

# Municipal Stormwater Management Plan



**Township of Jackson  
Ocean County New Jersey**

March 2005

Prepared by Jackson Township Engineering Department

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# Introduction

This Municipal Stormwater Management Plan (MSWMP) documents the strategy for the Jackson Township (“the Township”) to address Stormwater related impacts. The creation of this plan is required by N.J.A.C. 7:14A-25, Municipal Stormwater Regulations. This plan contains all of the required elements described in N.J.A.C. 7:8 Stormwater Management Rules. The plan addresses groundwater recharge, stormwater quantity, and stormwater quality impacts by incorporating stormwater design and performance standards for new major development, defined as projects that disturb one or more acre of land. These standards are intended to minimize the adverse impact of stormwater runoff on water quality and water quantity and the loss of groundwater recharge that provides baseflow in receiving water bodies. The plan describes long-term operation and maintenance measures for existing and future Stormwater facilities.

A “build-out” analysis has been incorporated in this plan based upon existing zoning and land available for development. The plan also addresses the review and update of existing ordinances, the Township Master Plan, and other planning documents to allow for project designs that include low impact development techniques. The final component of this plan is a mitigation strategy for when a variance or exemption of the design and performance standards is sought. As part of the mitigation section of the stormwater plan, specific stormwater management measures are identified to lessen the impact of existing development.

The preparation of this plan is largely based on the model plan provided by the NJDEP in its guidance documents. The maps were prepared using the Townships GIS system and applying various data sets from the Township’s database and the NJDEP’s.

# Goals

The goals of this MSWMP are to:

- reduce flood damage, including damage to life and property;
- minimize, to the extent practical, any increase in Stormwater runoff from any new development;
- reduce soil erosion from any development or construction project;
- assure the adequacy of existing and proposed culverts and bridges, and other in-stream structures;
- maintain groundwater recharge;
- prevent, to the greatest extent feasible, an increase in nonpoint pollution;
- maintain the integrity of stream channels for their biological functions, as well as for drainage;

- minimize pollutants in Stormwater runoff from new and existing development to restore, enhance, and maintain the chemical, physical, and biological integrity of the waters of the state, to protect public health, to safeguard fish and aquatic life and scenic and ecological values, and to enhance the domestic, municipal, recreational, industrial, and other uses of water; and
- protect public safety through the proper design and operation of Stormwater basins.

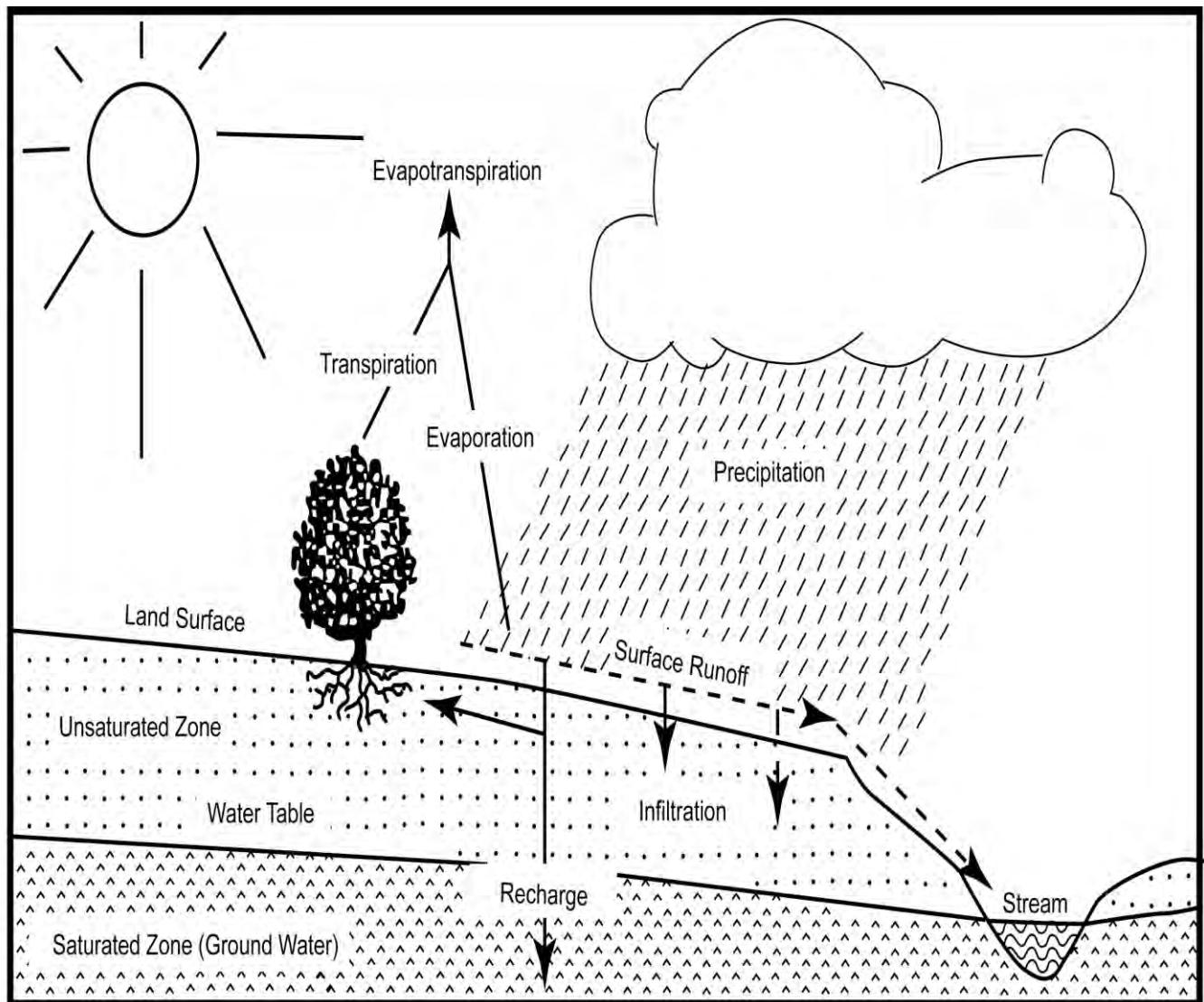
To achieve these goals, this plan outlines specific Stormwater design and performance standards for new development. Additionally, the plan proposes Stormwater management controls to address impacts from existing development. Preventative and corrective maintenance strategies are included in the plan to ensure long-term effectiveness of Stormwater management facilities. The plan also outlines safety standards for Stormwater infrastructure to be implemented to protect public safety

## Stormwater Discussion

Land development can dramatically alter the hydrologic cycle (Figure 1) of a site and, ultimately, an entire watershed. Prior to development, native vegetation can either directly intercept precipitation or draw that portion that has infiltrated into the ground and return it to the atmosphere through evapotranspiration. Development can remove this beneficial vegetation and replace it with lawn or impervious cover, reducing the site's evapotranspiration and infiltration rates. Clearing and grading a site can remove depressions that store rainfall. Construction activities may also compact the soil and diminish its infiltration ability, resulting in increased volumes and rates of Stormwater runoff from the site. Impervious areas that are connected to each other through gutters, channels, and storm sewers can transport runoff more quickly than natural areas. This shortening of the transport or travel time quickens the rainfall-runoff response of the drainage area, causing flow in downstream waterways to peak faster and higher than natural conditions. These increases can create new and aggravate existing downstream flooding and erosion problems and increase the quantity of sediment in the channel. Filtration of runoff and removal of pollutants by surface and channel vegetation is eliminated by storm sewers that discharge runoff directly into a stream. Increases in impervious area can also decrease opportunities for infiltration, which, in turn, reduces stream base flow and groundwater recharge. Reduced base flows and increased peak flows produce greater fluctuations between normal and storm flow rates, which can increase channel erosion. Reduced base flows can also negatively impact the hydrology of adjacent wetlands and the health of biological communities that depend on base flows. Finally, erosion and sedimentation can destroy habitat from which some species cannot adapt.

**FIGURE 1 GROUNDWATER RECHARGE IN THE HYDROLOGIC CYCLE**

*Source : New Jersey Geological Survey Report GSR-32*



In addition to increases in runoff peaks, volumes, and loss of groundwater recharge, land development often results in the accumulation of pollutants on the land surface that runoff can mobilize and transport to streams. New impervious surfaces and cleared areas created by development can accumulate a variety of pollutants from the atmosphere, fertilizers, animal wastes, and leakage and wear from vehicles. Pollutants can include metals, suspended solids, hydrocarbons, pathogens, and nutrients.

In addition to increased pollutant loading, land development can adversely affect water quality and stream biota in more subtle ways. For example, Stormwater falling on impervious surfaces or stored in detention or retention basins can become heated and raise the temperature of the downstream waterway, adversely affecting cold water fish species such as trout. Development can remove trees along stream banks that normally provide shading, stabilization, and leaf litter that falls into streams and becomes food for the aquatic community.

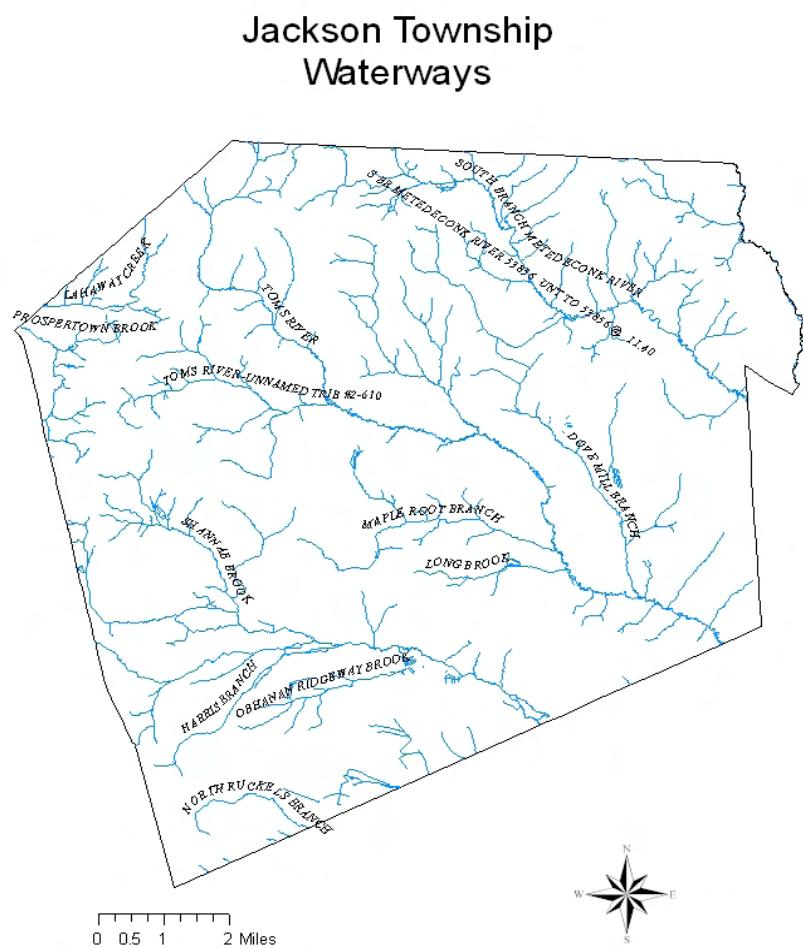
## Background

Jackson Township encompasses 100.81 square mile area in Ocean County, New Jersey. In recent years, the Township has been under significant development pressure. The population of the Township has increased from 25,644 in 1980, to 33,233 in 1990, and 42,816 in 2000. It is estimated to reach about 50,000 in 2005. This population increase has resulted from the new development; changes in the landscape have most likely increased Stormwater runoff volumes and pollutant loads to the waterways of the municipality. Figure 2 Illustrates the waterways in the Township. Figure 3 depicts the Township boundary on the USGS quadrangle maps. Figure 4 illustrates the Township relative to the State's watershed management areas (WMA).

