

February 11, 2021

The Township Committee met on the above date via Gotomeeting.com with Mayor Liedtka calling the meeting to order at 7:00 PM. Roll call was taken showing present: Mayor Jeremy Liedtka, Deputy Mayor Lido Panfili, Committeemen Shreekant Dhopte and Michael Russo and Committeewoman Denise Koetas-Dale. Also present Township Attorney, John Gillespie; Township Engineer, Joe Hirsh; Administrator, Thomas Sahol; and Clerk, Caryn Hoyer.

The Open Public Meetings Act statement was read and compliance noted. The statement on public comment during remote meetings was read.

AGENDA MATTER(S) REQUIRING RECUSAL(S)

None

APPROVAL OF MINUTES

Mr. Panfili made a motion seconded by Mr. Russo to approve the minutes of January 28, 2021. Roll Call: Mr. Dhopte – yes; Ms. Koetas-Dale – yes; Mr. Panfili – yes; Mr. Russo – yes; Mr. Liedtka – yes

PUBLIC COMMENTS PERTAINING TO MATTERS ON THE AGENDA – NONE

ORDINANCE FOR INTRODUCTION

Mr. Panfili made a motion seconded by Ms. Koetas-Dale to introduce Ordinance 2021-2. Roll Call: Mr. Dhopte – yes; Ms. Koetas-Dale – yes; Mr. Panfili – yes; Mr. Russo – yes; Mr. Liedtka – yes. Public hearing will be February 25, 2021.

**TOWNSHIP OF CHESTERFIELD
ORDINANCE NO. 2021-2**

AN ORDINANCE AMENDING CHAPTER 130, ARTICLE II, §130-4, DEFINITIONS, AND CHAPTER 130, ARTICLE XII, §130-75, STORMWATER MANAGEMENT, OF THE CODE OF THE TOWNSHIP OF CHESTERFIELD, COUNTY OF BURLINGTON, STATE OF NEW JERSEY TO UPDATE STORMWATER MANAGEMENT PROVISIONS AND ASSOCIATED DEFINITIONS.

NOW, THEREFORE, BE IT ORDAINED, by the Township Committee of the Township of Chesterfield, County of Burlington, State of New Jersey, as follows:

Section One: All ordinances or portions of ordinances that have been codified in the Code of Chesterfield Township at §130-4 are amended to the extent that the Definitions of the following words and phrases, as set forth in §130-4 of the Code of Chesterfield Township, are deleted and are replaced with the following:

- a. County Review Agency shall mean “County Review Agency,” as defined in §130-75.
- b. Impervious Surface shall mean “Impervious Surface,” as defined in §130-75.
- c. Major Development shall mean “Major Development,” as defined in §130-75.
- d. Person shall mean “Person,” as defined in §130-75.
- e. Sediment shall mean “Sediment,” as defined in §130-75.

- f. Soil shall mean “Soli,” as defined in §130-75.
- g. Stormwater Management Measure shall mean “Stormwater Management Measure,” as defined in §130-75.

Section Two: All ordinances or portions of ordinances including, without limitation, Ordinance 2006-2, adopted April 13, 2006, and Ordinance 2006-12, adopted December 14, 2002, as amended, that have been codified in the Code of Chesterfield Township at §130-75, Stormwater Management, be and they hereby are repealed and are replaced with the following to be designated as §130-75 of the Code of Chesterfield Township:

§130-75 Stormwater Management

Section I. Scope and Purpose:

- A. **Policy Statement.** Flood control, groundwater recharge, and pollutant reduction shall be achieved through the use of stormwater management measures, including green infrastructure Best Management Practices (GI BMPs) and nonstructural stormwater management strategies. GI BMPs and low impact development (LID) should be utilized to meet the goal of maintaining natural hydrology to reduce stormwater runoff volume, reduce erosion, encourage infiltration and groundwater recharge, and reduce pollution. GI BMPs and LID should be developed based upon physical site conditions and the origin, nature and the anticipated quantity, or amount, of potential pollutants. Multiple stormwater management BMPs may be necessary to achieve the established performance standards for water quality, quantity, and groundwater recharge.
- B. **Purpose.** The purpose of this Ordinance is to establish minimum stormwater management requirements and controls for “major development,” as defined below in Section II.
- C. **Applicability.**
 - 1. This Ordinance shall be applicable to the following major developments:
 - a. Non-residential major developments; and
 - b. Aspects of residential major developments that are not pre-empted by the Residential Site Improvement Standards at N.J.A.C. 5:21.
 - 2. This Ordinance shall also be applicable to all major developments undertaken by the Township of Chesterfield.
- D. **Compatibility with Other Permit and Ordinance Requirements.** Development approvals issued pursuant to this Ordinance are to be considered an integral part of development approvals and do not relieve the applicant of the responsibility to secure required permits or approvals for activities regulated by any other applicable code, rule, act, or ordinance. In their interpretation and application, the provisions of this Ordinance shall be held to be the minimum requirements for the promotion of the public health, safety, and general welfare.
This Ordinance is not intended to interfere with, abrogate, or annul any other ordinances, rule or regulation, statute, or other provision of law except that, where any provision of this Ordinance imposes restrictions different from those imposed by any other ordinance, rule or regulation, or other provision of law, the more restrictive provisions or higher standards shall control.

Section II. Definitions:

For the purpose of this Ordinance, the following terms, phrases, words and their derivations shall have the meanings stated herein unless their use in the text of this Ordinance clearly demonstrates a different meaning. When not inconsistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word "shall" is always mandatory and not merely directory. The definitions below are the same as or based on the corresponding definitions in the Stormwater Management Rules at N.J.A.C. 7:8-1.2.

"CAFRA Centers, Cores or Nodes" means those areas with boundaries incorporated by reference or revised by the Department in accordance with N.J.A.C. 7:7-13.16.

"CAFRA Planning Map" means the map used by the Department to identify the location of Coastal Planning Areas, CAFRA centers, CAFRA cores, and CAFRA nodes. The CAFRA Planning Map is available on the Department's Geographic Information System (GIS).

"Community basin" means an infiltration system, sand filter designed to infiltrate, standard constructed wetland, or wet pond, established in accordance with N.J.A.C. 7:8-4.2(c)14, that is designed and constructed in accordance with the New Jersey Stormwater Best Management Practices Manual, or an alternate design, approved in accordance with N.J.A.C. 7:8-5.2(g), for an infiltration system, sand filter designed to infiltrate, standard constructed wetland, or wet pond and that complies with the requirements of this Ordinance.

"Compaction" means the increase in soil bulk density.

"Contributory drainage area" means the area from which stormwater runoff drains to a stormwater management measure, not including the area of the stormwater management measure itself.

"Core" means a pedestrian-oriented area of commercial and civic uses serving the surrounding municipality, generally including housing and access to public transportation.

"County review agency" means an agency designated by the County Board of Chosen Freeholders to review municipal stormwater management plans and implementing ordinance(s). The county review agency may either be:

1. A county planning agency or
2. A county water resource association created under N.J.S.A 58:16A-55.5, if the ordinance or resolution delegates authority to approve, conditionally approve, or disapprove municipal stormwater management plans and implementing ordinances.

"Department" means the Department of Environmental Protection.

“Designated Center” means a State Development and Redevelopment Plan Center as designated by the State Planning Commission such as urban, regional, town, village, or hamlet.

“Design engineer” means a person professionally qualified and duly licensed in New Jersey to perform engineering services that may include, but not necessarily be limited to, development of project requirements, creation and development of project design and preparation of drawings and specifications.

“Development” means the division of a parcel of land into two or more parcels, the construction, reconstruction, conversion, structural alteration, relocation or enlargement of any building or structure, any mining excavation or landfill, and any use or change in the use of any building or other structure, or land or extension of use of land, for which permission is required under the Municipal Land Use Law, N.J.S.A. 40:55D-1 *et seq.*

In the case of development of agricultural land, “development means:” any activity reviewed by the County Agricultural Board (CAB) and the State Agricultural Development Committee (SADC), and municipal review of any activity not exempted by the Right to Farm Act , N.J.S.A 4:1C-1 *et seq.*

“Disturbance” means the placement or reconstruction of impervious surface or motor vehicle surface, or exposure and/or movement of soil or bedrock or clearing, cutting, or removing of vegetation. Milling and repaving is not considered disturbance for the purposes of this definition.

“Drainage area” means a geographic area within which stormwater, sediments, or dissolved materials drain to a particular receiving waterbody or to a particular point along a receiving waterbody.

“Environmentally constrained area” means the following areas where the physical alteration of the land is in some way restricted, either through regulation, easement, deed restriction or ownership such as: wetlands, floodplains, threatened and endangered species sites or designated habitats, and parks and preserves. Habitats of endangered or threatened species are identified using the Department's Landscape Project as approved by the Department's Endangered and Nongame Species Program.

“Environmentally critical area” means an area or feature which is of significant environmental value, including but not limited to: stream corridors, natural heritage priority sites, habitats of endangered or threatened species, large areas of contiguous open space or upland forest, steep slopes, and well head protection and groundwater recharge areas. Habitats of endangered or threatened species are identified using the Department's Landscape Project as approved by the Department's Endangered and Nongame Species Program.

“Empowerment Neighborhoods” means neighborhoods designated by the Urban Coordinating Council “in consultation and conjunction with” the New Jersey Redevelopment Authority pursuant to N.J.S.A 55:19-69.

“Erosion” means the detachment and movement of soil or rock fragments by water, wind, ice, or gravity.

“Green infrastructure” means a stormwater management measure that manages stormwater close to its source by:

1. Treating stormwater runoff through infiltration into subsoil;
2. Treating stormwater runoff through filtration by vegetation or soil; or
3. Storing stormwater runoff for reuse.

"HUC 14" or "hydrologic unit code 14" means an area within which water drains to a particular receiving surface water body, also known as a subwatershed, which is identified by a 14-digit hydrologic unit boundary designation, delineated within New Jersey by the United States Geological Survey.

“Impervious surface” means a surface that has been covered with a layer of material so that it is highly resistant to infiltration by water.

“Infiltration” is the process by which water seeps into the soil from precipitation.

“Lead planning agency” means one or more public entities having stormwater management planning authority designated by the regional stormwater management planning committee pursuant to N.J.A.C. 7:8-3.2 that serves as the primary representative of the committee.

“Major development” means an individual “development,” as well as multiple developments that individually or collectively result in:

1. The disturbance of one or more acres of land since February 2, 2004;
2. The creation of one-quarter acre or more of “regulated impervious surface” since February 2, 2004;
3. The creation of one-quarter acre or more of “regulated motor vehicle surface” since March 2, 2021 or the effective date of this ordinance, whichever is earlier; or
4. A combination of 2 and 3 above that totals an area of one-quarter acre or more. The same surface shall not be counted twice when determining if the combination area equals one-quarter acre or more.

Major development includes all developments that are part of a common plan of development or sale (for example, phased residential development) that collectively or individually meet any one or more of paragraphs 1, 2, 3, or 4 above. Projects undertaken by any government agency that otherwise meet the definition of “major development” but which do not require approval under the Municipal Land Use Law, N.J.S.A. 40:55D-1 et seq., are also considered “major development.”

