

BOROUGH OF RARITAN PLAN ENDORSEMENT CONSISTENCY REVIEW

NJDOT COMMENTS

7/8/11

GENERAL COMMENTS

From a transportation perspective, the Borough of Raritan primarily contains the type of compact, mixed use development pattern most conducive to efficiencies in the transportation system, and therefore, generally consistent with the goals and policies of the State Development and Redevelopment Plan (SDRP). Raritan has exhibited initiative in seeking opportunities for infill and redevelopment in order to absorb growth into the Borough's portion of the Somerset Regional Center. The Borough has studied the feasibility of transit-oriented development around the NJ TRANSIT Raritan Valley Line train station. In addition, the Borough has explored methods of addressing parking needs, such as permitting and encouraging mixed use in the downtown area to allow for shared parking, modifying standards to reduce the ultimate demand for parking and increasing parking opportunities by more efficient use of existing on-site parking. Finally, the Borough has shown recognition of the need to view transportation issues within a regional context.

SPECIFIC COMMENTS

The 2003 Master Plan update contains a Circulation Element that includes all relevant modes of transportation and describes the relationship of the existing and planned land uses to the transportation network. Although a 2007 Master Plan Reexamination Report updates this element, the information contained in both documents eventually will need further updating to capture even more recent events. Inasmuch as the Circulation Element shows substantial consistency with the transportation goals of the SDRP, the municipality should consider the following points:

Based upon public comment, the Borough has expressed unease about increased traffic volume on local streets. While this concern is understood, particularly regarding truck traffic in residential neighborhoods, the municipality should explore creative ways to increase connectivity within the Borough and to points elsewhere in the Regional Center using the local road network where it makes sense and without compromising the efficiency of the entire system.

The Circulation Element addresses the State Highway Access Management Code, but does not detail how the Code specifically relates to the zoning along Routes 28, 202 and 206. An update of the Element should include a demonstration of compliance with Municipal Land Use Law (MLUL) provision that zoning along the state highways conform to the State Highway Access Management Code, with the intent to insert language into the zoning ordinance such compliance. The Borough may request technical assistance from the Department in determining whether any non-conforming lots currently exist, and how to assure that anticipated zoning changes will reflect conformance with the Access Code.

The Circulation Element discusses truck freight under a general discussion of goods movement, but also should add a section on rail freight. Conrail freight service is available on the same line that provides passenger service on the NJ TRANSIT Raritan Valley Line. The municipality should consider retention of industrial uses along freight-served rail lines whenever possible.

The Borough has stated the intent to maximize opportunities for redevelopment in the areas of Route 206 and Orlando Drive and Route 206 and the Somerville Circle. While access permitting regulations would apply to any access points proposed on the state highway, Raritan should still strive to ensure that potential development would impact traffic around the Circle and at the Orlando Drive intersection as minimally as possible.

STATE AGENCY ASSISTANCE AND BENEFITS

The Borough can continue to submit applications on a competitive basis under Local Aid programs for which the Borough is eligible. Benefits depend upon funding availability and are subject to program guidelines.

Guidance from DEP on the Raritan Borough's Action Plan and PIA

Natural Resource Inventory

Raritan did not submit a Natural Resource Inventory (NRI) - an absolute requirement of Plan Endorsement. While most of Raritan is developed, multiple natural resources/areas/constraints exist that should be recognized, restored, and further protected. These resources include floodprone areas, habitat for State Threatened and Endangered Species (Bald Eagle foraging and Red-headed Woodpecker), wetlands, groundwater recharge areas, the Raritan River, and multiple historic resources, among others. Somerset County has developed a complete Natural and Cultural Resource Inventory, which the Borough should use as a foundation for its own, more detailed, Natural Resources Inventory. **Raritan shall develop a comprehensive NRI that includes detailed information about these resources and the steps needed to further protect or enhance them. The NRI must be submitted prior to Endorsement.**

