

**CITY OF LONG BRANCH
COUNTY OF MONMOUTH**

ORDINANCE NO. O-15-24

**AN ORDINANCE AMENDING CHAPTER 300, "SUBDIVISION OF LAND,"
ARTICLE II, "STORMWATER MANAGEMENT"**

WHEREAS, the City of Long Branch (hereinafter referred to as "City") wishes to amend City Code Chapter 300, "Subdivision of Land," Article II, "Stormwater Management," Sections §300-23 "Scope and Purpose," §300-24, "Definitions," §300-26, "Stormwater management requirements for major development," §300-27, "Calculation of stormwater runoff and groundwater recharge," §300-28, "Sources for technical guidance," §300-30, "Safety standards for stormwater management basins," and §300-31, "Requirements for a site development stormwater plan."

NOW, THEREFORE BE IT ORDAINED, by the City Council of the City of Long Branch that City Code Chapter 300, "Subdivision of Land," Article II, "Stormwater Management," Sections §300-23 "Scope and Purpose," §300-24, "Definitions," §300-26, "Stormwater management requirements for major development," §300-27, "Calculation of stormwater runoff and groundwater recharge," §300-28, "Sources for technical guidance," §300-30, "Safety standards for stormwater management basins," and §300-31, "Requirements for a site development stormwater plan" are hereby amended to read as follows

Deletions are noted by ~~strikethroughs~~.

Additions are indicated in **bold underline**.

Language that remains unchanged is not highlighted in anyway.

SECTION I

§300-23 Scope and purpose.

[No change to Paragraphs A. and B.]

C. Applicability.

(1) This article shall be applicable to all site plans and subdivisions for the following major developments that require preliminary or final site plan or subdivision review:

(a) Nonresidential major developments; and

(b) Aspects of residential major developments that are not preempted by the Residential Site Improvement Standards at N.J.A.C. 5:21, including water quantity requirements for projects that meet the definition of "major development" under this article, but do not ultimately disturb more than one acre of land as permitted pursuant to N.J.A.C. 5:21-7.1(a)1.

(2) This article shall also be applicable to all major developments undertaken by the City of Long Branch.

(3) An application required by ordinance pursuant to C(1) above that has been submitted prior to the adopted date of this amended ordinance, shall be subject to the

stormwater management requirements in effect one day prior to the adoption date of this amended ordinance.

(4) An application required by ordinance for approval pursuant to C(1) above that has been submitted on or after March 2, 2021, but prior to adopted date of this amended ordinance, shall be subject to the stormwater management requirements in effect one day prior to the adoption date of this amended ordinance.

(5) Notwithstanding any rule to the contrary, a major development for any public roadway or railroad project conducted by a public transportation entity that has determined a preferred alternative or reached an equivalent milestone before July 17, 2023, shall be subject to the stormwater management requirements in effect prior to July 17, 2023.

[No changes to paragraph D.]

SECTION II

§300-24 Definitions.

Unless specifically defined below, words or phrases used in this article shall be interpreted so as to give them the meaning they have in common usage and to give this article its most reasonable application. The definitions below are the same as or based on the corresponding definitions in the Stormwater Management Rules at N.J.A.C. 7:8-1.2.

[No changes to definitions from Cafra Centers, Cores or Nodes through Compaction]

~~CONTRIBUTARY~~ CONTRIBUTORY DRAINAGE AREA — The area from which stormwater runoff drains to a stormwater management measure, not including the area of the stormwater management measure itself.

[No changes to definitions from Core through Pollutant]

The following definitions shall be inserted immediately after Pollutant:

PUBLIC ROADWAY OR RAILROAD — A pathway for use by motor vehicles or trains that is intended for public use and is constructed by, or on behalf of, a public transportation entity. A public roadway or railroad does not include a roadway or railroad constructed as part of a private development, regardless of whether the roadway or railroad is ultimately to be dedicated to and/or maintained by a governmental entity.

PUBLIC TRANSPORTATION ENTITY — A Federal, State, county, or municipal government, an independent State authority, or a statutorily authorized public-private partnership program pursuant to P.L. 2018, c. 90 (N.J.S.A. 40A:11-52 et seq.), that performs a public roadway or railroad project that includes new construction, expansion, reconstruction, or improvement of a public roadway or railroad.

[No changes to definitions from Recharge through Time of Concentration]

~~TOTAL SUSPENDED SOLS~~ **SOLIDS** — The sum of dissolved and undissolved solids and particulate matter of a buoyancy and/or specific gravity that prohibits their settling in runoff.