“Motor vehicle” means land vehicles propelled other than by muscular power, such as automobiles, motorcycles, autocycles, and low speed vehicles. For the purposes of this definition, motor vehicle does not include farm equipment, snowmobiles, all-terrain vehicles, motorized wheelchairs, go-carts, gas buggies, golf carts, ski-slope grooming machines, or vehicles that run only on rails or tracks.

“Motor vehicle surface” means any pervious or impervious surface that is intended to be used by “motor vehicles” and/or aircraft, and is directly exposed to precipitation including, but not limited to, driveways, parking areas, parking garages, roads, racetracks, and runways.

“Municipality” means any city, borough, town, township, or village.

“New Jersey Stormwater Best Management Practices (BMP) Manual” or “BMP Manual” means the manual maintained by the Department providing, in part, design specifications, removal rates, calculation methods, and soil testing procedures approved by the Department as being capable of contributing to the achievement of the stormwater management standards specified in this Ordinance. The BMP Manual is periodically amended by the Department as necessary to provide design specifications on additional best management practices and new information on already included practices reflecting the best available current information regarding the particular practice and the Department’s determination as to the ability of that best management practice to contribute to compliance with the standards contained in this Ordinance. Alternative stormwater management measures, removal rates, or calculation methods may be utilized, subject to any limitations specified in this Ordinance, provided the design engineer demonstrates to the municipality, in accordance with Section IV.F. of this ordinance and N.J.A.C. 7:8-5.2(g), that the proposed measure and its design will contribute to achievement of the design and performance standards established by this Ordinance.

“Node” means an area designated by the State Planning Commission concentrating facilities and activities which are not organized in a compact form.

“Nutrient” means a chemical element or compound, such as nitrogen or phosphorus, which is essential to and promotes the development of organisms.

“Person” means any individual, corporation, company, partnership, firm, association, political subdivision of this State and any state, interstate or Federal agency.

“Pollutant” means any dredged spoil, solid waste, incinerator residue, filter backwash, sewage, garbage, refuse, oil, grease, sewage sludge, munitions, chemical wastes, biological materials, medical wastes, radioactive substance (except those regulated under the Atomic Energy Act of 1954, as amended (42 U.S.C. §§ 2011 *et seq.*)), thermal waste, wrecked or discarded equipment, rock, sand, cellar dirt, industrial, municipal, agricultural, and construction waste or runoff, or other residue discharged directly or indirectly to the land, ground

waters or surface waters of the State, or to a domestic treatment works. "Pollutant" includes both hazardous and nonhazardous pollutants.

"Recharge" means the amount of water from precipitation that infiltrates into the ground and is not evapotranspired.

"Regulated impervious surface" means any of the following, alone or in combination:

1. A net increase of impervious surface;
2. The total area of impervious surface collected by a new stormwater conveyance system (for the purpose of this definition, a "new stormwater conveyance system" is a stormwater conveyance system that is constructed where one did not exist immediately prior to its construction or an existing system for which a new discharge location is created);
3. The total area of impervious surface proposed to be newly collected by an existing stormwater conveyance system; and/or
4. The total area of impervious surface collected by an existing stormwater conveyance system where the capacity of that conveyance system is increased.

"Regulated motor vehicle surface" means any of the following, alone or in combination:

1. The total area of motor vehicle surface that is currently receiving water;
2. A net increase in motor vehicle surface; and/or quality treatment either by vegetation or soil, by an existing stormwater management measure, or by treatment at a wastewater treatment plant, where the water quality treatment will be modified or removed.

"Sediment" means solid material, mineral or organic, that is in suspension, is being transported, or has been moved from its site of origin by air, water or gravity as a product of erosion.

"Site" means the lot or lots upon which a major development is to occur or has occurred.

"Soil" means all unconsolidated mineral and organic material of any origin.

"State Development and Redevelopment Plan Metropolitan Planning Area (PA1)" means an area delineated on the State Plan Policy Map and adopted by the State Planning Commission that is intended to be the focus for much of the State's future redevelopment and revitalization efforts.

"State Plan Policy Map" is defined as the geographic application of the State Development and Redevelopment Plan's goals and statewide policies, and the official map of these goals and policies.

“Stormwater” means water resulting from precipitation (including rain and snow) that runs off the land’s surface, is transmitted to the subsurface, or is captured by separate storm sewers or other sewage or drainage facilities, or conveyed by snow removal equipment.

“Stormwater management BMP” means an excavation or embankment and related areas designed to retain stormwater runoff. A stormwater management BMP may either be normally dry (that is, a detention basin or infiltration system), retain water in a permanent pool (a retention basin), or be planted mainly with wetland vegetation (most constructed stormwater wetlands).

“Stormwater management measure” means any practice, technology, process, program, or other method intended to control or reduce stormwater runoff and associated pollutants, or to induce or control the infiltration or groundwater recharge of stormwater or to eliminate illicit or illegal non-stormwater discharges into stormwater conveyances.

“Stormwater runoff” means water flow on the surface of the ground or in storm sewers, resulting from precipitation.

“Stormwater management planning agency” means a public body authorized by legislation to prepare stormwater management plans.

“Stormwater management planning area” means the geographic area for which a stormwater management planning agency is authorized to prepare stormwater management plans, or a specific portion of that area identified in a stormwater management plan prepared by that agency.

“Tidal Flood Hazard Area” means a flood hazard area in which the flood elevation resulting from the 2-, 10-, or 100-year storm, as applicable, is governed by tidal flooding from the Atlantic Ocean. Flooding in a tidal flood hazard area may be contributed to, or influenced by, stormwater runoff from inland areas, but the depth of flooding generated by the tidal rise and fall of the Atlantic Ocean is greater than flooding from any fluvial sources. In some situations, depending upon the extent of the storm surge from a particular storm event, a flood hazard area may be tidal in the 100-year storm, but fluvial in more frequent storm events.

“Urban Coordinating Council Empowerment Neighborhood” means a neighborhood given priority access to State resources through the New Jersey Redevelopment Authority.

“Urban Enterprise Zones” means a zone designated by the New Jersey Enterprise Zone Authority pursuant to the New Jersey Urban Enterprise Zones Act, N.J.S.A. 52:27H-60 et. seq.

“Urban Redevelopment Area” is defined as previously developed portions of areas:

1. Delineated on the State Plan Policy Map (SPPM) as the Metropolitan Planning Area (PA1), Designated Centers, Cores or Nodes;
2. Designated as CAFRA Centers, Cores or Nodes;
3. Designated as Urban Enterprise Zones; and
4. Designated as Urban Coordinating Council Empowerment Neighborhoods.

“Water control structure” means a structure within, or adjacent to, a water, which intentionally or coincidentally alters the hydraulic capacity, the flood elevation resulting from the 2-, 10-, or 100-year storm, flood hazard area limit, and/or floodway limit of the water. Examples of a water control structure may include a bridge, culvert, dam, embankment, ford (if above grade), retaining wall, and weir.

“Waters of the State” means the ocean and its estuaries, all springs, streams, wetlands, and bodies of surface or groundwater, whether natural or artificial, within the boundaries of the State of New Jersey or subject to its jurisdiction.

“Wetlands” or “wetland” means an area that is inundated or saturated by surface water or ground water at a frequency and duration sufficient to support, and that under normal circumstances does support, a prevalence of vegetation typically adapted for life in saturated soil conditions, commonly known as hydrophytic vegetation.

Section III. Design and Performance Standards for Stormwater Management Measures

- A. Stormwater management measures for major development shall be designed to provide erosion control, groundwater recharge, stormwater runoff quantity control, and stormwater runoff quality treatment as follows:
 1. The minimum standards for erosion control are those established under the Soil and Sediment Control Act, N.J.S.A. 4:24-39 et seq., and implementing rules at N.J.A.C. 2:90.
 2. The minimum standards for groundwater recharge, stormwater quality, and stormwater runoff quantity shall be met by incorporating green infrastructure.
- B. The standards in this Ordinance apply only to new 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.

Section IV. Stormwater Management Requirements for Major Development

- A. The development shall incorporate a maintenance plan for the stormwater management measures incorporated into the design of a major development in accordance with Section X.
- B. Stormwater management measures shall avoid adverse impacts of concentrated flow on habitat for threatened and endangered species as documented in the Department’s Landscape Project or Natural Heritage Database established under

N.J.S.A. 13:1B-15.147 through 15.150, particularly *Helonias bullata* (swamp pink) and/or *Clemmys muhlnebergi* (bog turtle).

- C. The following linear development projects are exempt from the groundwater recharge, stormwater runoff quality, and stormwater runoff quantity requirements of Section IV, paragraphs P, Q and R:
1. The construction of an underground utility line provided that the disturbed areas are revegetated upon completion;
 2. The construction of an aboveground utility line provided that the existing conditions are maintained to the maximum extent practicable; and
 3. The construction of a public pedestrian access, such as a sidewalk or trail with a maximum width of 14 feet, provided that the access is made of permeable material.
- D. A waiver from strict compliance from the green infrastructure, groundwater recharge, stormwater runoff quality, and stormwater runoff quantity requirements of Section IV.O, P, Q and R may be obtained for the enlargement of an existing public roadway or railroad; or the construction or enlargement of a public pedestrian access, provided that the following conditions are met:
1. The applicant demonstrates that there is a public need for the project that cannot be accomplished by any other means;
 2. The applicant demonstrates through an alternatives analysis, that through the use of stormwater management measures, the option selected complies with the requirements of Section IV.O, P, Q and R to the maximum extent practicable;
 3. The applicant demonstrates that, in order to meet the requirements of Section IV.O, P, Q and R, existing structures currently in use, such as homes and buildings, would need to be condemned; and
 4. The applicant demonstrates that it does not own or have other rights to areas, including the potential to obtain through condemnation lands not falling under IV.D.3 above within the upstream drainage area of the receiving stream that would provide additional opportunities to mitigate the requirements of Section IV.O, P, Q and R that were not achievable onsite.
- E. Tables 1 through 3 below summarize the ability of stormwater best management practices identified and described in the New Jersey Stormwater Best Management Practices Manual to satisfy the green infrastructure, groundwater recharge, stormwater runoff quality and stormwater runoff quantity standards specified in Section IV.O, P, Q and R. When designed in accordance with the most current version of the New Jersey Stormwater Best Management Practices Manual, the stormwater management measures found at N.J.A.C. 7:8-5.2 (f) Tables 5-1, 5-2 and 5-3 and listed below in Tables 1, 2 and 3 are presumed to be capable of providing stormwater controls for the design and performance standards as outlined in the tables below. Upon amendments of the New Jersey Stormwater Best Management Practices to reflect additions or deletions of BMPs meeting these standards, or changes in the presumed performance of BMPs designed in accordance with the New Jersey Stormwater BMP Manual, the Department shall publish in the New Jersey Register a notice of administrative change revising the applicable table. The most current version of the BMP Manual can be found on the Department's website at:
https://njstormwater.org/bmp_manual2.htm.

F. Where the BMP tables in the NJ Stormwater Management Rule are different due to updates or amendments with the tables in this ordinance the BMP Tables in the Stormwater Management rule at N.J.A.C. 7:8-5.2(f) shall take precedence.