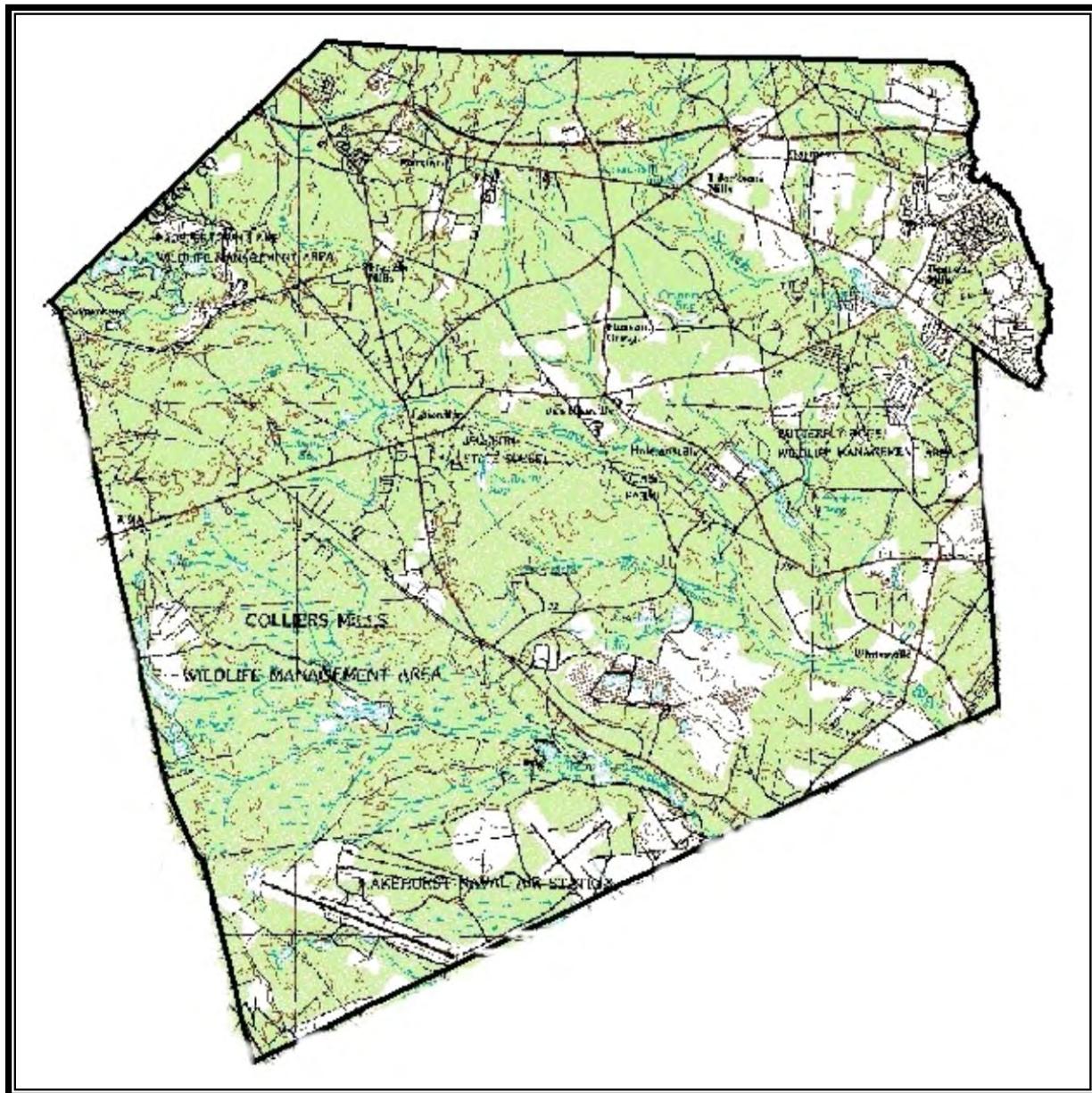
The Township lies predominantly within the Barnegat Bay WMA also known as WMA 13. Approximately 10% of the Township lies in the Assiscunk and Rancocas WMAs.

The New Jersey Department of Environmental Protection (NJDEP) has established an Ambient Biomonitoring Network (AMNET) to document the health of the state's waterways. There are over 800 AMNET sites throughout the state of New Jersey. These sites are sampled for benthic macroinvertebrates by NJDEP on a five-year cycle. Streams are classified as non-impaired, moderately impaired, or severely impaired based on the AMNET data. The data is used to generate a New Jersey Impairment Score (NJIS), which is based on a number of biometrics related to benthic macroinvertebrate community dynamics. Figure 5 shows the State's Water Quality monitoring sites within and surrounding the Township.

**FIGURE 2 JACKSON TOWNSHIP WATERWAYS**



### FIGURE 3 TOWNSHIP BOUNDARY ON USGS QUADRANGLES



**FIGURE 4 STATE WATER MANAGEMENT AREAS**

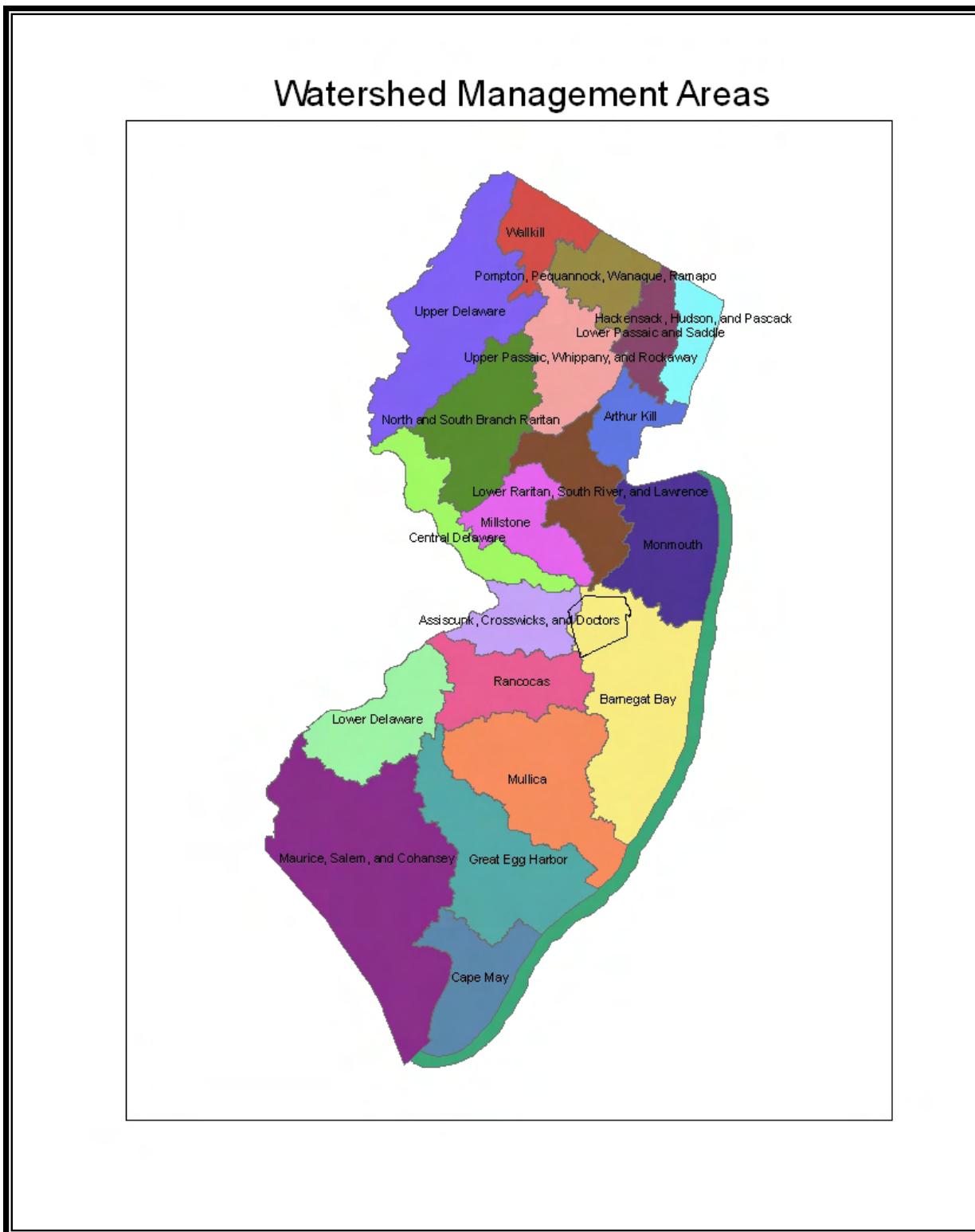
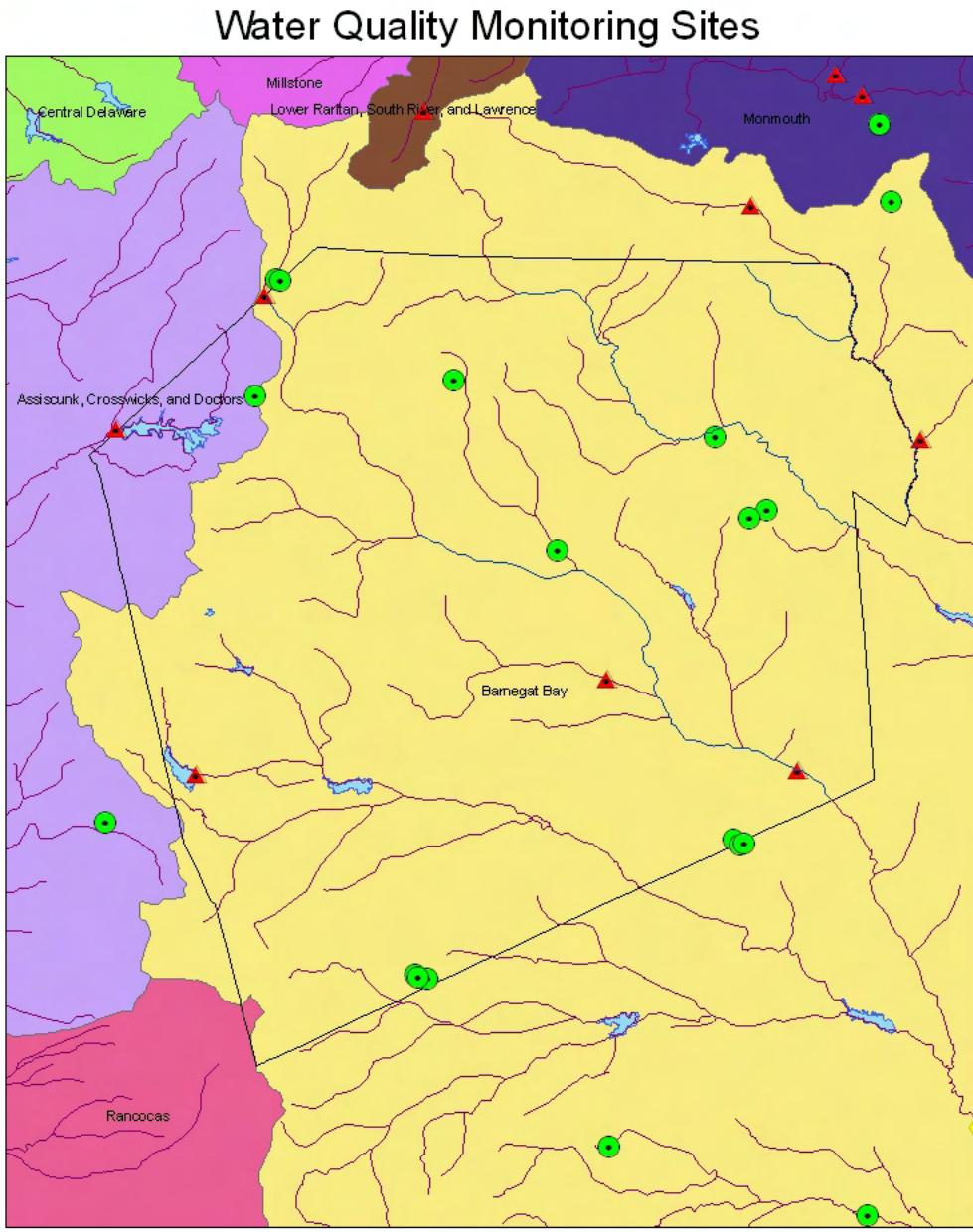


