Township of Ocean
Monmouth County

399 Monmouth Road
Oakhurst NJ 07755-1589

Marianne Wilensky
Director of
Community Development

Department of Community
Development
732-531-5000 X 3350
FAX 732-531-7696

SITE PLAN APPLICATION

ALL MAPS OR PLANS MUST BE FOLDED

CHECK LIST

Preliminary and Final Site Plan

The following check list is designed to assist you in preparation of plans for site plan review.

Items omitted may delay consideration.

For specific information and requirements refer to:

1. Zoning Ordinance
2. Land Disturbance and Soil Erosion Control Ordinance
3. Municipal Land Use Law

SUBMISSION: At least twenty one (21) days prior to the hearing date desired.

TO INCLUDE:

1. Sixteen (16) copies of maps and application forms.
2. Sixteen (16) copies of Architect's rendering of front, side, and rear elevations.
3. All maps and plans must be folded.
4. Evidence of State and County approvals where applicable.
5. Written request for a Certified List of Property Owners with 200' feet of the property in question along with the required $10.00 fee.
6. List of all principal partners if a partnership or corporation.
7. Payment of all required fees and escrow.

Planning Board **Township of Ocean** **Board of Adjustment**

*** Office Use Only ***
Building Department _____
Crime Prevention _____
Board Engineer _____
Environmental Commission _____
Traffic Safety _____
Fire Marshal _____
Township Planner _____
Public Works Department _____
Tax Assessor _____
Code Enforcement _____
Deal Lake Commission _____
Please review and return to my office by:

_____
Marianne Wilensky

Applicant _____

Address _____

_____

_____ _____
Daytime telephone Fax Number

Email Address: _____

Owner's name/address if other than applicant:

_____

_____

Licensed Professional Engineer and/or
Land Surveyor preparing the sketch Plat:

_____

Attorney _____
Representing
Applicant: _____

Phone _____ FAX _____

IF OTHER THAN OCCUPANT,
PLEASE PRINT NAME OF CONTACT PERSON

Attorney email: _____

_____ Contact Telephone: _____

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TOWNSHIP OF OCEAN

ADDENDUM #1

For Zoning Variances

1. Does the applicant own the adjoining property? _____

2. Size of Lot: Depth _____ Width _____

3. Size of proposed structure _____

4. Percentage of lot occupied by building _____

5. Height of building: Number of stories _____
   Amount of feet _____

6. Proposed setback from front property line _____
   Existing setback from front property line _____

7. Proposed setback from rear property line _____
   Existing setback from rear property line _____

8. Proposed side yard setbacks: Left _____ Right _____

   Existing side yard setbacks: Left _____ Right _____

Has a Building Permit been requested: _____

Has there been any previous appeal involving these premises? _____

If so, state character of appeal and the date of disposition:

_____

_____

The proposed building or use thereof is contrary to the Zoning Ordinance in the following particulars:

State Article and Sections: _____

_____

_____

State reasons why this zoning variance should be granted: _____

_____

_____

_____

TOWNSHIP OF OCEAN

ADDENDUM #3

For Site Plan Approvals

PRELIMINARY SITE PLAN
(Complete items 1 through 4 only)

2. Have you read all the site plan requirements? _____

2. Have you been given a checklist: _____

8. Have you complied with all the requirements?_____

9. If not, where does it differ?
   State the reasons why you cannot comply: _____

   _____

   _____

   _____

FINAL SITE PLAN:

5. Does this differ in any way from Preliminary approval? _____

6. If it does differ, please indicate where it differs and the reasons therefore:

   _____

   _____

   _____

7. Anticipated starting and completion dates:

   Start: _____ Complete: _____

8. Estimated cost of construction: _____

Township of Ocean

Planning Board / Zoning Board of Adjustment

PERMISSION FOR INSPECTION OF PREMISES

I _____hereby grant permission to Members of the Planning Board or Board of Adjustment, the Board's professionals, or other employees of the Township of Ocean the right to enter in and upon the property located at:

_____

_____

otherwise known as block _____ lot _____ for the purpose of inspection in regard to the pending application which has been filed with the Board for consideration of approval.

Owner's address if other than the above stated: _____

_____

_____

Signature(s) of owner(s) of Property

County of Monmouth
State of New Jersey

Notary Seal

Sworn and subscribed before me on this _____ day of _____

_____

Signature of Notary

Township of Ocean
Planning Board / Board of Adjustment

ADDENDUM #5
For
Site Plan or Subdivision Approval

APPLICATION BY CORPORATION OR PARTNERSHIP

OWNERSHIP DISCLOSURE

A corporation or partnership applying to a Planning Board or Board of Adjustment or the Governing Body or a Municipality for permission to subdivide a parcel of land into six (6) or more lots or applying for a variance to construct a multiple dwelling of 25 or more family units, or for approval of a site to be used for commercial purposes, shall list the names and addresses of all stockholders or individual partners owning at least 10% of its stock of any class, or at least 10% of the interest in the partnership, as the case may be.

Both Boards respectfully request that all applicants submit a complete list of ownership for purposes of determining conflicts of interest between the applicant and the Board Members or their professionals.

1. _____
2. _____
3. _____
4. _____
5. _____
6. _____
7. _____
8. _____
9. _____
10. _____
11. _____
12. _____
13. _____
14. _____
15. _____
16. _____
17. _____
18. _____
19. _____
20. _____
21. _____
22. _____
23. _____
24. _____

Board of Adjustment / Planning Board

Township of Ocean

REQUEST FOR CERTIFIED LIST OF PROPERTY OWNERS WITHIN 200' OF:

BLOCK _____ **LOT(s)** _____

BLOCK _____ **LOT(s)** _____

NAME and ADDRESS OF PROPERTY OWNER(s) _____

_____

_____

PERSON TO RECEIVE LIST IF OTHER THAN PROPERTY OWNER _____

_____

_____

_____

OFFICE USE ONLY:

Block _____ Lots: _____

_____ _____

Block _____ Lots: _____

_____ _____

Block _____ Lots: _____

_____ _____

Block _____ Lots: _____

_____ _____

Block _____ Lots: _____

_____ _____

Block _____ Lots: _____

_____ _____

Block _____ Lots: _____

_____ _____

_____ _____

FORM W-9 (Rev. January 2003) Department of the Treasury Internal Revenue Service	**Request for Taxpayer Identification Number and Certification**	Give form to the requester. Do not send to the IRS.

P R	Name										
I N	Business name, if different from above										
T											
	Check appropriate box		Individual/ Sole proprietor		Corporation		Partnership		Other > …….……..		Exempt from backup withholding
	Address (number, street, apt. or suite no.)									Requester's name and address (optional)	
	City, state, ZIP code										
	List account number(s) here (optional)										

Part I **Taxpayer Identification Number (TIN)**

Enter your TIN in the appropriate box. For individuals, this is your social security number (SSN). **However, or a resident alien, sole proprietor, or disregarded entity, see the Part I instructions on page 3.** For other entities, it is your employer identification number (EIN). If you do not have a number, see **How to Get a TIN** on page 3.

Note: If the account is in more than one name, see the chart on page 4 for guidelines on whose number to enter.

Social Security Number

Or

Employer Identification No.

Part II **Certification**

Under penalties of perjury, I certify that:

1. The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issue to me), and
2. I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding, and
3. I am a U.S. person (including a US resident alien).

Certification instructions. You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally payments other than interest and dividends, you are not required to sign the Certification, but you must provide your current TIN (See the instructions on page 4.)

Sign Here	**Signature of U.S. person >**	**Date >**

Purpose of Form

A person who is required to file an information return with the IRS must obtain your current taxpayer identification number (TIN) to report, for example, income paid to you, real estate transactions, mortgage interest you paid, acquisition or abandonment of secured property, cancellation of debt, or contributions you made to an IRA.

U.S. Person. Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN to the person requesting it (the requester) and, when applicable, to:

1. Certify that the TIN you are giving is correct (or you are waiting for a number to be issued),
2. Certify that you are not subject to backup withholding, or
3. Claim exemption from backup withholding if you are a U.S. exempt payee.

Note: If a requester gives you a form other than Form W-9 to request your TIN, you should use the requester's form. However, this form must meet the acceptable specifications described in **Pub. 1167**, General Rules and Specifications for Substitute Tax Forms and Schedules.

Foreign person. If you are a foreign person, use the appropriate Form W-8 (see **Pub. 515**, Withholding of Tax on Nonresident Aliens and Foreign Entities).

Nonresident alien who becomes a resident alien.
Generally, only a nonresident alien individual may use the terms of a tax treaty to reduce or eliminate U.S. tax on certain types of income. However, most tax treaties contain a provision known as a "saving clause." Exceptions specified in the saving clause may permit an exemption from tax to continue for certain types of income even after the recipient has otherwise become a U.S. resident alien for tax purposes.

If you are a U.S. resident alien who is relying on an exception contained in the saving clause of a tax treaty to claim an exemption from U.S. tax on certain types of income, you must attach a statement that specifies the following five items:

1. The treaty country. Generally, this must be the same treaty under which you claimed exemption from tax as a nonresident alien.
2. The treaty article addressing the income.
3. The article number (or location) in the tax treaty that contains the saving clause and its exceptions.
4. The type and amount of income that qualifies for the exemption from tax.
5. Sufficient facts to justify the exemption from tax under the terms of the treaty article.

VERY IMPORTANT
PLEASE READ CAREFULLY

Once you are scheduled for a hearing date, your must meet the following requirements:

1. REVISED PLANS MUST be submitted to the Office of Planning TEN (10) DAYS PRIOR to your scheduled hearing date. You cannot bring revised plans to the meeting with you. If you do not comply, YOUR APPLICATON WILL NOT BE HEARD.

2. The AFFIDAVIT OF PUBLICATION (the original, which will be mailed to you by the Asbury Park Press), the GREEN CARDS from the NOTIFICATION of your neighbors on the Certified List (which will be supplied to you upon scheduling your hearing), and the WHITE MAILING RECEIPTS that are your receipts for mailing the certified letters, must be in our office THREE (3) DAYS prior to your hearing date.