Table 1 Green Infrastructure BMPs for Groundwater Recharge, Stormwater Runoff Quality, and/or Stormwater Runoff Quantity				
Best Management Practice	Stormwater Runoff Quality TSS Removal Rate (percent)	Stormwater Runoff Quantity	Groundwater Recharge	Minimum Separation from Seasonal High Water Table (feet)
Cistern	0	Yes	No	--
Dry Well ^(a)	0	No	Yes	2
Grass Swale	50 or less	No	No	2 ^(e) 1 ^(f)
Green Roof	0	Yes	No	--
Manufactured Treatment Device ^{(a) (g)}	50 or 80	No	No	Dependent upon the device
Pervious Paving System ^(a)	80	Yes	Yes ^(b) No ^(c)	2 ^(b) 1 ^(c)
Small-Scale Bioretention Basin ^(a)	80 or 90	Yes	Yes ^(b) No ^(c)	2 ^(b) 1 ^(c)
Small-Scale Infiltration Basin ^(a)	80	Yes	Yes	2
Small-Scale Sand Filter	80	Yes	Yes	2
Vegetative Filter Strip	60-80	No	No	--

Table 2 Green Infrastructure BMPs for Stormwater Runoff Quantity (or for Groundwater Recharge and/or Stormwater Runoff Quality with a Waiver or Variance from N.J.A.C. 7:8-5.3)

Best Management Practice	Stormwater Runoff Quality TSS Removal Rate (percent)	Stormwater Runoff Quantity	Groundwater Recharge	Minimum Separation from Seasonal High Water Table (feet)
Bioretention System	80 or 90	Yes	Yes ^(b) No ^(c)	2 ^(b) 1 ^(c)
Infiltration Basin	80	Yes	Yes	2
Sand Filter ^(b)	80	Yes	Yes	2
Standard Constructed Wetland	90	Yes	No	N/A
Wet Pond ^(d)	50-90	Yes	No	N/A

Table 3
BMPs for Groundwater Recharge, Stormwater Runoff Quality, and/or
Stormwater Runoff Quantity
only with a Waiver or Variance from N.J.A.C. 7:8-5.3

Best Management Practice	Stormwater Runoff Quality TSS Removal Rate (percent)	Stormwater Runoff Quantity	Groundwater Recharge	Minimum Separation from Seasonal High Water Table (feet)
Blue Roof	0	Yes	No	N/A
Extended Detention Basin	40-60	Yes	No	1
Manufactured Treatment Device ^(h)	50 or 80	No	No	Dependent upon the device
Sand Filter ^(c)	80	Yes	No	1
Subsurface Gravel Wetland	90	No	No	1
Wet Pond	50-90	Yes	No	N/A

Notes to Tables 1, 2, and 3:

- (a) subject to the applicable contributory drainage area limitation specified at Section IV.O.2;
- (b) designed to infiltrate into the subsoil;
- (c) designed with underdrains;

- (d) designed to maintain at least a 10-foot wide area of native vegetation along at least 50 percent of the shoreline and to include a stormwater runoff retention component designed to capture stormwater runoff for beneficial reuse, such as irrigation;
 - (e) designed with a slope of less than two percent;
 - (f) designed with a slope of equal to or greater than two percent;
 - (g) manufactured treatment devices that meet the definition of green infrastructure at Section II;
 - (h) manufactured treatment devices that do not meet the definition of green infrastructure at Section II.
- G. An alternative stormwater management measure, alternative removal rate, and/or alternative method to calculate the removal rate may be used if the design engineer demonstrates the capability of the proposed alternative stormwater management measure and/or the validity of the alternative rate or method to the municipality. A copy of any approved alternative stormwater management measure, alternative removal rate, and/or alternative method to calculate the removal rate shall be provided to the Department in accordance with Section VI.B. Alternative stormwater management measures may be used to satisfy the requirements at Section IV.O only if the measures meet the definition of green infrastructure at Section II. Alternative stormwater management measures that function in a similar manner to a BMP listed at paragraph O.2 below are subject to the contributory drainage area limitation specified at paragraph O.2 below for that similarly functioning BMP. Alternative stormwater management measures approved in accordance with this paragraph that do not function in a similar manner to any BMP listed at paragraph O.2 below shall have a contributory drainage area less than or equal to 2.5 acres, except for alternative stormwater management measures that function similarly to cisterns, grass swales, green roofs, standard constructed wetlands, vegetative filter strips, and wet ponds, which are not subject to a contributory drainage area limitation. Alternative measures that function similarly to standard constructed wetlands or wet ponds shall not be used for compliance with the stormwater runoff quality standard unless a variance in accordance with N.J.A.C. 7:8-4.6 or a waiver from strict compliance in accordance with Section IV.D is granted from Section IV.O.
- H. Whenever the stormwater management design includes one or more BMPs that will infiltrate stormwater into subsoil, the design engineer shall assess the hydraulic impact on the groundwater table and design the site, so as to avoid adverse hydraulic impacts. Potential adverse hydraulic impacts include, but are not limited to, exacerbating a naturally or seasonally high water table, so as to cause surficial ponding, flooding of basements, or interference with the proper operation of subsurface sewage disposal systems or other subsurface structures within the zone of influence of the groundwater mound, or interference with the proper functioning of the stormwater management measure itself.
- I. Design standards for stormwater management measures are as follows:
1. Stormwater management measures shall be designed to take into account the existing site conditions, including, but not limited to, environmentally critical areas; wetlands; flood-prone areas; slopes; depth to seasonal high water table; soil type, permeability, and texture; drainage area and drainage patterns; and the presence of solution-prone

- carbonate rocks (limestone);
2. Stormwater management measures shall be designed to minimize maintenance, facilitate maintenance and repairs, and ensure proper functioning. Trash racks shall be installed at the intake to the outlet structure, as appropriate, and shall have parallel bars with one-inch spacing between the bars to the elevation of the water quality design storm. For elevations higher than the water quality design storm, the parallel bars at the outlet structure shall be spaced no greater than one-third the width of the diameter of the orifice or one-third the width of the weir, with a minimum spacing between bars of one inch and a maximum spacing between bars of six inches. In addition, the design of trash racks must comply with the requirements of Section VIII.C;
 3. Stormwater management measures shall be designed, constructed, and installed to be strong, durable, and corrosion resistant. Measures that are consistent with the relevant portions of the Residential Site Improvement Standards at N.J.A.C. 5:21-7.3, 7.4, and 7.5 shall be deemed to meet this requirement;
 4. Stormwater management BMPs shall be designed to meet the minimum safety standards for stormwater management BMPs at Section VIII; and
 5. The size of the orifice at the intake to the outlet from the stormwater management BMP shall be a minimum of two and one-half inches in diameter.
- J. Manufactured treatment devices may be used to meet the requirements of this Ordinance, provided the pollutant removal rates are verified by the New Jersey Corporation for Advanced Technology and certified by the Department. Manufactured treatment devices that do not meet the definition of green infrastructure at Section II may be used only under the circumstances described at Section IV.O.4.
- K. Any application for a new agricultural development that meets the definition of major development at Section II shall be submitted to the Soil Conservation District for review and approval in accordance with the requirements at Section IV. Paragraphs O, P, Q and R and any applicable Soil Conservation District guidelines for stormwater runoff quantity and erosion control. For purposes of this paragraph, "agricultural development" means land uses normally associated with the production of food, fiber, and livestock for sale. Such uses do not include the development of land for the processing or sale of food and the manufacture of agriculturally related products.
- L. If there is more than one drainage area, the groundwater recharge, stormwater runoff quality, and stormwater runoff quantity standards at Section IV paragraphs P, Q and R shall be met in each drainage area, unless the runoff from the drainage areas converge onsite and no adverse environmental impact would occur as a result of compliance with any one or more of the individual standards being determined utilizing a weighted average of the results achieved for that individual standard across the affected drainage areas.
- M. Any stormwater management measure authorized under the municipal stormwater management plan or ordinance shall be reflected in a deed notice recorded in the

Office of the Burlington County Clerk. A form of deed notice shall be submitted to the municipality for approval prior to filing. The deed notice shall contain a description of the stormwater management measure(s) used to meet the green infrastructure, groundwater recharge, stormwater runoff quality, and stormwater runoff quantity standards at Section IV paragraphs O, P, Q and R and shall identify the location of the stormwater management measure(s) in NAD 1983 State Plane New Jersey FIPS 2900 US Feet or Latitude and Longitude in decimal degrees. The deed notice shall also reference the maintenance plan required to be recorded upon the deed pursuant to Section X.B.5. Prior to the commencement of construction, proof that the above required deed notice has been filed shall be submitted to the municipality. Proof that the required information has been recorded on the deed shall be in the form of either a copy of the complete recorded document or a receipt from the clerk or other proof of recordation provided by the recording office. However, if the initial proof provided to the municipality is not a copy of the complete recorded document, a copy of the complete recorded document shall be provided to the municipality within 180 calendar days of the authorization granted by the municipality.

N. A stormwater management measure approved under the municipal stormwater management plan or ordinance may be altered or replaced with the approval of the municipality, if the municipality determines that the proposed alteration or replacement meets the design and performance standards pursuant to Section IV of this Ordinance and provides the same level of stormwater management as the previously approved stormwater management measure that is being altered or replaced. If an alteration or replacement is approved, a revised deed notice shall be submitted to the municipality for approval and subsequently recorded with the Office of the Burlington County Clerk and shall contain a description and location of the stormwater management measure, as well as reference to the maintenance plan, in accordance with M above. Prior to the commencement of construction, proof that the above required deed notice has been filed shall be submitted to the municipality in accordance with M above.

O. Green Infrastructure Standards

1. This paragraph specifies the types of green infrastructure BMPs that may be used to satisfy the groundwater recharge, stormwater runoff quality, and stormwater runoff quantity standards.
2. To satisfy the groundwater recharge and stormwater runoff quality standards at Section IV, paragraphs P and Q, the design engineer shall utilize green infrastructure BMPs identified in Table 1 at Section IV.F. and/or an alternative stormwater management measure approved in accordance with Section IV.G. The following green infrastructure BMPs are subject to the following maximum contributory drainage area limitations:

Best Management Practice	Maximum Contributory Drainage Area
Dry Well	1 acre
Manufactured Treatment Device	2.5 acres

Pervious Pavement Systems	Area of additional inflow cannot exceed three times the area occupied by the BMP
Small-scale Bioretention Systems	2.5 acres
Small-scale Infiltration Basin	2.5 acres
Small-scale Sand Filter	2.5 acres

3. To satisfy the stormwater runoff quantity standards at Section IV.R, the design engineer shall utilize BMPs from Table 1 or from Table 2 and/or an alternative stormwater management measure approved in accordance with Section IV G.
4. If a variance in accordance with N.J.A.C. 7:8-4.6 or a waiver from strict compliance in accordance with Section IV D is granted from the requirements of this paragraph, then BMPs from Table 1, 2, or 3, and/or an alternative stormwater management measure approved in accordance with Section IV G may be used to meet the groundwater recharge, stormwater runoff quality, and stormwater runoff quantity standards at Section IV, paragraphs P, Q and R.
5. For separate or combined storm sewer improvement projects, such as sewer separation, undertaken by a government agency or public utility (for example, a sewerage company), the requirements of this paragraph shall only apply to areas owned in fee simple by the government agency or utility, and areas within a right-of-way or easement held or controlled by the government agency or utility; the entity shall not be required to obtain additional property or property rights to fully satisfy the requirements of this paragraph. Regardless of the amount of area of a separate or combined storm sewer improvement project subject to the green infrastructure requirements of this paragraph, each project shall fully comply with the applicable groundwater recharge, stormwater runoff quality control, and stormwater runoff quantity standards at Section IV, paragraphs P, Q and R, unless the project is granted a waiver from strict compliance in accordance with Section IV.D.

