State of New Jersey
DELAWARE AND RARITAN CANAL COMMISSION
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STAFF REPORT

DRCC #: 21-4959C
DATE: June 23, 2026
PROJECT NAME: Hamilton Road Residential Development -- West Tract
Latest Submission Received: June 15, 2026

Applicant:
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Engineer:
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Project Location:

Road	Municipality	County	Block(s)	Lot(s)
Hamilton Road	Hillsborough Township	Somerset	182	11.01

Jurisdictional Determination:

Zone B	Major	Nongovernmental

Subject to Review for:

Drainage	Visual	Traffic	Stream Corridors
X			X

Documents Received: Site Plans (57 sheets) revised March 11, 2022, Utility Detail sheet last revised March 11, 2024; Stormwater Management Plan (1,035 pages) revised March 2022; DRCC Stream Corridor Maps (4 sheets) dated March 14, 2022, Sheet DRCC-P2 revised May 5, 2024; prepared by PS&S.

THIS STAFF REPORT IS ISSUED AS A GUIDE TO APPLICANTS IN COMPLYING WITH DRCC REGULATIONS. IT IS NOT AN APPROVAL. NO CONSTRUCTION SHALL BEGIN UNTIL A CERTIFICATE OF APPROVAL HAS BEEN ISSUED.

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The application is complete and shall be presented to the Commission for their action with a staff recommendation of approval at the July 15, 2026, meeting based upon the following analysis:

Existing Conditions: This approximate 238.75-acre property is located on Hamilton Road in the Township of Hillsborough, Somerset County, approximately 2.2 miles west of the Delaware and Raritan Canal and within Commission Review Zone B. The site is bounded by Hamilton Road to the south, Falcon Road to the north, the Hillsborough Promenade development to the northwest, residential development to the southwest, and lands tributary to the Royce Brook to the east.

In the existing condition, the majority of the site is undeveloped, with a quarry building, parking areas, and site improvements along the southwest corner of the site on Hamilton Road. The site was part of the former Glen Gery quarry and brickworks factory. The north and western sides of the existing building contain a mix of dirt, open space, impervious surface, and wooded areas with access driveways. Further north of the site, the ground cover predominantly consists of a mix of meadow, dirt, dirt pathways/roadways, and wooded areas. Wetland areas and rock outcrops have also been identified throughout the site.

The subdivision and lot line adjustment of Block 182, former Lots 10, 11, 12, 45, and 46 were the subject of a Commission jurisdictional determination in 2016 (DRCC #16-4959). Subsequently, a jurisdictional determination and a deficient staff report were issued in 2018 and 2021, respectively for the proposed construction of 182 single-family residences and

associated site improvements on a 62-acre tract of the site (DRCC #18-4595A and DRCC #21-4595B).

Proposed Project: The applicant proposes to construct, on approximately 72 acres, a single-family home residential development consisting of 198 units, along with associated site improvements. Each single-family home lot will range from 8,000 to 18,700 square feet in size. Associated improvements with the proposed development will include the construction of 10,922 linear feet of paved access roadways, pedestrian walkways, utilities, lighting and landscaping, and the construction of stormwater management facilities.

The new single-family lots will be divided into three separate "neighborhoods" named: Falcon East; Falcon West; and Hamilton West. The Falcon East and Falcon West neighborhoods would have access by means of Falcon Road and the Hamilton West neighborhood would have access by means of Hamilton Road.

The existing quarry building, parking areas, and site improvements would be demolished to construct the proposed residential development. Based upon the submitted application, the total area of proposed impervious coverage onsite after development is estimated to be approximately 22.38 acres. In addition, the proposed project would result in a total area of land disturbance of approximately 72.05 acres.

Stream Corridor: The project site is located within the Millstone River Watershed area. Royce Brook and tributaries to Royce Brook, and their floodplain traverse the property. For this project, the Commission defines "stream corridor" to mean Royce Brook and tributaries to Royce Brook, the 100-year floodplain associated with Royce Brook and tributaries to Royce Brook, and all of the land within a 100-foot buffer adjacent to the 100-year flood line associated with Royce Brook and tributaries to Royce Brook. The applicant has provided both existing conditions and proposed conditions stream corridor exhibit mapping illustrating a "100-Year Floodplain" and a Commission stream corridor line that is offset by 100 feet from the noted "100-Year Floodplain". The floodplain line was delineated using Method 3 (FEMA fluvial method) of the NJ Flood Hazard Area Control Act Rules at N.J.A.C. 7:13. The Method 3 analysis included the use of FEMA map panel 340350144E dated September 28, 2007, and FEMA map panel 340350163F dated November 4, 2016.