Natural Resource Conservation Requirements/Recommendations

1. Raritan Borough shall develop and adopt a comprehensive NRI prior to Plan Endorsement.
2. Raritan Borough shall develop a Conservation Plan Element of the Master Plan, or include the applicable information within the existing Master Plan. This action may be completed post-Endorsement, as part of the Plan Implementation Agreement.
3. As part of the Conservation Plan, Raritan Borough shall contact the USDA Animal Plant and Health Inspection Service (APHIS) Wildlife Services program to identify and implement appropriate Canada Geese Management strategies. This action may be completed post-Endorsement, as part of the Plan Implementation Agreement.
4. Raritan Borough shall adopt a suite of resource conservation ordinances, including:
 - Water Conservation ordinance (prior to Plan Endorsement);
 - Stream Corridor/Riparian Protection ordinance (WQMP requirement);
 - Steep Slopes ordinance (if require through WQMP);
 - All required TMDL ordinances (TMDL ordinance/Plan Implementation Agreement);
 - All required stormwater ordinances (see Stormwater section of this document)
5. Raritan Borough shall update and codify its zoning ordinances as necessary to be consistent with the NRI and Conservation Plan.

Conservation Plan

Should include the following:

- Protection for Stream Corridors

At a minimum, the plan shall establish a waterways map considering all waterways within or forming the boundary of a municipality and any state required setbacks, wetland transition areas, riparian buffers, and the standard limits of construction disturbance for each waterway based on current information. The plan should identify existing development that conflicts with the state required setbacks, wetlands transition areas, and riparian buffers, as well as identify locations with disturbed corridors and where rehabilitation of these corridors is appropriate.

- Source Water Protection

The Conservation Plan should seek to manage potential sources of contamination and threatening activities that occur within a source water protection area. Plans shall include delineation of the source water protection area, an inventory of known and potential contamination sources, a determination of water supply system susceptibility to these contaminants, public outreach and education about threats, implementation measures to prevent, reduce or eliminate threats, and contingency planning strategies to address with water supply contamination or service interruption emergencies. Source Water Protection plans are applicable to groundwater supplies of drinking water, wellhead protection areas or surface water supplies, intakes and reservoirs and their drainage.

- Habitat Conservation Program

Raritan Borough does not have large areas identified as State or Federally listed Endangered or Threatened species habitat. However, Raritan Borough does have some areas identified for the presence of threatened or endangered species and these (along with other types of habitat) should be identified in the Borough's NRI as well as actions that the Borough can take to enhance or protect these resources. The ordinances and other planning requirements included in this report will act as suitable Habitat Conservation Program.

- Total Maximum Daily Load (TMDL) Implementation Plan

When a TMDL has been adopted for a local water body, the Implementation Plan must include a plan to meet these standards, or support the use designated (drinking, fishing, swimming, etc.). These measures typically include effluent limits for wastewater discharges, point source storm-water controls, best management practices for point sources of storm-water, and non point sources of pollutants.

The TMDLs that encompasses the Raritan Borough are nonpoint source driven for fecal coliform and nonpoint source driven for phosphorus. There is also a Statewide TMDL for Mercury Impairments in Fish Tissue adopted by NJDEP in June 2010. Due to the nature of the impairment there is nothing specifically identified at the municipal level that is required to meet the TMDL for Mercury. The other TMDL documents were all established as amendments to the Upper Raritan Water Quality Management Plan (WQMP). DEP's TMDL Reports may be downloaded from the Division of Watershed Management's web site at www.state.nj.us/dep/watershedmgt/tmdl.htm. Additional information on these TMDLs can be found in the DEP Opportunities and Constraints Analysis (OCA)

report. The OCA report also identifies short- and long-term management strategies to implement the TMDLs. These strategies include a Canada Goose Management Plan and pet waste management. Both short-term and long-term management strategies that address fecal reduction related to these identified sources may be eligible for future DEP funding.