P. Groundwater Recharge Standards. This paragraph contains the minimum design and performance standards for groundwater recharge as follows:

1. The design engineer shall, using the assumptions and factors for stormwater runoff and groundwater recharge calculations at Section V, either:
 - a. Demonstrate through hydrologic and hydraulic analysis that the site and its stormwater management measures maintain 100 percent of the average annual pre-construction groundwater recharge volume for the site; or
 - b. Demonstrate through hydrologic and hydraulic analysis that the increase of stormwater runoff volume from pre-construction to post-construction for the 2-year storm is infiltrated.
2. This groundwater recharge requirement does not apply to projects within the "urban redevelopment area," or to projects subject to 3 below.
3. The following types of stormwater shall not be recharged:
 - a. Stormwater from areas of high pollutant loading. High pollutant loading areas are areas in industrial and commercial developments where solvents and/or petroleum products are loaded/unloaded, stored, or applied, areas where pesticides are loaded/unloaded or stored; areas where hazardous materials are expected to be present in greater than "reportable quantities" as defined by the United States Environmental Protection Agency (EPA) at

40 CFR 302.4; areas where recharge would be inconsistent with Department approved remedial action work plan or landfill closure plan and areas with high risks for spills of toxic materials, such as gas stations and vehicle maintenance facilities; and

- b. Industrial stormwater exposed to “source material.” “Source material” means any material(s) or machinery, located at an industrial facility that is directly or indirectly related to process, manufacturing or other industrial activities, which could be a source of pollutants in any industrial stormwater discharge to groundwater. Source materials include, but are not limited to, raw materials; intermediate products; final products; waste materials; by-products; industrial machinery and fuels, and lubricants, solvents, and detergents that are related to process, manufacturing, or other industrial activities that are exposed to stormwater.

Q. Stormwater Runoff Quality Standards

1. This paragraph contains the minimum design and performance standards to control stormwater runoff quality impacts of major development. Stormwater runoff quality standards are applicable when the major development results in an increase of one-quarter acre or more of regulated motor vehicle surface.
2. Stormwater management measures shall be designed to reduce the post-construction load of total suspended solids (TSS) in stormwater runoff generated from the water quality design storm as follows:
 - a. Eighty percent TSS removal of the anticipated load, expressed as an annual average shall be achieved for the stormwater runoff from the net increase of motor vehicle surface.
 - b. If the surface is considered regulated motor vehicle surface because the water quality treatment for an area of motor vehicle surface that is currently receiving water quality treatment either by vegetation or soil, by an existing stormwater management measure, or by treatment at a wastewater treatment plant is to be modified or removed, the project shall maintain or increase the existing TSS removal of the anticipated load expressed as an annual average.
3. The requirement to reduce TSS does not apply to any stormwater runoff in a discharge regulated under a numeric effluent limitation for TSS imposed under the New Jersey Pollutant Discharge Elimination System (NJPDES) rules, N.J.A.C. 7:14A, or in a discharge specifically exempt under a NJPDES permit from this requirement. Every major development, including any that discharge into a combined sewer system, shall comply with 2 above, unless the major development is itself subject to a NJPDES permit with a numeric effluent limitation for TSS or the NJPDES permit to which the major development is subject exempts the development from a numeric effluent limitation for TSS.
4. The water quality design storm is 1.25 inches of rainfall in two hours. Water quality calculations shall take into account the distribution of rain from the water quality design storm, as reflected in Table 4, below. The calculation of the volume of runoff may take into account the implementation of stormwater management measures.

Table 4 - Water Quality Design Storm Distribution

Time (Minutes)	Cumulative Rainfall (Inches)	Time (Minutes)	Cumulative Rainfall (Inches)	Time (Minutes)	Cumulative Rainfall (Inches)
1	0.00166	41	0.1728	81	1.0906
2	0.00332	42	0.1796	82	1.0972
3	0.00498	43	0.1864	83	1.1038
4	0.00664	44	0.1932	84	1.1104
5	0.00830	45	0.2000	85	1.1170
6	0.00996	46	0.2117	86	1.1236
7	0.01162	47	0.2233	87	1.1302
8	0.01328	48	0.2350	88	1.1368
9	0.01494	49	0.2466	89	1.1434
10	0.01660	50	0.2583	90	1.1500
11	0.01828	51	0.2783	91	1.1550
12	0.01996	52	0.2983	92	1.1600
13	0.02164	53	0.3183	93	1.1650
14	0.02332	54	0.3383	94	1.1700
15	0.02500	55	0.3583	95	1.1750
16	0.03000	56	0.4116	96	1.1800
17	0.03500	57	0.4650	97	1.1850
18	0.04000	58	0.5183	98	1.1900
19	0.04500	59	0.5717	99	1.1950
20	0.05000	60	0.6250	100	1.2000
21	0.05500	61	0.6783	101	1.2050
22	0.06000	62	0.7317	102	1.2100
23	0.06500	63	0.7850	103	1.2150
24	0.07000	64	0.8384	104	1.2200
25	0.07500	65	0.8917	105	1.2250
26	0.08000	66	0.9117	106	1.2267
27	0.08500	67	0.9317	107	1.2284
28	0.09000	68	0.9517	108	1.2300
29	0.09500	69	0.9717	109	1.2317
30	0.10000	70	0.9917	110	1.2334
31	0.10660	71	1.0034	111	1.2351
32	0.11320	72	1.0150	112	1.2367
33	0.11980	73	1.0267	113	1.2384
34	0.12640	74	1.0383	114	1.2400
35	0.13300	75	1.0500	115	1.2417
36	0.13960	76	1.0568	116	1.2434
37	0.14620	77	1.0636	117	1.2450
38	0.15280	78	1.0704	118	1.2467
39	0.15940	79	1.0772	119	1.2483
40	0.16600	80	1.0840	120	1.2500

5. If more than one BMP in series is necessary to achieve the required 80 percent TSS reduction for a site, the applicant shall utilize the following formula to calculate TSS reduction:

$$R = A + B - (A \times B) / 100,$$

Where

R = total TSS Percent Load Removal from application of both BMPs, and
 A = the TSS Percent Removal Rate applicable to the first BMP
 B = the TSS Percent Removal Rate applicable to the second BMP.

6. Stormwater management measures shall also be designed to reduce, to the maximum extent feasible, the post-construction nutrient load of the anticipated load from the developed site in stormwater runoff generated from the water quality design storm. In achieving reduction of nutrients to the maximum extent feasible, the design of the site shall include green infrastructure BMPs that optimize nutrient removal while still achieving the performance standards in Section IV, paragraphs P, Q and R.
7. In accordance with the definition of FW1 at N.J.A.C. 7:9B-1.4, stormwater management measures shall be designed to prevent any increase in stormwater runoff to waters classified as FW1.
8. The Flood Hazard Area Control Act Rules at N.J.A.C. 7:13-4.1(c)1 establish 300-foot riparian zones along Category One waters, as designated in the Surface Water Quality Standards at N.J.A.C. 7:9B, and certain upstream tributaries to Category One waters. A person shall not undertake a major development that is located within or discharges into a 300-foot riparian zone without prior authorization from the Department under N.J.A.C. 7:13.
9. Pursuant to the Flood Hazard Area Control Act Rules at N.J.A.C. 7:13-11.2(j)3.i, runoff from the water quality design storm that is discharged within a 300-foot riparian zone shall be treated in accordance with this paragraph to reduce the post-construction load of total suspended solids by 95 percent of the anticipated load from the developed site, expressed as an annual average.
10. This stormwater runoff quality standards do not apply to the construction of one individual single-family dwelling, provided that it is not part of a larger development or subdivision that has received preliminary or final site plan approval prior to December 3, 2018, and that the motor vehicle surfaces are made of permeable material(s) such as gravel, dirt, and/or shells.

R. Stormwater Runoff Quantity Standards

1. This paragraph contains the minimum design and performance standards to control stormwater runoff quantity impacts of major development.
2. In order to control stormwater runoff quantity impacts, the design engineer shall, using the assumptions and factors for stormwater runoff calculations at Section V, complete one of the following:
 - a. Demonstrate through hydrologic and hydraulic analysis that for stormwater leaving the site, post-construction runoff hydrographs for the 2-, 10-, and 100-year storm events do not exceed, at any point in time, the pre-construction runoff hydrographs for the same storm events;
 - b. Demonstrate through hydrologic and hydraulic analysis that there is no increase, as compared to the pre-construction condition, in the peak runoff rates of stormwater leaving the site for the 2-, 10- and 100-year storm events and that the increased volume or change in timing of stormwater runoff will not increase flood damage at or downstream of the site. This

- analysis shall include the analysis of impacts of existing land uses and projected land uses assuming full development under existing zoning and land use ordinances in the drainage area;
- c. Design stormwater management measures so that the post-construction peak runoff rates for the 2-, 10- and 100-year storm events are 50, 75 and 80 percent, respectively, of the pre-construction peak runoff rates. The percentages apply only to the post-construction stormwater runoff that is attributable to the portion of the site on which the proposed development or project is to be constructed; or
 - d. In tidal flood hazard areas, stormwater runoff quantity analysis in accordance with 2 a, b and c above is required unless the design engineer demonstrates through hydrologic and hydraulic analysis that the increased volume, change in timing, or increased rate of the stormwater runoff, or any combination of the three will not result in additional flood damage below the point of discharge of the major development. No analysis is required if the stormwater is discharged directly into any ocean, bay, inlet, or the reach of any watercourse between its confluence with an ocean, bay, or inlet and downstream of the first water control structure.
3. The stormwater runoff quantity standards shall be applied at the site's boundary to each abutting lot, roadway, watercourse, or receiving storm sewer system.

Section V. Calculation of Stormwater Runoff and Groundwater Recharge:

A. Stormwater runoff shall be calculated in accordance with the following:

1. The design engineer shall calculate runoff using one of the following methods:
 - a. The USDA Natural Resources Conservation Service (NRCS) methodology, including the NRCS Runoff Equation and Dimensionless Unit Hydrograph, as described in Chapters 7, 9, 10, 15 and 16 Part 630, Hydrology National Engineering Handbook, incorporated herein by reference as amended and supplemented. This methodology is additionally described in *Technical Release 55 - Urban Hydrology for Small Watersheds (TR-55)*, dated June 1986, incorporated herein by reference as amended and supplemented. Information regarding the methodology is available from the Natural Resources Conservation Service website at:
https://www.nrcs.usda.gov/Internet/FSE_DOCUMENTS/stelprdb1044171.pdf
or at United States Department of Agriculture Natural Resources Conservation Service, 220 Davison Avenue, Somerset, New Jersey 08873;
or
 - b. The Rational Method for peak flow and the Modified Rational Method for hydrograph computations. The rational and modified rational methods are described in "Appendix A-9 Modified Rational Method" in the Standards for Soil Erosion and Sediment Control in New Jersey, January 2014. This document is available from the State Soil Conservation Committee or any of the Soil Conservation Districts listed at N.J.A.C. 2:90-1.3(a)3. The location, address, and telephone number for each Soil Conservation District is available from the State Soil

Conservation Committee, PO Box 330, Trenton, New Jersey 08625. The document is also available at:

<http://www.nj.gov/agriculture/divisions/anr/pdf/2014NJSoilErosionControlStandardsComplete.pdf>.

