

RO- 02-05

**AN ORDINANCE OF THE TOWNSHIP OF WASHINGTON,
COUNTY OF MORRIS, AND STATE OF NEW JERSEY TO
AMEND CHAPTER 159, SITE PLAN REVIEW, AND CHAPTER
175, SUBDIVISION OF LAND, OF THE CODE OF THE
TOWNSHIP OF WASHINGTON REGARDING STORMWATER
MANAGEMENT**

BE IT ORDAINED, by the Township Committee of the Township of Washington, in the County of Morris, and State of New Jersey, as follows:

SECTION 1. Chapter 159, Site Plan Review, Article V, Site Plan Details, Section 159-20, Information required, Paragraph O, Surface water management plan, of the Code of the Township of Washington, Morris County, New Jersey is hereby amended to read as follows:

“O. A surface water management plan shall be submitted in accordance with Chapter 175, Subdivision of Land, §175-49, Surface water management standards. All surface water management plans must also comply with the provisions of the Water Quality Management Planning Rules set forth at N.J.A.C. 7:8 and 7:15. For the portion of the major site plan having existing improved surfaces, such as roofs, walks, driveways, parking areas and landscaping areas, and which shall remain unchanged, the meadow of good hydrologic condition criteria as set forth in Chapter 175, Subdivision of Land, §175-49A(2) is hereby waived.”

SECTION 2. Chapter 175, Subdivision of Land, Article VII, Design Standards, Section 175-49, Surface water management standards, is hereby amended to read as follows:

“175-49. Surface water management standards.

A. General standards. In the preparation of a surface water management plan, the following shall be adhered to:

(1) All residential and non-residential projects shall be designed in accordance with the design standards of N.J.A.C 5:21 - Residential Site Improvement Standards (RSIS).

(2) Provisions shall be made to collect and recharge surface water within the confines of the development whenever possible.

(3) Maximum use shall be made of presently existing surface water runoff control devices, mechanisms or areas such as existing berms, terraces, grass waterways, favorable hydrologic soils, swamps, swales, watercourses, woodlands and floodplains in accordance with their functional capabilities, as well as any proposed retention structures. Use of existing surface water runoff control devices, mechanisms or areas on one or more adjacent properties may be considered by the Board upon receipt of appropriate written permission from the owner(s) of the property involved. Any decision by the Township to include adjacent properties in the surface water runoff plan shall be based on the following criteria:

(a) Environmental and/or surface water management conditions peculiar to this site, specifically, the presence of large natural detention areas immediately downstream of the site.

(b) Installation of surface water runoff control devices in accordance with the Surface Water Management Ordinance would have a greater environmental impact.

(c) Approvals including use of adjacent properties will not have an adverse effect on the neighboring properties, public streets, public safety or the environment.

(d) Approvals including use of adjacent properties will not foreseeably result in need for public or private improvements to property other than the applicant's.

(4) Evaluation shall be made of the subwatershed(s) of which the site is a part, the receiving stream channel capacities and point of concentration structure.

(5) Surface water runoff shall generally not be transferred from one watershed to another.

(6) The plan shall coordinate with the soil erosion sediment control plan and with all other applicable ordinances and statutes.

(7) To the greatest possible extent, the plan shall avoid the concentration of flow and shall provide for the dissipation of velocities at all concentrated discharge points.

(8) Re-establishing vegetative cover shall be in accordance with Standards and Specifications for Soil Erosion and Sediment Control in New Jersey, adopted by the Morris County Soil Conservation District, latest edition, and with all other applicable ordinances and statutes.

(9) Timing for the plan shall establish permanent surface water management measures prior to construction or other land disturbance, to include seeding and establishing sod in grass waterways.

B. Design standards. The plan shall utilize the following design standards:

(1) The design of stormwater management collection systems and facilities, including detention facilities, for all projects (residential and non-residential) shall be in accordance with Residential Site Improvement Standards.

(2) All outfalls are to be designed in a manner to retard velocities at the outfall and to provide stream channel protection. Where an outfall does not discharge directly into a well-defined watercourse, and where the volume of runoff is increased, the applicant shall obtain an easement for a right of open discharge from the property owner(s) between the outfall and the receiving well-defined watercourse.

(3) When a natural drainage pattern is necessarily intercepted, as by a street, provisions shall be made to accommodate surface water runoff from the areas upstream from the point of interception.

(4) All structures and land treatment practices shall conform to Standards and Specifications for Soil Erosion and Sediment Control in New Jersey, latest edition, adopted by the Morris County Soil Conservation District, and all other applicable ordinances and statutes.

(5) All water-carrying structures and/or retention areas shall be completed and stabilized prior to diversion of water to them.