FIGURE 5 WATER QUALITY MONITORING SITES



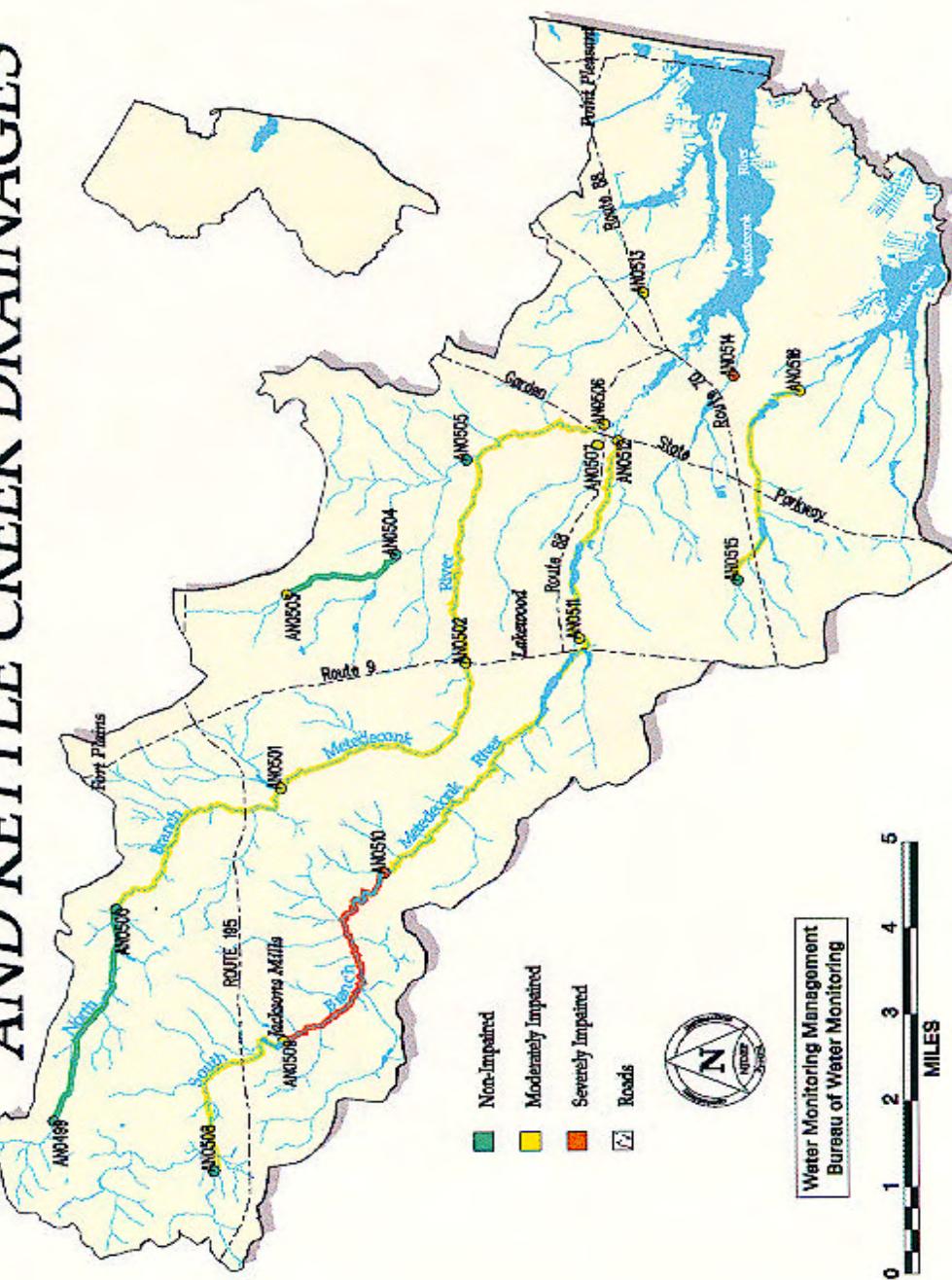
The two major river systems whose watersheds make up more than 90% of the Township area are, the Toms River and the Metedeconk River both are within WMA 13. The tributaries that flow through the Township to these major river systems have sections that are impaired based on AMNET data. The data available indicates the impairment is largely due to fecal coliform. The designation of impairment means that the NJDEP is required to develop a Total Maximum Daily Load (TMDL) for these primary pollutants for each waterway. TDMs have been proposed for these rivers, but have not been adopted.

A TMDL is the amount of a pollutant that can be accepted by a waterbody without causing an exceedance of water quality standards or interfering with the ability to use a waterbody for one or more of its designated uses. The allowable load is allocated to the various sources of the pollutant, such as Stormwater and wastewater discharges, which require an NJPDES permit to discharge, and nonpoint source, which includes Stormwater runoff from agricultural areas and residential areas, along with a margin of safety. Provisions may also be made for future sources in the form of reserve capacity. An implementation plan is developed to identify how the various sources will be reduced to the designated allocations. Implementation strategies may include improved Stormwater treatment plants, adoption of ordinances, reforestation of stream corridors, retrofitting Stormwater systems, and other BMPs.

The New Jersey Integrated Water Quality Monitoring and Assessment Report (305(b) and 303(d)) (Integrated List) is required by the federal Clean Water Act to be prepared biennially and is a valuable source of water quality information. This combined report presents the extent to which New Jersey waters are attaining water quality standards, and identifies waters that are impaired. Sublist 5 of the Integrated List constitutes the list of waters impaired or threatened by pollutants, for which one or more TMDLs are needed. Sections of the Toms River and the Metedeconk River, or their tributaries, show levels of impairment based on the State's analysis. A review of available documents shows no record of impairment within the two minor WMAs areas which cross the western border of the Township. Figures 6 and 7 illustrate the impaired segments of the Toms River and Metedeconk River.

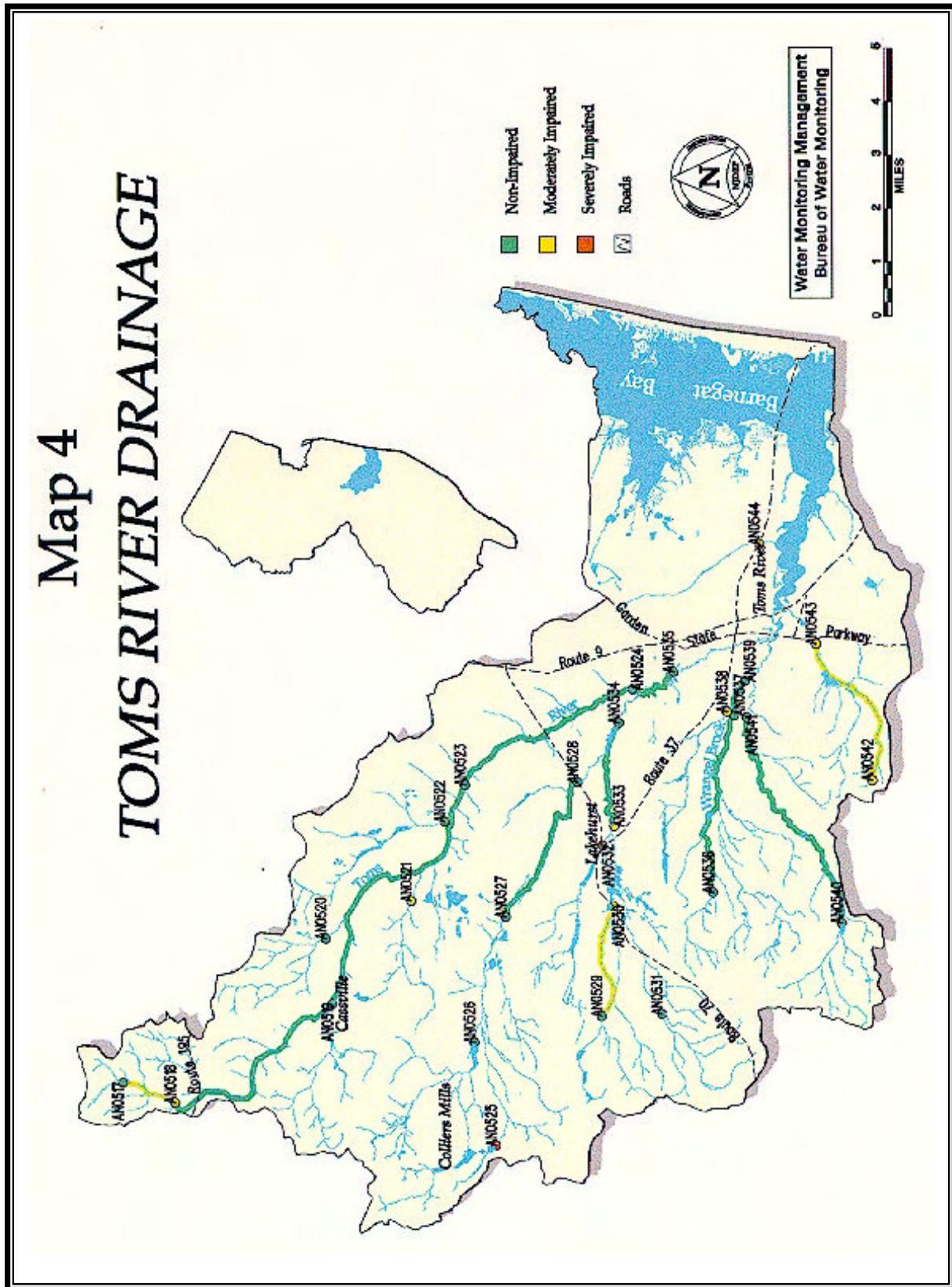
As the imperviousness increases in the Township, the peak and volumes of stream flows resulting from storms also increases. The increased amount of water can result in stream bank erosion, which can cause unstable areas at roadway/bridge crossings, and degraded stream habitats. The increasing imperviousness of the Township will significantly decrease groundwater recharge, decreasing base flows in streams during dry weather periods. Lower base flows can have a negative impact on instream habitat during the summer months. A map of the Groundwater Recharge areas is shown in Figure 8, Wellhead Protection Areas, are shown in Figure 9.