- **Canada Geese Management.** The USDA Animal Plant and Health Inspection Service (APHIS) Wildlife Services program is authorized and directed by law to assist landowners, corporations, agencies, and others in resolving damage situations involving federally managed wildlife. Wildlife Services is the agency primarily responsible for handling requests regarding Canada goose damage problems in New Jersey. This is accomplished through close cooperation with the U.S. Fish and Wildlife Service and N.J. Division of Fish, Game, and Wildlife. Assistance typically consists of providing information on control techniques, sources of bird control supplies, assistance with the permit process, and implementation of operational goose damage management activities through funded contracts. U.S. Department of Agriculture - (APHIS) Wildlife Services New Jersey office: Pittstown, N.J. (908) 735-5654 <http://www.aphis.usda.gov/>.
- **Malfunctioning and Older Improperly Sized Septic Systems; Illicit Connections of Domestic Sewage**

Malfunctioning and older improperly sized septic systems contribute to fecal coliform loading in two ways: the system may fail hydraulically, where there is surface break out; or hydrogeologically, under conditions when soils are inadequate to filter pathogens. Specific management measures include the implementation of the NJPDES Municipal Stormwater Regulation Program, Sanitary Surveys, Septic System Management Programs and future sewer service area designations for service to domestic treatment works. Sanitary surveys are conducted in an effort to evaluate the water quality of natural surface waters and identify those components that affect water quality, including geographic factors and pollution sources. The focus of the sanitary survey is to identify nonpoint and stormwater source contribution of fecal coliform within the watershed. It is accomplished by sampling for various types of fecal indicators (fecal coliform, enterococcus, fecal streptococcus, *E. coli* and coliphage) during wet and dry weather conditions. Where potential problems with septic systems are identified, as described below, a trackdown study may be warranted. This could lead to an analysis of alternatives to address any identified inadequacies, such as rehabilitation of septic systems or connection to a sewage treatment system, as appropriate.

In 2006 the Department adopted changes to the SWQS to replace the fecal coliform criteria for those waters designated for primary contact recreation (FW2, SE1 and SC) with enterococcus (SE1 and SC waters) and *E. coli* as pathogen indicators (FW2 waters), respectively. The United States EPA recommends the use of *E. coli* and enterococcus as pathogen indicators for fresh waters and enterococcus for marine waters. Thus, the Department now monitors these parameters to determine if the specific designated use for recreation is being attained for the impaired waterbodies.

- Stormwater Detention Basins and Impoundments

Stormwater detention basins may act as sources of fecal coliform due to the accumulation of geese and pet waste in basins. Under certain conditions, coliform will increase in numbers in basins. As a result, significant quantities of fecal coliform can be discharged during storm events. Impoundments created by small dams across streams have been a measure commonly used for flood control by municipalities in New Jersey. In addition to flood control, the impoundments were often incorporated into public parks in order to provide recreational opportunities for residents. Many of the impoundments are surrounded by mowed turf areas, which in combination with open water serve as an ideal habitat for geese and an attraction for pet walking. Raritan Borough is required to adopt a Stormwater Management Plan and a number of associated ordinances, which are discussed in more detail in the Stormwater section of this document.

- Pet Waste

Specific management measures to reduce pet waste include: adoption of pet waste disposal, i.e., pooper scooper ordinances; signage in parks and other public recreation areas; providing plastic bag dispensers in public recreation areas.

DEP is working on a Nutrient TMDL for the Raritan River basin which will encompass Raritan Borough. The TMDL will identify overall nonpoint source reductions that will be required and how many pounds of phosphorus will need to be reduced from the basin from both point sources and NPS. In additions to the requirements of each municipality through their MS4 stormwater permit, the TMDL implementation plan will encourage all Raritan River Basin municipalities to avail themselves to funding opportunities to mitigate NPS pollution e.g. through streambank restoration projects and/or to continue to work with partners such as NJ Water Supply Authority and Rutgers who are already performing NPS projects throughout the Basin.

