

ORDINANCE NO. 2006-06

**AN ORDINANCE AMENDING AND SUPPLEMENTING
THE LAND DEVELOPMENT ORDINANCE
OF THE TOWNSHIP OF ALLAMUCHY,
COUNTY OF WARREN, STATE OF NEW JERSEY
AND SPECIFICALLY SECTION 504 ENTITLED "DRAINAGE",
SECTION 509 I. ENTITLED "BUFFERS AND BUFFER SCREENING",
SECTION 510 C. ENTITLED "PAVING AND CURBING",
SECTION 515, ENTITLED "STREETS, SIGHT TRIANGLES, CURBS AND GUTTERS,
SIDEWALKS, PATHWAYS AND BIKEWAYS, AND STREET TREES",
SECTION 519 ENTITLED "GRADING OF LOTS, AND SECTION 800, CHECKLIST
ENTITLED "DETAILS REQUIRED FOR GEOTECHNICAL INVESTIGATION REPORT"**

BE IT ORDAINED by the Township Council of the Township of Allamuchy, in the County of Warren and the State of New Jersey, that the Land Development Ordinance is hereby amended and supplemented as follows:

Section 1

Section 504, entitled "DRAINAGE", is amended in its entirety to read as follows:

"504 DRAINAGE

- A. All stormwater management measures for a development regardless of use, including structural stormwater management strategies, detention basins and other stormwater management facilities and stormwater collection and conveyance structures, shall be designed in accordance with and comply with the provisions of Chapter 113 of the Code of the Township of Allamuchy and N.J.A.C. 5:21-7 et seq. A Site Development Stormwater Plan shall be submitted in accordance with Section 113-9 of the Code.
- B. For development not defined as a "major development" in Chapter 113, stormwater management measures shall be developed to meet the stormwater runoff quantity requirements in Section 4 of Chapter 113 of the Code of the Township of Allamuchy.

- C. Guiderails, railings and/or fencing may be required to be placed at the perimeter of all drainage structures where the proximity of the drainage structure to sidewalks, streets, and other areas of public circulation may create a safety concern for pedestrians or vehicles.
- D. Lots shall be graded to secure proper drainage away from the buildings. Additionally, drainage shall be provided in a manner which will prevent the collection of storm water in pools or other unauthorized concentrations of flow and water shall not flow across adjacent sites at greater than pre-development rates.
- E. A comprehensive drainage plan shall accompany the preliminary major subdivision or site plan in accordance with Chapter 113 of the Code and Section 804 B. of this Ordinance and shall indicate the proposed contours for all areas where grading is proposed. The grading proposed as part of the comprehensive drainage plan shall be in accordance with the standards in Section 519 of this Ordinance. The final drainage plan accompanying the final major subdivision or site plan shall show the same information as required on the preliminary plan with the addition that the individual lot grading shall be shown in accordance with Section 805 B. of this Ordinance.
- F. Detention and retention basins for residential developments shall be constructed on a separate lot specifically reserved for such purpose, unless otherwise approved by the Planning Board or Zoning Board of Adjustment, whichever the case may be. The detention/retention basin lot shall be owned and maintained by a homeowners' association unless the Township shall require dedication in accordance with Subsection 504 H.2. hereinbelow.

Where the area designated for a detention basin and similar storm water management facilities are part of a residential lot, the areas devoted to these storm water management purposes shall not be counted as part of the minimum lot area required for residential lots; neither shall the area devoted to these storm water management purposes be counted as part of the required open space in a residential cluster design.

G. Landscaping And Design

As part of any development plan application, a landscaping plan prepared by a landscape architect, or other licensed and qualified professional as permitted by law, shall be submitted for each detention basin and similar open space area devoted to storm water management.

- 1. The intent of the landscaping plan shall be to ensure that the grading and plantings in and around these areas make these areas an integral and aesthetic part of the development so these areas appear as a park-like setting and adequate evergreen screening between the basin and a street and/or residential dwelling is provided.

2. These storm water management areas shall have reasonable side slopes to allow safe and easy mowing and shall have areas landscaped with plant material suitable for the slopes, soils and periodic wet conditions which will provide for easy and minimal maintenance.
3. Evergreen trees and shrubbery may be required by the Planning Board or Zoning Board of Adjustment, whichever the case may be, along the perimeter of the basin to provide necessary screening.
4. Shade trees shall be located along the side of any such area abutting a street and, where permitted, within the basin area.