Commission staff has determined that an appropriate stream corridor delineation has been submitted. The total area of the lot property that is located within the defined stream corridor is 115.81 acres in size, of which 80.41 acres are located within the 100-year floodplain. Existing vegetation within the defined stream corridor area consists of a combination of wooded areas along Royce Brook and meadow/open space within the balance of the stream corridor area.

The project proposes several intrusions in the Commission stream corridor area. Therefore, this project is subject to stream corridor impact review pursuant to N.J.A.C. 7:45-9.1(a). Specific impacts to the Commission stream corridor include land grading, the removal of existing vegetation, stormwater outfalls, underground utility (sanitary sewer) transmission lines, sanitary sewer manholes, and the construction of stormwater bio-retention basins and

their spillways. Construction of new structures, regrading, and removal of vegetation are all considered to be prohibited uses in accordance with N.J.A.C. 7:45-9.3(a).

The construction of eight stormwater bio-retention basins and their spillways will be within the Commission stream corridor. A maximum of 10 feet of the spillway will extend into the stream corridor from the toe of the berm slope as required by Somerset County. The 12-inch gabion will be covered with 6.0 inches of topsoil and seed. A disturbance of 6,443 square feet (0.15 acre) of stream corridor will be related to the stormwater basins. In addition, 12,692 square feet (0.29 acre) of other areas along the border of the defined stream corridor will be removed from the stream corridor area to extend property lot lines and ensure 25 feet of usable yard between the stream corridor and the proposed dwellings as provided for at N.J.A.C. 7:45-9.3(b). In total, 19,135 square feet (0.44 acre) will be disturbed and permanently removed from the defined stream corridor area. All of these noted intrusions are located outside of the 100-year floodplain area.

The applicant proposes that portions of the proposed disturbances within the stream corridor could be considered to be conditional uses. Pursuant to N.J.A.C. 7:45-9.4(a)5 and 6, sanitary or storm sewer and outfall structures associated with stormwater management facilities, respectively, may be permitted, as a conditional use, if the applicant demonstrates to the satisfaction of the Commission that the proposed use complies with the Master Plan. Specifically, the following conditional use intrusions are being proposed:

- N.J.A.C. 7:45-9.4(a)5 -- Sanitary or Storm Sewer: 480 linear feet of underground sanitary sewer utility lines and two sanitary sewer manholes are proposed to be installed within the stream corridor. An area of 14,347 square feet (0.329 acre) of stream corridor will be disturbed for this improvement; and

- N.J.A.C. 7:45-9.4(a)6 -- Stormwater Outfall Structures: Eight separate stormwater outfall structures from proposed stormwater management basins are proposed. The total area of stream corridor disturbance associated with the stormwater outfall structures is 13,299 square feet (0.31 acre).

The applicant has noted that existing disturbances consisting of 34,848 square feet (0.8 acre) of existing pavement areas located within the defined stream corridor area near Hamilton Road will be removed and replaced with lawn and landscape material. These areas currently consist of parking and pavement area previously utilized by Glen Gery as part of their facility. A majority of the area is to be restored back to a natural stream corridor condition, and the proposed areas are to be included within the Commission deed restricted conservation easement area. A small grading area of Basin #8 is related to the removal of the existing pavement.

In compensation for the proposed prohibited uses within the defined stream corridor in accordance with N.J.A.C. 7:45-9.3(a), the applicant proposes that a total of 20,438 square feet (0.47 acre) of compensation area be created to compensate for the 19,135 square feet (0.44 acre) of intrusions along the stream corridor. This equates to an approximate 1:1 ratio for stream corridor compensation onsite.

Separately from the requirement to prevent impacts to the corridor, the Commission regulations require preservation of the stream corridor on the project site at N.J.A.C. 7:45-9.5. The applicant shall take whatever measures are necessary to ensure that the stream corridor is preserved or to prevent future encroachments into the corridor, and, at minimum, such measures shall include easements, deed restrictions, or other measures satisfactory to the Commission. The applicant will be required to preserve a stream corridor total area of 115.86 acres through the execution of a conservation easement agreement. This considers the existing undeveloped stream corridor area, as well as a reduction of 0.44 acre for proposed intrusion, and an increase for the stream corridor compensation of 0.47 acre. The stream corridor will be preserved and protected such that natural succession of vegetative species can occur.