Guidance from DEP on the Recycling Consistency

Raritan Borough shall submit both the Statement of Consistency and Municipal Recycling Ordinance prior to Plan Endorsement. DEP encourages municipalities to go beyond the basic recycling requirements and encourage innovative ways for citizens to reduce the quantity of waste sent to landfills. Possibilities include providing education on household composting, product re-use, use of recycled materials in construction, and minimizing excess packaging material.

Recycling Requirements/Recommendations:

- Raritan Borough shall submit both the Statement of Consistency and Municipal Recycling Ordinance prior to Plan Endorsement.
- DEP recommends that Raritan Borough consider innovative ways to reduce waste and promote recycling. DEP will provide technical support toward these efforts. Such methods may include recycling education programs with schools and small businesses in the community and investigate opportunities to recycle additional materials beyond what is required by the county plan.

Open Space

Raritan Borough did submit its Recreation and Open Space Inventory, but did not provide a complete Open Space, Recreation, and Parks Plan (OSRP). While it is clear that the borough supports the County and Regional Center's efforts regarding the Greenway. Developing an Open Space and Recreation Plan will articulate the local government's vision of open space and recreation and provide a framework for implementation of the plan. An OSRP identifies and examines open space and recreation resources important to the community and lays out strategies to protect and enjoy them. DEP offers its assistance in developing priority acquisition plans as well as any proposals to address stream encroachment, restoration, habitat preservation or contamination.

Open Space Recommendations/Requirements

1. Raritan Borough shall submit a complete Open Space, Recreation and Park Plan prior to Plan Endorsement.
2. DEP recommends that the Borough or County acquire lands along the Raritan River greenway to facilitate their inclusion in the regional center.

Implementing Ordinances

In order to address the natural resource concerns identified above, **Raritan Borough shall adopt a suite of resource conservation ordinances.** These ordinances are absolute requirements of Plan Endorsement. Some of these ordinances are required by existing DEP regulations and must be adopted regardless of the Plan Endorsement process. These ordinances are identified as such. The following list also identifies those ordinances that must be adopted prior to Plan Endorsement, whereas others will be based on resource-specific plans not yet developed. Sample ordinances are available on the DEP website at <http://www.nj.gov/dep/opsc/envcbp.html#model>. Raritan Borough shall adopt the following ordinances:

- Water Conservation ordinance

This ordinance sets water conservation guidelines that protect the community's drinking water supply, industrial and agricultural needs, recreational activities, and the natural systems that rely on specific water levels. DEP will provide technical assistance in making appropriate modifications to the sample ordinance.

As an absolute requirement, this ordinance should be adopted prior to Plan Endorsement. A model Water Conservation Ordinance is available through Sustainable Jersey at:

http://www.sustainablejersey.com/actiondesc.php?arr_num=94&id_num=11115.

- Stream Corridor/Riparian Protection ordinance

Riparian lands adjacent to streams, lakes, or other surface water bodies that are adequately vegetated provide an important environmental protection and water resource management benefit. This ordinance seeks to protect and maintain the beneficial character of riparian areas by implementing specifications for the establishment, protection, and maintenances of buffers along the surface water bodies. This ordinance is a requirement of the Water Quality Management Planning Rules N.J.A.C. 7:15 and shall be consistent with those requirements.

This ordinance shall be submitted as part of the Somerset County Wastewater Management Plan. A model ordinance is available at:

<http://nj.state.us/dep/watershedmgt/rules.html>

- Steep Slope ordinance

Disturbance of steep slopes should be restricted or prevented based on the impact that the disturbance of steep slopes can have on water quality and quantity, and the environmental integrity of landscapes. If a steep slope ordinance is required in Raritan Borough it should be **completed as part of the Somerset County Wastewater Management Plan** process consistent with the Water Quality Management Planning Rules N.J.A.C. 7:15.