3. ALL PLANS OR MAPS MUST BE FOLDED
   ROLLED PLANS WILL NOT BE ACCEPTED.

TOWNSHIP OF OCEAN
NOTICE REQUIREMENTS

1. Corporations require representation by a New Jersey Attorney.

2. Notice is required on all development applications with the exception of minor subdivisions, final major subdivisions, and conventional site plans. If a variance is necessary with any of the above, notice will be required.

3. The applicant must submit a written request to the Tax Assessor for a Certified List of Property Owners located within 200 feet in all directions of the subject property accompanied by a fee of $10.00. This form is included in the application packet and should be submitted with the application.

4. **CONTENTS OF NOTICE:**

   A. Date, time and place of hearing;
   B. Nature of matters to be considered;
   C. Identification of the property proposed for development by street address, block and lot numbers as shown on the current tax duplicate.
   D. Location and times at which maps and documents for which approval is sought are available for public inspection.

5. At least ten (10) days prior to the scheduled hearing date:

   A. Publish Notice in the Asbury Park Press (instructions will be provided) and request an Affidavit of Publication. Please be aware that the Press must receive your notice at least fourteen (14) days before the date of the meeting in order to publish timely.

   B. Notify by personal service or certified mail with return receipts:

      1. All property owners within two hundred (200') feet;
      2. Clerk of adjoining Municipality if located within 200 feet;
      3. County Planning Board if adjacent to an existing or proposed County road, adjoining County land, or situated within 200 feet of an adjoining municipal boundary;
      4. The Commissioner of Transportation if the property is adjacent to a State Highway at:
         Construction and Maintenance
         1035 Parkway Avenue
         Trenton NJ 08625
      5. The State Planning Commission if the development exceeds 150 acres or 500 dwellings. Include a copy of maps and documents required to be on file with the secretary. Their telephone number is 609-292-7165.
      6. For personal service, you may hand deliver the notice and have each property owner sign and date the Certified List next to their name.

6. Affidavits for both the Publication and the Notice to Property Owner certified mail receipts, and/or list of dated signatures are required to be submitted to the Office of Planning Administration at least three (3) days prior to the scheduled hearing accompanied by a copy of the notice sent and a list of the property owners.

NOTE: The Municipal Agency will notify each applicant of their hearing date when the application is complete.

NOTICE OF DECISION AFTER THE APPROVAL

1. Required on all development applications.
2. After approval, the applicant must publish a notice in the Asbury Park Press.
3. A copy of the Affidavit of Publication is to be submitted to the Planning Administrator.

SITE PLAN CHECKLIST

21-56 Requirements for submission for development applications.

The following is a list of items and details to be supplied with the various development applications which are submitted for approval to a Municipal agency of the Township of Ocean. The following documents shall be provided for development application review. In some circumstances, additional information beyond these requirements may be required of the applicant by the Municipal agency. The Municipal agency shall also have the right to waive certain details if a specific request is made by the applicant and agreed to by the agency. Surveys, the general plan, grading and utility plans, landscaping plans, architectural plans, and elevations may be indicated on separate drawings and documents. The required items and details are primarily for the use of the Municipal agency to establish criteria required to make decisions and recommendations. The following shall be required:

21-56.1 Items required for all development applications:

a. Title, key map location of development, and the name and address of the owner of record and the applicant;

b. Certification from the Tax Collector that all taxes and assessments are paid to date;

c. The proposed use or uses of the land and buildings;

d. Scale and graphic scale shall be indicated on every sheet;

e. North arrow, in same direction on all sheets;

f. A list of all variances and waivers being requested by the applicant.

g. Payment in full of all required application fees and establishment of a required escrow account.

h. A list of any required permits or applications required by any other governmental agency.

i. An Affidavit of Ownership of the subject property.

j. Proper completion of the appropriate application forms required by the Municipal agency.

21-56.2 Items and details required for Preliminary Site Plan approval for Minor or Major Site Plans:

a. Site plans shall be drawn by an NJ Licensed Surveyor, Civil Engineer, Architect, Landscape Architect, or Municipal Planner. Surveys can only be done by a NJ Licensed Land Surveyor and improvements to or adjacent to the site can only be done by a NJ Licensed Engineer or Architect. Each professional shall sign the site plan and seal it.

b. Site plans should be presented at a scale no smaller than one (1") inch equals fifty (50') feet. All site plans shall be prepared using a conventional 'engineer's scale'. Architectural plans may be prepared utilizing an 'architect's scale'. The size of sheets should not exceed 36" by 24".

c. Initial submission shall consist of a total of three (3) copies of all plans and applications forms. Once an application is deemed complete, in compliance with the Municipal Land Use Law, an additional thirteen (13) copies of all plans and application forms shall be submitted prior to 21 days before the public hearing on the application. All plans shall be folded to a size not to exceed 10" by 14".

d. A survey of the property prepared by a licensed surveyor of New Jersey, showing boundaries of properties, line of all existing streets and roads, easements, rights of way, and areas dedicated to public use on or directly adjacent to the site. Also, indicate on this sheet the north arrow, scale in feet and graphic scale, name and address and professional license number and seal of the person who prepared the survey.

e. Names of all owners of record of all adjacent properties with lot and block numbers, and parcel number, within 200 feet of the property.

f. A schedule of Zone requirements as well as what the application correspondingly proposes. Said schedule shall include, but not be limited to: total lot area, buildable lot area, lot width, lot frontage, lot depth, principal and accessory building setbacks, lot coverage, parking space size and numbers, and percent of landscaped area.

g. Show existing and proposed buildings with dimensions; show the first floor elevations and present and finished grade elevations at all corners and entrances. Existing buildings and structures to be removed are to be indicated.

h. Submit topographic map to delineate existing contours at two foot intervals, up to ten feet beyond the property lines as well as proposed grading and contours, flood plains, ponds, streams, and drainage ditches, etc.

i. Show all wooded areas which are to be retained, as well as the location of all trees six inches or greater in diameter which are located within areas to be disturbed and within 30' of any area proposed to be disturbed. All 6" or greater diameter trees so indicated shall be identified as to diameter and species.

j. Indicate the location of all existing and proposed structures, i.e., walls, culverts, bridges, roadways, parking areas, etc., with grade elevations for each structure. Dimensions shall be shown on the plans for the size and location of each structure.

k. Indicate existing zones of the development site and of any different zones within 200 feet of the property.

l. The distance of the property line (measured along the centerline of the existing street abutting the property) to the nearest driveway and nearest intersection.

m. The boundaries of the property, building and setback lines, lines of existing streets, lots, reservations, easements and areas dedicated to public use. Dimensions shall be indicated on the plans for all of these items where appropriate.

n. Indicate locations of all utility structures and lines, including telephone, power and light, water, sewer, gas, etc., whether privately or publicly owned, with manholes, pipe sizes, grades, inverts and directions of flow. The location of fire prevention facilities including service lines, hydrants, Siamese connections, automatic sprinkler systems, fire zones, 'No Parking Fire Zones' and pavement and wall signs shall be shown.

o. Indicate existing and proposed stormwater drainage facilities with manholes, pipe sizes, grades, inverts, and directions of flow.

p. A sedimentation and erosion control plan as required by the Freehold Soil Conservation District.

q. Show on a key map, contiguous lots owned by the applicant or owner of record, or in which the applicant has a direct interest.

r. Indicate all means of vehicular ingress and egress to and from the site onto public streets, showing the size and location of driveways, curb cuts and curbing, sight lines and radii. All items shall be dimensioned.

s. Show the design of off-street parking areas. All parking spaces, setbacks of parking areas, and aisle widths shall be dimensioned.

t. Show and dimension any truck loading and unloading zones, platforms, and docks.

u. Indicate and dimension trash disposal and recyclable materials storage areas.

v. Show provisions for screening of equipment and storage areas attached or separate from buildings.

w. Indicate all existing or proposed exterior lighting (free-standing and/or on building) for size, nature of construction, lumens, heights, area and direction of illumination, foot candles produced, as well as the time controls proposed for outdoor lighting and display.

x. Note all existing and proposed signs. Architectural drawings of all signs are required. The location of all signs shall be dimensioned on the plans.

y. Indicate locations, dimensions and construction of all pedestrian walkways and sidewalks on or directly adjacent to the site.

z. A landscape plan.

aa. Improvements to adjoining streets and roads and traffic control devices necessary in streets or highways. Acceleration and deceleration lanes, paving, land dedication or acquisition of roads should be shown.

bb. Copies of any easements, covenants and deed restrictions intended to cover any of the development site should be submitted.

cc. Preliminary architectural drawings, including floor plans, basement plans, and elevations of any new or altered (including façade alterations) buildings or structures.

dd. Appropriate places for signatures and date of approval of the Township Engineer, Chairman and Secretary of the Municipal agency.

ee. A minimum of one soil boring shall be taken on all sites up to one acre in area with one additional boring for each additional acre or portion thereof. The borings shall be taken at representative locations onsite to the satisfaction of the Municipal Engineer. If stormwater recharge or detention facilities are proposed, a boring shall be taken at the location of the proposed facility, said borings being included in the total count of required borings. Representative borings shall be made to a minimum depth of ten feet. Borings in recharge or detention areas shall be to a minimum depth of twenty (20) feet below finished surface grade or five feet below the bottom of the proposed facility, whichever is deeper. Boring logs shall be submitted as part of the site plan.

ff. A written description of the proposed operations in the buildings including the number of employees or members, the number of square feet of enclosed building space, the proposed number of shifts to be worked and the maximum number of employees on each shift, expected truck and tractor trailer traffic, emission of noise, glare, air and water pollution, safety hazards' and anticipated expansion plans incorporated in the building.