The applicant shall also erect Commission conservation easement signage demarcating the boundaries of the stream corridor conservation easement area at 250-foot intervals, as well as at corners of the area to be preserved, or on a case-by-case basis, at the direction of the Executive Director in the event the nature of the property or stream corridor warrants. The locations and design requirements for the stream corridor easement signage have been displayed as a construction detail on Site Plan Sheet DRCC-P2.

It is the Commission staff's determination that the previously described disturbances related to the sanitary sewer and the stormwater outfalls be considered to be conditional uses under N.J.A.C. 7:45-9.4(a). Furthermore, it is Commission staff's determination that the stream corridor waiver for the noted disturbances related to land grading, the removal of existing vegetation, removal of defined stream corridor area, and the construction of stormwater bio-retention basins and their spillways is justified by the proposed mitigation area that can be considered to compensate for and be preserving other natural areas that can have a greater ecological beneficial effect pursuant to N.J.A.C. 7:45-12.4(a)1 since the project will not intrude into the 100-year floodplain portion of the stream corridor.

Commission staff also notes that the Commission has viewed the removal of existing disturbances and reestablishment of native vegetation as having no adverse effect on the stream corridor pursuant to N.J.A.C. 7:45-12.4(a)1, as observed by the proposed removal of existing disturbances consisting of existing pavement areas located within the defined stream corridor area.

Stormwater Runoff Quantity: Topographically, the existing property varies in slope due to the previous quarry use of the site. The high point of the site is located in the western part of the site, south of the Hillsborough Promenade. The low point of the site is located east of the property just to the west of Royce Brook.

The proposed improvements would result in an increase in the amount of impervious coverage area on the site and an associated increase in stormwater runoff if unmitigated. The submitted application proposes to control stormwater runoff flow and volume increases via the incorporation of a series of stormwater best management practice (BMP) measures. The stormwater management facilities will include a gravity stormwater pipe collection and conveyance system, eight aboveground bio-retention basins with underdrains, seven of which are considered to be large-scale bio-retention basins and one

is considered to be a small-scale bio-retention basin serving as green infrastructure measures.

The proposed bio-retention basins are designed to release stormwater runoff at a controlled rate via outlet control structures. The stormwater outflow from the proposed outlet control structures is conveyed through storm sewer pipes to headwalls that discharge directly into the Royce Brook or one of its unnamed tributaries on the eastern side of the site.

The rate of stormwater runoff quantity from the site was determined at two separate points of interest, POI #1, and POI #2. POI #1 is located in the northern portion of the Royce Brook relative to the site. POI #2 is located in the southern portion of Royce Brook relative to the site.

The applicant has provided engineering calculations verifying that the proposed stormwater management measures have been designed so that at each of the points of interest, the post-construction peak runoff rates for the 2-, 10- and 100-year storm events will be no greater than 50 percent (%), 75% and 80%, respectively, of the pre-construction peak runoff rates. The submitted calculations utilized the Natural Resource Conservation Service (NRCS) Technical Release No. 55 (TR-55) hydrologic methodology, NOAA Region C unit hydrograph rainfall distribution and current New Jersey 24-hour rainfall frequency data for Somerset County to compute peak runoff flow rates and volumes.

Based upon a review of the submitted stormwater calculations, the proposed stormwater management measures will provide sufficient peak flow attenuation to comply with the specific runoff quantity standards at N.J.A.C. 7:45-8.6(a)1.

Water Quality: The Commission requires that all proposed full-depth pavement, including newly constructed and reconstructed parking and access drives that are being renewed, shall comply with water quality standards at N.J.A.C. 7:45-8.7. This includes reduction of the post-construction load of total suspended solids (TSS) in stormwater runoff generated from the water quality design storm by a rate of 80% of the anticipated load from the developed site, expressed as an annual average.

Based upon the submitted application, new motor vehicle surface areas, including parking and access roadways are being proposed onsite. The submitted design proposes to treat for water quality by incorporating stormwater BMP measures that would include one small-scale bio-retention basin with underdrain. In addition, manufactured treatment devices (MTDs) will be incorporated throughout the site to meet water quality requirements.

