



COUNTY OF SOMERSET PLANNING BOARD

County Administration Building
20 Grove Street, P.O. Box 3000
Somerville, New Jersey 08876-1262
(908) 231-7021 • Fax (908) 707-1749
PlanningBd@co.somerset.nj.us
www.co.somerset.nj.us



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Vice Chairman

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Board Secretary

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Ashok Rakhit
2nd Alternate

Adam Slutsky
County Engineer Alternate

STAFF

Walter Lane, AICP/PP
Director of Planning

Joseph DeMarco, Esq.
Deputy County Counsel
for Planning

Cynthia Mellusi
Office Manager

February 4, 2021

Daniel Gallic, Chairman
Warren Township Planning Board
46 Mountain Boulevard
Warren, NJ 07059-5659

**RE: HILLS AT WARREN/Block 80, Lot 11
WR 248:000-20S**

Dear Mr. Gallic,

This Office and the Office of the County Engineer has reviewed the above referenced project to construct 192 residential units, including 144 townhome units and 48 affordable housing apartments. The 26.47 acre site is located on Hillcrest Road (County Route 531) and Emerson Lane (a local road). The property is bounded by I-78 to the south, Hillcrest Road to the west, and Emerson Lane to the north (Block 208; Lots 2,4, 7, 9, 10, 11, and 12). Access to the site is proposed via one full-movement driveway on Hillcrest Road and one full-movement driveway on Emerson Lane opposite Northridge Way. The reviewed information consists of a Traffic Impact Study (TIS) dated June 11, 2020 and "The Hills at Warren Preliminary and Final Major Site Plan" dated September 1, 2020. Langan Engineering prepared the Traffic Impact Study (TIS) and Najarian Associates prepared the plan, respectively.

The Somerset County Planning Board deems this project incomplete until the issues discussed below are resolved.

Traffic Impact Requirements

1. The proposed site driveway on Hillcrest Road shall be revised to be a right-turn ingress/right-turn egress driveway due to its proximity to Emerson Lane and the presence of the alternative full-movement site driveway on Emerson Lane.
2. The capacity analyses shall be revised to reflect the aforementioned left turn restrictions at the proposed Hillcrest Road site driveway.
3. There were three Traffic Signal Warrant Analysis worksheets included in the TIS Appendix: one Four-Hour Vehicular Volume Warrant Analysis (Warrant 2) and two separate Peak Hour Warrant Analyses (Warrant 3).
 - a. Further explanation of the warrant analyses (e.g., types of warrants conducted, volumes used, and results) shall be included in the text of the TIS.
 - b. The volumes used in the analysis worksheets are inconsistent, and they do not match the volumes shown in the figures provided in the Appendix. An explanation must be provided why the volumes are different between the worksheets and if the Build volumes were used for the analyses.
 - c. The warrant analyses shall be revised to reflect the aforementioned left turn restrictions at the proposed Hillcrest Road site driveway.

- Mission Statement -

The County of Somerset is committed to excellence and innovation in public service, promoting the well-being of all residents and communities by providing effective, efficient and responsive leadership.

Somerset County Is An Equal Opportunity Employer

- d. An Eight-Hour Vehicular Volume Warrant Analysis (Warrant 1) shall be conducted, and the results shall be provided.
- e. A Crash Experience Warrant Analysis (Warrant 7) shall be conducted, and the results shall be provided.
4. A Vehicle Circulation Plan shall be provided that shows trucks safely entering and exiting the Hillcrest Road site driveway without hitting the curb or crossing the double yellow center line.
5. A signing and striping plan shall be provided that shows any striping and signage revisions along Hillcrest Road.

Access and Frontage Requirements

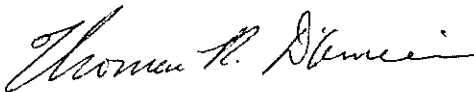
The office has not reviewed the proposed project for access nor frontage requirements at this time due to the traffic comments that first must be addressed.

Stormwater Management Requirements

The County will not be maintaining the proposed detention basin and therefore, a copy of the Stormwater Detention Facilities Maintenance Agreement that has been executed between the Owner / Developer and the Municipality, and filed with the County Clerk, is to be submitted to this office. The Agreement must reference, and have attached as an exhibit, the Operations and Maintenance Manual. The executed and recorded agreement will be filed in the project file as a matter of record. It is requested that the Township perform the bonding and inspection of the proposed detention basin.