## Map 3 METEDECONK RIVER AND KETTLE CREEK DRAINAGES

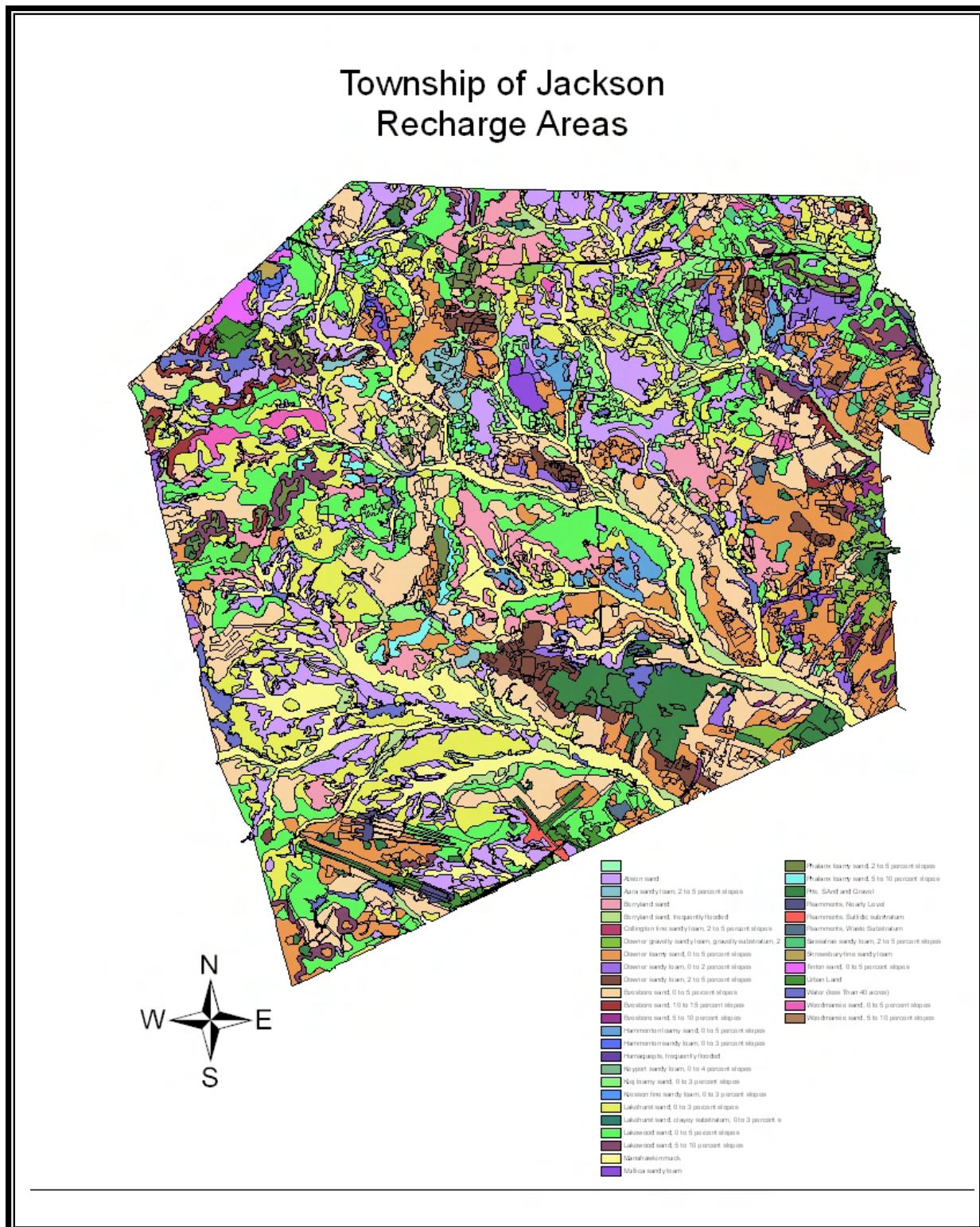


## Map 4 TOMS RIVER DRAINAGE

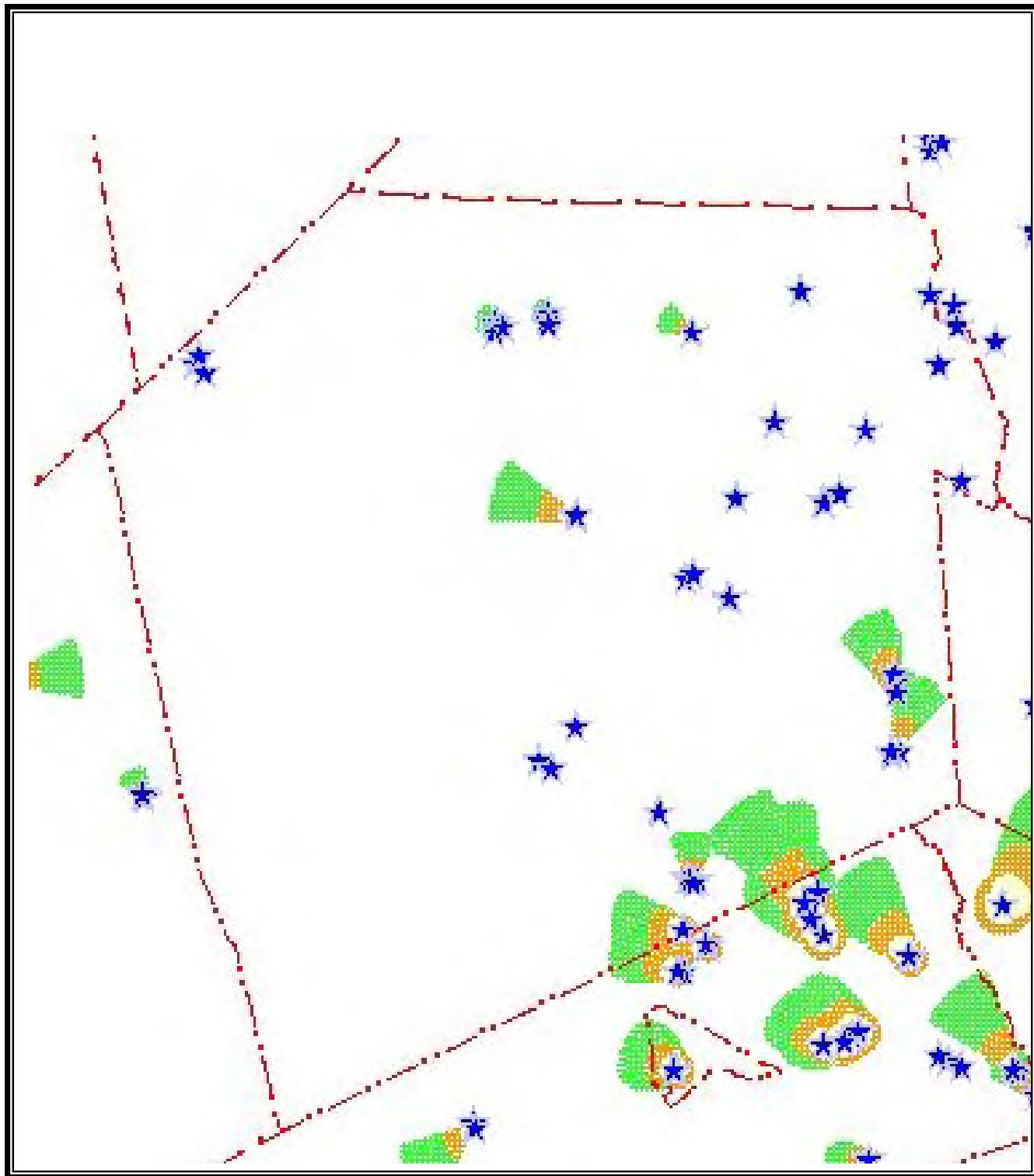
FIGURE 7: IMPAIRED WATERS OF THE TOMS RIVER



**FIGURE 8: GROUNDWATER RECHARGE AREAS IN THE TOWNSHIP**



**FIGURE 9: WELLHEAD PROTECTION AREAS IN THE TOWNSHIP**



# Design and Performance Standards

The Township will adopt the design and performance standards for Stormwater management measures consistent with in N.J.A.C. 7:8-5 to minimize the adverse impact of Stormwater runoff on water quality and water quantity and loss of groundwater recharge in receiving water bodies. These standards will incorporate the guidance documents and Best Management Practices (BMP) Manual provided by the State. The design and performance standards will include language requiring maintenance of Stormwater management measures consistent with the Stormwater management rules at N.J.A.C. 7:8-5.8 Maintenance Requirements, and language adopting safety standards consistent with N.J.A.C. 7:8-6 Safety Standards for Stormwater Management Basins. The Township will revise its land use ordinances to include the new standards. Revise ordinances will be submitted to the County for review and approval within 12 months of the adoption of this plan as required by the Stormwater Management Rules. Upon adoption revised land use ordinances provisions will be become a part of the Township Land Use Board reviews. The Boards, their staffs, and professionals will insure compliance with the standard both in review process and during construction.

## Plan Consistency

The Township is obligated to coordinate with Regional Stormwater Management Plans (RSWMP) if the Township is within a designated Regional Planning Area. It is anticipated that Regional Plans will be established in the future for specific Watersheds or Watershed Management Areas, the County, the Soil Conservation District, and/or the Pinelands. Upon establishment of a regional plan the Township will work the Regional Planning Agency to coordinate and amend its plan to remain consistent with the regional plan as required by the regulations. This plan will be forwarded to several regional agencies, and as required by regulation, upon adoption, as a way of establishing a link for future coordination.