[No changes to remaining definitions]

SECTION III

§300-26 Stormwater management requirements for major development.

[No changes to Paragraphs A., B., and C.]

D. A waiver from strict compliance from the green infrastructure, groundwater recharge, stormwater runoff quantity, and stormwater runoff quality requirements of Subsections O, P, Q, and R may be obtained for the enlargement of an existing public roadway or railroad; or the construction or enlargement of a public pedestrian access, provided that the following conditions are met:

- (1) The applicant demonstrates that there is a public need for the project that cannot be accomplished by any other means;
- (2) The applicant demonstrates, through an alternatives analysis, that through the use of nonstructural and structural stormwater management strategies and measures, the option selected complies with the requirements of Subsections O, P, Q, and R to the maximum extent practicable;
- (3) The applicant demonstrates that, in order to meet the requirements of Subsections ~~F and G~~ **O, P, Q, and R**, existing structures currently in use, such as homes and buildings, would need to be condemned; and
- (4) The applicant demonstrates that it does not own or have other rights to areas, including the potential to obtain through condemnation lands not falling under §300-26D(3) above within the upstream drainage area of the receiving stream, that would provide additional opportunities to mitigate the requirements of Subsections O, P, Q, and R that were not achievable on site.

E. Nonstructural stormwater management strategies. Table 1 through 3 below summarize the ability of stormwater best management practices identified and described in the New Jersey Stormwater Best Management Practices Manual to satisfy the green infrastructure, groundwater recharge, stormwater runoff quality and stormwater runoff quantity standards specified in Subsections O, P, Q, and R. When designed in accordance with the most current version of the New Jersey Stormwater Best Management Practices Manual, the stormwater management measures found at N.J.A.C. 7:8-5.2(f), Tables 5-1, 5-2 and 5-3, and listed below in Tables 1, 2 and 3 are presumed to be capable of providing stormwater controls for the design and performance standards as outlined in the tables below. Upon amendments of the New Jersey Stormwater Best Management Practices to reflect additions or deletions of BMPs meeting these standards, or changes in the presumed performance of BMPs designed in accordance with the New Jersey Stormwater BMP Manual, the Department shall publish in the New Jersey registers a notice of administrative change revising the applicable table. The most current version of the BMP Manual can be found on the Department's website at https://njstormwater.org/bmp_manual2.htm **<https://dep.nj.gov/stormwater/bmp-manual/>**.

[No changes to Paragraph F., G., H., I., J., K., L., M., N., and O.]

P. Groundwater recharge standards.

- (1) This subsection contains the minimum design and performance standards for groundwater recharge as follows.
- (2) The design engineer shall, using the assumptions and factors for stormwater runoff and groundwater recharge calculations at §300-27, either:
 - (a) Demonstrate through hydrologic and hydraulic analysis that the site and its stormwater management measures maintain 100% of the average annual preconstruction groundwater recharge volume for the site; or
 - (b) Demonstrate through hydrologic and hydraulic analysis that the increase of stormwater runoff volume from pre-construction to post-construction for the **projected** two-year storm, **as defined and determined pursuant to §300-27D of this ordinance**, is infiltrated.
- (3) This groundwater recharge requirement does not apply to projects within the urban redevelopment area, or to projects subject to Subsection P(4) below.
- (4) The following types of stormwater shall not be recharged:
 - (a) Stormwater from areas of high pollutant loading. High pollutant loading areas are areas in industrial and commercial developments where solvents and/or petroleum products are loaded/unloaded, stored, or applied, areas where pesticides are loaded/unloaded or stored; areas where hazardous materials are expected to be present in greater than "reportable quantities" as defined by the United States Environmental Protection Agency (EPA) at 40 CFR 302.4; areas where recharge would be inconsistent with a Department-approved remedial action work plan **approved pursuant to the Administrative Requirements for the Remediation of Contaminated Sites rules, N.J.A.C. 7:26C, or Department** landfill closure plan **and areas**; and areas with high risks for spills of toxic materials, such as gas stations and vehicle maintenance facilities; and
 - (b) Industrial stormwater exposed to source material. "Source material" means any material(s) or machinery, located at an industrial facility, that is directly or indirectly related to process, manufacturing or other industrial activities, which could be a source of pollutants in any industrial stormwater discharge to groundwater. Source materials include, but are not limited to, raw materials; intermediate products; final products; waste materials; by-products; industrial machinery and fuels and lubricants, solvents, and detergents that are related to process, manufacturing, or other industrial activities that are exposed to stormwater.

[No changes to Paragraph Q.]