H. Maintenance Of Storm Water Management Facilities

1. In instances where detention basins and similar storm water management facilities will be common property and the maintenance of this common property will be the responsibility of a homeowners' association approved as to form by the Township Attorney created under Section 605 of this Ordinance, and in the event that the homeowners' association fails to maintain the property in reasonable order and condition, the Township shall have the right, but not the obligation, to correct the deficiencies at the expense of each property owner in the association in accordance with the provisions of Section 605 F. of this Ordinance.
2. It is the policy of the Township of Allamuchy that from the date of the enactment of this Ordinance, detention basins and similar storm water management facilities are to be maintained by and shall be the responsibility of the property owners (in the form of a homeowners' association approved as to form by the Township Attorney) who are benefited by the location of such detention basins and similar storm water management facilities. They shall maintain such facilities and retain such facilities in private ownership.
 - a. The Planning Board or Zoning Board of Adjustment, whichever the case may be,, prior to the issuance of any approval in connection with an application for development where such application for development involves the location of a detention basin or similar storm water management facility, shall obtain from the property owner or owners an agreement whereby such property owner or owners agree that the cost of maintenance and the responsibility for such facilities shall rest with and be the responsibility of the property owners affected by such detention basin and storm water management facility.
 - b. No such facilities shall at any time become Township facilities or be maintained by the Township of Allamuchy unless and until the Mayor and Council of the Township of Allamuchy by formal resolution shall agree to be responsible for and maintain such facilities.

- c. Where a property owner or owners or an applicant for development wishes the Township to own and/or maintain such facilities in the future, the Township Council shall not undertake to approve such agreement for ownership and/or maintenance unless and until the Planning Board or Zoning Board of Adjustment, whichever the case may be, shall have acted to recommend that the Township be required to own and/or maintain such facilities. The Planning Board or Zoning Board of Adjustment, whichever the case may be, shall set forth its reasons why the Township should accept the responsibility for ownership and/or maintenance. The Township Engineer shall also provide the Mayor and Council with a written statement recommending that such facility be owned and/or maintained by the Township, and such statement setting forth the Township Engineer's reasons why the Township in lieu of the property owner should own and/or maintain such facility.
3. In instances where detention basins and similar storm water management facilities will be owned and/or maintained by the Township in lieu of a homeowners' association, the Township shall accept the dedicated land by resolution of the governing body and shall accept a deed of dedication in form acceptable to the Township Attorney from the developer, at no cost to the Township, provided that the detention basin and other storm water management facilities have been constructed as required by the Township, have properly located and designed access lanes constructed for access by emergency and maintenance vehicles, and have proper funds to assure that such facility will be preserved, repaired, kept and sustained in good order including the cost to cover the landscaping aspects of the facilities. The amount of said funds to be posted shall be based on the costs that shall be expected to preserve, repair, keep and sustain the basin over a twenty-five (25) year period, as calculated by the Township Engineer. Said moneys shall be deposited in a special storm water facilities maintenance account of the Township to be commingled with other funds for the maintenance of storm water management facilities, provided records are maintained for each facility and the funds so dedicated are used exclusively for the maintenance of the facility for which such funds have been deposited.
- I. Approval of drainage structures shall be obtained from the appropriate Municipal, County, State and Federal agencies and offices. Each applicant shall make appropriate application to the Division of Water Resources of the New Jersey Department Of Environmental Protection, the Warren County Engineering Department, and the Township Engineer. Final approval shall not be effective until letters of approval from the proper governmental authorities shall be furnished to the Administrative Officer with a copy of each letter forwarded to the Township Engineer.
- J. When required by the Township, a drainage right-of-way easement shall be provided to the Township or homeowners' association where a tract or lot is traversed by a watercourse, surface or underground drainageway or drainage system, channel or stream.

1. All drainage right-of-way easements shall conform substantially with the lines of such watercourses or drainageway.
2. Easements for storm sewers and drainageways shall be a minimum twenty feet (20') in width and easements for watercourses shall conform to the width of the watercourse from bank to bank with an additional fifteen foot (15') access strip beyond the top of bank along each side of the watercourse. In any event, the easement shall meet any minimum widths and locations as shown on any adopted Official Map or Master Plan.
3. Such easement shall be expressed on the plat as follows: "Drainage easement granted for the purposes provided and expressed in the Land Development Ordinances of Allamuchy Township".