- Pet Waste Management ordinance

As noted in DEP's OCA report, pet waste management is a strategy to implement Fecal TMDLs. This ordinance establishes requirements for the proper disposal of pet solid waste. As a Tier A Stormwater municipality, a pet waste ordinance is required. **This ordinance may be adopted post-Endorsement, as part of the Plan Implementation Agreement**, if it has not been already. A model ordinance is available at:

http://www.njstormwater.org/tier_A/pdf/pet%20waste%20ordinance.pdf

- Fertilizer Ordinance

On January, 2011 Governor Christie signed a new fertilizer law, A2290. This new fertilizer law is more detailed in its requirements than the model ordinances that DEP previously recommended. In addition to the requirements of the model ordinances, this new law decreases the total amount of nitrogen in fertilizer and increases the amount of slow release nitrogen that may be used, phases in a prohibition of phosphorous-containing fertilizers under most circumstances, and

prohibits the use of fertilizers containing phosphorous to a limited set of conditions. Moreover, the law establishes the circumstances in which only a certified professional fertilizer applicator may apply fertilizer and establishes the procedure by which one becomes certified to apply fertilizer.

DEP no longer requires a Fertilizer Application Ordinance during the Plan Endorsement process, because the new law explicitly preempts all municipal, county, and local health agency ordinances and resolutions concerning the application of fertilizer to turf. Municipalities should continue to educate residents about the importance of adhering to this law.

Sustainability

All master plan elements shall be consistent with the State Plan's vision for sustainability. Sustainable planning means incorporating policies and actions into the various elements of the master plan that will meet the needs of the present generation without compromising the ability of future generations to meet their own needs.

Raritan Borough is moving toward sustainability with its redevelopment plans as well as its commitment to be consistent with the State Plan. Mixed-use downtowns, sidewalks, and pedestrian-friendly development enables municipalities to enhance the local economy while taking advantage of existing infrastructure, such as roads, utilities, and wastewater service. While Raritan Borough has determined that a Transit Village is not appropriate for their local conditions, DEP urges Raritan Borough to continue to explore ways to encourage transit-oriented development where possible.

Raritan Borough has not submitted the required Sustainability Statement as part of its petition for Plan Endorsement. This document should address, among other things: energy consumption, renewable energy programs, energy reduction efforts, water conservation, green purchasing programs, solid waste reduction programs, local farming initiatives, landscaping, education for property owners, equity in open space and recreation opportunities, etc. **Raritan Borough must submit a Sustainability Statement prior to plan endorsement. To facilitate the process, DEP recommends that all three municipalities in the Somerset Regional Center coordinate and submit the same statement.**

The Municipal Land Use Law authorizes municipal planning boards to adopt a Green Buildings and Environmental Sustainability Master Plan Element. **DEP recommends that Raritan Borough develop and adopt such a document.**

Raritan Borough participates in the Sustainable Jersey Program, created by the League of Municipalities, and DEP **recommends that Raritan Borough continue to participate in the Sustainable Jersey program.** Many of the required and recommended documents for Plan Endorsement are included in the Sustainable Jersey program.

Sustainability Requirements/ Recommendations

1. DEP recommends that Raritan Borough 1) conduct energy and green house gas (GHG) emissions audits of municipal facilities and operations, at a minimum, and community-wide audits, if feasible, and 2) using the results of these audits,

develop action plans for reducing municipal energy consumption and GHG emissions (using NJ's 2020 GHG emissions reduction target as a goal). The Board of Public Utilities Clean Energy Program provides funding for municipal energy audits and Raritan Borough should take advantage of this support to pursue the above actions (<http://www.njcleanenergy.com/commercial-industrial/programs/local-government-energy-audit/local-government-energy-audit>).