R. Stormwater runoff quantity standards.

- (1) This subsection contains the minimum design and performance standards to control stormwater runoff quantity impacts of major development.
- (2) In order to control stormwater runoff quantity impacts, the design engineer shall,

using the assumptions and factors for stormwater runoff calculations at §300-27, complete one of the following:

- (a) Demonstrate through hydrologic and hydraulic analysis that for stormwater leaving the site, post-construction runoff hydrographs for the **current and projected** two-, ten-, and 100-year storm events, **as defined and determined in § 300-27C and D, respectively, of the ordinance**, do not exceed, at any point in time, the preconstruction runoff hydrographs for the same storm events;
 - (b) Demonstrate through hydrologic and hydraulic analysis that there is no increase, as compared to the preconstruction condition, in the peak runoff rates of stormwater leaving the site for the **current and projected** two-, ten-, and 100-year storm events, **as defined and determined in § 300-27C and D, respectively, of the ordinance**, and that the increased volume or change in timing of stormwater runoff will not increase flood damage at or downstream of the site. This analysis shall include the analysis of impacts of existing land uses and projected land uses assuming full development under existing zoning and land use ordinances in the drainage area;
 - (c) Design stormwater management measures so that the post-construction peak runoff rates for the **current and projected** two-, ten-, and 100-year storm events, **as defined and determined in Section 300-27C and D, respectively, of the ordinance**, are 50%, 75% and 80%, respectively, of the preconstruction peak runoff rates. The percentages apply only to the post-construction stormwater runoff that is attributable to the portion of the site on which the proposed development or project is to be constructed; or
 - (d) In tidal flood hazard areas, stormwater runoff quantity analysis in accordance with Subsection R(2)(a), (b) and (c) above is required unless the design engineer demonstrates through hydrologic and hydraulic analysis that the increased volume, change in timing, or increased rate of the stormwater runoff, or any combination of the three, will not result in additional flood damage below the point of discharge of the major development. No analysis is required if the stormwater is discharged directly into any ocean, bay, inlet, or the reach of any watercourse between its confluence with an ocean, bay, or inlet and downstream of the first water control structure.
- (3) The stormwater runoff quantity standards shall be applied at the site's boundary to each abutting lot, roadway, watercourse, or receiving storm sewer system.

SECTION IV

§300-27 Calculation of stormwater runoff and groundwater recharge.

A. Stormwater runoff shall be calculated in accordance with the following:

- (1) The design engineer shall calculate runoff using ~~one of~~ the following methods:
 - (a) The USDA Natural Resources Conservation Service (NRCS) methodology, including the NRCS Runoff Equation and Dimensionless Unit Hydrograph, as described in Chapters 7, 9, 10, 15 and 16, Part 630, Hydrology National

Engineering Handbook, incorporated herein by reference, as amended and supplemented. This methodology is additionally described in Technical Release 55 - Urban Hydrology for Small Watersheds (TR-55), dated June 1986, incorporated herein by reference, as amended and supplemented. Information regarding the methodology is available from the Natural Resources Conservation Service website at: https://www.nres.usda.gov/Internet/FSE_DOCUMENTS/stelprdb1044171.pdf <https://directives.sc.egov.usda.gov/viewerFS.aspx?hid=21422> or at United States Department of Agriculture Natural Resources Conservation Service, 220 Davison Avenue, Somerset, New Jersey 08873 **New Jersey State Office.**

- ~~(b) The Rational Method for peak flow and the Modified Rational Method for hydrograph computations. The Rational and Modified Rational Methods are described in Appendix A-9 Modified Rational Method in the Standards for Soil Erosion and Sediment Control in New Jersey, January 2014. This document is available from the 2014. This document is available from the State Soil Conservation Committee or any of the soil conservation districts listed at N.J.A.C. 2:90-1.3(a)3. The location, address, and telephone number for each soil conservation district is available from the State Soil Conservation Committee, PO Box 330, Trenton, New Jersey 08625. The document is also available at: <http://www.nj.gov/agriculture/divisions/anr/pdf/2014NJSoilErosionControlStandardsComplete.pdf>. [Amended 2-10-2021 by Ord. No. 4-21]~~
- (2) For the purpose of calculating runoff coefficients **curve numbers** and groundwater recharge, there is a presumption that the preconstruction condition of a site or portion thereof is a wooded land use with good hydrologic condition. The term "~~runoff coefficient~~ **curve number**" applies to both the NRCS methodology at Subsection A(1)(a) and the Rational and Modified Rational Methods at Subsection A(1)(b). A ~~runoff coefficient~~ **curve number** or a groundwater recharge land cover for an existing condition may be used on all or a portion of the site if the design engineer verifies that the hydrologic condition has existed on the site or portion of the site for at least five years without interruption prior to the time of application. If more than one land cover has existed on the site during the five years immediately prior to the time of application, the land cover with the lowest runoff potential shall be used for the computations. In addition, there is the presumption that the site is in good hydrologic condition (if the land use type is pasture, lawn, or park), with good cover (if the land use type is woods), or with good hydrologic condition and conservation treatment (if the land use type is cultivation).
- (3) In computing preconstruction stormwater runoff, the design engineer shall account for all significant land features and structures, such as ponds, wetlands, depressions, hedgerows, or culverts that may reduce preconstruction stormwater runoff rates and volumes.
- (4) In computing stormwater runoff from all design storms, the design engineer shall consider the relative stormwater runoff rates and/or volumes of pervious and impervious surfaces separately to accurately compute the rates and volume of stormwater runoff from the site. To calculate runoff from unconnected impervious cover, urban impervious area modifications as described in the NRCS Technical Release 55 – Urban Hydrology for Small Watersheds and other methods may be

