

Minutes of Meeting No. 609, August 8, 2022 – Stony Brook Regional Sewerage Authority

LOCATION: Via Teleconference, Conference Room, River Road Plant, Princeton, NJ

MEMBERS PRESENT: Downey, Goldfarb, Patel, Switlik, Vilaro-Munet

MEMBERS ABSENT: Morehouse

CONSULTANTS: Alexander

STAFF PRESENT: Doelling, Pchola

### **609.01**

Chairman Downey opened the Special Meeting scheduled meeting at 6:30 p.m. Chairman Downey indicated that pursuant to Section 13 of the Open Public Meetings Act, adequate notice of the time, place of this meeting, and the teleconference information was given by filing with the Authority's official newspapers, each Clerk of each municipality, and by being posted on the Princeton Bulletin Board and the Authority's website.

### **609.02 Open to the Public**

Chairman Downey opened the public portion of the meeting at 6:30 p.m., hearing no comments from the public; the meeting continued as scheduled.

### **609.03 Approvals Requested**

Dr. Downey asked for a motion on Resolution 2022-064, Denying Consent To The Proposed Amendment of The Water Quality Management Plan and County Wastewater Management Plan Relative To Brick Farm Tavern, Hopewell Township At This Time. Resolution 2022-064 was moved by Mr. Vilaro-Munet and seconded by Mr. Goldfarb and passed by a roll call vote of 5 to 0. Resolution 2022-064 follows.

### **Resolution Denying Consent To The Proposed Amendment Of The Water Quality Management Plan and County Wastewater Management Plan Relative To Brick Farm Tavern, Hopewell Township At This Time**

**Resolution No. 2022-064**

**WHEREAS**, the Water Quality Management Planning Rules (N.J.A.C. 7:15) adopted by the New Jersey Department of Environmental Protection (NJDEP) requires that all areas of New Jersey must be addressed by Wastewater Management Plans (WMP); and

**WHEREAS**, the New Jersey Water Quality Planning Act, N.J.S.A. 13:1D-1 et seq. and the Water Pollution Control Act, N.J.S.A. 58:10A-1 et seq. mandate the completion and submission to the New Jersey Department of Environmental Protection (NJDEP) for review and approval, of a Wastewater Management Plan (County WMP) which defines the existing and future capacity demands of existing and future wastewater related jurisdictions and wastewater service areas, and further requires that all projects and activities affecting water quality must be consistent with these planning documents. Upon adoption, the County WMP becomes a part of the areawide Water Quality Management Plan (WQMP); and

**WHEREAS**, N.J.A.C. 7:15-5.4 establishes that the Board of County Commissioners shall have wastewater management plan responsibility for a WMP area consisting of all areas within its county. Those areas designated as within the Stony Brook Regional Sewerage Authority Hopewell Wastewater Treatment Plant (“Hopewell WWTP”) are depicted on the map entitled “Mercer County Wastewater Management Plan June 2012, Revised: February 27, 2013; August 28, 2013; October 3, 2013; October 17, 2013, Map 2, Existing Wastewater Facilities and Service Areas.”

See also:

<https://www.mercercounty.org/home/showpublisheddocument/1158/636058398458330000>; and

**WHEREAS**, the Township of Hopewell is a customer of the SBRSA pursuant to the Stony Brook Regional Sewerage Authority Amended Service Contract, dated November 1, 1977, between the Stony Brook Regional Sewerage Authority, and the Boroughs of Hopewell, Pennington and Princeton and the Townships of Princeton and West Windsor and the Township of South Brunswick, as amended and supplemented from time to time, (hereinafter “SBRSA Service Contract”) which provides for the discharge of sewage into the System of the Authority; and

**WHEREAS**, the Brick Farm Tavern property located at 130 Rocky Hill Road, Block 14, Lot 15.01, Hopewell Township, is located outside of the SBRSA’s current Hopewell WWTP sewer service area and therefor is currently inconsistent with the adopted WMP. Authority to adopt changes to the SBRSA sewer service area rests with the NJDEP, and is subject to the amendment process set forth at N.J.A.C. 7:15-3.4. Accordingly, prior to connection of this property, the adoption of an amendment to the applicable planning documents is needed to establish that connection of this property is consistent with N.J.A.C. 7:15-3.1; and

