

Subject: Resolution to Recommend Approval of Proposed Amendment to the Mercer County Water Quality Management Plan titled “Dynamic-Hilco Warehouse – Part Two” applying to expand the Trenton Sewer Utility sewer service area

WHEREAS, the Mercer County Planning Board has been petitioned by Robert Freud (Dynamic Engineering Consultants, PC) to amend the Mercer County Water Quality Management Plan (WQMP) and expand the Trenton Sewer Utility sewer service area (SSA); and

WHEREAS, in 2019, Dynamic Engineering, PC, representing landowner Hilco Redevelopment Partners Mercer, LLC, prepared an amendment to the Mercer County WQMP titled “Dynamic-Hilco Warehouse,” which requested an expansion the Trenton Sewer Utility sewer service area by 102.66 acres to allow for the redevelopment of the site of the decommissioned Duck Island PSEG Generating Plant to accommodate the construction of two large warehouses with roughly 25,000 square feet of office space, for a total of 1.2 million square feet, located in Hamilton Township, Mercer County, on Block 2506, portions of Lots 6, 8, 22, and 27; and

WHEREAS, the aforementioned amendment was approved by the Mercer County Planning Department in 2020 by Resolution No. 2020-03, forwarded to the County Executive and ultimately adopted by the New Jersey Department of Environmental Protection [NJDEP] in September of 2020; and,

WHEREAS, the expansion of Sewer Service Area resulting from said amendment did not include an isolated wetland area which has since been filled and mitigated under a separate NJDEP permitting program; and,

WHEREAS, a portion of said former wetland area is included within the footprint of the warehouse in the final site plan for the development; and,

WHEREAS, the Trenton Sewer Utility SSA would be expanded by 2.19 acres to accommodate this portion of the warehouse; and,

WHEREAS, there is no additional sanitary flow proposed as part of the amendment, above what was adopted through the prior amendment; and,

WHEREAS, the New Jersey Department of Environmental Protection (NJDEP) and the applicant arranged for a public notice to be published in the New Jersey Register on October 06, 2022, and the Trenton Times and Trentonian newspapers on October 06, 2022 and October 04, 2022, respectively, advising of a public hearing and seeking public comment concerning the proposed amendment to the Mercer County Water Quality Management Plan and expansion of the Trenton Sewer Utility wastewater treatment sewer service area; and,

WHEREAS, a public hearing was held by the Mercer County Planning Board on November 09, 2022 concerning the amendment; and,

WHEREAS, a verbatim transcript of the hearing was forwarded to the NJDEP; and,

WHEREAS, the period for public commentary came to a close on November 24, 2022; and,

WHEREAS, neither the NJDEP nor the Mercer County Planning Board received any public commentary during the aforementioned period; and,

WHEREAS, as required by both NJ DEP and Mercer County procedures, the applicant sent letter requesting resolutions of consent with this proposed amendment to both the Trenton Sewer Utility and the Hamilton Township municipal government, which were both received on September 26, 2022; and,

WHEREAS, the Trenton Sewer Utility declined to submit an official resolution of consent, but declared via email that their intention of adopting a resolution of consent approving the previous amendment regarding this property was to include all sewage generating structures; and,

WHEREAS, Hamilton Township declined to submit an official resolution of consent for this amendment, but did adopt a resolution of consent to the previous amendment regarding this property; and,

WHEREAS, the Planning Board has found the proposed amendment and sewer service area expansion to be consistent with county and local policies for the delineation of sewer service areas; and,

WHEREAS, the Planning Board recognizes the need to amend the Mercer County Water Quality Management Plan to provide for consistency with the proposed amendment and modification;

NOW THEREFORE BE IT RESOLVED, that the Mercer County Planning Board endorses to the County Executive for his consideration an amendment to the Mercer County Water Quality Management Plan titled “Dynamic-Hilco Warehouse [part Two]”

---

Date Adopted

---

Secretary