

BOROUGH OF POINT PLEASANT BEACH

OCEAN COUNTY, NEW JERSEY

Ordinance 2024-04

ORDINANCE REGARDING GRADING AND DRAINAGE REQUIREMENTS PRIOR TO THE ISSUANCE OF A CERTIFICATE OF OCCUPANCY

WHEREAS, the Borough of Point Pleasant Beach (“Borough”) maintains grading and drainage requirements for buildings, additions, and site improvements prior to the issuance of a certificate of occupancy in § 12-3 of the Municipal Code; and

WHEREAS, the Borough Engineer has determined that § 12-3 needs to be modified and supplemented to ensure proper grading and drainage standards for buildings, additions, and site improvements within the Borough; and

WHEREAS, the Borough Council seeks to modify and supplement § 12-3 in accordance with the Borough Engineer’s recommendations.

NOW, THEREFORE, BE IT ORDAINED by the Borough Council of the Borough of Point Pleasant Beach in the County of Ocean, State of New Jersey, as follows:

SECTION I. Chapter 12, titled “Buildings” of the Point Pleasant Beach Municipal Code is hereby amended and supplemented as follows:

§ 12-3 Grading and Drainage Requirements Prior to the Issuance of a Certificate of Occupancy.

A zoning permit shall be obtained prior to applying for a grading and drainage permit. A permit for grading and drainage shall be required prior to the construction of, or change in elevation or addition to, a single-family dwelling that has not been part of a subdivision review by the Borough Planning Board or Board of Adjustment, in-ground swimming pool, or structure or improvement which the Borough Engineer, Construction Official or Zoning Officer has determined may cause an adverse impact on any adjoining property. A permit for grading and drainage shall also be required for any new area(s) of impervious coverage on a lot that meets or exceeds 10% of the subject lot area. Properties covered under this section and required to obtain said grading and drainage permit shall provide the following:

§ 12- 3.3 Lot Grading and Drainage Plan.

Every application for a construction permit for a new structure, change in elevation to a structure, or addition to an existing structure as hereinabove described shall be accompanied by four copies of an acceptable grading and drainage plan prepared and certified by a professional engineer or an architect licensed by the State of New Jersey or the individual property owner as permitted by law. A separate copy of the signed and sealed survey upon which the grading and drainage plan is based shall also be submitted with the application. The grading and drainage plan shall be drawn at an engineering scale of not greater than one inch equals ten feet and not less than one inch equals 20 feet and shall show at a minimum the following:

- a. The tax map sheet, block, and lot numbers, street address, preparation date, revision date(s), revision description(s), graphic scale, north arrow, name and address of the property owners, the applicant if other than the owner and the name and address of the professional who prepared the plan.
- b.-o. [No changes].
- p. A summary (breakdown table) of all existing and proposed impervious surface areas, and associated drainage system (storage volume) calculations.
- q. [No change].

§ 12-3.5 Final As-Built Plan.

Every request for a final inspection and certificate of occupancy (CO) for a new structure as described herein shall be accompanied by four copies of an as-built plan signed and sealed by a professional surveyor licensed in the State of New Jersey. The as-built plan, together with a copy of the original approved grading and drainage plan, shall be reviewed by the Borough Engineer who shall also conduct an on-site inspection and issue a written notification to the zoning officer and construction official as to the compliance of the construction to the approved grading and drainage plan and make a recommendation as to the issuance of a certificate of occupancy. In the event the as-built plan does not comply with the requirements of this section or the construction does not comply with the approved grading and drainage plan, the Borough Engineer shall include in the written notification the conditions that must be satisfied prior to the issuance of a certificate of occupancy (CO). The as-built plan shall include as a minimum the following:

- a.-c. [No changes].
- d. Location of drainage system(s), yard drain(s), roof leader downspouts and other drainage features.
- e. Photos demonstrating the location, size and make-up of the drainage system and connecting pipes.
- f. Location of all utility service connections including size of water and sewer connections.
- g. Final finish floor elevations including basement slab elevation and garage slab elevation of all structures and a certification of the height of the structure.
- h. A description of the structure (i.e. ranch, two story colonial, etc.) and whether it is on slab, crawl space, or basement.
- i. All surface improvements including walks, decks, patios, driveways, curbs, landscaping, etc.

- j. The final as-build plan shall contain a statement that the plan includes all required information and that the completed improvements are in substantial compliance with the grading and drainage plan reviewed and approved by the Borough. Any variations from the approved plan must be specifically noted on the as-built plan and approved in writing by the Borough Engineer. One copy of the approved grading and drainage plan shall be attached to the as-built plan.
- k. An accurate calculation of the percentage of impervious surface of the lot.

§ 12-3.6 Lot Grading.

- a. The lot shall be graded so that the majority of the surface runoff is retained on the property. In general, lots shall be graded as follows:
 - 1. The minimum slope of an unpaved yard surface shall be 0.5%, except for well-defined swales which shall have a minimum slope of 1%.
 - 2. No change.
 - 3. The maximum slope of an unpaved yard surface shall be 25% beyond five feet of a structure, except in the front yard which shall be 15% maximum.
 - 4. The maximum slope of a paved yard surface shall be 5% except for a driveway which shall have a maximum slope of 6%.
 - 5. Any plans including a commercial site must conform to the most recent stormwater management regulations, including the best management practice manual.
- b. Roof leaders and sump pump drains shall be permitted to spill at or through the curb of any street in the Borough, provided that approved drainage system(s) (e.g. underground recharge system, French drain system, drywell(s), or seepage pit(s)), approved by the Borough Engineer, is provided upstream from said outlet point. Roof leaders and sump pump drains for all new structures shall be piped directly to an approved drainage system(s) to be installed on the lot prior to discharge at the curb. For properties with frontage(s) on a County road(s), the County of Ocean prohibits drains through their curb. Hence, any outlet point to a County roadway may provide a yard drain or bubbler to discharge upstream or behind the County curb. The approved drainage system(s) shall meet the following criteria:
 - 1. A minimum of one cubic foot of storage volume shall be provided for each 12 square feet of roof area tributary to the drainage system(s). A minimum of one cubic foot of storage volume shall also be provided for each 12 square feet of new impervious cover area(s) that meet the criteria noted in Subsection **12-3.6h** and/or **i**.
 - 2. A minimum of six inches of cover shall be provided.

