approve the amended minutes of the July 11, 2018 meeting, seconded by Mr. Monaco with a vote of ayes all, nays none recorded. Mr. Meglaughlin abstained since he was not present at that meeting.

B. CORRESPONDENCE

1. ***Request for Reservation / Allocation of Sewer Capacity / George DeMarco – letter dated September 4, 2018 from Douglas Orr, Esq.***

Attorney Douglas Orr noted that he and Mr. DeMarco were in attendance to observe the meeting.

Chairman Monaco stated the Township is working with the Supreme Court to address the mandated affordable housing obligations and review the available capacity. Chairman Monaco continued that until that culminates, all available capacity is being dedicated towards affordable housing developments for the short term until that need is satisfied to the Court; and after that, the Sewer Advisory Committee will review *in order of precedence* all other requests.

Attorney Dragan referred to a memo dated 9/30/15 (on file in Clerk's Office) that she had written when the Township was requested to do an analysis of requests that occurred prior to 2010. Attorney Dragan noted that since that time, the ordinance was amended to allocate capacity in the following order of priority, 1) *to provide capacity for future projects that enable the Township to meet their affordable housing obligations*, 2) *to remedy emergencies for failing septic systems* and 3) *other requests for properties located within the sewer service area in the order that they were received.*

Attorney Dragan cited, pursuant to her memo, the following list of priorities:

- 1) *Albrecht (Block 36, Lot 13) – original date of request, 1997*
- 2) *Salem Realty (Block 20, Lot 10) – original date of request, 2000*
- 3) *Weigand (Block 5, Lot 8) – original date of request, 2006*
- 4) *Stropa (Exxon) (Block 9, Lot 12) – original date of request, 2007*
- 5) *DeMarco (Block 17, Lots 6.01 & 7) – original date of request, 2011*

Attorney Dragan stated that for the record these are the ones that are considered non-affordable housing and non-septic failing.

C. NEW BUSINESS

1. ***Request for Reservation / Allocation of Sewer Capacity for Proposed Development / Readington Common II, LLC (Block 4, Lots 51 & 52)***

Engineer O'Brien recused himself from this matter and Engineer Hansen took over this matter as listed.

Ron Shimanowitz, Esq., Hutt & Schimanowitz, PC, was present on behalf of the Developer Readington Commons LLC. Attorney Shimanowitz stated that this inclusionary development is part of the Township's affordable housing compliance plan, maintaining that project will provide 190 market units and 64 affordable units. Attorney Shimanowitz continued that the site, known as Block 4, Lot 51, is already partially developed, currently with three (3) office buildings on site, to be converted to residential. Attorney Shimanowitz explained that because of the existing development there was capacity previously allocated although some of that allocation was previously taken back; therefore, there is a remaining net allocation. Attorney Shimanowitz concluded that they are requesting additional allocation to cover the residential proposal, including a proposed clubhouse.

Michael Pucci, PE, PP, Chester, Ploussas, Lisowsky Partnership, LLC, stated that in 2000 there was an the original allocation of 7,628 gpd granted to the property, known as Block 4, Lot 51, and in 2005 a Treatment Works Approval was granted for only 6,080 gpd. Mr. Pucci continued that in 2015 there was any action by the Township where there was an agreement to only allow the allocation of 6,100 gpd and the remaining excess of 1,528 gpd was returned to the Township. Mr. Pucci maintained that the applicant obtained the adjacent lot, known as Block 4, Lot 52, and developed a plan for inclusionary housing for a total of 254 total units to meet the fair share obligations. Mr. Pucci concluded that this would result in a need of allocation for 53,375 gpd less the current sewer allocation of 6,100 gpd for Block 51, leaving a net request of 47,275 gpd. Attorney Dragan questioned where the 6,100 came from since the resolution refers to 6,080 based on the permit; therefore, the amount recalled would be 1,548 gpd. Mr. Pucci surmised that the gallonage was most likely rounded up to 6,100 although if the allocated number is correct at 6,080 gpd, then the need becomes 47,295 gpd.

Chairman Monaco reiterated that pursuant to the Township ordinance, affordable housing takes precedence with any available capacity and according to the spreadsheet there is allocated gallonage for affordable housing.

A MOTION was made by Mr. Olsen to recommend to the Township Committee the approval of the additional allocation of 47,275 gallons of sewer capacity (or 47,295, dependent upon the correct current allocation) for Readington Commons LLC, *conditional upon the gallonage being used for an inclusionary affordable housing development*, seconded by Mr. Meglaughlin with a vote of ayes all, nays none recorded.

2. ***Request for Reservation / Allocation of Sewer Capacity for Proposed Development / SAR I, LLC Property (Block 36, Lots 5, 5.02 & 5.04)***

David Oberlander, Esq., Bisgaier Hoff, on behalf of SAR I Inc., was present to request allocation for an inclusionary 192 unit residential development with 48 of the units being set aside for affordable housing.