Section 2

Subsection 509 I.1. under Section 509 I., entitled "Buffers and Buffer Screening", is amended by the addition of a new Subsection 509 I.1.d. to read as follows:

- "d. Buffer areas may include non-structural stormwater management strategies which disconnect impervious surfaces and treats runoff from impervious surfaces, such strategies shall meet the requirements of Chapter 113 of the Code."

Section 3

Subsection 509 I.3. under Section 509 I., entitled "Buffers and Buffer Screening", is amended by the addition of a new Subsection 509 I.3.h. to read as follows:

- "h. All plant material installed within the buffer shall be of native species."

Section 4

Subsection 510 C.3. under Section 510 C., entitled " Paving And Curbing ", is amended by the addition of new Subsection 510 C.3.d. to read as follows:

- "d. Permeable paving materials, which reduce the rate of runoff and Total Suspended Solids (TSS) and promote groundwater recharge, shall be permitted for all driveways servicing single-family residential dwellings."

Section 5

Subsection 515 A.4. under Section 515 A., entitled "Streets", is amended by the addition of a new sentence at the beginning of the subsection to read as follows:

- "4. In all residential developments, the minimum public street hierarchy, right-of-way width, cartway width and overall cross section shall be designed in accordance with the Residential Site Improvement Standards (N.J.A.C. 5:21-7 et seq.). In all other developments,".

Section 6

Subsection 515 C.1. under Section 515 C., entitled "Curbs and Gutters", is amended in its entirety to read as follows:

- "1. Curbing, either Belgian block or concrete, and gutters, shall be installed on both sides of all streets and laid in a manner approved by the Township Engineer and in accordance with the New Jersey Department of Transportation's standards.
- a. Curbing in residential developments shall be installed where required by the Residential Site Improvement Standards (N.J.A.C. 5:21-7 et seq.).
 - b. The standard curb section shall be ten feet (10') in length with preformed expansion joint material on not more than twenty foot (20') centers and shall be set in accordance with approved lines and grades, and radial curbs shall be formed in a smooth curve. Chord segments are prohibited.
 - c. The finish shall be a smooth float finish with comers rounded.
 - d. Concrete curbs shall be eight by nine by twenty (8 x 9 x 20) inches (six inch [6"] exposed face), using Class B concrete having twenty-eight (28) day compressive strength of four thousand (4,000) pounds per square inch and shall be air entrained.
 - e. The curbing shall be designed to provide depressed barrier-free curb ramps constructed in accordance with the Design Standards for Curb Ramps for the Physically Handicapped of the New Jersey Department of Transportation and the Americans With Disabilities Act."

Section 7

Section 515 D., entitled "Sidewalks, Pathways and Bikeways", is amended by the addition of new Subsections 515 D.8. and 515 D.9. to read as follows:

- "8. All Sidewalks, Pathways and Bikeways shall be graded to discharge runoff to lawn areas wherever feasible.
9. Permeable paving materials which reduce the rate of runoff and Total Suspended Solids (TSS) and promote groundwater recharge shall be permitted for all sidewalks, pathways and bikeways."

Section 8

Subsection 519 A. under Section 519 of the Code entitled "GRADING OF LOTS" is amended in its entirety to read as follows:

- "A. Sites shall be graded to secure proper drainage and to prevent undesirable ponding of surface water. Grading shall be performed in a manner which will minimize land disturbance, soil compaction and damage to, or destruction of, trees.
1. Topsoil shall be provided and/or redistributed on the graded surface as cover and shall be stabilized by seeding or planting.
 2. Grading plans shall have been submitted and approved with the subdivision plat or site plan, and any departure from these plans must be approved by the Planning Board or Zoning Board of Adjustment, as the case may be.
 3. Grading shall be designed to prevent or minimize damage to structures or improvements when major storms exceeding the 100 year storm design of the storm drainage system occur."

Section 9

Section 800, entitled "Development Application Review Procedures", is amended by the addition of a new Section 807 to read as follows:

"807 SUBMISSION OF SITE DEVELOPMENT STORMWATER PLAN

Any developer subject to Section 113 of the Code of the Township of Allamuchy shall submit a "Site Development Stormwater Plan" in accordance with Section 113-9 of the Code. See Section 113-C. for checklist requirements."

