

**City of Estell Manor**  
**Ordinance 01-2022**  
**Amending Chapter 315 “Soil Removal” of the Code of the**  
**City of Estell Manor, County of Atlantic and State of New Jersey**

**WHEREAS**, it has been determined by the Mayor and City Council that certain provisions of the Code of the City of Estell Manor are not consistent with the provisions of the provisions of the Pinelands Comprehensive Management Plan (CMP) dealing with soil removal; and

**WHEREAS**, the Mayor and Council had the matter reviewed by the Conflict City Engineer, CME Associates, who issued a report dated September 2, 2021 which addresses these issues and wherein certain recommendations are made to provide for greater consistency between the Code of the City of Estell Manor and the CMP, which recommendations will not result in any adverse environmental impacts on adjoining properties or upon the general public health, safety or welfare.

**NOW THEREFORE, BE IT ORDAINED**, by the Mayor and Council of the City of Estell Manor, in the County of Atlantic and State of New Jersey, as follows:

**Section 1.** Purpose: The purpose of this Ordinance is to amend Chapter 315 of the Estell Manor Code, “Soil Removal” in order to coordinate the Code provisions with the applicable Resource Extraction standards in the Pinelands Comprehensive Management Plan, N.J.S.A. 7:50-6.68.

*[Note: Soil Removal standards were formerly set forth in Chapter 8-3 of the Estell Manor Code. Chapter 8-3 was readopted and recodified as Chapter 315 of the Estell Manor Code pursuant to Ordinance 1-2021 adopted on second reading April 7, 2021.]*

**Section 2.** Section 315-8B is DELETED and replaced with the following: The operation shall be designed so that no area of excavation, sedimentation pond, storage area equipment or machinery or other structure or facility is closer than two hundred (200) feet to any property line.

**Section 3.** Section 315-8E is DELETED and replaced with the following: The entire area of the resource extraction operation shall be enclosed with chain link fencing eight (8) feet in height.

**Section 4.** Section 315-8H is DELETED and replaced with the following: The operation shall not involve excavation exceeding 65 feet below the natural surface of the ground existing prior to excavation unless it can be demonstrated that a depth greater than 65 feet will result in no significant adverse impact relative to the proposed final use or on off-site areas.

**Section 5.** Except as modified herein, Chapter 315 is readopted and remains in force and effect.

**Section 6.** All Ordinances and provisions thereof which are inconsistent with the provisions of the Ordinance shall be and are hereby repealed to the extent of such inconsistency.

**Section 7.** If any section, paragraph, subdivision, clause or provision of this Ordinance shall be adjudged invalid, such invalidity shall apply only to such section, paragraph, subdivision, clause or provision and the remainder of this Ordinance shall be deemed valid and effective.

**Section 8.** This Ordinance shall take effect upon final adoption and publication in accordance with the law.

ATTEST:

CITY OF ESTELL MANOR

\_\_\_\_\_  
Judson Moore, Acting City Clerk

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Elizabeth Owen, Mayor

I, Judson Moore, Clerk of the City of Estell Manor, do hereby certify that the foregoing is a true copy of an ordinance duly adopted by the Mayor and Council of the City of Estell Manor on January 5, 2021.

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Judson Moore-Acting City Clerk

1<sup>st</sup> Reading: 1-5-22  
Ad: 1-13-22  
2<sup>nd</sup> Reading: 2-2-22  
Public hearing 2-2-22  
Ad: 2-10-22