This report reflects comments from the County Planning Board and the Office of the County Engineer (908) 231-7024. If you should have any questions, please contact the appropriate individual listed below.

Sincerely,



Thomas R. D'Amico, AICP/PP
Supervising Planner



Kenneth Yanga
Engineer, Land Development Section

cc: Warren Township Engineer
John Chadwick, IV, PP, 3176 Route 27, Suite 1A, Kendall Park, NJ 08824
K. Hovnanian North Jersey Acquisitions, LLC, 110 Fieldcrest Ave., 5th Floor, Edison, NJ 08837
Peter Ciliberto, PE, Najarian Associates, One Industrial Way West, Eatontown, NJ 07724
Michael P. O'Grodnick, Esq., 56 East Main St., Suite 301, Somerville, NJ 08876

John T. Chadwick IV, P.P.

Professional Land Use Planner
3176 Route 27, Suite 1A
Kendall Park, New Jersey 08824
Telephone: (732) 297-7669
Fax: (732) 297-8081
Email: jtcivplan@comcast.net

MEMORANDUM

To: Warren Township Planning Board
From: John T. Chadwick IV, P.P.
Date: October 19, 2020
Re: Case 20-03 (KHov/block 208 lot 4 and 10)

I have reviewed the application, settlement agreement, conducted site reconnaissance, reviewed site plan prepared by Nigarian Associates dated September 1, 2020 and submit the following:

The application is incomplete. The following must be provided:

1. A zoning schedule utilizing ordinance 19-07 as the framework.
2. The preservation area located in Berkeley Heights must include a tree inventory and photographs. The settlement agreement requires a year-round buffer.
3. The plan does not provide any details of a proposed water and sewer station details.
4. The plan provides one play area. An additional play area is required.
5. The plan proposes variance for front yard setback for patios. If patios are at grade no variance is required. If patios become decks and are elevated, a variance is required.
6. The proposed detention basin will require safety fencing. Further the applicant should explore utilization of the basin as informal recreation area.
7. Building design proposes an alley access to all units. The plan also shows landscaping along the walkway. If this product exists elsewhere, a photograph should be provided.



44 Mountain Boulevard Warren, New Jersey 07059 (908) 753-1000

Fax: (908) 757-7915

**Warren Township
Police Department**

INTEROFFICE MEMORANDUM

To: Mary Ellen Vautin, Warren Township Planning and Zoning

From: Sgt. Patrick R. Mizeski #68

Subject: Cases #PB 20-03
Block 208 Lots 4 & 10
Hills at Warren (Hovnanian Hillcrest/Emerson)

Date: September 28, 2020

Ms. Vautin,

I have reviewed the above application and would like to request Somerset County contact the State DOT to evaluate the intersection at the I-78 westbound ramp and Hillcrest Road. In the conclusion of the traffic analysis report from Langan Engineering & Environmental Services, they noted the above intersection may be a candidate for signalization.

Respectfully,

Sgt. Patrick R. Mizeski #68

Warren Township Traffic Safety

WARREN TOWNSHIP SEWERAGE AUTHORITY

46 MOUNTAIN BOULEVARD
WARREN, NEW JERSEY 07059
908-753-8000 • FAX 908-753-1507

September 15, 2020
Via Hand Delivery

Warren Township Planning and Zoning Office
Attr: Maryellen Vautin
46 Mountain Blvd
Warren Township
Warren, NJ 07059

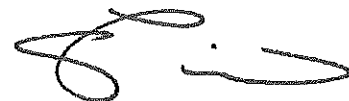
Re: The Hills at Warren
Block 208, Lots 4 & 10
Planning Board Case Review - Sewer Status

Dear Ms. Vautin:

The Warren Township Sewerage Authority has not yet received a formal application for this project. Please note that the subject properties are located within the Township of Berkeley Heights Sewer Service Area and the Authority is currently in the process of renegotiating the sewer service contract between The Township of Berkeley Heights and Warren Township.

Please let me know if you need any additional information regarding this proposed development.