employed.

- (5) If the invert of the outlet structure of a stormwater management measure is below the flood hazard design flood elevation as defined at N.J.A.C. 7:13, the design engineer shall take into account the effects of tailwater in the design of structural stormwater management measures.
- B. Groundwater recharge may be calculated in accordance with the following: The New Jersey Geological Survey Report GSR-32, A Method for Evaluating Ground- Water Recharge Areas in New Jersey, incorporated herein by reference as amended and supplemented. Information regarding the methodology is available from the New Jersey Stormwater Best Management Practices Manual; at <https://www.state.nj.us/dep/njgs/https://www.nj.gov/dep/njgs/pricelst/gsrreport/gsr32.pdf>; or at New Jersey Geological and Water Survey, 29 Arctic Parkway, P.O. Box 4207 Trenton, New Jersey 08625-0420; (609) 984292-65871185
- C. The precipitation depths of the current two-, 10-, and 100-year storm events shall be determined by multiplying the values determined in accordance with items 1 and 2 below:
- (1) The applicant shall utilize the National Oceanographic and Atmospheric Administration (NOAA), National Weather Service's Atlas 14 Point Precipitation Frequency Estimates: NJ, in accordance with the location(s) of the drainage area(s) of the site. This data is available at: https://hdsc.nws.noaa.gov/hdsc/pfds/pfds_map_cont.html?bkmrk=nj; and
- (2) The applicant shall utilize Table 5: Current Precipitation Adjustment Factors below, which sets forth the applicable multiplier for the drainage area(s) of the site, in accordance with the county or counties where the drainage area(s) of the site is located. Where the major development lies in more than one county, the precipitation values shall be adjusted according to the percentage of the drainage area in each county. Alternately, separate rainfall totals can be developed for each county using the values in the table below.

Table 5: Current Precipitation Adjustment Factors

<u>County</u>	<u>Current Precipitation Adjustment Factors</u>		
	<u>2-year Design Storm</u>	<u>10-year Design Storm</u>	<u>100-year Design Storm</u>
<u>Monmouth</u>	<u>1.00</u>	<u>1.01</u>	<u>1.02</u>

- D. Table 6: Future Precipitation Change Factors provided below sets forth the change factors to be used in determining the projected two-, 10-, and 100-year storm events for use in this chapter, which are organized alphabetically by county. The precipitation depth of the projected two-, 10-, and 100-year storm events of a site shall be determined by multiplying the precipitation depth of the two-, 10-, and 100-year storm events determined from the National Weather Service's Atlas 14 Point Precipitation Frequency Estimates pursuant to (c)1 above, by the change factor in the table below, in accordance with the county or counties where the drainage area(s) of the site is located. Where the major development and/or its drainage area lies in more than one county, the precipitation values shall be adjusted according to the percentage of the drainage area in each county. Alternately, separate rainfall totals can be

developed for each county using the values in the table below.

Table 6: Future Precipitation Change Factors

<u>County</u>	<u>Future Precipitation Change Factors</u>		
	<u>2-year Design Storm</u>	<u>10-year Design Storm</u>	<u>100-year Design Storm</u>
<u>Monmouth</u>	<u>1.19</u>	<u>1.19</u>	<u>1.26</u>

SECTION V

§300-28 Sources for technical guidance.