21-56. Items and details required for all Final Site Plans. Final site plan details are primarily a refinement of the preliminary details by providing final engineering and architectural information which will be classified as site plan construction details.

a. All items and details required on the preliminary site plan with complete accuracy.

b. Evidence that all taxes and assessments against the site have been paid.

c. If any changes from the preliminary site plan have been made, submit an approved preliminary site plan showing those changes highlighted.

d. Initial submission shall consist of a total of three (3) copies of all plans and application forms. Once an application is deemed complete, in compliance with the Municipal Land Use Law, an additional thirteen (13) copies of all plans and application forms shall be submitted prior to twenty one (21) days before the public hearing on the application. All plans shall be folded to a size not to exceed 10" X 14".

21-56.4 Items and Details required for Amended Site Plans:

a. A marked-up copy of the previously approved plan showing all proposed changes shall be submitted. Upon approval of the amended site plan by the municipal agency, the applicant shall submit a final revised site plan properly signed and sealed.

b. Site plans should be presented at a scale no smaller than one inch equals fifty (50') feet. All site plans shall be prepared using a conventional 'engineer's scale'. Architectural plans may be prepared utilizing an 'architect's scale'. The size of sheets should not exceed 36 inches by 24 inches.

c. Initial submission shall consist of a total of three (3) copies of all plans and application forms. Once an application is deemed complete, in compliance with the Municipal Land Use Law, an additional five (5) copies of all plans and application forms shall be submitted prior to twenty one (21) days before the public hearing on the application. All plans shall be folded to a size not to exceed 10" X 14".

d. Taxes and assessments on the property shall be paid.

SITE PLAN

Preliminary			Final		
Acres		**Per Acre**	**Acres**		**Per Acre**
0-2	$ 850.00		0-2	$ 350.00	
2-10	$1,700 plus	$400.00	2-10	$ 600 plus	$125.00
10-25	4,900 plus	200.00	10-25	1,600 plus	75.00
25-100	7,900 plus	100.00	25-100	2,725 plus	50.00
100 & up	$15,400 plus	50.00	100 & up	$6,475 plus	25.00

AMENDED SITE PLAN	$ 850.00	**MINOR SITE PLAN SUBCOMMITTEE**	$350.00
MINOR SITE PLAN	$850.00	**EXTENSION OF SITE PLAN APPROVAL** (NJS 40:55D-52)	$350.00

TRASH AND RECYCLABLE MATERIALS STORAGE AREA: $125.00

FLAG LOCATION PLAN: $125.00

WAIVER: The site plan fee may be waived by the Township Council by resolution upon application by non-profit corporations devoted to recreational purposes under Title 15 of the Revised General Statutes of New Jersey and applications by the Fire Districts and Sewerage Authority within the Township of Ocean.

SUBDIVISIONS

CLASSIFICATION	(Required on all Subdivisions)	$100.00
MINOR	(2 to 4 lots)	$400 plus $100 per lot
MAJOR	Preliminary	$300 plus $100 per lot
	Final	$100 plus $50.00 per lot
AMENDED SUBDIVISION		$800.00

c. **Variances and Appeals**

40:55D-68	Certification of Use		$275.00
40:55D-70a	Appeals		275.00
40:55D-70b	Interpretations		275.00
40:55D-20c	Hardship:	Single Family Residential	200.00
		All others	500.00
40:55D-70d	Use	Single family residential, per unit	275.00
		Multi-family residential / Townhouse	525.00
		Commercial and Industrial	1,500.00
		All others	1,500.00
d. Conditional Uses			350.00
e. Official Map Appeals			275.00
f. Appeals to Governing Body			275.00
g. **CERTIFIED LIST OF PROPERTY OWNERS**			$10.00

h. Whenever an application for development shall include more than one request or action, the total accumulated fees of each separate action shall be charged.

i. **Professional Review Fees**: The Municipal Agency may require the payment of fees into an escrow account for the purpose of reimbursing the Township for direct fees, costs, charges, and expenses of professional consultants retained by or on behalf of the Township, its Boards, or agencies and employees and staff of the Township, its boards ore agencies in reviewing and testifying and/or assisting the Township in the processing of applications pursuant to the ordinances of the Township and/or assisting the Township in the evaluation, planning, and proper design of municipal services and facilities in order to meet the needs of the proposed project. Such escrow account will be based upon the following schedules:

ESCROW FEES

SITE PLAN		**Initial Escrow Fee**
ACRE	0-2	$ 2,000.00
	2-10	3,500.00
	10-25	5,000.00
	25-100	10,000.00
	100 & up	$15,000.00

SUBDIVISION	**Initial Escrow Fee**
Minor (2 to 4 lots)	$2,000.00
Major (5 to 12 lots)	3,000.00
(13 to 24 lots)	4,000.00
(25 to 50 lots)	5,000.00
(51 and up)	10,000.00
AMENDED SUBDIVISION	$1,500.00

MINOR SITE PLAN	$1,500.00
AMENDED SITE PLAN	1,500.00
MINOR SITE PLAN SUBCOMMITTEE REVIEW	500.00
EXTENSION OF SITE PLAN APPROVAL	500.00
BILL BOARD RELOCATION	2,000.00
USE VARIANCE	2,000.00
CERTIFICATION OF USE	1,000.00
BULK VARIANCES / NON-RESIDENTIAL	500.00
APPEALS	1,000.00
INTERPRETATIONS	1,000.00

No professional reviews will be undertaken until the escrow has been established. If, in the judgment of the Planning Board or Board of Adjustment, additional funds are required after 75% of the original escrow account has been exhausted, these monies shall be paid to the appropriate account or accounts.

j. Inspection fees (Refer to ordinance)

k. **Special Meetings for the Planning Board or Board of Adjustment** If the Board of Adjustment or Planning Board is requested to, and decided to hear an application at one or more special meetings, the applicant(s) shall pay an additional two thousand (**$2,500.00**) five hundred dollars for each special meeting at which the matter is heard.

l. **Conceptual Review** At the request of a developer, the Planning Board shall grant an informal review of a concept plan for development for which the developer intends to prepare and submit an application for development. The fees for such an informal review are:

Application Fee - $150.00

Escrow for Professional Review - $250.00

The amount of any fees for such an informal review shall be a credit toward fees for review of the application for development if applied for within 180 days of such an informal review.

Submit this portion of the application to:
Freehold Soil Conservation District
211 Freehold Road
Manalapan NJ 07726
732-446-2300
732-446-9140 FAX

For District Use Only

Application Number:

Disposition:

APPLICATION FOR SOIL EROSION AND SEDIMENT CONTYROL PLAN CERTIFICATION

The enclosed soil erosion and sediment control plan and supporting information are submitted for certification pursuant to the Soil Erosion and Sediment Control Act, Chapter 251, P.L. 1975 amended (NJSA 4:24-39 et. seq.) An application for certification of a soil erosion and control plan shall include the items listed on the second page of this form.

Name of Project		Project Location/municipality	
Project Street Address		Block	Lot
Project Owners Name		Telephone: FAX:	
Project Owner's Street Address NO PO BOX NUMBERS		City	State/Zip
Total Area of Project in Acres	Total Area or Land to be Disturbed in Acres	Number Dwelling or other Units	Fee $
Plans Prepared by *		Telephone: FAX:	
Street Address		City	State/Zip

(Engineering related items of the Soil Erosion and Sediment Plan MUST be prepared by or under the direction of and be sealed by a Professional Engineer or Architect licensed in the State of New Jersey in accordance with NJAC 13:27-6.1 et. seq.)

Agent Responsible during construction:		
Street Address	City State/Zip	Telephone FAX

The applicant hereby certifies that all soil erosion and sediment control methods are designed in accordance with current Standards for Soil Erosion and Sediment Control in New Jersey and will be installed in accordance with those Standards and the plan as approved by the Soil Conservation District and agrees as follows:

1.	To notify the District in writing at least 48 hours in advance of any land disturbance activity. Failure to provide such notification may result in additional inspection fees.	4.	To allow District agents to go upon project lands for inspection.
2.	To notify the District upon completion of the Project (Note: No Certificate of Occupancy can be granted until a report of compliance is issued by the District.)	5.	That any conveyance of this project or portion thereof prior to its completion will transfer full responsibility for compliance with the certified plan to any subsequent owners.
3.	To maintain a copy of the certified plan on the project during construction.	6.	To comply with all terms and conditions of this application and certified plan including payment of all fees prescribed by the District Fee Schedule hereby incorporated by reference.

The applicant hereby acknowledges that structural measures contained in the Soil Erosion and Sediment Control Plan are reviewed for adequacy to reduce offsite soil erosion and sedimentation and not for adequacy of structural design. The applicant shall retain full responsibility for any damages which may result from any construction activity notwithstanding district certification of the subject soil erosion and sediment control plan. It is understood that approval of the plan submitted with this application shall be valid only for the duration of the initial project approval granted by the municipality. All municipal renewals of this project will require submission and approval by the district. In no case shall the approval extend beyond three and one half years at which time submission and certification will be required. Soil Erosion and Sediment Control Plan certification is limited to the controls specified in the plan. It is not authorization to engage in the proposed land use unless such use has been previously approved by the municipality or other controlling agency.

1. Applicant's Certification*		3. Plan determined complete:	
Signature	Date	Signature of District Official	Date
Print Applicant's Name			
2. Receipt of fee, plan, and supporting documents in hereby acknowledged:		4. Plan Certified, denied, or other actions noted. Special Remarks:	
Signature of District Official	Date	Signature of District Official	Date

* If other than project owner, written authorization of owner must be attached.

SSCC251 AP10 4/99

An application for certification of a soil erosion and sediment control plan shall include the following items:

1. One copy of the complete subdivision, site plan, or construction permit application, including key map as submitted to the municipality (Architectural drawings and building plans and specifications not required.) which includes the following:
   a. Location of present and proposed drains and culverts with their discharge capacities and velocities and support computations and identification of conditions below outlets.
   b. Delineation of any area subject to flooding from the 100-year storm in compliance with the Flood Plains Act (NJSA 58:16A) or applicable municipal zoning.
   c. Delineating of streams, wetlands, pursuant to NJSA 13:9B and other significant natural features within the project area.
   d. Soils and other natural resource information used. (Delineation of the project site on soil map is desirable.)
   e. Land cover and use of area adjacent to the land disturbance.
   f. All hydraulic and hydrologic data, describing existing and proposed watershed conditions and HEC1, HEC2, WSP2, and TR20 and other electronic inputs files, if used, of existing and proposed conditions and a completed copy of the Hydraulic and Hydrologic Data Base Summary form SSCC251 HDF1.