Section 10

The Checklist entitled "Details Required For Geotechnical Investigation Report" found at the end of Section 800 is amended by reference (see attached Checklist) and by adding a column for the Geotechnical Consultant's approval/disapproval of the checklist items and by amending the "Items Of Information Required By The Land Development Ordinance" under Items 5, 7, 8, 9, 13, 16, 19, 21, 24, 25, 26, 27, 29, 30, and 34 in their entirety to read as follows:

- "5. Direct Testing Procedures – Test Borings:
7. Depths anticipated (If rock encountered is within 40' of ground surface, a minimum of 10' of rock is to be cored. Rock cores shall be a minimum of 2" in diameter to be obtained by double tube split barrel coring device).
8. Boring techniques to be used (Unless written approval is authorized, all test borings will be drilled using rotary wash/without use of drilling muds. Water losses in borings are to be monitored as to depth and quantities; drilling speed and rod drops must also be monitored.);
9. Proposed bore hole cement grouting techniques consistent with N.J.A.C. 7:9-9.1 et seq.;
13. Direct Testing Procedures – Test Pits:

16. Direct Testing Procedures – Piezometers, Lysimeters & Water Table Data:
19. Procedures for Geotechnical Testing of Properties of Soils, Rock and Water:
21. Direct Testing Procedures - Percussion Probes:
24. Logging techniques to be utilized (e.g. air loss, material consistency, drilling speed and rod drops).
25. Indirect Testing Procedures – Geophysical Studies:
26. Seismic refraction and reflection; location and number of runs anticipated and equipment to be used; specify procedures and location of surveys;
27. Ground penetrating radar; specify procedures and location of surveys; and
29. Indirect Testing Procedures- Geologic Reconnaissance:
30. Factors to be examined – vegetative changes, observable seeps, or groundwater discharge, circular depressions, swales, and disappearing streams; and
34. Timetable of proposed field investigation, laboratory testing, test data receipt and final report to the Township. If investigation is to be performed in more than one phase, give an estimated schedule of each phase and expected results;"

SECTION 11

If any section, paragraph, subsection, clause or provision of this Ordinance shall be adjudged by the Courts to be invalid, such adjudication shall apply only to this subsection, clause or provision so adjudged and the remainder of this Ordinance shall be deemed valid and effective.

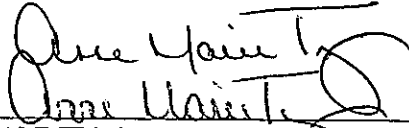
SECTION 12

This Ordinance shall take effect upon final adoption, publication and the filing of a copy of said Ordinance with the Warren County Planning Board, all in accordance with the law.

****CHECKLIST IS ON FILE IN MUNICIPAL CLERK'S OFFICE****

NOTICE

The aforesaid Ordinance was introduced on first reading by the Allamuchy Township Council at the regular meeting held February 21, 2006. The aforesaid Ordinance will be given final consideration at a regular meeting of the Township Council to be held on March 21, 2006 at the Municipal Building, 292 Alphano Road, Allamuchy, New Jersey, at 7:30 P.M. when the Township Council will consider final passage of said Ordinance.



ANNE MARIE TRACY, RMC/CMC
TOWNSHIP OF ALLAMUCHY

☐ CHECK LIST ☐

Details Required For Geotechnical Investigation Report

Note: See Subsection 804 C.3.c. of the Allamuchy Township Land Development Ordinance for further details of submission requirements and procedures.

Applicant _____ Block _____ Lot _____

Item #	Provided	Not Relevant	Waiver Asked For	GTC OK	Item Of Information Required By The Land Development Ordinance
1					Report(s) and Checklist(s) (15 copies).
2					Name, address, telephone number and signature of N.J. licensed Engineer who prepared the report.
3					Name, telephone number and address of N. J. licensed Well Driller.
4					Name, telephone number and address of Geotechnical Consultant.
5					Direct Testing Procedures - Test Borings:
6					Number of test borings proposed;
7					Depths anticipated (If rock encountered is within 40' of ground surface, a minimum of 10' of rock is to be cored. Rock cores shall be a minimum of 2" in diameter to be obtained by double tube split barrel coring device.);
8					Boring techniques to be used (Unless written approval is authorized, all test borings will be drilled using rotary wash/without use of drilling muds. Water losses in borings are to be monitored as to depth and quantities; drilling speed and rod drops must also be monitored.);

