

ORDINANCE 2007-06

AN ORDINANCE AMENDING CHAPTER 262 (SURFACE WATER RUNOFF) SECTION 10 (IMPLEMENTATION OF PLAN) OF THE MUNICIPAL CODE OF THE TOWNSHIP OF HILLSBOROUGH, COUNTY OF SOMERSET, STATE OF NEW JERSEY

WHEREAS, the Township Committee of the Township of Hillsborough, through the assistance of Maser Consulting PA, performed an inspection of the Neshanic River, Holland Brook, Dukes Brook, Pike Run, Royce Brook, Raritan River, and Millstone River watersheds to identify existing watershed/water quality impairments and also identify possible Best Management Practices (BMPs) that, could be implemented to address the source of the impairment or mitigate the impacts of the impairment; and

WHEREAS, the inspection determined that continued development within the Township has had a major impact on watershed and water quality impairments within the Township; and

WHEREAS, the Township has recently adopted a new stormwater management ordinance which establishes minimum stormwater management design standards for certain development within the Township to address watershed and water quality impairments; and

WHEREAS, it is the finding of the Township Committee of the Township of Hillsborough that it is appropriate to charge applicants for major development within the Township an Improvement Fee to mitigate the impacts of the development on water resources within the Township.

BE IT ORDAINED by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey as follows:

Section 1: Chapter 262, Section 10 (Implementation of Plan) of the Municipal Code of the Township of Hillsborough shall be amended by adding Section 10G as follows:

G. Stormwater Improvement Fees

Applicants of approved major developments, namely Major Site plans and Major Subdivisions as defined by the Municipal Code, are required to post a Stormwater Improvement Fee prior to the issuance of any building permits. The fee calculation is outlined in Schedule B.

The fees shall be for the purpose of reimbursing the Township for direct fees, costs, charges and expenses for administrative, clerical, technical, and maintenance costs, of in-house staff and

professional consultants such as legal, planning, engineering and other professional fees, costs and expenses exclusively for the implementation of watershed and water quality mitigation plans.

Schedule B: Stormwater Improvement Fees
Hillsborough Township

Type of Development	Fee
Residential Development (major subdivisions only)	\$2,000.00 per dwelling unit
Non Residential Development	
Less than 1,000 square feet of gross floor area	\$2,000.00
1,001 to 5,000 square feet of gross floor area	\$5,000.00
5,001 to 10,000 square feet of gross floor area	\$7,500.00
10,001 to 15,000 square feet of gross floor area	\$10,000.00
15,001 to 25,000 square feet of gross floor area	\$17,500.00
25,001 to 100,000 square feet of gross floor area	\$22,000.00
Greater than 100,000 square feet of gross floor area	\$45, 000. 00

BE IT FURTHER ORDAINED, that if any section, paragraph, subsection, clause or provision of this Ordinance shall be adjudged by the courts to be invalid, such adjudication shall apply only to the section, paragraph, subsection, clause or provisions so adjudicated, and the remainder of the Ordinance shall be deemed valid and effective.

BE IT FURTHER ORDAINED, that any ordinances or parts thereof in conflict with the provisions of this Ordinance are repealed to the extent of such conflict.

BE IT FURTHER ORDAINED, that this Ordinance shall take effect upon passage, publication and approval in accordance with applicable law.

Kevin P. Davis Township Clerk

Anthony Ferrera, Mayor

Introduced: 02/13/07
Published: 02/22/07
Public Hearing: 03/13/07
Adopted: 03/13/07
Published: 03/22/07