2. For the purpose of calculating runoff coefficients and groundwater recharge, there is a presumption that the pre-construction condition of a site or portion thereof is a wooded land use with good hydrologic condition. The term “runoff coefficient” applies to both the NRCS methodology above at Section V.A.1.a. and the Rational and Modified Rational Methods at Section V.A.1.b. A runoff coefficient or a groundwater recharge land cover for an existing condition may be used on all or a portion of the site if the design engineer verifies that the hydrologic condition has existed on the site or portion of the site for at least five years without interruption prior to the time of application. If more than one land cover have existed on the site during the five years immediately prior to the time of application, the land cover with the lowest runoff potential shall be used for the computations. In addition, there is the presumption that the site is in good hydrologic condition (if the land use type is pasture, lawn, or park), with good cover (if the land use type is woods), or with good hydrologic condition and conservation treatment (if the land use type is cultivation).
3. In computing pre-construction stormwater runoff, the design engineer shall account for all significant land features and structures, such as ponds, wetlands, depressions, hedgerows, or culverts that may reduce pre-construction stormwater runoff rates and volumes.
4. In computing stormwater runoff from all design storms, the design engineer shall consider the relative stormwater runoff rates and/or volumes of pervious and impervious surfaces separately to accurately compute the rates and volume of stormwater runoff from the site. To calculate runoff from unconnected impervious cover, urban impervious area modifications as described in the NRCS *Technical Release 55 – Urban Hydrology for Small Watersheds* or other methods may be employed.
5. If the invert of the outlet structure of a stormwater management measure is below the flood hazard design flood elevation as defined at N.J.A.C. 7:13, the design engineer shall take into account the effects of tailwater in the design of structural stormwater management measures.

- B. Groundwater recharge may be calculated in accordance with the following: The New Jersey Geological Survey Report GSR-32, A Method for Evaluating Groundwater-Recharge Areas in New Jersey, incorporated herein by reference as amended and supplemented. Information regarding the methodology is available from the New Jersey Stormwater Best Management Practices Manual; at the New Jersey Geological Survey website at:

<https://www.nj.gov/dep/njgs/pricelst/greport/gsr32.pdf>

or at New Jersey Geological and Water Survey, 29 Arctic Parkway, PO Box 420 Mail Code 29-01, Trenton, New Jersey 08625-0420.

Section VI. Sources for Technical Guidance:

- A. Technical guidance for stormwater management measures can be found in the documents listed below, which are available to download from the Department’s website at: http://www.nj.gov/dep/stormwater/bmp_manual2.htm.
1. Guidelines for stormwater management measures are contained in the New Jersey Stormwater Best Management Practices Manual, as amended and

supplemented. Information is provided on stormwater management measures such as, but not limited to, those listed in Tables 1, 2, and 3.

2. Additional maintenance guidance is available on the Department's website at: https://www.njstormwater.org/maintenance_guidance.htm.

B. Submissions required for review by the Department should be mailed to: The Division of Water Quality, New Jersey Department of Environmental Protection, Mail Code 401-02B, PO Box 420, Trenton, New Jersey 08625-0420.

Section VII. Solids and Floatable Materials Control Standards:

A. Site design features identified under Section IV.F above, or alternative designs in accordance with Section IV.G above, to prevent discharge of trash and debris from drainage systems shall comply with the following standard to control passage of solid and floatable materials through storm drain inlets. For purposes of this paragraph, "solid and floatable materials" means sediment, debris, trash, and other floating, suspended, or settleable solids. For exemptions to this standard see Section VII.A.2 below.

1. Design engineers shall use one of the following grates whenever they use a grate in pavement or another ground surface to collect stormwater from that surface into a storm drain or surface water body under that grate:
 - a. The New Jersey Department of Transportation (NJDOT) bicycle safe grate, which is described in Chapter 2.4 of the NJDOT Bicycle Compatible Roadways and Bikeways Planning and Design Guidelines; or
 - b. A different grate, if each individual clear space in that grate has an area of no more than seven (7.0) square inches, or is no greater than 0.5 inches across the smallest dimension.

Examples of grates subject to this standard include grates in grate inlets, the grate portion (non-curb-opening portion) of combination inlets, grates on storm sewer manholes, ditch grates, trench grates, and grates of spacer bars in slotted drains. Examples of ground surfaces include surfaces of roads (including bridges), driveways, parking areas, bikeways, plazas, sidewalks, lawns, fields, open channels, and stormwater system floors used to collect stormwater from the surface into a storm drain or surface water body.

- c. For curb-opening inlets, including curb-opening inlets in combination inlets, the clear space in that curb opening, or each individual clear space if the curb opening has two or more clear spaces, shall have an area of no more than seven (7.0) square inches, or be no greater than two (2.0) inches across the smallest dimension.
 2. The standard in A.1. above does not apply:
 - a. Where each individual clear space in the curb opening in existing curb-opening inlet does not have an area of more than nine (9.0) square inches;
 - b. Where the municipality agrees that the standards would cause inadequate hydraulic performance that could not practicably be overcome by using additional or larger storm drain inlets;
 - c. Where flows from the water quality design storm as specified in N.J.A.C. 7:8 are conveyed through any device (e.g., end of pipe netting facility, manufactured treatment device, or a catch basin hood) that is designed, at a minimum, to prevent delivery of all solid and floatable materials that could not pass through one of the following:

- i. A rectangular space four and five-eighths (4.625) inches long and one and one-half (1.5) inches wide (this option does not apply for outfall netting facilities); or
- ii. A bar screen having a bar spacing of 0.5 inches.
Note that these exemptions do not authorize any infringement of requirements in the Residential Site Improvement Standards for bicycle safe grates in new residential development (N.J.A.C. 5:21-4.18(b)2 and 7.4(b)1).
- d. Where flows are conveyed through a trash rack that has parallel bars with one-inch (1 inch) spacing between the bars, to the elevation of the Water Quality Design Storm as specified in N.J.A.C. 7:8; or
- e. Where the New Jersey Department of Environmental Protection determines, pursuant to the New Jersey Register of Historic Places Rules at N.J.A.C. 7:4-7.2(c), that action to meet this standard is an undertaking that constitutes an encroachment or will damage or destroy the New Jersey Register listed historic property.

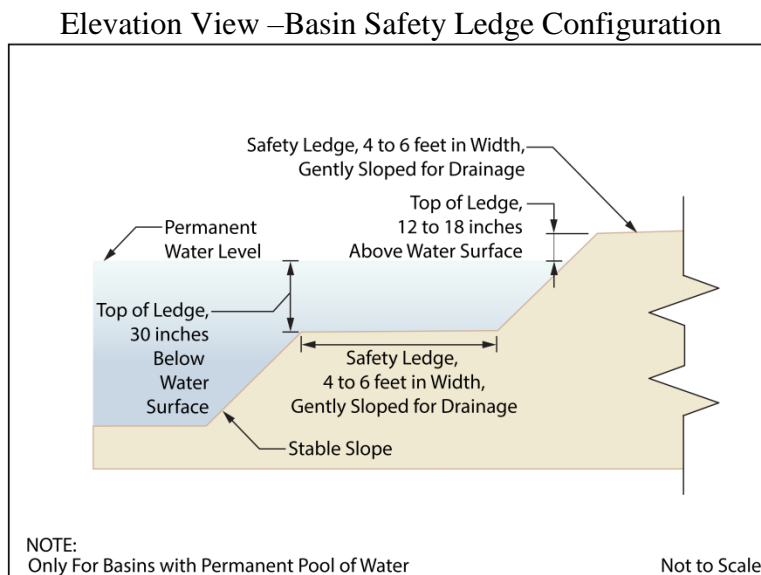
Section VIII. Safety Standards for Stormwater Management Basins:

- A. This paragraph sets forth requirements to protect public safety through the proper design and operation of stormwater management BMPs. This paragraph applies to any new stormwater management BMP.
- B. The provisions of this paragraph are not intended to preempt more stringent county safety requirements for new or existing stormwater management BMPs. County stormwater management plans and ordinances may, pursuant to their authority, require existing stormwater management BMPs to be retrofitted to meet one or more of the safety standards in Section VIII C.1, Section VIII.C.2, and Section VIII.C.3 for trash racks, overflow grates, and escape provisions at outlet structures.
- C. Requirements for Trash Racks, Overflow Grates and Escape Provisions
 1. A trash rack is a device designed to catch trash and debris and prevent the clogging of outlet structures. Trash racks shall be installed at the intake to the outlet from the Stormwater management BMP to ensure proper functioning of the BMP outlets in accordance with the following:
 - a. The trash rack shall have parallel bars, with no greater than six-inch spacing between the bars;
 - b. The trash rack shall be designed so as not to adversely affect the hydraulic performance of the outlet pipe or structure;
 - c. The average velocity of flow through a clean trash rack is not to exceed 2.5 feet per second under the full range of stage and discharge. Velocity is to be computed on the basis of the net area of opening through the rack; and
 - d. The trash rack shall be constructed of rigid, durable, and corrosion resistant material and designed to withstand a perpendicular live loading of 300 pounds per square foot.
 2. An overflow grate is designed to prevent obstruction of the overflow structure. If an outlet structure has an overflow grate, such grate shall meet the following requirements:
 - a. The overflow grate shall be secured to the outlet structure but

- removable for emergencies and maintenance.
 - b. The overflow grate spacing shall be no less than two inches across the smallest dimension.
 - c. The overflow grate shall be constructed and installed to be rigid, durable, and corrosion resistant, and shall be designed to withstand a perpendicular live loading of 300 pounds per square foot.
3. Stormwater management BMPs shall include escape provisions as follows:
- a. If a stormwater management BMP has an outlet structure, escape provisions shall be incorporated in or on the structure. Escape provisions include the installation of permanent ladders, steps, rungs, or other features that provide easily accessible means of egress from stormwater management BMPs. With the prior approval of the municipality pursuant to Section VIII.C, a free-standing outlet structure may be exempted from this requirement;
 - b. Safety ledges shall be constructed on the slopes of all new stormwater management BMPs having a permanent pool of water deeper than two and one-half feet. Safety ledges shall be comprised of two steps. Each step shall be four to six feet in width. One step shall be located approximately two and one-half feet below the permanent water surface, and the second step shall be located one to one and one-half feet above the permanent water surface. See Section VIII.E for an illustration of safety ledges in a stormwater management BMP; and
 - c. In new stormwater management BMPs, the maximum interior slope for an earthen dam, embankment, or berm shall not be steeper than three horizontal to one vertical.

D. Variance or Exemption from Safety Standard. A variance or exemption from the safety standards for stormwater management BMPs may be granted only upon a written finding by the municipality that the variance or exemption will not constitute a threat to public safety.