The Municipal Stormwater Management Plan is consistent with the Residential Site Improvement Standards (RSIS), N.J.A.C. 5:21. The municipality will utilize the most current update of the RSIS in the Stormwater management review of residential areas. This Municipal Stormwater Management Plan will be updated to be consistent with any future updates to the RSIS

The Township is required and will act to adopt or amend a Stormwater Management Ordinance in a manner and timeframe consistent with the regulations. This plan anticipates that the Stormwater Management Ordinance will be established based on the model ordinance provided in the State's guidance documents and the model ordinance, which the Pinelands Commission establishes. Since the Township falls partial within and partially outside of the Pinelands, the Ordinance will likely provide for differing requirements for the Pinelands and non-Pinelands portions of the Township. Establishment of the Ordinance will require a full review of the Township's Land Use ordinances as well as coordination with the Townships Master Plan.

# Nonstructural Stormwater Management Strategies

The Township Stormwater Coordinator, Local Land Use Boards and their professionals will review the master plan and the local land use ordinances. They will compile a list of the elements of these documents that are to be modified to incorporate nonstructural Stormwater management strategies. Once the ordinance and/or plan text reviews are completed and changes reviewed and adopted, they will be submitted to the county review agency for approval within 24 months of the effective date of the Stormwater Management Rules. A copy will be sent to the Department of Environmental Protection at the time of submission.

## Land Use/Build-Out Analysis

A detailed land use analysis for the Township is being conducted. The Build-out analysis is intended to show the full build-out pollutant loads on the Township's water by subwatersheds called HUC 14s. This analysis will be included as a future amendment to the plan upon its completion and within the timeframe established by State regulation. Included below are elements of the mapping and GIS analysis, which will be included as part of the build-out analysis.

Figure -10 illustrates the existing land use in the Township based on 995/97 GIS information from NJDEP. Figure 11 illustrates the HUC 14 subwatershed boundaries within the Township. Figure 12 is the current zoning map of the Township and figure 13 is depicts the Township's "Constrained Lands". The build-out calculations for impervious cover are shown in Table 1. Table 2 presents the pollutant loading coefficients by land cover. The estimated additional pollutant loads at build-out are presented in Table 3

By use of the Township's GIS system, data within these four map layers will be manipulated and compared to generate the tabular data to that will populate the sample tables 1 through 3, below, to arrive at the build out pollutant loading.

FIGURE 10 JACKSON TOWNSHIP EXISTING LAND USE

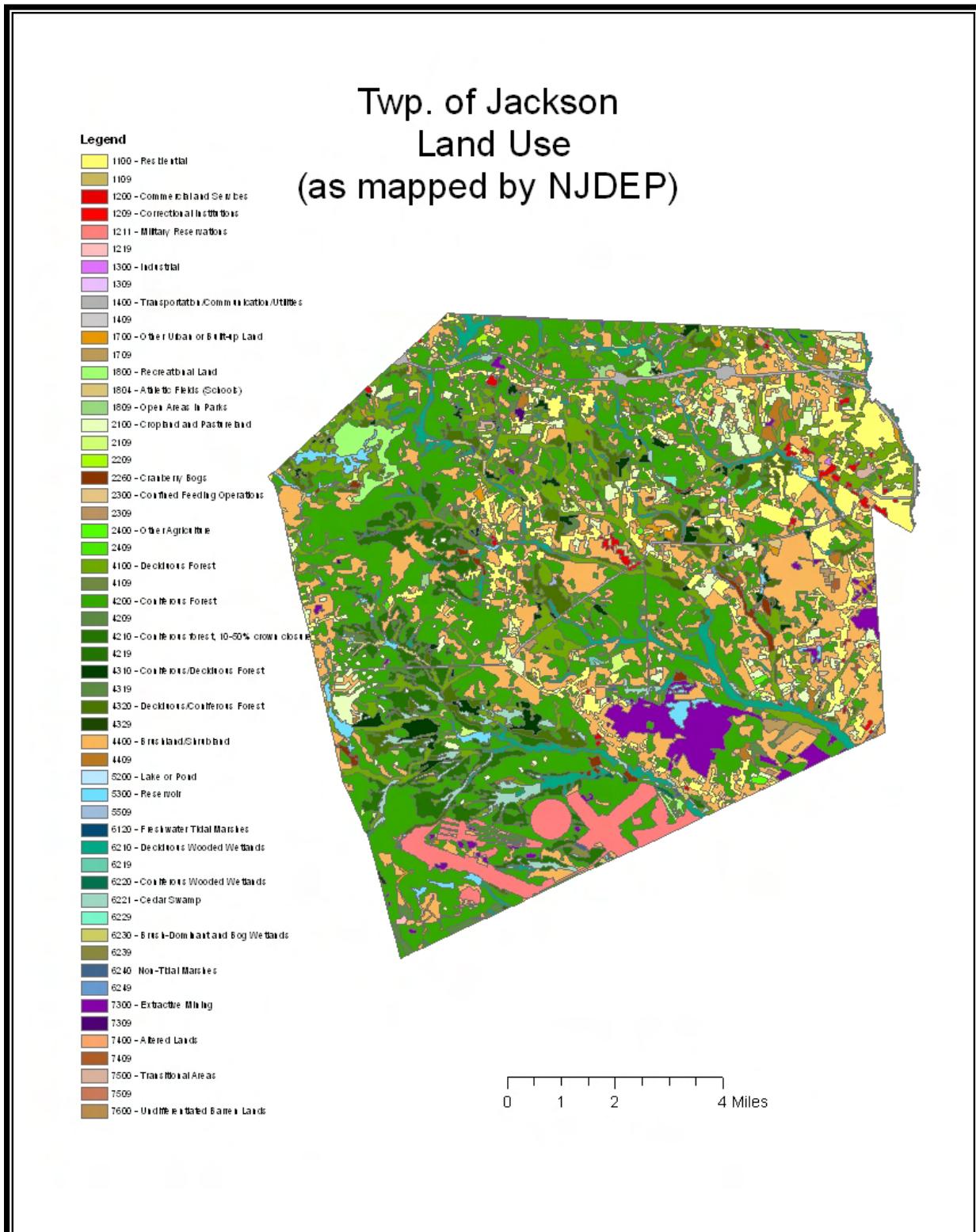
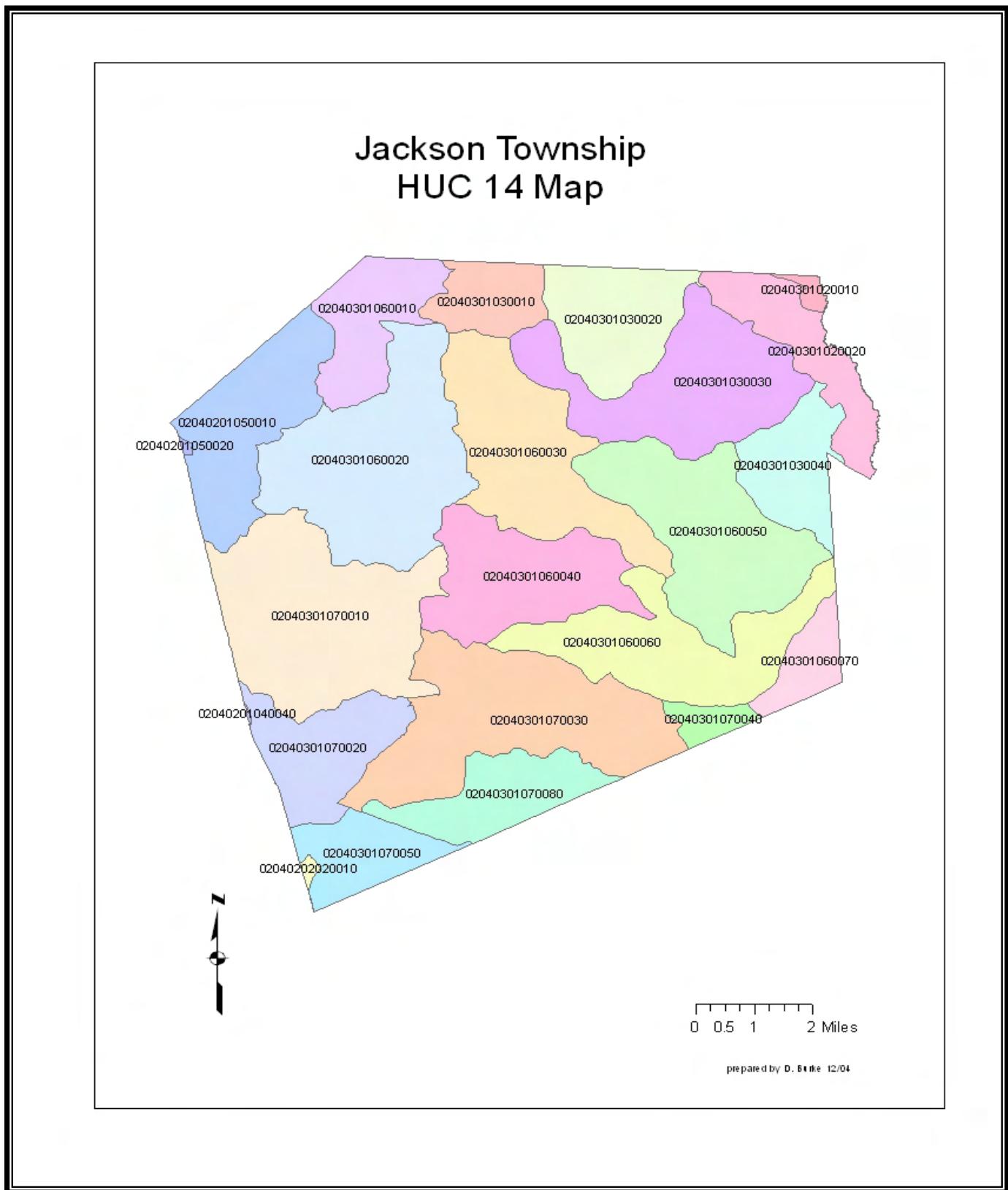
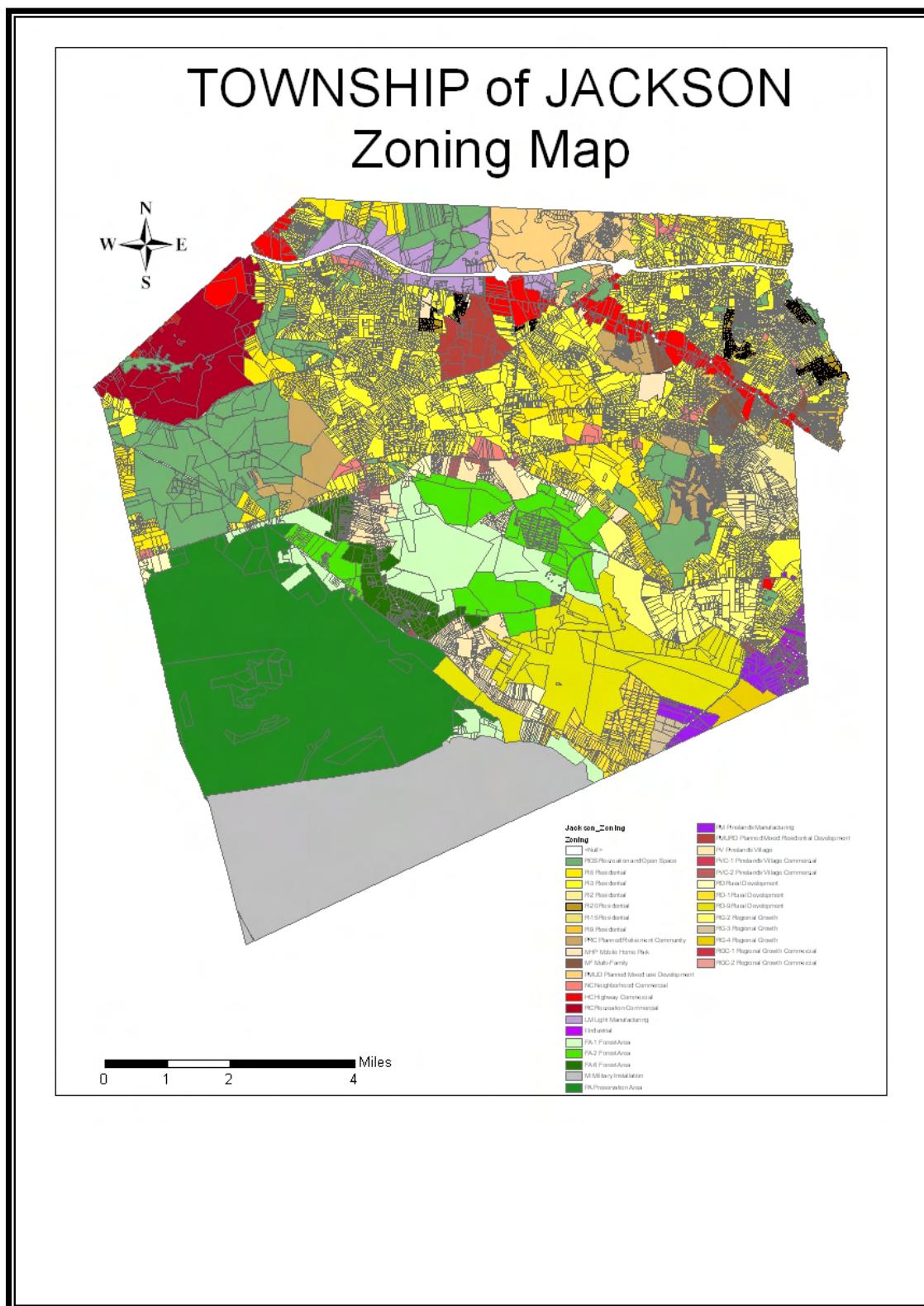


