TOWNSHIP OF EAST AMWELL
ORDINANCE NO. 23-09

AN ORDINANCE OF THE TOWNSHIP OF EAST AMWELL, COUNTY OF HUNTERDON, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING CERTAIN SECTIONS OF CHAPTER 122 OF THE CODE OF THE TOWNSHIP OF EAST AMWELL, ENTITLED "STORMWATER MANAGEMENT"

WHEREAS, in recent years, stormwater management has come to the forefront as a result of more numerous and severe flooding events throughout New Jersey; and

WHEREAS, the Township of East Amwell (the "Township") has prioritized stormwater management concerns during review of development applications and all other Township decisionmaking; and

WHEREAS, the Township Committee of the Township of East Amwell ("Township Committee") seeks to expand the scope of development subject to stormwater management review by the Township Engineer; and

WHEREAS, the Township Committee also seeks to establish stormwater management application and review fees for all major and minor developments; and

WHEREAS, the Township Committee finds that the following amendments are in the best interest of the community.

NOW, THEREFORE, BE IT ORDAINED by the Township Committee, of the Township of East Amwell, County of Hunterdon, State of New Jersey as follows:

(Adjustments and new language are underlined <u>thus</u> and deletions are indicated with strikethroughs ~~thus~~)

Section 1. Chapter 122 "Stormwater Management", Section 122-1 "Scope and Purpose" is hereby amended and supplemented to read as follows:

[Subsection A remains unchanged].

B. Purpose: establish minimum stormwater management requirements and controls for "major development~~,~~" <u>and "minor development"</u>, as defined below in § **122-2**.

C. Applicability.

(1) This chapter shall be applicable to building permits as covered by this chapter and all site plans and subdivisions for the following major developments that require preliminary or final site plan or subdivision review:

(a) Nonresidential major developments; and

(b) Aspects of residential major developments that are not preempted by the Residential Site Improvement Standards at N.J.A.C. 5:21. The provisions of both this chapter and

the RSIS are to be applied and reviewed concurrently for any residential major development.

(c) Any agricultural or horticultural development that meets the definition of "major development" under N.J.A.C. 7:8.

(2) This chapter shall also be applicable to all major developments undertaken by East Amwell Township.

(3) This chapter shall apply to all minor developments as defined in this chapter.

[Subsection D remains unchanged].

E. Permit required.

(1) All minor and major developments shall require an application to the Township Engineer for a Stormwater Permit.

(2) Application/Review Fees:

Project Type	Application Fee	Review Fee
Minor development	$150	$250
Major development	$150	$1,000

(3) In addition to the fees above, the engineer shall establish an inspection escrow amount upon approval of the permit.

Section 2. Chapter 122 "Stormwater Management", Section 122-2 "Definitions" is hereby supplemented to include the following definitions:

EXEMPT DEVELOPMENT

Shall mean any development that creates less than 1,000 square feet of new impervious area and disturbs less than 2,500 square feet of land. Further, an exempt development shall not meet the definition of "minor development."

MINOR DEVELOPMENT

Shall mean any development that results in the creation of 1,000 square feet or more of new impervious area or one that disturbs more than 2,500 square feet of land area. Further, a minor development shall not meet the definition of "major development" in N.J.A.C. 7:8.

[All existing definitions remain unchanged].

Section 3. Chapter 122 "Stormwater Management", Section 122-3 "Design and performance standards for stormwater managemner measures" is hereby amended and supplemented to read as follows:

[Subsection A remains unchanged].

B. The standards in this chapter apply only to new minor and major development and are intended to minimize the impact of stormwater runoff on water quality and water quantity in receiving water bodies and maintain groundwater recharge. The standards do not apply to new major development to the extent that alternative design and performance standards are applicable under a regional stormwater management plan or water quality management plan adopted in accordance with Department rules. (Note: Alternative standards shall provide at least as much protection from stormwater-related loss of groundwater recharge, stormwater quantity and water quality impacts of major development projects as would be provided under the standards in N.J.A.C. 7:8-5.)

C. Exempt Developments. Any project meeting the definition of "exempt development" shall be exempt from the provisions of this section.

D. Minor Developments. Minor developments shall be designed to include the following stormwater management measures:

(1) Water Quality. Soil erosion and sediment control measures shall be installed in accordance with the Standards for Soil Erosion and Sediment Control in New Jersey.

(2) Rate/Volume Control. Seepage pits or other infiltration measures shall be provided with a capacity of three (3") inches of runoff for each square foot of new impervious area. Stone used in the infiltration devices shall be two and one-half (2 ½") inches clean stone and design void ratio of 33% shall be used. The infiltration measures shall be designed with an overflow to the surface which shall be stabilized and directed to an existing stormwater conveyance system or in a manner to keep the overflow on the developed property to the greatest extent feasible. If the new impervious surface is not roof area, an equivalent area of existing roof may be directed to the infiltration system. This shall be permitted where the existing roof is not already directed to infiltration devices.

Section 4. This Ordinance shall be construed so as not to conflict with any provision of New Jersey or Federal law. In the event ofany inconsistencies or conflicts between this Ordinance and existing ordinances of the Township, the provisions of this Ordinance shall apply.

Section 5. If any provisions of this Ordinance shall be adjudged invalid, such adjudication shall not affect the validity of the remaining provisions, which shall be deemed severable therefrom.

Section 6. This Ordinance shall take effect immediately upon its adoption, passage and publication according to law.

INTRODUCED/PASSED ON FIRST READING: October 12, 2023

ROLL CALL VOTE				
COMMITTEE MEMBER	**YES**	**NO**	**ABSTAIN**	**ABSENT**
DENDIS	✓			
MILLS	✓			
RAMSEY	✓			
DI PIRRO	✓			
CASPER-BLOOM	✓			

PUBLISHED: October 19, 2023

ADOPTED: November 9, 2023

ROLL CALL VOTE				
COMMITTEE MEMBER	**YES**	**NO**	**ABSTAIN**	**ABSENT**
DENDIS	✓			
MILLS	✓			
RAMSEY	✓			
DI PIRRO	✓			
CASPER-BLOOM	✓			

ATTEST:

Linda Giliberti, RMC
Township Clerk

Jenna Casper-Bloom
Mayor

I HEREBY CERTIFY that the foregoing Ordinance was adopted by the Township Committee of the Township of East Amwell, County of Hunterdon, State of New Jersey at their meeting held in the Meeting Room of the Municipal Building, 1070 Route 202/ 31, Ringoes, NJ 08551.

Linda Giliberti, RMC
Township Clerk