Sincerely,



Spencer T. Pierini, P.E.
WISA Executive Director

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Warren Township Health Department

46 Mountain Blvd
Warren, NJ 07059
Kevin G. Sumner, Health Officer

908-753-8000 x. 237
908-757-9173 (fax)
ksumner@middlebrookhealth.org (e-mail)

TO: Maryellen Vautin, Planning and Zoning Office

FROM: Kevin G. Sumner, Health Officer

DATE: 21 September 2020

RE: Case# PB20-03
Site Plan Application
Hills at Warren
Hillcrest Road and Emerson Lane
Block 208, lots 4 &10

A preliminary review of the above referenced site plan application has identified the following issues that must be addressed.

- No site plan application has been filed with the health department
- Evidence of approval from Warren Township Sewerage Authority must be submitted.
- Evidence of intent to serve from the public water provider must be submitted.
- Health Department records indicate the presence of septic systems and wells on both properties, as well as the presence of underground storage tanks on lot 4. These potential environmental concerns must be addressed. Our records also include a "No Further Action" letter from NJDEP regarding underground storage tanks on Lot 10. Are there any other areas of environmental concern on the properties such as environmental contamination? If so, these too must be addressed.
- The proposed solid waste storage facilities indicated on the plans do not appear to comply with the Board of Health's solid waste storage ordinance and their location(s) on the property are not indicated on the plans.
- Is there any opportunity for including in the development amenities for active and healthy living such as hiking trails and/or sidewalks for safe pedestrian activity or other improvements?

Upon receipt of the above information and completion of the application, it will be reviewed by the Health Department and next steps will be determined. If you have any questions please let me know.



THE TOWNSHIP OF WARREN *Founded 1806*
Office of the Fire Marshall
46 Mountain Boulevard Warren, New Jersey 07059
908-753-8000 Ext. 259



02 October 2020

RE: PB-20-03

After review of the plans for PB-20-03 this Office and the Fire Chief have the following comments on this filing.

- If FDC's are required they will need to be remotely located from the Structure they serve at a location that is within 100' of a Fire Hydrant, marked with a Red electrically illuminated light and FDC signage indicating the structure served by the connection. The Fire Marshall shall specify the final location once more construction detail is provided.
- Fire Hydrants will need to be located throughout the complex. In general, the locations requested are at the terminus of the Roads C, D, E, F and G and at the entry point to the complex. These locations are further detailed on the plans supplied to the Planning Department and highlighted with Yellow and Red Markings. All Hydrants should be able to sustain a flow of no less than 1,500GPM.
- Fire Lanes shall be designated and marked in coordination with the Fire Marshal.
- All Locks that are used for Emergency Access Roadways/Areas shall be on the Fire Department KNOX Box Key System.
- All Buildings that have common areas (Entry, Storage, HVAC, etc.) shall have a KNOX Box installed at the main entry point to the building.

We reserve the right to make additional comments based upon the submission of additional information or revised plans and/or testimony presented to the Board.

Al Shjarback
Fire Marshall

Cc: Fire Chief Jim Mitchell
File

WARREN TOWNSHIP SEWERAGE AUTHORITY

RESOLUTION NO. 21-54

RESOLUTION GRANTING CONDITIONAL APPROVAL OF THE PRELIMINARY APPLICATION OF K. HOVNANIAN NORTH JERSEY ACQUISITIONS, LLC FOR THE CONSTRUCTION OF PROPOSED SANITARY SEWERS, PERMIT TO CONSTRUCT, AND 192 EDUS OF CAPACITY TO SERVE THE PROPOSED TOWNHOME DEVELOPMENT TO BE CONSTRUCTED ON LOTS 4 AND 10 IN BLOCK 208 (AND BLOCK 2704, LOT 3 IN BERKELEY HEIGHTS), LOCATED AT 4 HILLCREST ROAD, WARREN TOWNSHIP, IN THE BERKELEY HEIGHTS SEWER SERVICE AREA.