FIGURE 11 HUC 14'S WITHIN JACKSON TOWNSHIP



## FIGURE 12 JACKSON TOWNSHIP ZONING MAP



**FIGURE 13 CONSTRAINED LANDS WITHIN JACKSON TOWNSHIP**

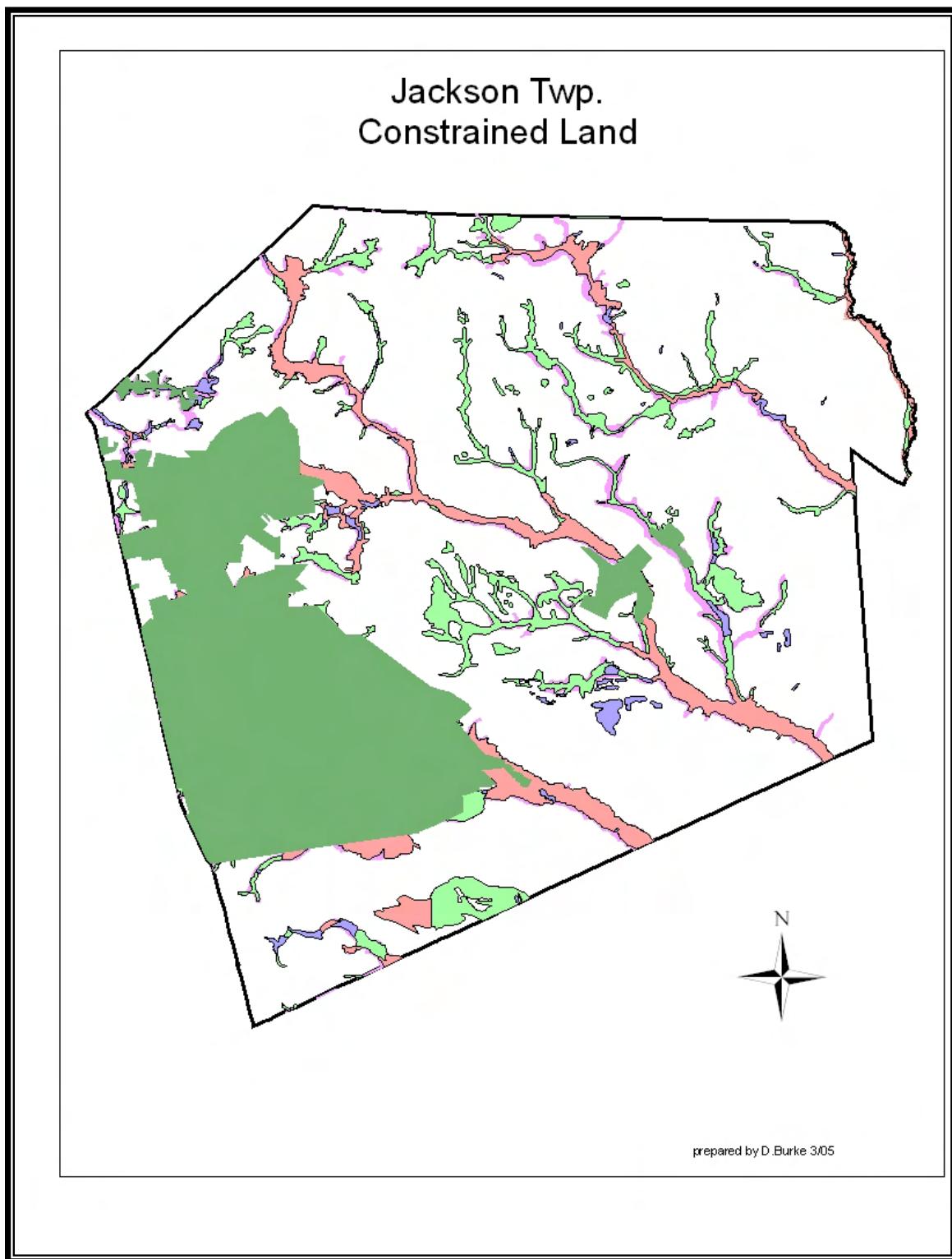


TABLE 1 SAMPLE BUILD-OUT CALCULATIONS FOR A HUC14 'S

TABLE 1: SAMPLE BUILD-OUT CALCULATIONS FOR HUC 14'S

HUC14 AND ZONE	Total Area (acres)	Existing Impervious (%)	Existing Impervious(acres)	Wetlands/ Water Areas (acres)	Developable Area (acres)	Allowable Impervious (%)	Build-out Impervious (acres)
2040301060010							
R-2 RESIDENTIAL							
MF / MULTIFAMILY							
MHP / MOBLE HOME PARK							
PRC / PLANNED RETIREMENT COMMUNITY							
PMURD / PLANNED MIXED UNIT RESIDENTIAL DEVELOPMENT							
MF / MULTIFAMILY							
MHP / MOBLE HOME PARK							
PRC / PLANNED RETIREMENT COMMUNITY							
PMURD / PLANNED MIXED UNIT RESIDENTIAL DEVELOPMENT							

**TABLE 2: POLLUTANT LOADS BY LAND COVER**

Land Cover	Total Phosphorus Load (lbs/acre/year)	Total Nitrogen Load (lbs/acre/year)	Total Suspended Solids Load (lbs/acre/yr)
High, Medium Density Residential	1.4	15	140
Low Density, Rural Residential	0.6	5	100
Commercial	2.1	22	200
Industrial	1.5	16	200
Urban, Mixed Urban, Other Urban	1.0	10	120
Agricultural	1.3	10	300
Forest, Water, Wetlands	0.1	3	40
Barrenland /Transitional Area	0.5	5	60

**Source: NJDEP Stormwater Manual 2004**

TABLE 3 NONPOINT SOURCE LOADS AT BUILD-FOE EACH HUC14 WITHIN JACKSON TOWNSHIP

**TABLE 3: NONPOINT SOURCE LOADS AT BUILD-OUT**

HUC 14 AND ZONE	Build-Out Zoning	Developable Area (acres)	TP (lbs/acres/yr)	TP (lbs/yr)	TN (lbs/acre/yr)	TN (lbs/yr)	TSS (lbs/acre/yr)
2040301060010							
R-2 RESIDENTIAL							
R-3							
R-5							
R-9							
R-15							
R-20							
MF / MULTIFAMILY							
MHP / MOBLE HOME PARK							
PRC / PLANNED RETIREMENT COMMUNITY							
PMURD / PLANNED MIXED UNIT RESIDENTIAL DEVELOPMENT							
PMUD / MIXED USE DEVELOPMENT							
NC / NEIGHBORHOOD COMMERCIAL							
HC / HIGHWAY COMMERCIAL							
RC / RECREATIONAL COMMERCIAL							
LM / LIGHT MANUFACTURING							
I / INDUSTRIAL							
ROS / RECREATIONAL & OPEN SPACE							
FA-1 / FOREST							
FA-2							
FA-6							
MI / MILITARY INSTALLATION							
PA / PERSERVATION AREA							
PM-1 / PINELANDS MANUFACTURING							
PV/ PINELANDS VILLIAGE							
PVC-1 PINELANDS VILLAGE COMMERCIAL							
PVC-2							
RD / RURAL DEVELOPMENT							
RD-1							
RD-9							
RG-1 / REGIONAL GROWTH							
RG-2							
RG-3							
RG-4							
RGC-1 REGIONAL GROWTH COMMERCIAL							
RGC-2							

# Mitigation Plans

This mitigation plan is provided for a proposed development that is granted a variance or exemption from the Stormwater management design and performance standards. Presented is a hierarchy of options.

## **Mitigation Project Criteria**

The mitigation project shall be implemented in the same drainage area (HUC 14) as the proposed development to the greatest extent possible. The project must provide additional groundwater recharge benefits, or protection from Stormwater runoff quality and quantity from previously developed property that does not currently meet the design and performance standards outlined in the Municipal Stormwater Management Plan. The developer must ensure the long-term maintenance of the project, including the maintenance requirements under Chapters 8 and 9 of the NJDEP Stormwater BMP Manual.