2. The North Jersey Transportation Planning Authority has prepared a greenhouse gas (GHG) inventory for all areas it covers. This inventory provides county and municipal-level GHG emissions information for the various major community sectors/activities. DEP recommends Raritan Borough acquire its local inventory data and use this information as the basis for developing a community GHG reduction action plan, including GHG reduction targets. A number of models and case studies are available to guide this process.
3. Despite efforts to reduce global emissions of GHG, scientists anticipate that some level of climate change is inevitable. Given this reality, it is recommended that Raritan Borough 1) evaluate its vulnerability to the most likely and relevant climate change impacts, and 2) evaluate how its various planning processes (e.g., land use, emergency preparedness) can account for and adapt to these changes. The Department of Environmental Protection can provide assistance in this assessment process.
4. Review plans and ordinances and remove impediments to, and encourage, green design throughout the Borough.
5. DEP recommends that Raritan Borough require "green buildings" (LEED, Green Globes) in redevelopment areas, to the extent practicable.
6. Develop education programs for local residents, homeowners, and property owners on ecologically sound landscaping techniques, composting, etc.
7. Develop and adopt a Green Buildings and Environmental Sustainability Master Plan Element.

Recommended Actions may be included in the PIA.

Historic Preservation

Raritan Borough is home to a number of historic resources that are listed on the New Jersey Register of Historic Places as well as a number of buildings and places that are not listed but which may have historic significance. However, the Borough did not submit a Historic Preservation Master Plan Element as part of its petition.

If Raritan Borough does not yet have a Historic Preservation Plan, the Borough should work with the DEP to create one as well as an MLUL-compliant ordinance to implement the Plan. Doing so would better ensure the protection of the Borough's Historic Resources

Raritan Borough shall undertake a detailed inventory of historic resources and use this inventory to form an Historic Preservation Plan. Based on findings, the Borough

should pursue local listing of significance historic sites, structures, and potentially districts. Local districts could be subject to a zoning overlay, controlling exterior appearances. This action may be included in the PIA. This work should be done in accordance with *The Guidelines for Architectural Survey*, particularly those dealing with intensive-level regulatory surveys. This guidance is out of print, but is available on the State Historic Preservation Office's website:

<http://www.state.nj.us/dep/hpo/1identify/survarcht.htm>.

The borough should review the NJ Historical Commission's (NJ Department of State) grant program at <http://www.nj.gov/state/divisions/historical/grants/> for the possible funding to support their historic preservation efforts.

Historic Preservation Requirements/Recommendations:

1. Raritan Borough shall undertake a detailed inventory of historic resources and develop a Historic Preservation Plan and implementing ordinance. This inventory may occur post-Endorsement, as part of the Plan Implementation Agreement. This work should be done in accordance with *The Guidelines for Architectural Survey*, particularly those dealing with intensive-level regulatory surveys. This guidance is out of print, but is available on the State Historic Preservation Office's website:
<http://www.state.nj.us/dep/hpo/1identify/survarcht.htm>.
2. The Somerset County Regional Center Strategic Plan recommends that Raritan Borough establish an historical commission or committee to advise the governing body on historic preservation issues. DEP supports this recommendation.
3. As noted in the Opportunities and Constraints Assessment, information on Native American habitation should be included in the Borough's Historic Preservation Plan. The construction of the Lyman Street Bridge resulted in the discovery and excavation of an archaeological site that changed the predictive model for the Raritan River drainage. It is the Lyman Street Prehistoric Archaeological site (28-So-127).

Recycling

Raritan Borough did not submit a Recycling Statement of Consistency or Municipal Recycling Ordinance, both of which are absolute requirements for Plan Endorsement. **Raritan Borough shall submit both the Statement of Consistency and Municipal Recycling Ordinance prior to Plan Endorsement.** DEP encourages municipalities to go beyond the basic recycling requirements and encourage innovative ways for citizens to reduce the quantity of waste sent to landfills. Possibilities include providing education on household composting, product re-use, use of recycled materials in construction, and minimizing excess packaging material.

Recycling Requirements/Recommendations:

- Raritan Borough shall submit both the Statement of Consistency and Municipal Recycling Ordinance prior to Plan Endorsement.
- DEP recommends that Raritan Borough consider innovative ways to reduce waste and promote recycling. DEP will provide technical support toward these efforts.