2. Four copies of the soil erosion and sediment control plan at the same scale* as the site plan submitted to the municipality or other land use approval agency to include the following: (This information shall be detailed on the plat.)
   a Proposed sequence of development including duration of each phase in the sequence.
   b. Site grading plan showing delineation of land areas to be disturbed including proposed cut and fill areas together with existing and proposed profiles of these areas.
   c. Contours at a two* foot interval, showing present and proposed ground elevation.
   d. Locations of all streams and existing and proposed drains and culverts.
   e. Stability analysis of areas below all points of stormwater discharge which demonstrates a stable condition will exist or there will be no degradation of the existing condition.
   f. Location and detail of all proposed erosion and sediment control structures including profiles, cross sections, appropriate notes, and supporting computations.
   g. Location and detail of all proposed nonstructural methods of soil stabilization including types and rates of lime, fertilizer, seed, and mulch to be applied.
   h. Control measures for non-growing season stabilization of exposed areas where the establishment of vegetation is planned as the final control measure.
   i. For residential development, control measures to apply to dwelling construction on individual lots and notation that such control measures shall apply to subsequent owners if title is conveyed. This notation shall be shown on the final plat.
   j. Plans with a notation for maintenance of permanent soil erosion and sediment control measures and facilities during and after construction, also indicating who shall have responsibility for such maintenance.

3. Appropriate fees. (As adopted by the individual district.)

4. Additional items as may be required.

*Individual districts may require modifications in the above list.

Submit this portion of the application to:
Freehold Soil Conservation District

FREEHOLD SOIL CONSERVATION DISTRICT
ADDENDUM TO APPLICATION

APPLICATION BY CORPORATE OR PARTNERSHIP
OWNERSHIP DISCLOSURE AFFIDAVIT

Freehold Soil Conservation District respectfully requests that all applicants submit a complete list of ownership for purposes of determining conflicts of interest between the applicant and the board of members of their professionals. Attach Rider if necessary.

A Corporation must also indicate its Registered Agency and Officers.

A Corporation or Partnership applying to the Freehold Soil Conservation District for Soil Erosion and Sediment Control Plan Certification, or applying for any other permits or review, shall list the names and addresses of all stockholders or individuals in the partnership as the case may be.

This disclosure requirement in continuing during the Certification period and transfer of ownership more than 10% must be disclosed.

Name and Address of Applicant: _____

_____

_____

_____

If Corporation,
Name and address
Of Registered Agent and Officer: _____

_____

_____

_____

Stockholders or Partners:

1. _____

_____

2. _____

_____

3. _____

_____

4. _____

_____

5. _____

_____

6. _____

_____

FREEHOLD SOIL CONSERVATION
FEE SCHEDULE

RESIDENTIAL

Single family, Detached – Townhouses – Detached Apartments – Condominiums
Excluding High-rise Apartments

Number of Buildings	Base Fee	Inspection & Enforcement Fee per Building
2 - 5	$200	$35
6 – 15	250	40
16 – 25	350	40
26 – 50	450	40
51 – 100	550	35
101 - Over	650	35

COMMERCIAL

Industrial – Commercial – Demolition – Parking Lots – Public Facilities
Cleaning and Grading Projects – High-rise Apartments

Area	Base Fee	Inspection & Enforcement Fee
5000 sf - .33 acres	$100	$35
Greater than .33 to .66	150	35
Greater than .66 to 1 acre	200	35
Greater than 1 acre - 10 acres	300	35
Greater than 10 acres – 25 acres	400	40
Greater than 25 acres – 50 acres	500	40
Greater than 50 acres – 100 acres	600	40
Greater than 100 acres	700	35

MINING, QUARRYING, LANDFILL & STORAGE

Initial Application Fee

Area	Certification Fee	Enforcement Fee	Total
5000 sf – 25 acres	$150	350	$500
Greater than 25 acres – 50 acres	175	400	575
Greater than 50 acres – 100 acres	200	400	600
Greater than 100 acres	250	450	700

BI-ANNUAL RENEWAL FEE FOR INSPECTION & ENFORCEMENT

5000 sf – 25 acres	$350
Greater than 25 acres – 50 acres	400
Greater than 50 acres – 100 acres	400
Greater than 100 acres	450

NOTES: For projects greater than one (1) acre, partial acres are to be rounded to the nearest whole acre.

Re-submission fee for plans originally denied – ½ the original base fee.

Recertification for minor revisions to previously certified plan - $25.00.

Re-certification for major revisions to previously certified plans – ½ the original base fee.

Non-compliance fee - $30.00 per day.

FREEHOLD SOIL CONSERVATION DISTRICT

ADDITIONAL FEES:

1. Reinspection / Non-Compliance Fees: A fee of $100.00 may be charged when a requested inspection for the issuance of a Report of Compliance is performed and the site is not stabilized in accordance with the NJ Standards for Soil Erosion and Sediment Control. Projects which have not provided the District with written advance notice (72 hours) of their intent to start construction may be considered to be in non-compliance and charged a $100.00 fee. Also, general non-compliance with the certified plan requiring additional inspection may result in the issuance of non-compliance fees. No Report of Compliance will be issued until all fees are paid in full.

2. Recertification: A fee of $150.00 will be charged to review / certify minor revisions to previously certified Soil Erosion and Sediment Control plans. A major revision to the plan will require the submittal of one-half the original review and certification fee, not to exceed $700.00

   * Minor Revisions are defined as simple changes to the certified plans requiring minimal examination of the submittal. Minor revisions do not challenge the integrity of the previously certified erosion controls, but reflect a change in the appearance of the site work. (For example, minor revisions might include changes to parking lot spacing, slight modifications to the limit of disturbance, or grading changes without disruption of drainage patterns.)

   * Major Revisions are defined as modification to certified plans which require that the District reevaluate the adequacy of erosion controls previously established for the site. Major revisions necessitate a comparison of the plan to the State Standards for Soil Erosion and Sediment Control in New Jersey and often the submittal of new drainage calculations. (Some examples of major revisions might include the addition or deletion of stormwater piping, significant changes to the limit of disturbance, or the creation or removal of grassed waterways, detention basing, sediment basins, conduit outlet protection, etc.)

3. Resubmittal of Denied Plans: A fee equal to the original review and certification fee will be charged for the submittal of Soil Erosion and Sediment Control Plans previously denied by the District.

4. Stop Construction Order Cost Reimbursement: In the event a Stop Construction Order is issued by the District in order to obtain compliance with the provisions of a sediment control plan and/or NJ Soil Erosion and Sediment Control Act Chapter 251, P.L. 1975, the applicant shall bear all District costs (including legal counsel) incurred as a result of the enforcement action. All such costs shall be documented and formally presented to the applicant.

5. Soil Erosion and Sediment Control Plan Withdrawal: Upon written request by the applicant, a portion of the certification and the entire inspection and enforcement fees may be refunded if the applicant withdraws the plan prior to certification. If the request is made after the certification has been completed, the unused portion of the inspection and enforcement fee will be returned by computing the hours expended times $75.00 per hour until the project is complete.

6. Fees for Extraordinary Expenses: These fees include excessive revisions, meetings, enforcement actions, or slow construction due to scheduling. In accordance with policy established by the State Soil Conservation Committee and the current District fee schedule, audits of projects may be conducted by the District periodically to determine if the original fee was adequate to cover the District's cost for review and inspection. If the original fee has been expended, the applicant will be assessed in the amount of $75.00 per hour until the project is complete.

7. Returned Check Charges: A $25.00 charge will be assessed for any check which fails to properly clear though the bank. The application will immediately be placed on hold and work will not resume until the application fee and charges are properly settled.

8. Expired Plan Resubmission: All applicants desiring to maintain their certification on an active site after three and one half years will be required to resubmit the Soil Erosion and Sediment Control plan for the project. The District will review the submittal and conduct an audit of the original application. Fees for the resubmitted plan will be calculated based on the per-acre or other unit fees for the incomplete portion of the project minus any credit remaining from the first certification period. Incomplete shall mean number of units left without a Report of Compliance for residential projects and work of remaining unstabilized areas for commercial disturbances.