Wassin Nader, PE, CFM, the Nader Group, LLC, outlined the plan for the 192 unit development, including 25% for affordable housing. Mr. Nader anticipated that the gallonage needed for this development would be 42,460 gpd which would also include a proposed clubhouse. Mr. Nader stated that the size of the clubhouse has yet to be determined, which could vary by a few hundred square feet. Mr. Nader offered that his calculations were conservative with increased gallonage, compared to Engineer O'Brien's calculation of 37,725 gpd, pursuant to the NJDEP guidelines. Engineer O'Brien added that since no proposed size of the clubhouse was provided, he did not include gallonage for the clubhouse. Engineer O'Brien estimated an additional 500-600 gpd would need to be added to the request based on the approximate size of the proposed clubhouse. Mr. Nader requested consideration that if the clubhouse does increase in size, an even number of 39,000 gpd be allocated for the project. Chairman Monaco confirmed that the recommendation to the Township Committee would be to have that be conditioned based on the final design. Engineer O'Brien pointed out that there are currently five (5) sewer units (1,750 gpd) on the property that they are being billed for; therefore, the 39,000 would be a total number.

A MOTION was made by Mr. Olsen to recommend to the Township Committee the approval of the additional allocation of 37,250 gallons (final disposition will be based upon the actual drawings/plan for the proposed clubhouse) for SAR I, LLC, *conditional upon the gallonage being used for an inclusionary affordable housing development*, seconded by Mr. Meglaughlin with a vote of ayes all, nays none recorded.

3. ***Request for Reservation / Allocation of Sewer Capacity / John Goy (Block 4, Lot 44)***

Casey Kozoh, Engineer-in Training, Bayer-Risse- Engineering, Inc., on behalf of John Goy, was present to request authorization to connect the property owner to the sanitary collection system. Ms. Kozoh stated that Mr. Goy is currently being billed for sewer allocation. Ms. Kozoh stated that current septic system is malfunctioning and due to the surrounding wetlands and stream, unsuitable to do a septic system alteration. Chairman Monaco questioned since the property was allocated sewer and the applicant has been paying, why they did not hook up originally. Engineer O'Brien stated that there is no documentation or written sewer agreement on file. Chairman Monaco maintained that the discussion this evening is to address the failing septic system and the inability to provide a new field on the existing lot due to environmental constraints. Engineer O'Brien confirmed that the lot is within sewer service area and has the ability to connect at the owner's expense.

A MOTION was made by Mr. Olsen to recommend to the Township Committee to allow connection to the sanitary sewer collection system, *at the expense of the owner*, due to a malfunctioning system and the inability to find an appropriate septic system solution due to environmental constraints, seconded by Mr. Meglaughlin with a vote of ayes all, nays none recorded.

4. ***Request for Reservation / Allocation of Sewer Capacity / Walter & Kathleen Cook (Block 36, Lot 27)***

James Hill, PE, PP, Frey Engineering, LLC, on behalf of Walter & Kathleen Cook, stated that Mr. Cook submitted a request for allocation of sewer capacity for second lot located on the property. Engineer Hill maintained that this property currently has a malfunctioning septic system. Chairman Monaco pointed out that the line for the sewer service area includes the front lot; however, does not include the lot in the back. Engineer O'Brien advised that a new gravity sanitary sewer system main will need to be installed within Railroad Lane a distance of approximately 500 feet to the west of the existing manhole in order to provide a connection point. Chairman Monaco advised that the Township cannot allocate outside the sewer area and a site-specific amendment must be done along with an application to the NJDEP for a Treatment Works Approval to permit extension of the sanitary sewer collection. Mr. Cook concluded that he will be reaching out to the County and NJDEP. No further action was taken.

5. ***Will Serve Letter for Sewer Capacity for Proposed Chase Bank with Drive Thru (Block 17, Lots 1.01, 1, 2 & 3)*** – letter dated October 2, 2018 from Arianna McPherson, Stonefield Engineering and Design, LLC

Chairman Monaco stated a will serve request was received from Chase Bank to construct a facility on Route 22. Chairman Monaco stated that Chase purchased a number of lots on Old Highway that extend to Route 22 which currently have capacity and are located within the Historic District. Chairman Monaco opined that if the applicant wanted to use the capacity from one of the homes on the associated lot, the house would have to be demolished. Chairman Monaco further stated that he discussed this with the Chairperson of the Historic Preservation Commission and she stated that she would like to speak with Chase to get a better understanding in terms of the applicant's plans for the houses on the associated lots, and to give also know what the remaining capacity will be. Chairman Monaco requested that Secretary Parker contact Chase Bank directing them to contact the Historic Preservation Commission prior to returning to the Sewer Advisory Committee.

D. PUBLIC COMMENT

Steven Perdue, owner of Exxon, asked how much capacity was actually available and based on what was allocated for affordable housing projects this evening is there enough for all the affordable obligations.

As there was no further business, ***A MOTION*** was made by Mr. Olsen to adjourn at 5:00 p.m., seconded by Mr. Meglaughlin with a vote of ayes all, nays none recorded.

Respectfully Submitted:

Karin M. Parker, *RMC*
Sewer Advisory Secretary