WHEREAS, applicant K. Hovnanian North Jersey Acquisitions, LLC (the “Applicant”), has submitted to the Warren Township Sewerage Authority (the “Authority”) an Application for Preliminary Approval of Construction of Proposed Sanitary Sewers, Permit to Construct, and 192 equivalent dwelling units (“EDUs”) of capacity to serve Lots 4 and 10 in Block 208, also known as 4 Hillcrest Road, Warren Township, located in the Berkeley Heights Sewer Services Area; and

WHEREAS, a portion of the Subject Property is located in the Township of Berkeley Heights and designated as Block 2704, Lot 3. Lots 4 and 10 in Block 208 in Warren Township and Block 2704, Lot 3 in Berkeley Heights shall herein be collectively referred to as the “Subject Property”; and

WHEREAS, the Applicant proposes the construction of a 192 unit townhome development on the Subject Property; and

WHEREAS, the Subject Property is located in the Berkeley Heights Sewer Service Area and all flow associated with the proposed townhome development will be conveyed to the Township of Berkeley Heights Wastewater Treatment Plant; and

WHEREAS, the Subject Property is in the Berkeley Heights Sewer Service Area and included on the 2008 Amended Schedule B to the Sewer Use Agreement between the Authority and the Township of Berkeley Heights dated May 31, 2000 (the “Berkeley Heights Sewer Use Agreement”), and as such, the sewerage from the Subject Property is to be treated by the Township of Berkeley Heights; and

WHEREAS, the Authority’s Engineer, by memorandum dated May 28, 2021 (the “Report”) has reviewed the (i) Application for Preliminary Approval for Construction of Proposed Sanitary Sewers and Permit to Construct (per Articles 3.3 and 3.4); and (ii) Preliminary and Final Major Site Plan for The Hills at Warren, Warren Twp. Block 208, Lots 4 and 10, Somerset County, NJ and Berkeley Heights Twp. Block 2704, Lot 3, Union County, NJ, prepared by Najarian Associates, dated September 2020 and last revised March 25, 2021; and

WHEREAS, the Applicant proposes to construct approximately 2,482 LF of 8-inch PVC gravity sewer main and 192 LF of 6-inch PVC sewer lateral connections to each of the proposed buildings on the Subject Property, along with a pump station and approximately 417 LF of 3" inch forcemain; and

WHEREAS, approximately 144 LF of the forcemain will be located in the public road and right-of-way and will convey flow into an existing manhole located in Hillcrest Road; and

WHEREAS, it is the policy of the Authority not to permit low pressure systems, however, the Authority will consider, on a case-by-case basis, when a development cannot be sewerred by gravity to existing sewer facilities; and

WHEREAS, it is also the policy of the Authority not to allow for the location of any such forcemain, where permitted, within the public road or right-of-way; and

WHEREAS, in the Report, the Authority Engineer determined that the Applicant's Engineer has satisfactorily demonstrated that no feasible gravity alternative exists due to the topography of the Subject Property as well as lack of existing sewer infrastructure near the site and concurs with said determination; and

WHEREAS, in the Report, the Authority Engineer also determined that the Applicant's Engineer has justified the need to locate the approximately 144 LF of forcemain within the public road and right-of-way considering that the forcemain must enter the right-of-way to connect to the Authority's existing manhole located in Hillcrest Road, a County road, and the alternative to the current alignment would be to locate the forcemain within Township right-of-way. In addition, the Applicant has represented that the County has no objection to locating the forcemain within its road and right-of-way; and

WHEREAS, notwithstanding the foregoing, the Applicant, at the request of the Authority Engineer, has sought to relocate the approximately 144 LF of forcemain outside of the public road and right-of-way in accordance with the Authority's Rules and Regulations, and within a private easement across Lot 1 in Block 208. In the event that the property owner of Lot 1 consents to the grant of this easement, the Applicant shall consult with the Authority Engineer and relocate the approximately 144 LF of forcemain within a private easement across Lot 1 in Block 208; and

WHEREAS, in light of the foregoing, the Authority determines that an exception to the policy against low pressure systems and the location of same within the public road or right-of-way is warranted, provided that neither the Township of Warren nor the Authority shall have any responsibility for any portion of the low-pressure system; and

WHEREAS, the Authority Engineer has confirmed that there is sufficient conveyance capacity available in the Berkeley Heights Sewer Service Area for the 192 EDUs of capacity to serve the proposed townhome development on the Subject Property; and

WHEREAS, in the Report, the Authority's Engineer recommends granting preliminary approval of the above-referenced application subject to the conditions set forth below; and

WHEREAS, pursuant to the Authority's Rules and Regulations, the Authority may impose reasonable conditions on any approval which it grants where, in the determination of the Authority, such conditions are necessary to ensure the construction and operation of the sewer system in a manner consistent with the public health, safety, and welfare and the statutory mandate of the Authority.