Such methods may include with schools and small businesses in the community on recycling education program, and; investigate opportunities to recycle additional materials beyond what is required by the county plan.

Open Space

Raritan Borough did not submit its full Master Plan so it is not clear if the Borough has a complete Open Space, Recreation, and Parks Plan. However, the Borough did submit its Recreation and Open Space Inventory as well as the Master Plan Update, which contains a thorough discussion of both municipal and regional center priorities regarding open space and recreation. Moreover, open space and recreation issues are discussed in the Somerset County Regional Center Strategic Plan. The Borough's goals and objectives are consistent with requirements of the Plan Endorsement process – aiming to improve access to open space where it is limited and seeking the assistance of non-profit and private organizations in improving access to open space. The Plan places particular emphasis on the development of the Raritan River Greenway. DEP supports these goals and offers its assistance in developing priority acquisition plans as well as any proposals to address stream encroachment, restoration, habitat preservation or contamination. **Raritan Borough shall submit its existing, complete Open Space, Recreation, and Parks Plan prior to Plan Endorsement.**

Open Space Recommendations/Requirements

3. Raritan Borough shall submit a complete Open Space, Recreation and Park Plan prior to Plan Endorsement.
4. DEP recommends that the Borough or County acquire lands along the Raritan River greenway to facilitate their inclusion in the regional center.

Contaminated Areas

There are a number of Known Contaminated Sites in Raritan Borough, which were listed within the DEP OCA report. It is important that the contamination from these sites is monitored and remediated, as needed, on an ongoing basis. Raritan Borough will need to work closely with Responsible Parties and DEP to ensure that all redevelopment and remediation activities are closely coordinated. Failure to closely coordinate these activities can hinder remediation and lead to costly delays. Based on the information submitted within the Regional Center's Strategic Plan, it is apparent that the governing bodies are aware of the remediation challenges that exist in Raritan Borough.

Contaminated Areas Requirements/Recommendations:

1. Raritan Borough should continue to work closely with Responsible Parties and DEP to ensure that development and redevelopment plans are consistent, and coordinated, with the remediation being conducted at contaminated sites.

Hazard Planning

Somerset County has developed a comprehensive All Hazards Mitigation Plan, pursuant to the Disaster Mitigation Act of 2000. Raritan Borough, like other municipalities in the County, has its own subchapter. DEP recommends that the Borough incorporate the All

Hazards Mitigation Plan into all other local planning efforts to ensure consistency between the two. DEP also recommends that Raritan Borough participate in the National Flood Insurance Program (NFIP), if it is not already. Participation in NFIP requires that in all cases it must enforce and maintain a flood damage prevention ordinance in order to remain in good standing. In order to be eligible to apply for hazard mitigation (including but not limited to flood mitigation) grants from FEMA, communities must have a FEMA-approved All Natural Hazards Mitigation Plan. The Flood Mitigation Plan should be a component of the All Natural Hazards Mitigation Plan. In the past, communities were eligible to apply for some FEMA grants with only a Flood Mitigation Plan; however, this is no longer the case and a FEMA-approved All Natural Hazards Mitigation Plan is now required for application eligibility.

Hazard Planning Requirements/Recommendations:

1. DEP recommends that Raritan Borough evaluate all land-use planning efforts against the County All Hazards Mitigation Plan to ensure consistency between the two.
2. DEP strongly recommends that Raritan Borough participate in the National Flood Insurance Program (NFIP), if it is not already.
3. DEP recommends that the Borough create and adopt a Flood Prevention Ordinance.

Stormwater

The Stormwater Management rule at N.J.A.C. 7:8-4.2(c)8 requires municipalities to evaluate the extent to which the municipality's entire Master Plan, official map and development regulations (including the zoning ordinance) implement the principles of nonstructural stormwater management strategies. In order to promote the use of low impact development, Raritan Borough should identify the portions of the master plan that need to be amended to incorporate nonstructural strategies and include a time frame for incorporation of amendments to the master plan and/or land use and zoning ordinances.

