

Explanation: The purpose of this Ordinance is to amend Chapter XIII entitled “Land Development” of the Township of Bedminster General Ordinances.

**BEDMINSTER TOWNSHIP
ORDINANCE No. 2021-001**

**AN ORDINANCE AMENDING CHAPTER XIII ENTITLED “LAND
MANAGEMENT” OF THE TOWNSHIP OF BEDMINSTER
Section 13-502 – Stormwater Management**

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Bedminster, in the County of Somerset, State of New Jersey as follows:

Section 1. The Township of Bedminster’s Revised General Ordinances, is hereby amended, at Chapter XIII entitled “Land Management” as follows (new language in double-underlining):

§ 13-502 Stormwater Control Ordinance

§ 13-502.1 Definitions

All terms in this section shall be defined in the NJDEP Stormwater Rule (N.J.A.C. 7:8, et seq.). The following additional terms are defined for this chapter only.

a. EXEMPT DEVELOPMENT – Shall mean any development that creates an increase of less than 1,000 square feet of impervious area and disturbs less than 2,500 square feet of land. Further, an exempt development shall not meet the definition of "minor development."

b. MINOR DEVELOPMENT – Shall mean any development that results in the creation of an increase of 1,000 square feet or more of impervious area or one that disturbs more than 2,500 square feet of land area. Further, a minor development shall not meet the definition of "major development" in N.J.A.C. 7:8.

c. MAJOR DEVELOPMENT – Shall mean any individual “development,” as well as multiple developments that individually or collectively result in:

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

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

§ 13-502.2 Design Standards.

a. Exempt Developments. Any project meeting the definition of "exempt development" shall be exempt from the provisions of this section.

b. Minor Developments. Minor developments shall be designed to include the following stormwater management measures:

1. Water Quality. Soil erosion and sediment control measures shall be installed in accordance with the Standards for Soil Erosion and Sediment Control in New Jersey.

2. Rate/Volume Control. Seepage pits or other infiltration measures shall be provided with a capacity of three (3") inches of runoff for each square foot of new impervious area. Stone used in the infiltration devices shall be two and one-half (2 1/2") inches clean stone and design void ratio of 33% shall be used. The infiltration measures shall be designed with an overflow to the surface which shall be stabilized and directed to an existing stormwater conveyance system or in a manner to keep the overflow on the developed property to the greatest extent feasible. If the new impervious surface is not roof area, an equivalent area of existing roof may be directed to the infiltration system. This shall be permitted where the existing roof is not already directed to infiltration devices.

c. Major Developments. All major developments shall have their stormwater management designed in accordance with the Residential Site Improvement Standards (RSIS, N.J.A.C. 5:21) and the NJDEP Stormwater Rule (N.J.A.C. 7:8). These standards shall apply to all projects, residential and nonresidential. ~~as well as projects by the Township, Board of Education and other agencies subject to review by the Township.~~

§ 13-502.3 Waivers and Exceptions.

a. Standards for Relief. Waivers from strict compliance with the major development design standards shall only be granted upon showing that meeting

the standards would result in an exceptional hardship on the applicant or that the benefits to the public good of the deviation from the standards would outweigh ANY detriments of the deviation. A hardship will not be considered to exist if reasonable reductions in the scope of the project would eliminate the noncompliance.

b. Mitigation. If the reviewing agency for the project determines that a waiver is appropriate, the applicant must execute a mitigation plan. The scope of the mitigation plan shall be commensurate with the size of the project and the magnitude of the relief required. The mitigation project may be taken from the list of projects in the Municipal Stormwater Management Plan or another project identified by the applicant. All mitigation projects are subject to the approval of the Township Engineer. A monetary contribution to the Township may be made in lieu of the work identified in the mitigation plan, subject to the approval of the reviewing agency.

c. Reviewing Agency. All applications subject to the review of the Land Use Board shall be reviewed by the Board concurrently with subdivision or site plan review. Applications not subject to Land Use Board review shall be reviewed by the Township Engineer.

d. Appeals. The appeal of the determination of the Township Engineer shall be made in accordance with N.J.S.A. 40:55D-70a.

§ 13-502.4 Application and Review Fees.

There shall be no additional fees for stormwater review for applications to the Land Use Board. Applications to the Township Engineer shall be accompanied by a review fee in the amount of \$250. If a project is approved, an inspection escrow deposit shall be made in an amount to be determined by the Township Engineer.

Introduced:

Passed:

Published:

Adopted:

ATTEST:

BEDMINSTER TOWNSHIP COMMITTEE

By: _____
Judith A. Sullivan, Township Clerk

By: _____
Lawrence F. Jacobs, Mayor

Introduced	Seconded	Township Committee	Vote for Adoption	Nay	Abstain	Absent
		Lawrence F. Jacobs				
		Douglas A. Stevinson				
		R. Colin Hickey				
		Renee Mareski				
		Gina Lisa-Fernandez				