FREEHOLD SOIL CONSERVATION DISTRICT

SOIL EROSION AND SEDIMENT CONTROL NOTES

1. All Soil Erosion and Sediment Control practices are to be installed prior to any major soil disturbance, or in their proper sequence, and maintained until permanent protection is established.
2. Any disturbed areas that will be left exposed more than thirty (30) days, and not subject to construction traffic, will immediately receive a temporary seeding. If the season prevents the establishment of temporary cover, the disturbed areas will be mulched with straw or equivalent material at a rate of two (2) tons per acre according to State standards.
3. Permanent vegetation to be seeded or sodded on all exposed areas within ten (10) days after final grading. Mulching is required on all seeding. When hydro-seeding, mulch shall not be included in the tank with the seed.
4. All work to be done in accordance with the Standards for Soil Erosion and Sediment Control of New Jersey.
5. A sub base course will be applied immediately following rough grading and installation of improvements to stabilize streets, roads, driveways, and parking areas. In areas where no utilities are present, the sub base shall be installed within fifteen (15) days of the preliminary grading.
6. Immediately following initial disturbance or rough grading, all critical areas subject to erosion (i.e. steep slopes and roadway embankments) will receive a temporary seeding in combination with straw mulch or a suitable equivalent, at a rate of two (2) tons per acre, according to State Standards.
7. Any steep slopes receiving pipeline installation will be backfilled and stabilized daily as the installation continues (i.e. slopes greater than 3:1).
8. The Standard for Stabilized Construction Access requires the installation of a stone pad of 1 ½" to 2" stone at all construction driveways immediately after the initial site disturbance.
9. In accordance with the Standard for Management of High Acid Producing Soils, any soil having a pH of 4 or less or containing iron sulfides shall be covered with a minimum of twelve (12) inches of soil having a pH of 5 or more prior to seedbed preparation. Areas where trees or shrubs are to be planted shall be covered with a minimum of twenty-four (24) inches of soil having a pH of 5 or more.
10. The Freehold Soil Conservation District shall be notified seventy-two (72) hours in advance of any land disturbing activity.
11. At the time the site preparation for permanent vegetative stabilization is going to be accomplished, any soil that will not provide a suitable environment to support adequate vegetative ground cover, shall be removed or treated in such a way that it will permanently adjust the soil conditions and render it suitable for vegetative ground cover. If the removal or treatment of the soil will not provide suitable conditions, non-vegetative means of permanent ground stabilization will have to be employed.
12. In that N.J.S.A. 4:24-39 et. Seq. requires that no Certificates of Occupancy be issued before the provisions of the Certified Plan for Erosion Control have been compiled with for permanent measures, all site work for site plans and all work around individual lots in subdivisions will have to be completed prior to the District issuing a Report of Compliance for the issuance of a Certificate of Occupancy by the municipality.
13. Conduit Outlet Protection must be installed at all required outfalls prior to the drainage system becoming operational.
14. Any changes to the certified Soil Erosion and Sediment Control Plans will require the submission of revised Soil Erosion and Sediment Control Plans to the District for recertification. The revised plans must meet all current State and Soil Erosion and Sediment Control Standards.
15. Unfiltered dewatering is not permitted. Take all necessary precautions during all dewatering operations to minimize sediment transfer. Any dewatering methods used must be in accordance with State Standards.
16. Should the control of dust at the site be necessary, the site will be sprinkled until the surface is wet, temporary vegetative cover shall be established or mulch shall be applied in accordance with the State Standards for Erosion control.
17. All soil washed, dropped, spilled, or tracked outside the limit of disturbance or onto public rights of way will be removed immediately.
18. The property owner shall be responsible for any erosion or sedimentation that may occur below stormwater outfalls or offsite as a result of construction of the project.
19. Stockpile and staging locations determined in the field shall be placed within the limit of disturbance according to the certified plan. Staging and stockpiles not located within the limit of disturbance will require certification of a revised Soil Erosion and Sediment Control Plan. The District reserves the right to determine when certification of a new and separate Soil Erosion and Sediment Plan will be required for these activities.
20. All soil stockpiles are to be temporarily stabilized in accordance with Soil Erosion and Sediment Control note #2.

MONMOUTH COUNTY PLANNING BOARD
MONMOUTH COUNTY DEVELOPMENT REGULATIONS
SCHEDULE A: FEES
Effective March 15, 2004

SUBDIVISIONS

A subdivision that contains three (3) lots or less which, does not abut a County road or County drainage facility	$75.00
A subdivision which contains more than three (3) lots and or new streets, which does not abut a County road or affect a County drainage facility.	$300.00
A subdivision which contains three (3) lots or less, which abuts a County road or County drainage facility.	$300.00
A subdivision which contains more than three (3) lots and/or new streets, which abuts a County road or a County drainage facility.	$500.00 + $25.00 per new lot

SITE PLANS

A site plan which does not abut a County road or drainage facility, which contains less than one (1) acre of impervious surface.	$75.00
A site plan which does not abut a County road or County drainage facility, which contains one (1) or more acres of impervious surface.	
Non-residential:	$500 + $6 per new parking space
Multi-family residential (excluding 2-family homes)	$5.00 + $6.00 per new dwelling unit
A site plan which abuts a County road or County drainage facility, non-residential.	$500.00 + $6.00 per new parking space
Multi-family residential (excluding 2-family homes)	$500.00 + $6.00 per new dwelling unit
A site plan for industrial use or warehousing, which contains one (1) or more acres of impervious surface.	$500.00 + $6.00 per 1,000 square feet of gross floor area or $6 per parking space, whichever is greater

PLAN REVISIONS

Revised plans for major subdivision or site plan which involves County requirements.	$300.00
A revised plan for minor subdivision which requires County requirements.	$150.00
Revised plans for a minor subdivision, major subdivision or site plan which does not involve County requirements.	$75.00

FINAL MAJOR SUBDIVISION PLATS

Final major subdivision plat which involves County requirements.	$300.00
Final major subdivision plat which does not involve County requirements	$75.00

INSPECTIONS OF COUNTY IMPROVEMENTS FOR RELEASE OF PERFORMANCE GUARANTEE

2% of amount of guarantee

Check or money orders **(no cash will be accepted)** should be made payable to: Treasurer, County of Monmouth.

State, County, and municipal governments, religious institutions, hospitals, and secular non-profit institutions are exempt from the payment of application fees and inspections fees.

The review period will not commence until the proper fee, three (3) sets of sealed plans, (two (2) sets if not a County road), and a completed Monmouth County Development Review Checklist for applications on County roads are received.

Fees will not be refunded if the application is withdrawn or the scope of the project is reduced.

Application fees for the subdivision or site plan submittals shall not exceed $7,500.00.

Monmouth County Planning Board
Hall of Records Annex * 1 East Main Street * Freehold, New Jersey 07728-1255
732-431-7460 * 732-409-4540 FAX * monmouthplanning.com

HALL OF RECORDS ANNEX
ONE EAST MAIN STREET
FREEHOLD NJ 07728-1255
732-431-7460 Telephone
732-409-7540 FAX
Email, monmouthplanning.com

monmouth county planning board

File number _____

SITE PLAN APPLICATION FORM

Municipality _____ Project Name _____

Applicant _____ Name of Person and _____

Address _____ Firm Preparing Plan _____

_____ Address _____

Telephone _____ _____

Owner _____ Telephone _____
(if other than Applicant)

_____ Attorney _____

Address _____ Address _____

_____ _____

_____ Telephone _____

Indicate which Municipal Agency that plans have been filed with:

☐ Planning Board ☐ Board of Adjustment ☐ Construction Official ☐ Other

Tax Map: Block _____ Lot(s) _____

Location: (Road, intersecting roads, between what roads?) _____

Site Street Address: _____

Zone _____ Existing Use _____ Proposed Use _____

Area of tract _____ If residential, indicate number of dwelling units _____ Gross Density _____

Area of building (square feet): Existing _____ Proposed _____ Total _____

Number of buildings _____ Area of each _____

Number of parking spaces: Existing _____ Proposed _____ Total _____

Impervious area: Existing _____ Proposed _____ Total _____

Number of Employees: Existing _____ Proposed _____ Total _____

Hours of Operation: Starting time _____ Quitting time: _____

Signature of Applicant or Agent _____ Date _____

A review period will not commence until the proper fee, three (3) sets of sealed plans (two if not on a County road) and a completed Monmouth County Development Review Checklist for applications on County roads, are received.

Checks or Money Orders shall be made payable to the County of Monmouth. Cash will not be accepted.

State, County, and municipal governments, Churches, hospitals and secular non-profit institutions are not required to submit fees.

Do Not Write Below This Line

REVIEW FEE PAID Amount _____ Date Received _____

Received by _____

Submit two copies to Monmouth County Planning Board

Retain copy for Applicant's record 02/2004

Ordinance #2055

ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 21 – THE COMPREHENSIVE LAND DEVELOPMENT ORDINANCE OF THE TOWNSHIP OF OCEAN

BE IT ORDAINED by the Township Council of the Township of Ocean, County of Monmouth, State of New Jersey as follows:

1. Chapter 21, the Comprehensive Land Development Ordinance of the Township of Ocean is hereby amended and supplemented to read as follows:

2. Article V, Site Plan and Subdivision Design and Submission Requirements is hereby amended and supplemented to add:

21-55.11. f. All stormwater management measures for a development regardless of use, including structural stormwater management strategies, detention basins, and other stormwater management facilities and stormwater collection and conveyance structures, shall be designed in accordance with and comply with the provisions of Section 21-55.14 of the Land Development Ordinance of the Township of Ocean and the Residential Site Improvement Standards, N.J.A.C. 5:21-7 et seq. as applicable.

g. Development not defined as a 'major development', stormwater management measures shall only be developed to meet the stormwater runoff quality in Sections 21-55.14.d. of this ordinance.

3. Article V, Site Plan and Subdivision Design and Submission Requirements Section 21-55.13.c. Off-Site and Off-Tract Improvements is hereby amended and supplemented to add:

c. All stormwater management measures for off-site and off-tract improvements regardless of use, including structural stormwater management strategies, detention basins and other stormwater management facilities and stormwater collection and conveyance structures, shall be designed in accordance with and comply with the provisions of Section 21-55.14 of the Land Development Ordinance of the Township of Ocean and the Residential Site Improvement Standards, N.J.A.C. 5:21-7 et seq.

4. Article V, Site Plan and Subdivision Design and Submission Requirements is hereby amended and supplemented to add:

Section 21-55.14 **STORM CONTROL ORDINANCE**

a. Scope and Purpose

1. Policy Statement

Flood control, groundwater recharge, and pollutant reduction through nonstructural or low impact techniques shall be explored before relying on structural BMPs. Structural BMPs should be integrated with nonstructural stormwater management strategies and proper maintenance plans. Nonstructural strategies include both environmentally sensitive site design and source controls that prevent pollutants from being placed on the site or from being exposed to stormwater. Source control plans 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.

2. Purpose

It is the purpose of this ordinance to establish minimum stormwater management requirements and controls for "major development," as defined in 21-55.14.b.

3. Applicability

(a) This ordinance shall be applicable to all site plans and subdivisions for the following major developments that require preliminary or final site plan or subdivision review:

(1) Non-residential major developments; and

(2) Aspects of residential major developments that are not pre-empted by the Residential Site Improvement Standards at N.J.A.C. 5:21.

(b) This ordinance shall also be applicable to all major developments undertaken by Township of Ocean.