E. Safety Ledge Illustration



Section IX. Requirements for a Site Development Stormwater Plan:

Submission of Site Development Stormwater Plan

1. Whenever an applicant seeks municipal approval of a development subject to this Ordinance, the applicant shall submit all of the required components of the Checklist for the Site Development Stormwater Plan at Section IX.C below as part of the submission of the application for approval.
 2. The applicant shall demonstrate that the project meets the standards set forth in this ordinance.
 3. The applicant shall submit three (3) copies of the materials listed in the checklist for site development stormwater plans in accordance with Section IX.C of this ordinance.
- A. Site Development Stormwater Plan Approval. The applicant's Site Development project shall be reviewed as a part of the review process by the municipal board or official from which municipal approval is sought. That municipal board or official shall consult the municipality's review engineer to determine if all of the checklist requirements have been satisfied and to determine if the project meets the standards set forth in this Ordinance.
- B. Submission of Site Development Stormwater Plan. The following information shall be required:
1. Topographic Base Map. The reviewing engineer may require upstream tributary drainage system information as necessary. It is recommended that the topographic base map of the site be submitted which extends a minimum of 200 feet beyond the limits of the proposed development, at a scale of 1"=200' or greater, showing 2-foot contour intervals. The map as appropriate may indicate the following: existing surface water drainage, shorelines, steep slopes, soils, erodible soils, perennial or intermittent streams that drain into or upstream of the Category One waters, wetlands and flood plains along with their appropriate buffer strips, marshlands and other wetlands, pervious or vegetative surfaces, existing man-made structures, roads, bearing and distances of property lines, and significant natural and manmade features not otherwise shown.
 2. Environmental Site Analysis. A written and graphic description of the natural and man-made features of the site and its surroundings should be submitted. This description should include a discussion of soil conditions, slopes, wetlands, waterways and vegetation on the site. Particular attention should be given to unique, unusual, or environmentally sensitive features and to those that provide particular opportunities or constraints for development.
 3. Project Description and Site Plans. A map (or maps) at the scale of the topographical base map indicating the location of existing and proposed buildings roads, parking areas, utilities, structural facilities for stormwater management and sediment control, and other permanent structures. The map(s) shall also clearly show areas where alterations will occur in the natural terrain and cover, including lawns and other landscaping, and seasonal high groundwater elevations. A written description of the site plan and justification for proposed changes in natural conditions shall also be provided.
 4. Land Use Planning and Source Control Plan. This plan shall provide a demonstration of how the goals and standards of Sections III through V are being met. The focus of this plan shall be to describe how the site is being

- developed to meet the objective of controlling groundwater recharge, stormwater quality and stormwater quantity problems at the source by land management and source controls whenever possible.
5. Stormwater Management Facilities Map. The following information, illustrated on a map of the same scale as the topographic base map, shall be included:
 - a. Total area to be disturbed, paved or built upon, proposed surface contours, land area to be occupied by the stormwater management facilities and the type of vegetation thereon, and details of the proposed plan to control and dispose of stormwater.
 - b. Details of all stormwater management facility designs, during and after construction, including discharge provisions, discharge capacity for each outlet at different levels of detention and emergency spillway provisions with maximum discharge capacity of each spillway.
 6. Calculations
 - a. Comprehensive hydrologic and hydraulic design calculations for the pre-development and post-development conditions for the design storms specified in Section IV of this ordinance.
 - b. When the proposed stormwater management control measures depend on the hydrologic properties of soils or require certain separation from the seasonal high water table, then a soils report shall be submitted. The soils report shall be based on onsite boring logs or soil pit profiles. The number and location of required soil borings or soil pits shall be determined based on what is needed to determine the suitability and distribution of soils present at the location of the control measure.
 7. Maintenance and Repair Plan. The design and planning of the stormwater management facility shall meet the maintenance requirements of Section X.
 8. Waiver from Submission Requirements. The municipal official or board reviewing an application under this ordinance may, in consultation with the municipality's review engineer, waive submission of any of the requirements in Section IX.C.1 through Section IX.C.6 of this ordinance when it can be demonstrated that the information requested is impossible to obtain or it would create a hardship on the applicant to obtain and its absence will not materially affect the review process.

Section X. Maintenance and Repair:

- A. Applicability. Projects subject to review as in Section I.C of this Chapter shall comply with the requirements of Section X.B and X.C.
- B. General Maintenance.
 1. The design engineer shall prepare a maintenance plan for the stormwater management measures incorporated into the design of a major development.
 2. The maintenance plan shall contain specific preventative maintenance tasks and schedules; cost estimates, including estimated cost of sediment, debris, or trash removal; and the name, address, and telephone number of the person or persons responsible for preventative and corrective maintenance (including replacement). The plan shall contain information on BMP location, design, ownership, maintenance tasks and frequencies, and other details as specified in Chapter 8 of the NJ BMP Manual, as well as the tasks specific to the type of BMP, as described in the applicable chapter containing design specifics.

3. If the maintenance plan identifies a person other than the property owner (for example, a developer, a public agency or homeowners' association) as having the responsibility for maintenance, the plan shall include documentation of such person's or entity's agreement to assume this responsibility, or of the owner's obligation to dedicate a stormwater management facility to such person under an applicable ordinance or regulation.
4. Responsibility for maintenance shall not be assigned or transferred to the owner or tenant of an individual property in a residential development or project, unless such owner or tenant owns or leases the entire residential development or project. The individual property owner may be assigned incidental tasks, such as weeding of a green infrastructure BMP, provided the individual agrees to assume these tasks; however, the individual cannot be legally responsible for all of the maintenance required.
5. If the party responsible for maintenance identified under Section X.B.3 above is not a public agency, the maintenance plan and any future revisions based on Section X.B.7 below shall be recorded upon the deed of record for each property on which the maintenance described in the maintenance plan must be undertaken.
6. Preventative and corrective maintenance shall be performed to maintain the functional parameters (storage volume, infiltration rates, inflow/outflow capacity, etc.) of the stormwater management measure, including, but not limited to, repairs or replacement to the structure; removal of sediment, debris, or trash; restoration of eroded areas; snow and ice removal; fence repair or replacement; restoration of vegetation; and repair or replacement of non-vegetated linings.
7. The party responsible for maintenance identified under Section X.B.3 above shall perform all of the following requirements:
 - a. maintain a detailed log of all preventative and corrective maintenance for the structural stormwater management measures incorporated into the design of the development, including a record of all inspections and copies of all maintenance-related work orders;
 - b. evaluate the effectiveness of the maintenance plan at least once per year and adjust the plan and the deed as needed; and
 - c. retain and make available, upon request by any public entity with administrative, health, environmental, or safety authority over the site, the maintenance plan and the documentation required by Section X.B.6 and B.7 above.
8. The requirements of Section X.B.3 and B.4 do not apply to stormwater management facilities that are dedicated to and accepted by the municipality or another governmental agency, subject to all applicable municipal stormwater general permit conditions, as issued by the Department.
9. In the event that the stormwater management facility becomes a danger to public safety or public health, or if it is in need of maintenance or repair, the municipality shall so notify the responsible person in writing. Upon receipt of that notice, the responsible person shall have fourteen (14) days to effect maintenance and repair of the facility in a manner that is approved by the municipal engineer or his designee. The municipality, in its discretion, may extend the time allowed for effecting maintenance and repair for good cause. If the responsible person fails or refuses to perform such maintenance and repair, the municipality or County may immediately proceed to do so and shall bill the cost thereof to the responsible person. Nonpayment of such bill may result in a lien on the property.

- C. Nothing in this Ordinance shall preclude the municipality in which the major development is located from requiring the posting of a performance or maintenance guarantee in accordance with N.J.S.A. 40:55D-53.
- D. Maintenance Guarantee.
1. In accordance with the provisions of N.J.S.A. 40:55D-53(b), the developer shall post with the municipality, upon the inspection and issuance of final approval of the following private site improvements by the Municipal Engineer, a maintenance guarantee in an amount not to exceed 15% of the cost of the installation of the following private site improvements: stormwater management basins, inflow and water quality structures within the basins, and the outflow pipes and structures of the stormwater management system, which cost shall be determined according to the method of calculation set forth in Section 15 of P.L.1991, c.256 (N.J.S.A. 40:55D-53.4).
 2. The term of the maintenance guarantee shall be for a period not to exceed two years and shall automatically expire at the end of the established term.
 3. The maintenance guarantee shall be made payable and deposited to Chesterfield Township and shall be in the form of cash, irrevocable letter of credit, certified check, or a surety bond in which the applicant shall be principal, the bond to be provided by an acceptable surety company licensed to do business in the State of New Jersey. Irrevocable letters of credit shall be accepted only pursuant to N.J.S.A. 40:55D-53.5. Maintenance bonds shall be in the standardize format established by the New Jersey Department of Community Affairs pursuant to the provisions of N.J.S.A. 40:55D-53a.

Section XI. Penalties: Any person(s) who erects, constructs, alters, repairs, converts, maintains, or uses any building, structure or land in violation of this Ordinance shall be subject to the following penalties:

- (1) Maximum penalty. For violation of any provision of this Ordinance, the maximum penalty, upon conviction, shall be a fine not exceeding \$1,000 or imprisonment in the county jail for a term not exceeding 90 days, or such combination of punishments as the Municipal Judge may, in his or her discretion, deem appropriate and just.
- (2) Separate violations. Each and every day in which a violation of any provision of this Ordinance exists shall constitute a separate violation.
- (3) Application. The maximum penalty stated in this Ordinance is not intended to state an appropriate penalty for each and every violation. Any lesser penalty, including a minimal penalty or no penalty at all, may be appropriate for a particular case or violation, except in those instances where state law mandates a minimum penalty to be imposed.
- (4) Enforcement. The Chesterfield Township Code Enforcement Officer and Police Department are the enforcement agents of this Chapter.

Section XII. Severability: Each section, subsection, sentence, clause and phrase of this Ordinance is declared to be an independent section, subsection, sentence, clause and phrase, and the finding or holding of any such portion of this Ordinance to be unconstitutional, void, or ineffective for any cause, or reason, shall not affect any other portion of this Ordinance.

Section Three. All Ordinances or parts of Ordinances inconsistent with this Ordinance, to the extent of such inconsistencies only, be and the same hereby are repealed.

Section Four. This Ordinance shall take effect immediately upon final passage and publication as provided by law.

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**ORDINANCE FOR ADOPTION**

Ms. Koetas-Dale made a motion seconded by Mr. Panfili to open the public hearing for Ordinance 2021-1. All were in favor. Hearing no comments, Mr. Russo made a motion to close public comment seconded by Ms. Koetas-Dale. All were in favor. Ms. Koetas-Dale made a motion seconded by Mr. Panfili to adopt Ordinance 2021-1. Roll Call was taken; Mr. Dhopte – yes; Ms. Koetas-Dale – yes; Mr. Panfili – yes; Mr. Russo – yes; Mr. Liedtka – yes. Ordinance adopted.