The applicant can select one of the following projects listed to compensate for the deficit from the performance standards resulting from the proposed project. More detailed information on the projects can be obtained from the Township Stormwater Coordinator. Listed below are suggested projects that can be used to address the mitigation requirement.

### **Groundwater Recharge**

- Retrofit an existing, or construct a new detention basin at a publicly owned facility to provide additional annual groundwater recharge to offset the deficit in the proposed development.
- Replace an existing deteriorated impervious parking lot at a public facility with a permeable paving surface to provide of additional average annual groundwater recharge equal to or greater than the proposed project deficit.

### **Water Quality**

- Retrofit an existing Stormwater management facility at a publicly owned facility to provide the removal of 80 percent of total suspended solids from the input storm flow.
- Retrofit the existing parking area at a public or private facility to provide the removal of 80 percent of total suspended solids.

### **Water Quantity**

- Install Stormwater management measures in a older development within the Township to reduce the peak flow from the upstream development on the receiving stream by 20 cfs, 35 cfs, and 100 cfs for the 2, 10, and 100-year storms respectively.

If a suitable mitigation site cannot be located in the same drainage area as the proposed development, as discussed above, the mitigation project may provide mitigation that is not equivalent to the impacts for which the variance or exemption is sought, but that addresses the same issue. For example, if a variance is given because the 80 percent TSS requirement is not met, the selected project may address water quality impacts due to a fecal impairment.

As a last resort the Township may allow a developer to provide funding or partial funding to the Township for an environmental enhancement project that has been identified in a Municipal Stormwater Management Plan or subsequently by the Township Stormwater Coordinator, or towards the development of a Regional Stormwater Management Plan. The funding must be equal to or greater than the cost to implement the mitigation outlined above, including costs associated with purchasing the property or easement for mitigation, and the cost associated with the long-term maintenance requirements of the mitigation measure. Contributions in lieu of completion of an appropriate mitigation project shall be considered only as a last resort option.

**Township of Jackson**  
**Office of the Municipal Engineer**

95 West Veterans Highway  
Jackson, NJ 08527  
PH (732) 928-1200 FAX (732) 928-4377

**TO: NJDEP / DIVISION OF WATER QUALITY**  
**BUREAU OF NONPOINT POLLUTION CONTROL**  
**MUNICIPALSTORMWATER REGULATION PROGRAM**  
**PO BOX 029 TRENTON NJ 08625-0029**

**LETTER OF TRANSMITTAL**

DATE: MAY 4, 2005	JOB NO.
ATTN:	
RE: JACKSON TOWNSHIP MUNICIPAL	
STORMWATER MANAGEMENT PLAN	

**GENTLEMEN:**

WE ARE SENDING YOU  Attached  Under separate cover via \_\_\_\_\_ the following items:  
 Samples  Prints  Plans  Shop Drawings  Specifications  
 Copy of letter  Change order

THESE ARE TRANSMITTED as checked below:

<input type="checkbox"/> For approval	<input type="checkbox"/> Approved as submitted	<input type="checkbox"/> Resubmit	_____	copies for approval
<input type="checkbox"/> For your use	<input type="checkbox"/> Make Corrections Noted	<input type="checkbox"/> Submit	_____	copies for distribution
<input type="checkbox"/> As requested	<input type="checkbox"/> Returned for corrections	<input type="checkbox"/> Return	_____	corrected prints
<input type="checkbox"/> For review and comment				

**REMARKS:**

COPY TO: FILE

SIGNED:

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Daniel J. Burke, P.E.

If enclosures are not as noted, kindly notify us at once.

## JACKSON, NEW JERSEY

RESOLUTION NUMBER: 180R-05DATE OF ADOPTION: 3/28/05

TITLE: ADOPT TOWNSHIP OF JACKSON STORMWATER MANAGEMENT PLAN  
 PURSUANT TO THE STATE OF NEW JERSEY DEPARTMENT OF  
 ENVIRONMENTAL PROTECTION N.J.A.C. 7:8-4.3a1

Committeeman Kafton presents the following resolution.

Seconded by Giblin.

**WHEREAS**, the State of New Jersey Department of Environmental Protection has mandated under N.J.A.C. 7:8-4.3a1 Tier A Municipalities adopt and implement a Stormwater Management Plan by April 1, 2004; and

**WHEREAS**, the Township of Jackson wishes to adopt and implement a Stormwater Management Plan pursuant to N.J.A.C. 7:8-4.3a1; and

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Jackson, County of Ocean and State of New Jersey, as follows:

1. That the Mayor and Township Committee wish to formally adopt the Municipal Stormwater Management Plan of the Township of Jackson.
2. The Township Engineer, Daniel Burke, P.E., is authorized and directed to forward a copy of the Jackson Township Municipal Stormwater Management Plan dated March 2005 to the State of New Jersey Department of Environmental Protection.
3. A copy of this Stormwater Management Plan is on file and available for public inspection at the Township Clerk's Office located at 95 West Veterans Highway, Jackson, New Jersey.
4. That upon the adoption of the within resolution, the Township Clerk is authorized and directed to forward a certified copy of it to the State of New Jersey Department of Environmental Protection, Township Administrator, Township Engineer and any other interested parties.

  
 ANN MARIE EDEN, R.M.C.

DATED: 3/28/05

TOWNSHIP CLERK

RECORD OF VOTE				Deputy Mayor	Mayor
COMMITTEEMAN	Sean Giblin	Joshua Reilly	Mark Seda	Michael Kafton	Michael Broderick
YES	✓	✓		✓	✓
NO					
ABSTAIN					
ABSENT			✓		

I, Ann Marie Eden, Municipal Clerk of the Township of Jackson in the County of Ocean, hereby certify that the above is a true copy of a Resolution adopted by the Township Committee on the \_\_\_\_\_ day of \_\_\_\_\_ 2005.

*Township of Jackson, NJ  
Sunday, April 1, 2018*

## Chapter 244. Land Use and Development Regulations

### Article XII. Design Standards and Improvement Specifications

#### § 244-209. Stormwater management.

[Added 4-10-2006 by Ord. No. 08-06<sup>[1]</sup>]

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 section to establish minimum stormwater management requirements and controls for "major development," as defined in Subsection B.
- (3) Applicability.
  - (a) This section 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] Nonresidential major developments; and
    - [2] Aspects of residential major developments that are not preempted by the Residential Site Improvement Standards at N.J.A.C. 5:21.
  - (b) This section shall also be applicable to all major developments undertaken in Jackson Township.
- (4) Compatibility with other permit and ordinance requirements. Development approvals issued for subdivisions and site plans pursuant to this section 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 section shall be held to be the minimum requirements for the promotion of the public health, safety and general welfare. This section 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 section 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 section shall be interpreted so as to give them the meanings they have in common usage and to give this section 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.

**COMPACTION**

The increase in soil bulk density.

**CORE**

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

**COUNTY REVIEW AGENCY**

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

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

**DEPARTMENT**

The New Jersey Department of Environmental Protection.

**DESIGNATED CENTER**

A state development and redevelopment plan center as designated by the State Planning Commission such as urban, regional, town, village or hamlet.

**DESIGN ENGINEER**

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**

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**

A geographic area within which stormwater, sediments or dissolved materials drain to a particular receiving water body or to a particular point along a receiving water body.

**EMPOWERMENT NEIGHBORHOOD**

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.

**ENVIRONMENTALLY CRITICAL AREAS**

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.

**EROSION**

The detachment and movement of soil or rock fragments by water, wind, ice or gravity.

**IMPERVIOUS SURFACE**

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

**INFILTRATION**

The process by which water seeps into the soil from precipitation.

**MAJOR DEVELOPMENT**

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**

Any city, borough, town, Township or village.

**NODE**

An area designated by the State Planning Commission concentrating facilities and activities which are not organized in a compact form.

**NUTRIENT**

A chemical element or compound, such as nitrogen or phosphorus, which is essential to and promotes the development of organisms.

**PERSON**

Any individual, corporation, company, partnership, firm, association, Township of Jackson 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**

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

**RECHARGE**

The amount of water from precipitation that infiltrates into the ground and is not evapotranspired.

**SEDIMENT**

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**

The lot or lots upon which a major development is to occur or has occurred.

**SOIL**

All unconsolidated mineral and organic material of any origin.

**STATE DEVELOPMENT AND REDEVELOPMENT PLAN METROPOLITAN PLANNING AREA (PA1)**

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**

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**

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

**STORMWATER MANAGEMENT BASIN**

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**

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 nonstormwater discharges into stormwater conveyances.

**STORMWATER RUNOFF**

Water flow on the surface of the ground or in storm sewers resulting from precipitation.

**TIDAL FLOOD HAZARD AREA**

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**

A neighborhood given priority access to state resources through the New Jersey Redevelopment Authority.

**URBAN ENTERPRISE ZONE**

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-6o et seq.

**URBAN REDEVELOPMENT AREA**

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**

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

#### **WETLANDS or WETLAND**

An area that is inundated or saturated by surface water or groundwater 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 Subsection 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 section 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 Subsection 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 13:1B-15.150, particularly *Helonias bullata* (swamp pink) and/or *Clemmys muhlenbergi* (bog turtle).
- (3) The following linear development projects are exempt from the groundwater recharge, stormwater runoff quantity and stormwater runoff quality requirements of Subsection D(6) and (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 Subsection **D(6)** and **(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 Subsection **D(6)** and **(7)** to the maximum extent practicable;
- (c) The applicant demonstrates that, in order to meet the requirements of Subsection **D(6)** and **(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 Subsection **D(4)(c)** above within the upstream drainage area of the receiving stream, that would provide additional opportunities to mitigate the requirements of Subsection **D(6)** and **(7)** that were not achievable on site.

(5) Nonstructural stormwater management strategies.

- (a) To the maximum extent practicable, the standards in Subsection **D(6)** and **(7)** shall be met by incorporating nonstructural stormwater management strategies set forth at Subsection **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 Subsection **D(5)(b)** 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] Project 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 preconstruction 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:
  - [a] Site design features that help to prevent accumulation of trash and debris in drainage systems, including features that satisfy Subsection D(5)(c) below;
  - [b] Site design features that help to prevent discharge of trash and debris from drainage systems;
  - [c] Site design features that help to prevent and/or contain spills or other harmful accumulations of pollutants at industrial or commercial developments; and
  - [d] 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 Subsection D(5)(b)[9][b] above shall comply with the following standard to control passage of solid and floatable materials through storm drain inlets. For purposes of this subsection, "solid and floatable materials" means sediment, debris, trash and other floating, suspended or settleable solids. For exemptions to this standard, see Subsection 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:
  - [a] The New Jersey Department of Transportation (NJDOT) bicycle-safe grate, which is described in Chapter 2.4 of the NJDOT Bicycle Compatible Roadways and Bikeways Planning and Design Guidelines (April 1996); or
  - [b] A different grate, if each individual clear space in that grate has an area of no more than seven 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 square inches or be no greater than two inches across the smallest dimension.
- [3] This standard does not apply:
  - [a] 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;

- [b] Where flows from the water quality design storm as specified in Subsection **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:
  - [i] A rectangular space  $4\frac{5}{8}$  inches long and  $1\frac{1}{2}$  inches wide (this option does not apply for outfall netting facilities); or
  - [ii] A bar screen having a bar spacing of 0.5 inches.
- [c] Where flows are conveyed through a trash rack that has parallel bars with one-inch spacing between the bars to the elevation of the water quality design storm as specified in Subsection **D(7)(a)**; or
- [d] 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 Subsection **D(6)** and **(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 Subsection **G** or found on the Department's website at [www.njstormwater.org](http://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:
  - [a] The design engineer shall, using the assumptions and factors for stormwater runoff and groundwater recharge calculations in Subsection **E**, either:
    - [i] Demonstrate through hydrologic and hydraulic analysis that the site and its stormwater management measures maintain 100% of the average annual preconstruction groundwater recharge volume for the site; or
    - [ii] Demonstrate through hydrologic and hydraulic analysis that the increase of stormwater runoff volume from preconstruction to post construction for the two-year storm is infiltrated.