4. Compatibility with Other Permit and Ordinance Requirements

Development approvals issued for subdivisions and site plans pursuant to this ordinance are to be considered an integral part of development approvals under the subdivision and site plan review process 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.

b. Definitions

Unless specifically defined below, words or phrases used in this ordinance shall be interpreted so as to give them the meaning they have in common usage and to give this ordinance its most reasonable application. 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 Planning Map" means the geographic depiction of the boundaries for Coastal Planning Areas, CAFRA Centers, CAFRA Cores and CAFRA Nodes pursuant to N.J.A.C. 7:7E-5B.3.

"CAFRA Centers, Cores or Nodes" means those areas within boundaries accepted by the Department pursuant to N.J.A.C. 7:8E-5B.

"Compaction" means the increase in soil bulk density.

"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:

A county planning agency; or

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 New Jersey 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, by any person, 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 lands, development means: any activity that requires a State permit; 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.

"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 critical areas" means an area or feature which is of significant environmental value, including but not limited to: stream corridors; natural heritage priority sites; habitat of endangered or threatened species; large areas of contiguous open space or upland forest; steep slopes; and wellhead 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 Neighborhood" means a neighborhood 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.

"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.

"Major development" means any "development" that provides for ultimately disturbing one or more acres of land. Disturbance for the purpose of this rule is the placement of impervious surface or exposure and/or movement of soil or bedrock or clearing, cutting, or removing of vegetation.

"Municipality" means any city, borough, town, township, or village.

"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, Township of Ocean, or political subdivision of this State subject to municipal jurisdiction pursuant to the Municipal Land Use Law , N.J.S.A. 40:55D-1 et seq.

"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.

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

"Stormwater management basin" means an excavation or embankment and related areas designed to retain stormwater runoff. A stormwater management basin may either be normally dry (that is, a detention basin or infiltration basin), 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 structural or nonstructural strategy, 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.

"Tidal Flood Hazard Area" means a flood hazard area, which may be influenced by stormwater runoff from inland areas, but which is primarily caused by the Atlantic Ocean.

"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.

"Waters of the State" means the ocean and its estuaries, all springs, streams, wetlands, and bodies of surface or ground water, 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.

c. General Standards

1. Design and Performance Standards for Stormwater Management Measures

(a) Stormwater management measures for major development shall be developed to meet the erosion control, groundwater recharge, stormwater runoff quantity, and stormwater runoff quality standards in Section 21-55.14.d. To the maximum extent practicable, these standards shall be met by incorporating nonstructural stormwater management strategies into the design. If these strategies alone are not sufficient to meet these standards, structural stormwater management measures necessary to meet these standards shall be incorporated into the design.

(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.

d. Stormwater Management Requirements for Major Development

1. The development shall incorporate a maintenance plan for the stormwater management measures incorporated into the design of a major development in accordance with Section 21-55.14.j.

2. Stormwater management measures shall avoid adverse impacts of concentrated flow on habitat for threatened and endangered species as documented in the Department' 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).

3. The following linear development projects are exempt from the groundwater recharge, stormwater runoff quantity, and stormwater runoff quality requirements of Sections 21-55.14.d.6. and 21-55.14.d.7.:

(a) The construction of an underground utility line provided that the disturbed areas are revegetated upon completion;

(b) The construction of an aboveground utility line provided that the existing conditions are maintained to the maximum extent practicable; and

(c) 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.

4. A waiver from strict compliance from the groundwater recharge, stormwater runoff quantity, and stormwater runoff quality requirements of Sections 21-55.14.d.6. and 21-55.14.d.7. 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:

(a) The applicant demonstrates that there is a public need for the project that cannot be accomplished by any other means;

(b) The applicant demonstrates through an alternatives analysis, that through the use of nonstructural and structural stormwater management strategies and measures, the option selected complies with the requirements of Sections 21-55.14.d.6. and 21-55.14.d.7. to the maximum extent practicable;

(c) The applicant demonstrates that, in order to meet the requirements of Sections 21-55.14.d.6. and 21-55.14.d.7., existing structures currently in use, such as homes and buildings, would need to be condemned; and

(d) 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 4 (c) above within the upstream drainage area of the receiving stream, that would provide additional opportunities to mitigate the requirements of Sections 21-55.14.d.6. and 21-55.14.d.7. that were not achievable on-site.

5. Nonstructural Stormwater Management Strategies

(a) To the maximum extent practicable, the standards in Section 21-55.14.d.6. and Section 21-55.14.d.7 shall be met by incorporating nonstructural stormwater management strategies set forth at Section 21.-55.14.d.5. into the design. The applicant shall identify the nonstructural measures incorporated into the design of the project. If the applicant contends that it is not feasible for engineering, environmental, or safety reasons to incorporate any nonstructural stormwater management measures identified in Paragraph 2 below into the design of a particular project, the applicant shall identify the strategy considered and provide a basis for the contention.

(b) Nonstructural stormwater management strategies incorporated into site design shall:

(1) Protect areas that provide water quality benefits or areas particularly susceptible to erosion and sediment loss;

(2) Minimize impervious surfaces and break up or disconnect the flow of runoff over impervious surfaces;

(3) Maximize the protection of natural drainage features and vegetation;

(4) Minimize the decrease in the "time of concentration" from pre-construction to post construction. "Time of concentration" is defined as the time it takes for runoff to travel from the hydraulically most distant point of the watershed to the point of interest within a watershed;

(5) Minimize land disturbance including clearing and grading;

(6) Minimize soil compaction;

(7) Provide low-maintenance landscaping that encourages retention and planting of native vegetation and minimizes the use of lawns, fertilizers and pesticides;

(8) Provide vegetated open-channel conveyance systems discharging into and through stable vegetated areas;

(9) Provide other source controls to prevent or minimize the use or exposure of pollutants at the site, in order to prevent or minimize the release of those pollutants into stormwater runoff. Such source controls include, but are not limited to:

i. Site design features that help to prevent accumulation of trash and debris in drainage systems, including features that satisfy Section 21-55.14.d.5(c) below;

ii. Site design features that help to prevent discharge of trash and debris from drainage systems;

iii Site design features that help to prevent and/or contain spills or other harmful accumulations of pollutants at industrial or commercial developments; and

iv. When establishing vegetation after land disturbance, applying fertilizer in accordance with the requirements established under the Soil Erosion and Sediment Control Act, N.J.S.A. 4:24-39 et seq., and implementing rules.

(c) Site design features identified under Section 21-55.14.d.5.(b)(9)ii. above 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 21-55.14.d.5.(c)(3) below.

(1) Design engineers shall use either 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:

i. 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 (April 1996); or

ii. 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 basin floors.

(2) Whenever design engineers use a curb-opening inlet, 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.

(3) This standard does not apply:

i. Where the review agency determines that this standard would cause inadequate hydraulic performance that could not practicably be overcome by using additional or larger storm drain inlets that meet these standards;

ii. Where flows from the water quality design storm as specified in 21-55.14.d.7(a) 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:

a. A rectangular space four and five-eighths inches long and one and one-half inches wide (this option does not apply for outfall netting facilities); or

b. A bar screen having a bar spacing of 0.5 inches.

iii. Where flows are conveyed through a trash rack that has parallel bars with one-inch (1") spacing between the bars, to the elevation of the water quality design storm as specified in 21-55.14.d.7(a), or

iv. 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.

(d) Any land area used as a nonstructural stormwater management measure to meet the performance standards in 21-55.14.d.6 and 21-55.14.d.7 shall be dedicated to a government agency, subjected to a conservation restriction filed with the appropriate County Clerk's office, or subject to an approved equivalent restriction that ensures that measure or an equivalent stormwater management measure approved by the reviewing agency is maintained in perpetuity.

(e) Guidance for nonstructural stormwater management strategies is available in the New Jersey Stormwater Best Management Practices Manual. The BMP Manual may be obtained from the address identified in Section 21-55.14.g., or found on the Department's website at www.njstormwater.org.

6. Erosion Control, Groundwater Recharge and Runoff Quantity Standards

(a) This subsection contains minimum design and performance standards to control erosion, encourage and control infiltration and groundwater recharge, and control stormwater runoff quantity impacts of major development.

(1) The minimum design and performance standards for erosion control are those established under the Soil Erosion and Sediment Control Act, N.J.S.A. 4:24-39 et seq. and implementing rules.

(2) The minimum design and performance standards for groundwater recharge are as follows:

i. The design engineer shall, using the assumptions and factors for stormwater runoff and groundwater recharge calculations at Section 21-55.14.e. 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.

ii. This groundwater recharge requirement does not apply to projects within the "urban redevelopment area," or to projects subject to (3) below.

iii. 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.

iv. 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 and other subsurface structures in the vicinity or downgradient of the groundwater recharge area.

(3) In order to control stormwater runoff quantity impacts, the design engineer shall, using the assumptions and factors for stormwater runoff calculations at Section 21-55.14.e., complete one of the following:

i. Demonstrate through hydrologic and hydraulic analysis that for stormwater leaving the site, post-construction runoff hydrographs for the two, 10, and 100-year storm events do not exceed, at any point in time, the pre-construction runoff hydrographs for the same storm events;

ii. 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 two, 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;

iii. 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. The percentages shall not be applied to post-construction stormwater runoff into tidal flood hazard areas if the increased volume of stormwater runoff will not increase flood damages below the point of discharge; or

iv. In tidal flood hazard areas, stormwater runoff quantity analysis in accordance with (1), (2) and (3) above shall only be applied if the increased volume of stormwater runoff could increase flood damages below the point of discharge.

(b) Any application for a new agricultural development that meets the definition of major development at Section 21-55.14.b. shall be submitted to the appropriate Soil Conservation District for review and approval in accordance with the requirements of this section and any applicable Soil Conservation District guidelines for stormwater runoff quantity and erosion control.

For the purposes of this section, "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 manufacturing of agriculturally related products.

7. Stormwater Runoff Quality Standards

(a) Stormwater management measures shall be designed to reduce the post-construction load of total suspended solids (TSS) in stormwater runoff by 80 percent of the anticipated load from the developed site, expressed as an annual average. Stormwater management measures shall only be required for water quality control if an additional 1/4 acre of impervious surface is being proposed on a development site. 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 Pollution Discharge Elimination System (NJPDES) rules, N.J.A.C. 7:14A, or in a discharge specifically exempt under a NJPDES permit from this requirement. 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 1. The calculation of the volume of runoff may take into account the implementation of non-structural and structural stormwater management measures.