**TOWNSHIP OF CHESTERFIELD  
ORDINANCE 2021-1**

**AN ORDINANCE AMENDING CHAPTER 106-18 OF THE CODE OF THE TOWNSHIP OF CHESTERFIELD TO ADD CURBING OF DOGS**

**WHEREAS**, the Township Committee finds it necessary to add new language regarding curbing of dogs to help control the dog waste issues within the Township; and

**NOW, THEREFORE, IT BE ORDAINED AND ENACTED** by the Township Committee of the Township of Chesterfield, County of Burlington and State of New Jersey that Chapter 106-18, “Dogs” is hereby amended in the following respects:

**ARTICLE I. §160-18 Curbing of Dogs; Damage to property of others.**

A. No person who owns, harbors, or who is keeping or in charge of any dog shall permit or cause the same to do damage to any flowers, shrubbery, lawn or any other property, either real or personal, owned privately or publicly, or permit such dog to soil, defile, defecate on or commit any nuisance as well as upon or on any common thoroughfare, passageway, bypass, play area, park or any place where people congregate or walk or upon any public property whatsoever or upon any private property without that property owners permission.

B. In the event that nay dog shall soil, defile, defecate on or commit any nuisance contrary to the foregoing provisions, the person owning, harboring, keeping or in charge of such dog shall immediately remove all feces by such dog by any sanitary method, including but not limited to implements and plastic bags, to remove any feces so deposited, and said person shall dispose of such feces in a sanitary manner.

C. These provisions shall not apply to dogs in the sole custody of a blind person who is using such animal for guidance.

D. The provisions of this section shall be enforced by the Chesterfield Township Police Department, a duly appointed animal control officer, the township property maintenance Inspector, or a staff member of the township department of public works; and only upon witness of an act in violation of these provisions, or upon written complaint

by a complaining witness who must testify as to the violating actions. Ordinance violation complaints shall be filed in the municipal court.

**ARTICLE II. REPEALER, SEVERABILITY AND EFFECTIVE DATE.**

- A. Repealer. Any and all Ordinances inconsistent with the terms of this Ordinance are hereby repealed to the extent of any such inconsistencies.
- B. Severability. In the event that any clause, section, paragraph or sentence of this Ordinance is deemed to be invalid or unenforceable for any reason, then the Township Committee hereby declares its intent that the balance of the Ordinance not affected by said invalidity shall remain in full force and effect to the extent that it allows the Township to meet the goals of the Ordinance.
- C. Effective Date. This Ordinance shall take effect upon proper passage in accordance with the law.

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RESOLUTIONS

Mr. Panfili made a motion seconded by Ms. Koetas-Dale to approve Resolution 2021-2-1. Roll Call: Mr. Dhopte – yes; Ms. Koetas-Dale – yes; Mr. Panfili – yes; Mr. Russo – yes; Mr. Liedtka – yes. Resolution approved.

TOWNSHIP OF CHESTERFIELD

RESOLUTION 2021-2-1

RESOLUTION CONTINUTIN AWARD OF CONTRACT FOR SEWER SYSTEM OPERATION AND MAINTENANCE SERVICES

WHEREAS, in December 2018, The Township Committee sought Requests for Proposals (“RFP”) for “Sewer System Operation and Maintenance Services for the Township of Chesterfield”; and

WHEREAS, Proposals were received in the Clerk’s office on January 17, 2019 at 10:00 AM, and three (3) Proposals were received; and

WHEREAS, at the February 14, 2019 Township Committee meeting, the Township Committee awarded the contract to O & M Solutions, LLC, based upon its submission of January 17, 2019, which submission remains on file with the Township Clerk, and which submission, combined with the Request for Proposal itself, forms the basis of the contract between the Parties; and

WHEREAS, a motion was made and adopted by the Township Committee to award the contract for a one-year period with options for two (2) one-year renewals; and

WHEREAS, the Township Committee deems it appropriate to renew this contract for the third year as previously authorized by the Township Committee at its February 14, 2019 Township Committee meeting; and

WHEREAS, the Finance Officer has certified that funds are available in the Township's sewer utility account to pay for the award of this contract.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Chesterfield, County of Burlington, State of New Jersey that the Proposal submitted by O & M Solutions LLC dated January 17 , 2019 in response to the Township's RFP for "Sewer System Operation and Maintenance Services", is hereby renewed for one-year continuing to February 28, 2022.

BE IT FURTHER RESOLVED that the compensation to be paid to O & M Solutions shall be that set forth in the RFP Form Document 1 dated January 17, 2019 and incorporated herein and made a part of this Resolution.

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Mr. Panfili made a motion seconded by Ms. Koetas-Dale to approve Resolution 2021-2-2. Roll Call: Mr. Dhopte – yes; Ms. Koetas-Dale – yes; Mr. Panfili – yes; Mr. Russo – yes; Mr. Liedtka – yes. Resolution approved.

**TOWNSHIP OF CHESTEFIELD  
RESOLUTION 2021-2-2**

**RESOLUTION DESIGNATING COMPENSATION FOR  
EMERGENCY SNOW PLOW OPERATORS**

**WHEREAS**, it is desired of the Mayor and Township Committee to designate the emergency snow plow operator rate for the calendar year 2021.

**WHEREAS**, the rate is within the salary range authorized by Salary Ordinance 2020-12.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Township Committee of the Township of Chesterfield, State of New Jersey that the compensation rate for emergency snow plow operators is \$35.00 per hour.

**BE IT FURTHER RESOLVED** that the time period unless otherwise noted is for January 1, 2021 to December 31, 2021.

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Mr. Dhopte made a motion seconded by Mr. Russo to approve Resolution 2021-2-3 Roll Call: Mr. Dhopte – yes; Ms. Koetas-Dale – yes; Mr. Panfili – yes; Mr. Russo – yes; Mr. Liedtka – yes. Resolution approved.

**TOWNSHIP OF CHESTEFIELD
RESOLUTION 2021-2-3**

RESOLUTION REAPPOINTING CHIEF FINANCE OFFICER

WHEREAS, N.J.S.A. 40A:9-140.10 requires that every municipality shall have a Chief Municipal Finance Officer (“CMFO”); and

WHEREAS, the Township Appointed Wendy A. Wulstein as the Chief Financial Officer for a four year term which expired February 8, 2021; and

WHEREAS, Ms. Wulstein possesses the necessary Municipal Finance Officer Certificate from the Director of the Division of Local Government Services, Certification #N-0518; and

WHEREAS, in accordance with the provisions of N.J.S.A. 40A9-140.10 and Chapter 39 Section 7 of the Code of the Township of Chesterfield, the Township Committee wishes to reappoint Wendy A. Wulstein as Chief Finance Officer; and

WHEREAS, in accordance with the provisions of N.J.S.A. 40A:9-140.8 by reappointment Wendy A. Wulstein will be granted tenure.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Chesterfield, in the County of Burlington, State of New Jersey that Wendy A. Wulstein be and is hereby reappointed as the Chesterfield Township Chief Municipal Finance Officer, retroactive to February 9, 2021, and to continue thereafter, during good behavior, efficiency and compliance with the requirements for continuing education mandated by the State of New Jersey, all in accordance with N.J.S.A. 40A:9-140.8.

BE IT FURTHER RESOLVED that the salary to be paid to the CMFO shall shall be in accordance with the Township’s Salary Ordinance.

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Ms. Koetas-Dale made a motion seconded by Mr. Dhopte approve Resolution 2021-2-4. Roll Call: Mr. Dhopte – yes; Ms. Koetas-Dale – yes; Mr. Panfili – yes; Mr. Russo – yes; Mr. Liedtka – yes. Resolution approved.

**TOWNSHIP OF CHESTERFIELD  
RESOLUTION 2021-2-4**

**RESOLUTION ACKNOWLEDGING THE ESTABLISHMENT AND CONTINUED  
COMMITMENT OF THE CHESTERFIELD TOWNSHIP GREEN TEAM**

**WHEREAS**, the Township Committee of the Township of Chesterfield adopted Resolution 2014-10-7 “Supporting Participation in the Sustainable Jersey Municipal Certification Program” at a regular meeting held October 23, 2014; and

**WHEREAS**, the Township Committee has resolved that they wish to continue to pursue local initiatives and actions that would lead to Sustainable Jersey Municipal Certification; and

**WHEREAS**, the formation of a “Green Team” is a mandatory step in establishing a community sustainability program; and



**WHEREAS**, the Sustainable Jersey Program makes certain recommendations as to whom to recruit for service on the Green Team, and has no required members or form, but places high value on recruiting individuals who have the “time. Skills, and motivation to serve on the Team”; and

**WHEREAS**, time, skills and motivation vary for most individuals over the course of time and based on the activities available; and

**WHEREAS**, the creation of a Green Team allows communities to reach out and engage people from all community perspectives; and

**WHEREAS**, the Township of Chesterfield wishes to encourage participation in the Township’s sustainable activities to the broadest extent possible as a way to strengthen our community; and

**WHEREAS**, one of the recommended ways to establish a Green Team is for the Environmental Commission to form a sustainability subcommittee and invite additional members to participate;

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Chesterfield in the County of Burlington and State of New Jersey that:

- 1) The Green Team subcommittee of the Chesterfield Township Environmental Commission is the designate Green Team for the Township of Chesterfield that is required for the Sustainable Jersey municipal certification program; and
- 2) Such subcommittee shall be referred to as “the Green Team” and shall be composed of Chesterfield Township Environmental Commission members and other individuals who demonstrate interest from time to time in advancing the efforts of Chesterfield Township in one or more of the Actions for Sustainable Communities of the SUSTAINABLE JERSEY municipal certification program, including but not limited to the individuals named below; and
- 3) The role of the Green Team shall be to lead and coordinate the sustainability activities of the community; and
- 4) The responsibilities of the Green Team shall be to engage and leverage the skills and expertise of team members to develop plans, recommend programs, and assist with educational opportunities that support the creation of a sustainable community; and
- 5) The goals of the Green Team shall be to attract new leaders and participants, to create and catalogue significant sustainability actions so that Chesterfield Township is eligible to apply for Sustainable Jersey certification at the Bronze Level in 2021; and
- 6) Smera Kalra and Ashlyn Sethi shall Co-Chair of the Green Team Subcommittee; and
- 7) The following individuals are active members of the Chesterfield Township

Environmental Commission and shall serve as members of the Green Team Subcommittee in 2021 if they so desire: Karl Braun, Sarah Dyson, Jane Ryan, Nancy Scarafile, F. Gerry Spence, Rita Romeu and Denise Koetas-Dale.

- 8) The following individuals are residents of Chesterfield and shall serve as members of the Green Team in 2021: Syed Abubacker, Nicole Benzivengo, Hannah Davis, and Eesha Shrivastava

Mr. Russo made a motion seconded by Mr. Panfili to approve Resolution 2021-2-5. Roll Call: Mr. Dhopte – yes; Ms. Koetas-Dale – yes; Mr. Panfili – yes; Mr. Russo – yes. Resolution approved.

**TOWNSHIP OF CHESTERFIELD  
RESOLUTION NO. 2021-2-5**

**RESOLUTION AUTHORIZING CHANGE ORDER #1 FOR  
SYKESVILLE ROAD PHASE I & II IMPROVEMENT PROJECT  
AWARDED TO EARLE ASPHALT COMPANY**

**WHEREAS**, the Township of Chesterfield awarded a contract to Earle Asphalt Company for the Sykesville Road Phase I & II Improvement Project in the amount of \$493,413.13; and

**WHEREAS**, the Contractor has provided change order #1 for an increase of \$26,982.00 to reflect the actual constructed quantities which included work required by Burlington County Engineer’s office to the bridge crossing on Sykesville Road; and

**WHEREAS**, the Township Engineer has reviewed and recommends approval of Change Order #1; and

**WHEREAS**, the Finance Officer has certified that funds are available for this change order updating the contract amount to \$520,395.13.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Chesterfield Change Order #1 is approved and consequently amends the contract with Earle Asphalt Company to a revised contract amount of \$520,395.13.