**WHEREAS**, the Brick Tavern Farm amendment proposal, published in the New Jersey Register on June 6, 2022, (Program Interest No. 435452, Activity No. AMD210003) proposes to expand the sewer service area (SSA) of the Stony Brook Regional Sewerage Authority (SBRSA) Hopewell WWTP (NJPDES Permit No. NJ0035301) by 0.3 acres to serve an existing 135-seat restaurant with 1500 square feet of office space and a brewery with 3 employees, located on a portion of Block 14, Lot 15.01 in Hopewell Township, Mercer County. The project will generate a projected wastewater flow of 4,575 gpd based on flow calculated in accordance with N.J.A.C. 7:14A-23.3, and would not include the distillery on the Property; and

**WHEREAS**, two major concerns exist with regard to the application for extension of the SBRSA sewer service area, namely, inconsistency with the SBRSA Service Agreement and the introduction of grease into the sewer system; and

**WHEREAS**, Section 601 of the SBRSA Service Contract, entitled, “Contracts with or Service to Others,” prohibits SBRSA from entering into any agreement providing for or relating to the treatment and disposal by it of sewage originating outside a Participant, unless the other contracting party be such Participant or such Participant shall have given its written consent thereto; and

**WHEREAS**, Borough of Hopewell, Participant under the SBRSA Service Contract and owner of the local conveyance system into which wastewater from Brick Farm Tavern would need to be discharged prior to treatment, has not given its written consent as required under the SBRSA Service Contract; accordingly, SBRSA does not endorse or support the proposed amendment at this time; and

**WHEREAS**, the SBRSA is further concerned regarding the quality of wastewater to be discharged into the collection and treatment processes due to the presence of fats, oils and grease (FOG) and high levels of Carbonaceous Biochemical Oxygen Demand (CBOD), which is comprised of organic material. The primary sources for high levels of CBOD and FOG are food processing facilities and restaurants. When grease breaks free from the sanitary sewer it will be conveyed to the wastewater treatment plant where it will have a negative impact on the treatment process and when FOG is present and in abundance, the conditions for problematic filamentous bacteria (Nocardia) can occur; and

**WHEREAS**, the SBRSA Hopewell Wastewater Treatment Plant (WWTP) has stringent summer BOD limits. The presence of FOG and high strength wastewater (high BOD) has the potential to upset the plant process and effect compliance with permit limits. In addition, the Nocardia bacteria can be present in the sludge which is transported to our main River Road WWTP for processing which has the potential to upset the process at that location causing operational and effluent problems for two plants. Until these wastewater quality concerns are addressed, SBRSA does not endorse or support the proposed amendment.

**NOW, THEREFORE, BE IT RESOLVED** by the Stony Brook Regional Sewerage Authority, on this 8<sup>th</sup> day of August, 2022, that:

1. At this time and for the reasons stated herein, the Stony Brook Regional Sewerage Authority does not consent to the amendment of the County WQMP to include Block 14, Lot 15.01, and Block 40203, Lot 1, Township of Hopewell, as within the sewer service area of the SBRSA.
2. This Resolution shall be submitted to the NJDEP in accordance with N.J.A.C. 7:15-3.1 et seq.
3. Copies of this Resolution shall be provided to the Applicant, Mercer County Planning Board, Township of Hopewell and Hopewell Borough.

<u>Recorded Vote:</u>	<u>AYE</u>	<u>NO</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Gale D. Downey	X			
David A. Goldfarb	X			
C. Schuyler Morehouse				X

Bharat Patel	X
Pamela Switlik	X
Miguel Vilaro-Munet	X

**609.04 Adjournment**

As there was no further business to come before the Board, the meeting was adjourned at 6:36 p.m. on a motion by Mr. Vilaro-Munet, seconded by Mr. Patel, and passed by unanimous vote.

Respectfully Submitted,

Antonia Pchola  
Secretary

Recorded and Written by  
Angela Christiano  
August 9, 2022