Table 1: Water Quality Design Storm Distribution

Time (Minutes)	Cumulative Rainfall (Inches)	Time (Minutes)	Cumulative Rainfall (Inches)
0	0.0000	65	0.8917
5	0.0083	70	0.9917
10	0.0166	75	1.0500
15	0.0250	80	1.0840
20	0.0500	85	1.1170
25	0.0750	90	1.1500
30	0.1000	95	1.1750
35	0.1330	100	1.2000
40	0.1660	105	1.2250
45	0.2000	110	1.2334
50	0.2583	115	1.2417
55	0.3583	120	1.2500
60	0.6250		

(b) For purposes of TSS reduction calculations, Table 2 below presents the presumed removal rates for certain BMPs designed in accordance with the New Jersey Stormwater Best Management Practices Manual. The BMP Manual may be obtained from the address identified in Section 21-55.14.g., or found on the Department's website at www.njstormwater.org. The BMP Manual and other sources of technical guidance are listed in Section 21-55.14.g. TSS reduction shall be calculated based on the removal rates for the BMPs in Table 2 below. Alternative removal rates and methods of calculating removal rates may be used if the design engineer provides documentation demonstrating the capability of these alternative rates and methods to the review agency. A copy of any approved alternative rate or method of calculating the removal rate shall be provided to the Department at the following address: Division of Watershed Management, New Jersey Department of Environmental Protection, PO Box 418 Trenton, New Jersey, 08625-0418.

(c) 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

Table 2: TSS Removal Rates for BMPs	
Best Management Practice	TSS Percent Removal Rate
Bioretention Systems	90
Constructed Stormwater Wetland	90
Extended Detention Basin	40-60
Infiltration Structure	80
Manufactured Treatment Device	See Section 21-55.14.f.3.
Sand Filter	80
Vegetative Filter Strip	60-80
Wet Pond	50-90

(d) If there is more than one onsite drainage area, the 80 percent TSS removal rate shall apply to each drainage area, unless the runoff from the subareas converge on site in which case the removal rate can be demonstrated through a calculation using a weighted average.

(e) 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 nonstructural strategies and structural measures that optimize nutrient removal while still achieving the performance standards in Sections 21-55.14.d.6. and 21-55.14.d.7.

(f) Additional information and examples are contained in the New Jersey Stormwater Best Management Practices Manual, which may be obtained from the address identified in Section 21-55.14.g.

(g) 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.

(h) Special water resource protection areas shall be established along all waters designated Category One at N.J.A.C. 7:9B, and perennial or intermittent streams that drain into or upstream of the Category One waters as shown on the USGS Quadrangle Maps or in the County Soil Surveys, within the associated HUC14 drainage area. These areas shall be established for the protection of water quality, aesthetic value, exceptional ecological significance, exceptional recreational significance, exceptional water supply significance, and exceptional fisheries significance of those established Category One waters. These areas shall be designated and protected as follows:

(1) The applicant shall preserve and maintain a special water resource protection area in accordance with one of the following:

i. A 300-foot special water resource protection area shall be provided on each side of the waterway, measured perpendicular to the waterway from the top of the bank outwards or from the centerline of the waterway where the bank is not defined, consisting of existing vegetation or vegetation allowed to follow natural succession is provided. (2) Encroachment within the designated special water resource protection area under Subsection (1) above shall only be allowed where previous development or disturbance has occurred (for example, active agricultural use, parking area or maintained lawn area). The encroachment shall only be allowed where applicant demonstrates that the functional value and overall condition of the special water resource protection area will be maintained to the maximum extent practicable. In no case shall the remaining special water resource protection area be reduced to less than 150 feet as measured perpendicular to the top of bank of the waterway or centerline of the waterway where the bank is undefined. All encroachments proposed under this subparagraph shall be subject to review and approval by the Department.

(2) All stormwater shall be discharged outside of and flow through the special water resource protection area and shall comply with the Standard for Off-Site Stability in the "Standards For Soil Erosion and Sediment Control in New Jersey," established under the Soil Erosion and Sediment Control Act , N.J.S.A. 4:24-39 et seq.

(3) If stormwater discharged outside of and flowing through the special water resource protection area cannot comply with the Standard For Off-Site Stability in the "Standards for Soil Erosion and Sediment Control in New Jersey," established under the Soil Erosion and Sediment

Control Act , N.J.S.A. 4:24-39 et seq., then the stabilization measures in accordance with the requirements of the above standards may be placed within the special water resource protection area, provided that:

i. Stabilization measures shall not be placed within 150 feet of the Category One waterway;

ii. Stormwater associated with discharges allowed by this section shall achieve a 95 percent TSS post-construction removal rate;

iii. Temperature shall be addressed to ensure no impact on the receiving waterway;

iv. The encroachment shall only be allowed where the applicant demonstrates that the functional value and overall condition of the special water resource protection area will be maintained to the maximum extent practicable;

v. A conceptual project design meeting shall be held with the appropriate Department staff and Soil Conservation District staff to identify necessary stabilization measures; and

vi. All encroachments proposed under this section shall be subject to review and approval by the Department.

(4) A stream corridor protection plan may be developed by a regional stormwater management planning committee as an element of a regional stormwater management plan, or by a municipality through an adopted municipal stormwater management plan. If a stream corridor protection plan for a waterway subject to Section 21-55.14.d.7(h) has been approved by the Department of Environmental Protection, then the provisions of the plan shall be the applicable special water resource protection area requirements for that waterway. A stream corridor protection plan for a waterway subject to 21-55.14.d.7(h) shall maintain or enhance the current functional value and overall condition of the special water resource protection area as defined in 21-55.14.7(h)(a)i. above. In no case shall a stream corridor protection plan allow the reduction of the Special Water Resource Protection Area to less than 150 feet as measured perpendicular to the waterway subject to this subsection.

(5) Paragraph 7(h) does not apply to the construction of one individual single-family dwelling that is not part of a larger development on a lot receiving preliminary or final subdivision approval on or before February 2, 2004, provided that the construction begins on or before February 2, 2009.

e. Calculation of Stormwater Runoff and Groundwater Recharge

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

(a) The design engineer shall calculate runoff using one of the following methods:

(1) The USDA Natural Resources Conservation Service (NRCS) methodology, including the NRCS Runoff Equation and Dimensionless Unit Hydrograph, as described in the NRCS National Engineering Handbook– Hydrology and Technical Release 55 – Urban Hydrology for Small Watersheds; or

(2) The Rational Method for peak flow and the Modified Rational Method for hydrograph computations.

(b) 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 at Section 21-55.14.e.1(a)(1) and the Rational and Modified Rational Methods at Section 21-55.14.e.1(a)(2). 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).

(c) 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.

(d) 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 and other methods may be employed.

(e) 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.

2. Groundwater recharge may be calculated in accordance with the following:

(a) The New Jersey Geological Survey Report GSR-32 A Method for Evaluating Ground-Water 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 http://www.state.nj.us/dep/njgs/; or at New Jersey Geological Survey, 29 Arctic Parkway, P.O. Box 427 Trenton, New Jersey 08625-0427; (609) 984-6587.

f. Standards for Structural Stormwater Management Measures

1. Standards for structural stormwater management measures are as follows:

(a) Structural stormwater management measures shall be designed to take into account the existing site conditions, including, for example, 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).

(b) Structural 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 (1") 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 (1/3) the width of the diameter of the orifice or one-third (1/3) 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 21-55.14.h.4.

(c) Structural 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.

(d) At the intake to the outlet from the stormwater management basin, the orifice size shall be a minimum of two and one-half inches in diameter.

(e) Stormwater management basins shall be designed to meet the minimum safety standards for stormwater management basins at Section 21-55.14.h.

2. Stormwater management measure guidelines are available in the New Jersey Stormwater Best Management Practices Manual. Other stormwater management measures may be utilized provided the design engineer demonstrates that the proposed measure and its design will accomplish the required water quantity, groundwater recharge and water quality design and performance standards established by Section 21-55.14.d. of this ordinance.

3. Manufactured treatment devices may be used to meet the requirements of Section 21-55.14.d. of this ordinance, provided the pollutant removal rates are verified by the New Jersey Corporation for Advanced Technology and certified by the Department.

g. Sources for Technical Guidance

1. Technical guidance for stormwater management measures can be found in the documents listed at 1 and 2 below, which are available from Maps and Publications, New Jersey Department of Environmental Protection, 428 East State Street, P.O. Box 420, Trenton, New Jersey, 08625; telephone (609) 777-1038.

(a) Guidelines for stormwater management measures are contained in the New Jersey Stormwater Best Management Practices Manual, as amended. Information is provided on stormwater management measures such as: bioretention systems, constructed stormwater wetlands, dry wells, extended detention basins, infiltration structures, manufactured treatment devices, pervious paving, sand filters, vegetative filter strips, and wet ponds.

(b) The New Jersey Department of Environmental Protection Stormwater Management Facilities Maintenance Manual, as amended.

2. Additional technical guidance for stormwater management measures can be obtained from the following:

(a) The "Standards for Soil Erosion and Sediment Control in New Jersey" promulgated by the State Soil Conservation Committee and incorporated into N.J.A.C. 2:90. Copies of these standards may be obtained by contacting the State Soil Conservation Committee or any of the Soil Conservation Districts listed in N.J.A.C. 2:90-1.3(a)4. The location, address, and telephone number of each Soil Conservation District may be obtained from the State Soil Conservation Committee, P.O. Box 330, Trenton, New Jersey 08625; (609) 292-5540;

(b) The Rutgers Cooperative Extension Service, 732-932-9306; and

(c) The Soil Conservation Districts listed in N.J.A.C. 2:90-1.3(a)4. The location, address, and telephone number of each Soil Conservation District may be obtained from the State Soil Conservation Committee, P.O. Box 330, Trenton, New Jersey, 08625, (609) 292-5540.

h. Safety Standards for Stormwater Management Basins

1. This section sets forth requirements to protect public safety through the proper design and operation of stormwater management basins. This section applies to any new stormwater management basin.