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Mr. Russo made a motion seconded by Mr. Dhopte to approve Resolution 2021-2-6 Roll Call: Mr. Dhopte – yes; Ms. Koetas-Dale – yes; Mr. Panfili – yes; Mr. Russo – yes; Resolution approved.

**TOWNSHIP OF CHESTERFIELD
RESOLUTION 2021-2-6**

**RESOLUTION AUTHORIZING REFUND OF PROPERTY TAX OVERPAYMENT
ON BLOCK 206.228 LOT 2 ALSO KNOWN AS 106 APPLGATE WAY**

WHEREAS, property tax payments were received on Block 206.228 Lot 2 for the first quarter payment in the amount of \$3,751.56 from Closing USA LLC and Corelogic; and

WHEREAS, the payments created overpayment in the amount of \$3,751.56; and

WHEREAS, Closing USA LLC has requested the overpayment be refunded to the them; and

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Chesterfield in the County of Burlington and State of New Jersey that the Tax Collector is hereby authorized to refund the overpayment on Block 206.228 Lot 2 in the amount of \$3,751.56 to Closing USA LLC, 7665 Omnitech Place, Victor, New York 14564.

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**Bill List**

Ms. Koetas-Dale made a motion seconded by Mr. Dhopte to approve the bill list. Roll Call: Mr. Dhopte – yes; Ms. Koetas-Dale – yes; Mr. Panfili – yes; Mr. Russo – yes; Mr. Liedtka – yes.

**Reports & Discussion**

**Appointments-Boards, Committee & Commissions:**

Mayor Liedtka said that he is still working on filling the Economic Development Committee. He is still also working on the Shade Tree Commission and still has two seats to fill.

**Street Lights on Thorn Lane:**

Mr. Sahol met onsite with the Township Engineer and some residents. They decided that (1) street light in the center of Thorn Lane would be best. Public Service has begun the process to complete the job and should be done within a few months.

**Snow:**

Mayor Liedtka thanks Public Works Foreman Troy Ulshafer and his crew on a job well done with the three day snow storm. Troy sent the Township Committee a very detailed spreadsheet stating that they plowed over 2,065 miles of snow in 30 total man hours.

**Administration**

**Budget Advisory:**

Four members of the Budget Advisory Committee (BAC) met with Mr. Sahol and CFO Wendy Wulstein. They plan to meet on their own again next week and then again with Wendy and Mr. Sahol. The BAC will compile their recommendations and provide to the Township Committee in time for the first budget workshop meeting.

Mr. Sahol said that he is working on a new township information email address in order to create email blast lists for anything that needs to be sent out to the public of importance.

## **New Business**

### **Old York Country Club:**

Ms. Koetas-Dale said that she would like to do a cost analysis of the project and what the cost would be to the public. Mr. Gillespie said that he met with the prospective developer and purchaser of the Old York Country Club along with professionals Glenn McMahon, Joe Hirsh, Tom Sahol and Chris Dochney yesterday. They spent a lot of time discussing going “in and out” of the location. Mr. Gillespie stated he advised the developer that it is critical that tractor trailers only be able to make a left turn “out” and a right turn “in” if this is going to go forward. Mr. Gillespie said that the developer had 5 or 6 different options for the professionals to look at regarding the traffic “in and out” of the location and not going through town. There is a historic building on the property that was discussed and they are willing to move it if possible and willing to have the Historic Preservation Commission make recommendation on same. Mr. Sahol will coordinate that visit with the HPC. Mr. Gillespie said that they enforced a need of a computer generated graphic to see how it will look from Old York Road. Mayor Liedtka would like to see how it will look from Rt 545 as well. Mr. Gillespie said that he will request that. They also discussed that the building will be set back at least 1,000 feet from Old York Road and what accessories will need to accompany the warehouse such as a water storage tower and waste water treatment. Additionally, a fiscal impact analysis and environmental impact study was requested upfront from the developer. Ms. Koetas-Dale would like to have a traffic study done. Mayor Liedtka said it will be a requirement. Mr. Gillespie said that cars will be allowed to make a right turn out of the property. It’s the tractor trailers that will not be able to make a right turn out of the property. Ms. Koetas-Dale asked if the delivery trucks can turn right and Mr. Gillespie said yes. The developer agreed it will not be a “last mile” warehouse. Mr. Dhopte would like to get studies from the local warehouses that can be shared with us on unintended consequences that they faced.

## **Old Business**

### **Old Municipal Building:**

Mr. Sahol said that there are four options on what can be done with the old municipal building after a condensed study was done of the property. (1) Sell the building for \$165,000 as is disclosing issues (2) Remediate building for \$200,000 and sell. (3) Remediate building, keep and maintain it for \$391,000 (4) Remove building and keep property for \$65,000.

Mr. Panfili said that we need room to expand on the recycling center, public works building is at maximum capacity and we do not have a new facility to move public works to. He stated we need that land and location. Mr. Panfili believes that the most reasonable thing to do it to take down the old municipal building and expand our public works and recycling departments and keep the property. Mayor Liedtka agrees. Mr. Dhopte would like to wait until the next meeting to take action. All agreed to wait until the next Township meeting to take action on the old municipal building.

Mr. Dhopte thanked public works for doing an amazing job with the snow plowing in the last snow storm. He asked how the Township pays for the plowing and how much do we have set aside in the budget. Mayor Liedtka stated the snow removal is figured into the public works budget and we have a snow reserve fund that we can pull from if needed. Mr. Dhopte asked how we pay the drivers. Mayor said we pay them by the hour. Mr.

Dhopte would like to know how much we have spent so far on snow plowing this year. Mr. Sahol will look into it. Mr. Dhopte is concerned about the number of mailboxes that have been damaged during the plowing of the snow this year. He is upset that the Township is not paying for the replacement of them and would like us to be responsible for the fixing or replacing of them. Mayor Liedtka said that unless the truck hits the mailbox we should not be responsible. If they hit the mailbox with the equipment then we should replace it but if the mailbox falls down because of the weight of the snow, we are not responsible. Mr. Dhopte asked if we have an ordinance or a policy on this issue. Ms. Hoyer said that she has worked here for over 20 years and our policy has always been if the plow hits the mailbox then we would replace the mailbox but not if it's the snow that knocks the mailbox down. Mr. Russo agrees with Ms. Hoyer and said people do not realize the force of the snow and he does not believe the Township is liable. Mr. Sahol said you cannot blame public works if the snow is pushing over the mailboxes.

### **COMMENTS FROM THE PUBLIC**

Mr. Dhopte made a motion seconded by Mr. Panfili to open the meeting to public comment. All were in favor.

Amanda Layendecker from 106 Bordentown-Georgetown Road lives very close to the Old York Country Club. She is concerned about the view and noise and is hopeful that the Country Club does not sell to a warehouse.

Dawn Sheridan from 79 Bordentown-Chesterfield Road said she protects her mailbox with a \$20 piece of plywood and offers to show others how to do it to protect their mailboxes. She feels that it is the homeowners responsibility to fix or replace their mailboxes if knocked over by snow.

Agnus Marsalla from 42 Cromwell Drive thanked the Township Committee and the Public Works Department for everything they do. She asked Mr. Sahol who initiated the meeting with the Old York Country Club developer. Mr. Sahol said that the professionals were scheduled to meet with the developer. The meeting was discussed at the last Township meeting and is in the minutes.

Shah Chintah from 27 Downer Way said that his mailbox was knocked over with the snow plow and it was the fault of the Public Works driver and wants the Township to fix or replace it. Mr. Panfili takes offense that Mr. Chintah would say that the Public Works driver knocked over his mailbox on purpose and said that it is his property and he need to take care of it himself.

Nimit Shah from 27 Thorn Lane asked if there has been any studies done on Old York Country Club and does the public have any say on it becoming a warehouse. Mr. Gillespie stated that the developer is putting together a fiscal impact analysis and an environmental impact statement prior to anything happening. And there will be a couple of public hearings as well.

Lalith Pasupuletti from 15 Thorn Lane said that the intersection at Margerum Road and Chesterfield-Crosswicks Road is very dangerous. Mayor Liedtka agreed and said that the County is doing a study on it and believes a "round-a-bout" will be put in that intersection in the near future. Mr. Pasupuletti asked about the lighting on Thorn Lane. Mayor Liedtka said that one additional street light is being put in on Thorn by PSE&G.

Susan Layton from 90A Bordentown-Chesterfield Road was hoping we would have some resolution on the old municipal building tonight since it has been on discussion for the past few years. In regards to mailboxes, she lives on a county road and has had to replace it five times due to snow.

Lalith Pasupuleti from 15 Thorn Lane asked if the Township Committee is open to adding another street light on Thorn Lane and would like to see the report that was done by PSE&G determining where the light goes. Mr. Sahol said it is not a report but more of a determination of where the light should be installed. Mr. Sahol offered to meet with Mr. Pasupuleti tomorrow so he can see exactly where the light will be installed on Thorn Lane. Mr. Pasupuleti agreed.

Lorrie Their from 153 Chesterfield-Crosswicks Road said that she lost her mailbox this year during a snow storm and she contacted the County since she lives on a county road and they offered to replace it. Ms. Their asked if we tear down the old municipal building, do we need to expand on the recycling and Public Works and if so what will the cost be. Mr. Sahol responded yes and that the cost will be minimal. Ms. Their asked if we will need to replace the well and septic and Mr. Sahol responded no, we will continue to maintain and fix what we have. Mr. Dhopte said that he was under the impression that the septic was failing. Mayor Liedtka said that a new one was put in five years ago and it should be fine.

Glenn Layendecker from 106 Bordentown-Georgetown Road is concerned what his view will be if a warehouse is built in place of Old York County Club. He wants to know if the trees will be cut down, how many buildings will be put up and where on the property will they be located. Mr. Gillespie said he believes it will only be one building and will ask them to address how it will look from his view. Ms. Koetas-Dale said there are about 4 - 5 homes next to Mr. Layendecker.

Tom Orban from 26 Church Street asked if Old York has asked for a tax abatement. Mr. Gillespie replied yes, however it is premature to discuss since we don't have anything to bring back to the committee to even determine if they want to move forward. Mr. Orban asked if anything has been decided with the HPC. Mayor Liedtka replied not yet and that the training session is March 20<sup>th</sup> and will be open to the public.

Shah Nimit from 27 Thorn Lane asked if we considered having a senior citizen community instead of a warehouse on the Old York County Club property. Mayor Liedtka said it is private property and the private owner has decided to sell to the warehouse developer. We have no say if they want to sell. Mr. Nimit asked if the Township has a say if the developer will be allowed to build a warehouse and Mayor Liedtka replied yes, when it comes before us but we are not there yet.

Hearing no further comments, Mr. Panfili made a motion seconded by Ms. Koetas-Dale to adjourn the meeting. All were in favor. The meeting adjourned at 9:29 PM.

Respectfully submitted,

Caryn M. Hoyer, RMC

Municipal Clerk