Raritan Borough submitted a draft Stormwater Management Plan as part of the Somerset Regional Center petition for plan endorsement. It is not clear whether this plan has been fully adopted in the time that has passed since this submission. The most recent record on file at DEP indicates that the Somerset County Planning Board sent a letter to Raritan Borough in May of 2008 stating that the County had not yet received a final copy of the Borough's Municipal Stormwater Management Plan and Municipal Stormwater Management Ordinance with proof of adoption. DEP recognizes that the plan and ordinance may have been submitted in the interim. A stormwater plan and ordinance are absolute requirements for Plan Endorsement. **Raritan Borough shall submit an adopted plan and implementing ordinance prior to Plan Endorsement.**

As a Tier A Stormwater Permit Municipality, Raritan Borough is required to have a number of ordinances in place, including Pet Waste, Litter Control, Improper Disposal of Waste, Wildlife Feeding, Containerized Yard Waste, Yard Waste Collection Program, and Illicit Connections. Guidance on these ordinances is available on the DEP website at http://www.state.nj.us/dep/dwq/tier_a_guidance.htm.

Stormwater Requirements/Recommendations:

1. Raritan Borough shall submit an adopted stormwater management plan and implementing ordinance(s) consistent with the requirements at N.J.A.C. 7:8-4.2(c)8 prior to Plan Endorsement.
2. Additional actions may be necessary upon completion of DEP review of Raritan Borough's municipal stormwater management plan and ordinances.

Wastewater Treatment

As DEP noted in its Opportunities & Constraints Assessment Report, there is one DEP-regulated wastewater facility serving Raritan Borough, Somerset Raritan Valley Sewage Authority (SRVSA). All of Raritan Borough is located within the currently adopted sewer service area. The monthly annual average flow for this facility in 2010 was 19.61 mgd; the permitted flow for this facility is 24.30 mgd. As such, the facility is operating at approximately eighty percent (80 %) of its permitted flow. Based on the assumption that a residential unit uses 300 gpd, the remaining flow for this facility could accommodate approximately 15,633 new residential units. Note that the SRVSA serves several communities in the area and not all of the remaining flow may be available to the Raritan Borough.

The County of Somerset is working with the DEP to develop a Wastewater Management Plan for the County that covers SRVSA and Raritan Borough. The Borough should work with the County to develop build-out/wastewater capacity projections and provide information regarding agreements with SRVSA to determine if capacity exists for the Borough to expand and grow within its redevelopment areas. The Borough has fully participated in this process.

Wastewater Management Plan Requirements/Recommendations:

1. Raritan Borough should continue to work with Somerset County to ensure that it is properly represented in the proposed Somerset County Wastewater Management Plan.
2. Raritan Borough shall continue to provide sufficient and appropriate data (zoning, treatment plant data, projections etc.) to Somerset County to assist in development of the Somerset County Wastewater Management Plan.

Water Availability and Conservation

As identified by the Deficit/Surplus table, as of December 2010, the New Jersey American Water Company – Raritan System has a Firm Capacity surplus of 59.982 MGD; along with a water supply surplus according to their Water Allocation Permit of 871.851 MGM and 9531.354 MGY. The Deficit/Surplus table may be found at <http://www.nj.gov/cgi-bin/dep/watersupply/pwsdetail.pl?id=2004002>.

Water Availability Requirements/Recommendations:

1. DEP will provide assistance, at Raritan Borough's request, in identifying potential financial sources for water system projects that may also result in water

conservation. DEP recommends Raritan Borough review the information at <http://www.nj.gov/dep/watersupply/loanprog.htm>.

2. Raritan Borough shall adopt a Water Conservation Ordinance, which is an absolute requirement of Plan Endorsement. A model Water Conservation Ordinance is available through Sustainable Jersey at http://www.sustainablejersey.com/actiondesc.php?arr_num=94&id_num=11115.