2. Requirements for Trash Racks, Overflow Grates and Escape Provisions

(a) 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 basin to ensure proper functioning of the basin outlets in accordance with the following:

(1) The trash rack shall have parallel bars, with no greater than six inch spacing between the bars.

(2) The trash rack shall be designed so as not to adversely affect the hydraulic performance of the outlet pipe or structure.

(3) 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.

(4) The trash rack shall be constructed and installed to be rigid, durable, and corrosion resistant, and shall be designed to withstand a perpendicular live loading of 300 lbs/ft sq.

(b) 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:

(1) The overflow grate shall be secured to the outlet structure but removable for emergencies and maintenance.

(2) The overflow grate spacing shall be no less than two inches across the smallest dimension.

(3) 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 lbs./ft sq.

(c) For purposes of this paragraph 3, escape provisions means the permanent installation of ladders, steps, rungs, or other features that provide easily accessible means of egress from stormwater management basins. Stormwater management basins shall include escape provisions as follows:

(1) If a stormwater management basin has an outlet structure, escape provisions shall be incorporated in or on the structure. With the prior approval of the reviewing agency identified in 21-55.14.h.3. a free-standing outlet structure may be exempted from this requirement.

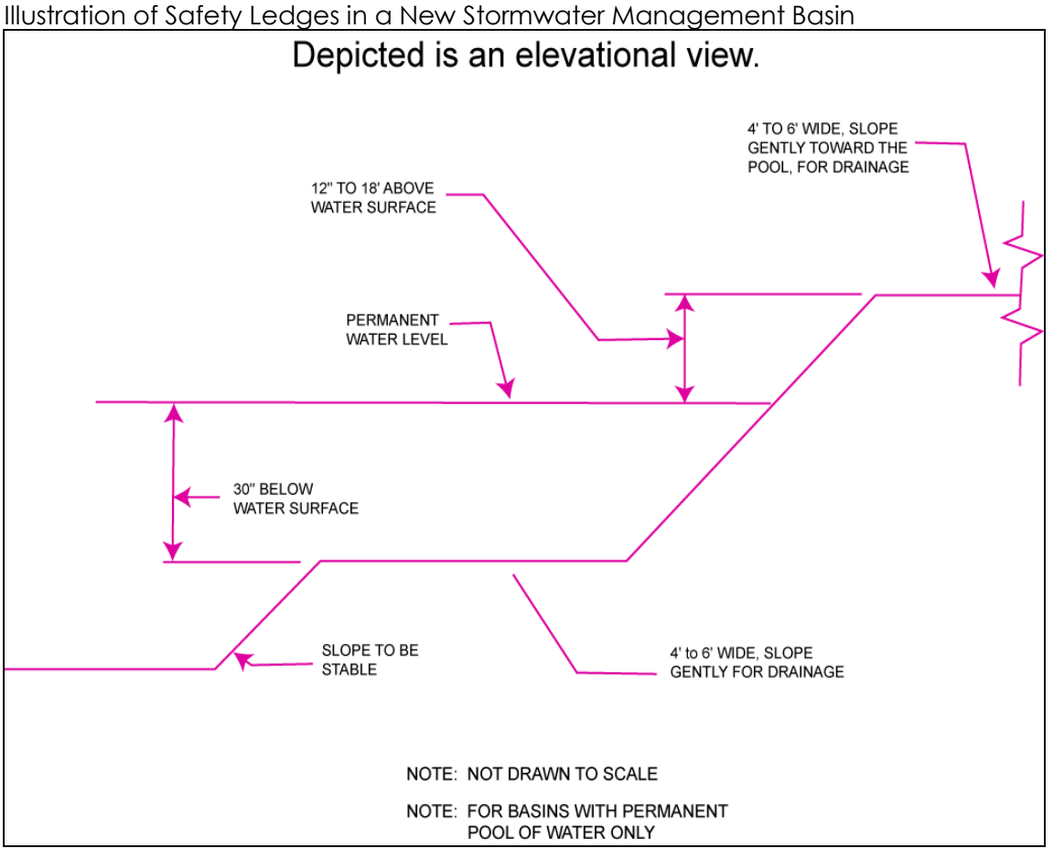
(2) Safety ledges shall be constructed on the slopes of all new stormwater management basins having a permanent pool of water deeper than two and one-half feet. Such safety ledges shall be comprised of two steps. Each step shall be four to six feet in width. One step shall be located approximately two 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 21-55.14.h.4 for an illustration of safety ledges in a stormwater management basin.

(3) In new stormwater management basins, the maximum interior slope for an earthen dam, embankment, or berm shall not be steeper than 3 horizontal to 1 vertical.

3. Variance or Exemption from Safety Standards

(a) A variance or exemption from the safety standards for stormwater management basins may be granted only upon a written finding by the appropriate reviewing agency (municipality, county or Department) that the variance or exemption will not constitute a threat to public safety.

4. Illustration of Safety Ledges in a New Stormwater Management Basin



i. Requirements for a Site Development Stormwater Plan

1. Submission of Site Development Stormwater Plan

(a) 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 21-55.14.i.3. below as part of the submission of the applicant's application for subdivision or site plan approval.

(b) The applicant shall demonstrate that the project meets the standards set forth in this ordinance.

(c) The applicant shall submit sixteen (16) copies of the materials listed in the checklist for site development stormwater plans in accordance with Section 21-55.14.i.3. of this ordinance.

2. Site Development Stormwater Plan Approval

The applicant's Site Development project shall be reviewed as a part of the subdivision or site plan review process by the municipal board or official from which municipal approval is sought. That municipal board or official shall consult the engineer retained by the Planning and/or Zoning Board (as appropriate) 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.

3. Checklist Requirements

The following information shall be required:

(a) 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.

(b) Environmental Site Analysis

A written and graphic description of the natural and man-made features of the site and its environs. 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.

(c) Project Description and Site Plan(s)

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 occur in the natural terrain and cover, including lawns and other landscaping, and seasonal high ground water elevations. A written description of the site plan and justification of proposed changes in natural conditions may also be provided.

(d) Land Use Planning and Source Control Plan

This plan shall provide a demonstration of how the goals and standards of Sections 21-55.14.c. through 21-55.14.f. 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.

(e) Stormwater Management Facilities Map

The following information, illustrated on a map of the same scale as the topographic base map, shall be included:

(1) Total area to be 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.

(2) 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.

(f) Calculations

(1) Comprehensive hydrologic and hydraulic design calculations for the pre-development and post-development conditions for the design storms specified in Section 21-55.14.d. of this ordinance.

(2) When the proposed stormwater management control measures (e.g., infiltration basins) depends on the hydrologic properties of soils, 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.

(g) Maintenance and Repair Plan

The design and planning of the stormwater management facility shall meet the maintenance requirements of Section 21-55.14.j.

(h) Waiver from Submission Requirements

The municipal official or board reviewing an application under this ordinance may, in consultation with the municipal engineer, waive submission of any of the requirements in Sections 21-55.14.i.3(a) through 21-55.14.i.3(4) 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.

j. Maintenance and Repair

1. Applicability

(a) Projects subject to review as in Section 21-55.14.a.3. of this ordinance shall comply with the requirements of Sections 21-55.14.j.2. and 21-55.14.j.3.

2. General Maintenance

(a) The design engineer shall prepare a maintenance plan for the stormwater management measures incorporated into the design of a major development.

(b) 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). Maintenance guidelines for stormwater management measures are available in the New Jersey Stormwater Best Management Practices Manual. If the maintenance plan identifies a person other than the developer (for example, a public agency or homeowners' association) as having the responsibility for maintenance, the plan shall include documentation of such person's agreement to assume this responsibility, or of the developer's obligation to dedicate a stormwater management facility to such person under an applicable ordinance or regulation.

(c) 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.

(d) If the person responsible for maintenance identified under Section 21-55.14.j.2(b) above is not a public agency, the maintenance plan and any future revisions based on Section 21-55.14.j.2(g) below shall be recorded upon the deed of record for each property on which the maintenance described in the maintenance plan must be undertaken.

(e) Preventative and corrective maintenance shall be performed to maintain the function of the stormwater management measure, including 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 nonvegetated linings.

(f) The person responsible for maintenance identified under Section 21-55.14.j.2(6) above shall 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.

(g) The person responsible for maintenance identified under Section 21-55.14.j.2(b) above shall evaluate the effectiveness of the maintenance plan at least once per year and adjust the plan and the deed as needed.

(h) The person responsible for maintenance identified under Section 21-55.14.j.2(b) above shall 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 Sections 21-55.14.j.2(f) and 21-55.14.j.2(g) above.

(i) The requirements of Sections 21-55.14.j.2.(c) and 21-55.14.j.2(d) do not apply to stormwater management facilities that are dedicated to and accepted by the municipality or another governmental agency.

(j) 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.

3. Nothing in this section 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.

k. Penalties

Any person 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 as prescribed in Section 21-65.

3. Article V, Submission Requirements, Section 21-56.2. shall be amended to read:

o. A Stormwater Management Plan as required under Section 21-55.14.

4. Article V, Submission Requirements, Section 21-56.6. shall be amended to read:

o. A Stormwater Management Plan as required under Section 21-55.14.

5. All other ordinances or parts of ordinances inconsistent thereof are hereby repealed to the extent of such inconsistencies.

6. If any section, paragraph, subparagraph, clause or provision of this ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subparagraph, clause, or provision so adjudged and the remainder of this ordinance shall be deemed valid and effective.

7. Effective Date

This ordinance shall take effect immediately upon the approval by the county review agency, or sixty (60) days from the receipt of the ordinance by the county review agency if the county review agency should fail to act.

CERTIFICATION: I hereby certify the above to be a true copy of an ordinance as adopted by the Township Council of the Township of Ocean at a meeting held on October 25, 2006.

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Deborah J. Smith
Township Clerk, Township of Ocean