Item #	Provided	Not Relevant	Waiver Asked For	GTC OK	Item Of Information Required By The Land Development Ordinance
9					Proposed bore hole cement grouting techniques consistent with N.J.A.C. 7:9-9.1 et seq.;
10					Descriptions of proposed monitoring well completions with attached as-built drawing(s);
11					Soil and rock sampling performed in accordance with ASTM Standards D420, D1586, D1587, and D2113; and
12					Logging of all test borings or test pits in accordance with the Unified Soil Classification System and in relation to the geologic origin of the constituents of the encountered materials, e.g. light yellow brown silty clay (CH), with occasional angular dolomite fragments, moderately stiff, residual soils, some stained paleo jointing.
13					Direct Testing Procedures - Test Pits:
14					Number and depth of proposed pits (To be acceptable, minimum bottom area of pits shall be 10 square feet.); and
15					Method of backfill to be employed (Test pit backfill shall be composed of excavated material placed in layers and compacted to pre-excitation density, unless authorized otherwise by GTC.);
16					Direct Testing Procedures - Piezometers, Lysimeters & Water Table Data:
17					Number, locations and types to be used; and
18					List of other methods to be used (These shall be installed and monitored in sufficient locations to identify depth to seasonable high watertable and rate and direction of ground water flow.).
19					Procedures For Geotechnical Testing of Properties of Soils, Rock and Water:
20					List of methods proposed.
21					Direct Testing Procedures - Percussion Probes:

Item #	Provided	Not Relevant	Waiver Asked For	GTC OK	Item Of Information Required By The Land Development Ordinance
22					Number proposed;
23					Depths anticipated; and
24					Logging techniques to be utilized (e.g. air loss, material consistency, drilling speed and rod drops).
25					Indirect Testing Procedures - Geophysical Studies:
26					Seismic refraction and reflection; location and number of runs anticipated and equipment to be used; specify procedures and location of surveys;
27					Ground penetrating radar; specify procedures and location of surveys; and
28					Magnetic, gravity or conductivity techniques; specify procedures and location of surveys.
29					Indirect Testing Procedures - Geologic Reconnaissance:
30					Factors to be examined - vegetative changes, observable seeps, or groundwater discharge, circular depressions, swales, and disappearing streams; and
31					Additional field investigation techniques proposed.
32					Maps, Drawings, and Other Documentation:
33					Location of site on 1:24,000 scale USGS to topo map and general site plan showing locations of all field testing procedures, in relation to the planned development at a minimum scale of 1"=100';
34					Timetable of proposed field investigation, laboratory testing, test data receipt and final report to the Township. If investigation is to be performed in more than one phase, give an estimated schedule of each phase and expected results;

Item #	Provided	Not Relevant	Waiver Asked For	GTC OK	Item Of Information Required By The Land Development Ordinance
35					Proposed technical inspection procedures during investigation (continuous technical supervision of field investigations is strongly recommended);
36					Submission of application fees; and
37					Special factors or conditions applicant wishes to bring to the attention of the GTC.

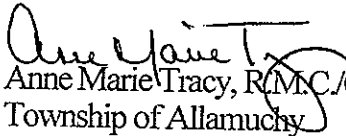
SIGNATURE AND TITLE OF PERSON WHO PREPARED CHECK LIST. DATE.

Municipal GTC Review:
Approval of Phase II Checklist:
Phase II Checklist Completion Date:
Conditions to be imposed on approval:
Denial of Phase II Checklist:

ORDINANCE #2006-06

AN ORDINANCE AMENDING AND SUPPLEMENTING THE LAND DEVELOPMENT ORDINANCE OF THE TOWNSHIP OF ALLAMUCHY, COUNTY OF WARREN, STATE OF NEW JERSEY AND SPECIFICALLY SECTION 504 ENTITLED "DRAINAGE," SECTION 509 I. ENTITLED "BUFFERS AND BUFFER SCREENING," SECTION 510 C. ENTITLED "PAVING AND CURBING," SECTION 515, ENTITLED "STREETS, SIGHT TRIANGLES, CURBS AND GUTTERS, SIDEWALKS, PATHWAYS AND BIKEWAYS, AND STREET TREES," SECTION 519 ENTITLED "GRADING OF LOTS, AND SECTION 800, CHECKLIST ENTITLED "DETAILS REQUIRED FOR GEOTECHNICAL INVESTIGATION REPORT.

Take notice, the foregoing Ordinance was introduced and passed on first reading by the Township Council of the Township of Allamuchy on February 21, 2006 at the regular meeting said Council held at Allamuchy Town Hall, Allamuchy, New Jersey and was given further consideration and finally passed at a regular meeting of the Allamuchy Township Council held March 21, 2006 at Allamuchy Town Hall, Allamuchy, N.J.


Anne Marie Tracy, R.M.C./C.M.C.
Township of Allamuchy