- [b] This groundwater recharge requirement does not apply to projects within an urban redevelopment area or to projects subject to Subsection D(6)(a)[2][c] below.
- [c] The following types of stormwater shall not be recharged:
  - [i] 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
  - [ii] 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.
- [d] 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 in Subsection **E**, complete one of the following:

- [a] Demonstrate through hydrologic and hydraulic analysis that for stormwater leaving the site, post-construction runoff hydrographs for the two-, ten- and one-hundred-year storm events do not exceed, at any point in time, the preconstruction runoff hydrographs for the same storm events;
- [b] Demonstrate through hydrologic and hydraulic analysis that there is no increase, as compared to the preconstruction condition, in the peak runoff rates of stormwater leaving the site for the two-, ten- and one-hundred-year storm events and that the increased volume or change in timing of stormwater runoff will not increase flood damage at or downstream of the site. This analysis shall include the analysis of impacts of existing land uses and projected land uses assuming full development under existing zoning and land use ordinances in the drainage area;
- [c] Design stormwater management measures so that the post-construction peak runoff rates for the two-, ten- and one-hundred-year storm events are 50%, 75% and 80%, respectively, of the preconstruction 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

- [d] In tidal flood hazard areas, stormwater runoff quantity analysis in accordance with Subsection D(6)(a)[3][a], [b] and [c] 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 Subsection **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 subsection, "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% 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 nonstructural 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

**Table 1: Water Quality Design Storm Distribution**

Time (minutes)	Cumulative Rainfall (inches)	Time (minutes)	Cumulative Rainfall (inches)
55	0.3583	120	1.2500
60	0.6250		

- (b) For purpose 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 Subsection G, or found on the Department's website at [www.njstormwater.org](http://www.njstormwater.org). The BMP Manual and other sources of technical guidance are listed in Subsection 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 eighty-percent TSS reduction for a site, the applicant shall utilize the following formula to calculate TSS reduction:

$$R = A + B - (AXB)/100$$

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% to 60%
Infiltration structure	80%
Manufactured treatment device	See Subsection F(3)
Sand filter	80%
Vegetative filter strip	60% to 80%
Wet pond	50% to 90%

- (d) If there is more than one on-site drainage area, the eighty-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 Subsection D(6) and (7).

- (f) Additional information and examples are contained in the New Jersey Stormwater Best Management Practices Manual.
- (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:
    - [a] A three-hundred-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 center line of the waterway where the bank is not defined, consisting of existing vegetation or vegetation allowed to follow natural succession.
    - [b] Encroachment within the designated special water resource protection area under Subsection D(7)(h)[1][a] 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 center line of the waterway where the bank is undefined. All encroachments proposed under this subsection 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:
    - [a] Stabilization measures shall not be placed within 150 feet of the Category One waterway;

- [b] Stormwater associated with discharges allowed by this section shall achieve a ninety-five-percent TSS post-construction removal rate;
- [c] Temperature shall be addressed to ensure no impact on the receiving waterway;
- [d] 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;
- [e] A conceptual project design meeting shall be held with the appropriate Department staff and Soil Conservation District staff to identify necessary stabilization measures; and
- [f] 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 Subsection **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 Subsection **D(7)(h)** shall maintain or enhance the current functional value and overall condition of the special water resource protection area as defined in Subsection D(7)(h)[1][a] 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] Subsection **D(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 Section 4 — 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 preconstruction 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 Subsection **E(1)(a)[1]** and the Rational and Modified Rational Methods at Subsection **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 preconstruction 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 preconstruction 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 previous 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 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 1/3 the width of the diameter of the orifice or 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 Subsection H(2).
- (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, 5:21-7.4 and 5:21-7.5 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 2 1/2 inches in diameter.
- (e) Stormwater management basins shall be designed to meet the minimum safety standards for stormwater management basins at Subsection **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 Subsection **D** of this section.
- (3) Manufactured treatment devices may be used to meet the requirements of Subsection **D** of this section, 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 in Subsection **G(1)(a)** and **(b)** 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)3. 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)3. 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 subsection sets forth requirements to protect public safety through the proper design and operation of stormwater management basins. This subsection 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 pounds per square foot.

(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 pounds per square foot.

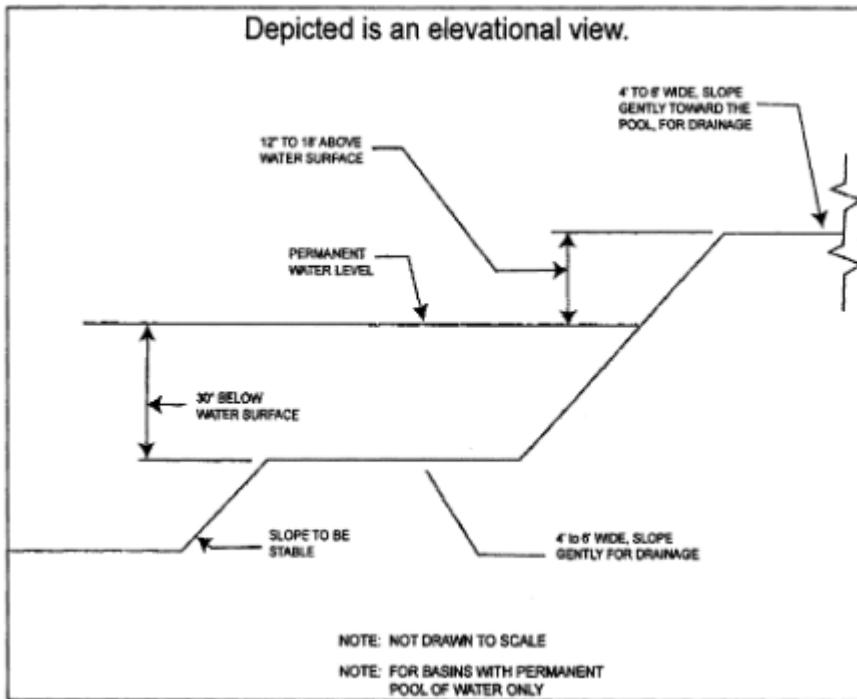
(c) For purposes of this Subsection H(2)(c), "escape provisions" means the permanent installation of ladders, steps, rungs or other features that provide easily accessible means of egress from stormwater management basins. Stormwater management basins shall include escape provisions as follows:

- [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 Subsection H(3), a freestanding 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 2 1/2 feet. Such safety ledges shall be comprised of two steps. Each step shall be four feet to six feet in width. One step shall be located approximately 2 1/2 feet below the permanent water surface, and the second step shall be located one to 1 1/2 above the permanent water surface. See Subsection 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 three horizontal to one vertical.

(3)

Variance or exemption from safety standards. 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 section, the applicant shall submit all of the required components of the checklist for the site development stormwater plan at Subsection 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 section.
    - (c) The applicant shall submit copies of the materials listed in the checklist for site development stormwater plans in accordance with Subsection I(3) of this section, in a number as required by the local land use board checklist.
  - (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 section.
  - (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. A topographic base map of the site shall be submitted which extends a minimum of 200 feet beyond the limits of the proposed development, at a scale of one inch equals 200 feet or greater, showing not greater than two-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 floodplains, 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 man-made 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 groundwater 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 Subsections C through 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 predevelopment and post-development conditions for the design storms specified in Subsection D of this section.
  - [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 on-site 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 Subsection J.
- (h) Waiver from submission requirements. The municipal official or board reviewing an application under this section may, in consultation with the Municipal Engineer, waive submission of any of the requirements in Subsection I(3)(a) through (f) of this section 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. Projects subject to review as in Subsection A(3) of this section shall comply with the requirements of Subsection J(2) and (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 Subsection J(2)(b) above is not a public agency, the maintenance plan and any future revisions based on Subsection 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 Subsection J(2)(b) 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 Subsection 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 Subsection **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 Subsection **J(2)(f)** and **(g)** above.

- (i) The requirements of Subsection **J(2)(c)** and **(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 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.
- (k) Prior to granting final approval to any project subject to review under this section, the applicant shall enter into an agreement with the municipality to ensure the continued operation and maintenance of the detention facility. This agreement shall be in a form satisfactory to the Township Attorney and may include but may not necessarily be limited to personal guaranties, deed restrictions, covenants and bonds. The agreement shall specify the maintenance responsibility and standards in accordance with the Ocean County Stormwater Management Facilities Maintenance Manual during and after the completion of the work, and upon approval and shall be recorded in the office of the County Clerk. A copy of the recorded agreement shall be filed with the Township.
- (l) Whenever the Township accepts dedication of properties to be maintained for stormwater management basin purposes which will result in the Township having to expend funds in the future for the maintenance of such properties, the Township shall, unless otherwise determined by the Township Committee, require that the property owner dedicating such property post with the Township funds which will defray the estimated costs of future maintenance. The property owner shall, prior to acceptance by the Township, post such funds with the Township in an amount determined by the Township Engineer in accordance with the formula set forth in **§ 244-12K** of the Code of the Township of Jackson, to be placed in an interest-bearing escrow maintenance account, upon which funds shall be drawn for the maintenance of such detention or retention facility. Nothing herein shall be construed to relieve the property owner of the responsibility to maintain the system prior to the acceptance of said dedication. Prior to acceptance of any detention or retention facility, same shall be certified by the Township Engineer to have been constructed in accordance with the requirements and specifications of the approvals granted by the Planning Board or Board of Adjustment of the Township of Jackson.

(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. Violations and penalties. Any person who erects, constructs, alters, repairs, converts, maintains or uses any building, structure or land in violation of this section shall be subject to the following penalties: fines not to exceed \$5,000 and/or 30 days in jail.

L.

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

[1] *Editor's Note: This ordinance also repealed original § 109-184, Storm drainage facilities: nonresidential development, of the 1972 Code, as amended, and original § 109-184.1, Stormwater drainage facilities: residential development, of the 1972 Code, added 2-9-1998 by Ord. No. 5-98, as amended.*