NOW, THEREFORE, BE IT RESOLVED, that the Warren Township Sewerage Authority in the County of Somerset, New Jersey, hereby grants to Applicant K. Hovnanian North Jersey Acquisitions, LLC approval of its Application for Preliminary Approval of Construction of Proposed Sanitary Sewers, Permit to Construct, and 192 equivalent dwelling units ("EDUs") of capacity to serve Lots 4 and 10 in Block 208, and Block 2704, Lot 3 in the Township of Berkeley Heights, also known as 4 Hillcrest Road, Warren Township, located in the Berkeley Heights Sewer Services Area, subject to the following conditions:

1. The Applicant shall comply with any and all applicable federal, state, and local law and all of the Authority's Rules and Regulations and required payment of all fees, including but not limited to the payment to the Authority of the then-applicable connection fees and all applicable deadlines set forth in Rules 3.10 and 6.2.6.
2. The approval is conditioned on the Applicants being granted allocation of 192 EDUs of capacity for the subject property by Berkeley Heights prior to construction.
3. The Applicant shall be responsible for the payment of the connection fee for the 192 EDUs of capacity to Berkeley Heights. Issuance of a connection permit shall be conditioned on the Applicant providing the Authority with proof of payment of the connection fee.
4. Any new sanitary sewer construction within the public road and right-of-way, and within any private road and right-of-way on the Subject Property, shall be under the jurisdiction of the Authority and must be inspected by a representative of the Authority. The Applicant shall deposit money into an escrow account to cover these inspection services prior to any construction. It is recommended that the Applicant provide an additional escrow amount of \$54,000 as required by the Authority to cover the preconstruction meeting, shop drawing review, construction inspection, witness testing, TV inspection and review of as-builts.
5. Except as set forth above, any new sanitary sewer construction on the Subject Property is under the jurisdiction of the local Plumbing Subcode Official and must be inspected and approved by the local Plumbing Subcode Official.
6. The Applicant and all subsequent property owners shall own, operate and maintain the entire sanitary sewer system being constructed, including but not limited to the pump station, serving the proposed townhome development on the Subject Property. The Applicant and all subsequent property owners shall furnish to the Authority Engineer an Operations and Maintenance Manual for the sanitary sewer system. A NJDEP licensed operator shall be responsible for the operation, and maintenance, and effectiveness of the system. The Applicant shall provide the Authority with the name and contact information for the NJDEP licensed operator.

7. The Authority has no obligation to accept the sanitary sewer system being constructed on the Subject Property, or any portion thereof. If the Authority takes ownership of the pump station at a future date, the Applicant shall provide one (1) mechanical sewage grinder of a manufacture acceptable to the Authority and fully install (wire, startup, etc.) the equipment before the pump station is accepted by the Authority.
8. The approximately 417 LF of 3" inch forcemain, shall be operated and maintained privately by the Applicant and all subsequent owners of the Property. The Applicant and all subsequent property owners of the Property: (i) shall bear full responsibility for (a) providing, installing, using, operating, maintaining, servicing, repairing, and replacing force main in a manner consistent with the manufacturer's instructions; and (ii) shall not introduce materials that may be detrimental to the force main's' operations. Neither the Township of Warren nor the Authority shall have any responsibility for any portion of the force main system.
9. Pursuant to Article 8.3(j) of the Authority's Rules and Regulations and prior to the start of any construction, the Applicant shall enter into a recordable agreement in a form provided by the Authority's Attorney to assure the proper short- and long-term operation and maintenance, use, service, repair or replacement of the proposed system (including but not limited to the E-One pump system, force main, and related low pressure system). Among other requirements, such an agreement will require that (i) the Applicant obtain and maintain, at their sole expense, a maintenance contract with an authorized Maintenance Contractor, who shall be given special training by the original equipment manufacturer and is authorized by the manufacturer to service the equipment and (ii) the Applicant shall indemnify defend, and hold harmless the Township and the Authority from any loss, damage or injury of any kind, caused in connection with the proposed system.
10. The Applicant shall provide written documentation to the Authority Engineer confirming whether the property owner of Lot 1 in Block 208 consents to the grant of easement across Lot 1 to relocate the approximately 144 LF of forcemain outside of the public road and right-of-way in accordance with the Authority's Rules and Regulations, and within said private easement. In the event that the property owner of Lot 1 consents to the grant of this easement, the Applicant shall consult with the Authority Engineer and relocate the approximately 144 LF of forcemain within a private easement across Lot 1 in Block 208. The Applicant shall obtain any and all necessary private easements (the "Easements") in a form approved by the Authority and/or its professionals (including its Attorney) prior to the Easements being recorded, including but not limited to the required easement from the owner(s) of Lot 1 in Block 208 for the benefit of the Subject Property. In addition to any other documentation or information as requested by the Authority and/or its professionals (including its Attorney), the Applicant, at his own costs, shall provide to the Authority and/or its professionals (including its Attorney): (i) a survey, certified to the Authority, identifying the metes and bounds for the Easements; and (ii) a title report for all parcels through which the Easements run. The Applicant shall bear the responsibility and costs to record the fully-executed Easements approved by the Authority and shall provide the Authority with the original recorded copy of the Easements as returned by the Clerk of Somerset County. The Applicant shall further be responsible for obtaining and recording