Bio-retention systems are stormwater management facilities used to address the stormwater quality and quantity impacts of land development. The system consists of a soil bed planted with vegetation; it can be under drained, or runoff can infiltrate into the subsoil. Pollutants are treated through the processes of settling, plus uptake and filtration by the vegetation. Pollutants are also treated within the soil bed through infiltration. The TSS removal rate is 80% to 90%, depending upon the depth of the soil bed and the type of vegetation selected.

The proposed small-scale bio-retention basin will include a 24 inch-thick soil planting bed over a 6.0 inch-thick sand layer with a 6.0-inch diameter perforated pipe underdrain

system. The bio-retention basin will be planted with vegetation consisting of site-tolerant grasses. Pursuant to the NJ Stormwater BMP Manual, this depth of the soil bed and the type of vegetation will provide a TSS removal rate of 80%.

With respect to the proposed MTDs, Filterra systems manufactured by Contech Engineered Solutions will be located throughout the site to meet water quality requirements. The untreated runoff from the water quality design storm flows along the road to the gutter where it is captured by one of the Filterra units installed throughout the site. Stormwater enters the Filterra system through a curb-inlet opening or pipe and flows through a specially designed filter media mixture contained in a landscaped concrete container that captures and immobilizes pollutants. Stormwater runoff flows through the media and into an underdrain system at the bottom of the container where the treated water is discharged downstream into large-scale bio-retention basins. Each Filterra device is certified by NJDEP, meeting the required 80% TSS requirement when designed, operated, and maintained in accordance with the February 12, 2021, certification letter.

All runoff from motor vehicle surfaces is directed to either the small scale bio-retention basin or to the Filterra devices prior to entering the large scale bio-retention basins. As such, the proposed stormwater quality measures have been designed in compliance with the requirements at N.J.A.C. 7:45-8.7.

Groundwater Recharge: The Commission's regulations require that stormwater management measures maintain 100% of the average annual pre-construction groundwater recharge volume for the site, or that any increase of stormwater runoff volume from pre-construction to post-construction for the 2-year storm is infiltrated. The applicant has provided information identifying the onsite soils as having characteristics of a Hydrologic Soil Group (HSG) Type "D" soil, which do not provide adequate recharge. The subsurface soil and groundwater investigation report, dated August 26, 2021, verifies that the existing soil conditions onsite soil are poorly suited for infiltration exhibiting very low permeability rates. The results of the permeability testing exhibited relatively low permeabilities, generally indicative of HSG Type "D" soils. The limiting zone was identified to be the massive onsite rock substratum.

In addition, a groundwater recharge analysis calculation (NJDEP GSR-32 spreadsheet) has been submitted, which demonstrates that the annual groundwater recharge deficit for the entire site is 0 cubic feet. As expected, given the HSG Type "D" soils for all onsite soils within the proposed development areas pursuant to the geotechnical investigation, the groundwater recharge calculations show that groundwater recharge is not required for this project site. Therefore, the specific recharge standards at N.J.A.C. 7:45-8.5 can be considered to have been met by the project.

Non-Structural Methods: The Commission requires that non-structural stormwater management strategies be incorporated into the stormwater design of a development project. To assist in determining that sufficient non-structural stormwater management strategies have been incorporated into the project site design "to the maximum extent practical," the NJDEP Nonstructural Strategies Point System (NSPS) spreadsheet has been completed for this project. The NSPS results indicate that the ratio of proposed to existing site points (95%) is greater than or equal to the required site points ratio (95%). Therefore,

the project has proposed non-structural measures that are adequate, and the project is designed in accordance with N.J.A.C. 7:45-8.4.

Stormwater Management Maintenance Plan: A stormwater management operation and maintenance plan document has been prepared and submitted for the BMP elements proposed for the project. The plan includes maintenance details for the proposed BMP measures. The plan has been prepared in accordance with the requirements of N.J.A.C. 7:45-8.8.

Staff Recommendation: Staff recommends approval.

Sincerely,

John Hutchison
Executive Director

c. Somerset County Planning Board
Hillsborough Township Planning Board
Douglas Wolfson, Esq. (dwolfson@weingartenlaw.com)

Please refer to the Commission project number (DRCC #) when making a submission, a resubmission, or transmitting project correspondence or documents.