3. Drainage structures associated with approved drainage system(s) shall be placed on and be surrounded on the sides by a minimum six-inch-thick layer of clean drainage (3/4 inch minimum size) stone wrapped with a geotextile material to prevent migration of the backfill material into the stone.
 4. Overflows to the yard surface shall be provided at each leader pipe in case of backup of the drainage system(s), and access ports (e.g. yard drains) shall be provided at each corner, end, bend or turn for future inspection, maintenance and overflow as approved by the Borough Engineer.
- c. [No change].
- d. [No change].
- 1.-5. [No changes].
 6. Courtesy plan review fee (no formal written response letter or notice): \$100.
 7. The applicant shall pay to the Borough the sum of \$100 for the review of any drainage system exemption request. If approved, no grading and drainage permit or additional associated fees will be required, subject to compliance.
- e. Temporary Certificate of Occupancy (TCO). If, in the opinion of the Borough Engineer, inclement weather prohibits the completion of the improvements required on the approved grading and drainage plan, a temporary certificate of occupancy (TCO) may be issued by the Construction Official. The issuance of the TCO shall be conditioned upon the following terms:
1. The estimated construction cost to complete the improvement is placed in the Borough's escrow account by the contractor or owner. The estimated cost of the incomplete improvements shall be determined by the Borough Engineer as necessary.
 2. [No change].
 3. All escrowed improvements shall be completed and ready for final inspection no later than May 20 next occurring, unless an extension is granted by the Borough Construction Official and/or Borough Engineer.
 4. [No change].
- f.-g. [No changes].
- h. A permit for grading and drainage may not be required for new area(s) of impervious coverage, excluding roofed structures, on a lot that equals less than 10% of the subject lot area, provided that said improvements will have no adverse impact on any adjoining

properties. If this is believed to be the case, the applicant or owner may apply to the Borough Engineer for an exemption from having to provide a drainage system. If the applicant or owner is unsure of this case, or regarding any other grading and drainage design related matter, they may apply to the Borough Engineer for a courtesy review. Otherwise, drainage system(s) shall be provided having a minimum storage volume of one cubic foot for each 12 square feet of new impervious cover area(s), subject to the review and approval of the Borough Engineer.

- i. Storage volume in approved drainage system(s) is not required for the area of impervious cover that may be proposed around the perimeter or associated with a new in-ground pool, provided there is no impact on any adjoining property and that the total impervious area, excluding the pool itself, does not exceed the total area which would provide a four-foot wide impervious walkway around the perimeter of the new in-ground pool. For example, if a new in-ground pool measuring 12 ft. x 20 ft. is proposed, then a drainage system will not be required as long as the total new impervious coverage does not exceed ~~288~~ 320 square feet [(16 ft. + 16 ft. + 24 ft. + 24 ft.) x 4 ft.], and there is no adverse impact on any adjoining property. If the impervious cover around the perimeter or associated with a new in-ground pool exceeds that amount, or runoff may impact any adjoining property, then a minimum of one cubic foot of storage volume for each 12 square feet of all new impervious cover area(s) shall be provided in approved drainage system(s) subject to the review and approval by the Borough Engineer. This limited exemption from having to provide a drainage system may apply to applications for a new pool and associated improvements only. The exemption does not apply to applications for a new dwelling, additions or any other improvements which may also include a new pool.

SECTION 2. Severability.

The provisions of this Ordinance shall be severable. In the event that any portion of this Ordinance is found to be invalid for any reason by any Court of competent jurisdiction, such judgment shall be limited in its effect only to the portion of the Ordinance actually adjudged invalid and shall not be deemed to affect the operation of any other portion thereof, which shall remain in full force and effect.

SECTION 3. Repealer.

All ordinances and resolutions, and parts of ordinances and resolutions which are inconsistent with provisions of this ordinance shall be, and are hereby, repealed to the extent of any such inconsistency.

SECTION 4. Effective Date.

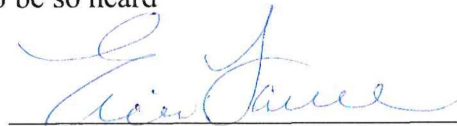
This ordinance shall take effect upon final adoption and publication in accordance with law.

Approved this 7th day of May, 2024

Douglas R. Vitale
Borough of Point Pleasant Beach
Douglas R. Vitale, Mayor

NOTICE

NOTICE IS HEREBY GIVEN that the foregoing Ordinance was introduced and passed at a meeting of the Governing Body of the Borough of Point Pleasant Beach, in the County of Ocean, State of New Jersey, on April 16, 2024. It was further considered for final passage after public hearing at a regular meeting of the Governing Body held in the Council Chambers at Borough Hall, 416 New Jersey Avenue, Point Pleasant Beach, NJ, on May 7, 2024, at which time and place any person desiring to be heard was given an opportunity to be so heard



EILEEN FARRELL, RMC
Municipal Clerk

LEGAL NOTICE

Publication by Summary Pursuant to N.J.S.A. 40:49-2

This Ordinance modifies Section 12.3, titled "Grading and Drainage Requirements Prior to the Issuance of a Certificate of Occupancy."