all other instruments as determined by the Authority and/or its professionals (including its Attorney) to properly convey the Easements free and clear of all liens and encumbrances and shall provide the Authority with the original recorded copies thereof as returned by the Clerk of Somerset County.

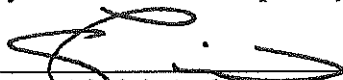
11. To the extent that the lots comprising the Subject Property are not under common ownership now or in the future, or the Subject Property is subdivided in the future, then all the requirements, restrictions, and conditions set forth herein shall be applicable to each and every owner of the subdivided parcels, and any owner of the subdivided parcels, and each owner shall be jointly and severally liable for each and every obligation and condition set forth herein, including but not limited to the Condition Numbers 8 and 9.
12. The low pressure system shall be pressure tested in accordance with the Authority's Rules and Regulations.
13. NJDEP TWA permits are required for the proposed sanitary sewer construction. The Applicant is responsible for obtaining all necessary and valid NJDEP TWA permits required for the proposed sewer extension construction.
14. It shall be the responsibility of the Applicant to obtain all other permits and approvals required prior to commencement of construction.
15. A pre-construction meeting shall be held prior to any construction.
16. The Applicant shall submit shop drawings to the Authority for review and approval prior to commencement of construction.
17. If applicable, the Applicant shall be responsible for and obtain the required Township of Warren Road Opening Permit for the sanitary sewer work within the road and right-of-way of Hillcrest Road.
18. If applicable, the Applicant shall be responsible for any relocation of utilities and associated costs.
19. If applicable, prior to any excavation, the Applicant must provide written notice to the Somerset-Union Soil Conservation District.
20. If applicable, the Applicant shall complete all site restoration work associated with the construction of the sanitary sewer to the satisfaction of the Authority and the Township of Warren.
21. If applicable, the Applicant shall not commence any construction requiring engineering inspection until it has provided proof to the Authority that the Applicant has notified the "One-Call Damage Prevention System" pursuant to the Underground Facility Protection Act, N.J.S.A. 48:2-73, *et seq.*, which proof shall be provided by supplying the Authority with the confirmation number assigned to the notice of intent pursuant to said Act.

BE IT FURTHER RESOLVED, the Authority Chairman and Executive Director are authorized to execute any documents, as needed, in connection with this approval and all Authority employees and officials are authorized and directed to take all action necessary and appropriate to effectuate the terms of this Resolution.

Moved	Seconded	Roll Call Vote	Yes	No	Absent	Abstained
		Chairman DeNave	X			
X		Mr. Truglio	X			
		Mr. Lazo			X	
		Mr. Checchio	X			
		Mr. Vetter	X			
	X	Mr. Liberti (Alt 1)	X			
		Mr. Allgor (Alt 2)			X	

CERTIFICATION

I, Spencer Pierini, Authority Secretary of the Warren Township Sewerage Authority in the County of Somerset, New Jersey, do hereby certify that the above resolution is a true and correct copy of a resolution adopted by the Authority at its regular meeting held on June 16, 2021.



 Spencer Pierini, Authority Secretary