(6) Prior to developing the surface water management plan, there shall be an inventory of the site showing all existing natural and man-made drainage features (berms, terraces, grass waterways, favorable hydrologic solid, poorly drained soils, swamps, swales, watercourses, woodlands, floodplains). These shall be incorporated in the plan to the greatest possible extent in accordance with their functional capability.

(7) Drainageways and watercourses which normally carry or receive surface water runoff shall not be overloaded with increased runoff, sediment or other pollution resulting from disturbance of soil and vegetation or incident to development, construction or other activity.

(8) Due consideration shall be given to the relationship of the subject property to the natural or established drainage pattern of the subwatershed(s) of which it is a part as shown on map Watershed Overlay of the Washington Township Natural Inventory Resource Inventory, Map No. 9.

(9) Surface water runoff controls shall be designed to assure that the land in question uses no more than its proportionate watershed share of the natural stream and culvert capacity.

(10) Additional surface water runoff control and recharge devices may be proposed, such as rooftop storage, drywells, cisterns and roof drain infiltration trench, provided that they are accompanied by detailed engineering plans and performance capabilities.

C. Porous media. In the case of detention facilities utilizing porous media for ground absorption, such as drywells, porous pavement or the like, the volume of the porous media shall be large enough to contain the total volume of rainfall excess within the voids. Ground absorption systems shall be used only where the infiltration rate of the receiving soil is acceptable as determined by percolation tests and soil borings or as determined by the Township Engineer. Provisions shall be made to contain overflow of such systems on site or to surface drain the overflow in such a way as not to adversely affect any other property.

D. Surface impoundment. If detention facilities utilizing surface impoundment, such as detention basins or rooftop storage, are used, sufficient volume to fully contain the total volume of rainfall excess shall be provided. The outlets of such facilities shall be designed to limit the maximum discharge rate of stormwater runoff to what occurs at the site under existing conditions and shall discharge in such a way as not to adversely affect any other property. If rooftop storage is proposed, the weight of the impounded water on the roof shall be accounted for in the structural design of the building, and the roof shall be designed to provide maximum protection against leakage. If earth berms or dikes are used to create the impounding area, they shall be adequately stabilized and the slopes protected with vegetative cover, paving or riprap to protect against failure or breaching.

E. Combination of techniques. If a combination of different storm water detention techniques is used, combined volume of the systems shall be large enough to fully contain the total volume of rainfall excess.

F. Maintenance. The maintenance of all stormwater systems shall be in accordance with an approved Stormwater Management System Maintenance Plan. The plan shall be prepared to be consistent with the Township Stormwater Pollution Prevention Plan (SPPP).

G. Exceptions for site plans. Surface water management provisions cannot be waived, except that where there are peculiar conditions to a site plan or to the area in the vicinity thereof, exceptions may be granted, at the option of the Board, based on the following criteria:

(1) Waivers shall include mitigation measures at sites as outlined in the Township Stormwater Pollution Prevention Plan (SPPP).

(2) Compliance with the literal enforcement of part or all of the standards is impractical, due to the size of the lot, shape of the lot or lack of availability of receiving streams/storm drains.

(3) The amount of the increased impervious area (roofs, pavements, etc.) relating to the application and prior applications where waivers were granted by the Board does not exceed 7,500 feet.

(4) The granting of the exceptions will not have an adverse effect on the neighboring properties, public streets, public safety or the environment.

(5) The granting of the exceptions will not foreseeably result in need for public or private improvements to property other than the applicant's.

H. Landscaping. All detention/retention basins shall include landscaping utilizing the following design criteria:

(1) Landscaping shall be compatible with the surrounding area.

(2) Where the adjacent area is wooded:

(a) Deciduous trees, evergreen trees or shrubs hardy to our plant zone shall be installed within the basin, excluding the dam embankment, and the surrounding disturbed area. Trees/shrubs within the basin shall be of a type compatible with flooding/wet conditions.

(b) The only grassed area shall be the detention basin dam embankment, which shall be free of trees/shrubs and shall require periodic mowing.

(3) Where the adjacent area is lawn:

(a) The detention basin shall be a grassed area with suitable trees/shrubs located around the perimeter and within the basin, excluding the dam embankment.

(b) The grassed areas shall require periodic mowing.

(4) The landscaping plan approval for each site shall be based on the conditions at and around the site and based on visual aesthetics, durability and ease of homeowner maintenance."

SECTION 3. All ordinances of the Township of Washington which are inconsistent with the provisions of this Ordinance, are hereby repealed to the extent of such inconsistency.

SECTION 4. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance.

SECTION 5. This Ordinance shall take effect immediately upon final passage, approval, and publication as required by law.

TOWNSHIP OF WASHINGTON
COUNTY OF MORRIS
STATE OF NEW JERSEY

ATTEST:

Dianne S. Gallets, Clerk

By: _____
Kenneth W. Short, Mayor