- A. Technical guidance for stormwater management measures can be found in the documents listed below, which are available to download from the Department's website at <http://www.nj.gov/dep/stormwater/bmp-manual2.htm> <https://dep.nj.gov/stormwater/bmp-manual/>
- (1) Guidelines for stormwater management measures are contained in the New Jersey Stormwater Best Management Practices Manual, as amended and supplemented. Information is provided on stormwater management measures such as, but not limited to, those listed in Tables 1, 2, and 3.
 - (2) Additional maintenance guidance is available on the Department's website at https://www.njstormwater.org/maintenance_guidance.htm <https://dep.nj.gov/stormwater/maintenance-guidance/>
- B. Submissions required for review by the Department should be mailed to ~~Division of Water Quality, New Jersey Department of Environmental Protection, Mail Code 401-02B, PO Box 420, Trenton, New Jersey 08625-0420~~ **The Division of Watershed Protection and Restoration, New Jersey Department of Environmental Protection, Mail Code 501-02A, PO Box 420, Trenton, New Jersey 08625-0420.**
- C. Additional technical guidance for stormwater management measures can be obtained from the following:
- (1) The Standards for Soil Erosion and Sediment Control in New Jersey, promulgated by the State Soil Conservation Committee and incorporated into N.J.A.C. 2:90. Copies of these standards may be obtained by contacting the State Soil Conservation Committee or any of the soil conservation districts listed in N.J.A.C. 2:90-1.3(a)4. The location, address, and telephone number of each soil conservation district may be obtained from the State Soil Conservation Committee, P.O. Box 330, Trenton, New Jersey 08625; (609) 292-5540;
 - (2) The Rutgers Cooperative Extension Service, (732)-932-9306; and
 - (3) The soil conservation districts listed in N.J.A.C. 2:90-1.3(a)4. The location, address, and telephone number of each soil conservation district may be obtained from the State Soil Conservation Committee, P.O. Box 330, Trenton, New Jersey 08625; (609) 292-5540.

SECTION VI

§300-30 Safety standards for stormwater management basins.

[No Change to Paragraph A.]

B. The provisions of this section are not intended to preempt more stringent municipal or county safety requirements for new or existing stormwater management ~~BMPs~~ **basins**. Municipal and county stormwater management plans and ordinances may, pursuant to their authority, require existing stormwater management BMPs to be retrofitted to meet one or more of the safety standards in §300-30C(1), (2), and (3) for trash racks, overflow grates, and escape provisions at outlet structures.

C. Requirements for trash racks, overflow grates and escape provisions.

- (1) A trash rack is a device designed to catch trash and debris and prevent the clogging of outlet structures. Trash racks shall be installed at the intake to the outlet from the stormwater management basin to ensure proper functioning of the basin outlets in accordance with the following:
 - (a) The trash rack shall have parallel bars, with no greater than six-inch spacing between the bars.
 - (b) The trash rack shall be designed so as not to adversely affect the hydraulic performance of the outlet pipe or structure.
 - (c) The average velocity of flow through a clean trash rack is not to exceed 2.5 feet per second under the full range of stage and discharge. Velocity is to be computed on the basis of the net area of opening through the rack.
 - (d) The trash rack shall be constructed and installed to be rigid, durable, and corrosion resistant and shall be designed to withstand a perpendicular live loading of 300 pounds per square foot.
- (2) An overflow grate is designed to prevent obstruction of the overflow structure. If an outlet structure has an overflow grate, such grate shall meet the following requirements:
 - (a) The overflow grate shall be secured to the outlet structure but removable for emergencies and maintenance.
 - (b) The overflow grate spacing shall be no ~~less~~ **greater** than two inches across the smallest dimension.
 - (c) The overflow grate shall be constructed and installed to be rigid, durable, and corrosion resistant and shall be designed to withstand a perpendicular live loading of 300 pounds per square foot.
- (3) For purposes of this subsection, "escape provisions" means the permanent installation of ladders, steps, rungs, or other features that provide easily accessible means of egress from stormwater management basins. Stormwater management basins shall include escape provisions as follows:

- (a) If a stormwater management basin has an outlet structure, escape provisions shall be incorporated in or on the structure. With the prior approval of the reviewing agency identified in Subsection D, a freestanding outlet structure may be exempted from this requirement.
- (b) Safety ledges shall be constructed on the slopes of all new stormwater management basins having a permanent pool of water deeper than 2 1/2 feet. Such safety ledges shall be comprised of two steps. Each step shall be four feet to six feet in width. One step shall be located approximately 2 1/2 feet below the permanent water surface, and the second step shall be located one foot to 1 1/2 feet above the permanent water surface. See Subsection E for an illustration of safety ledges in a stormwater management basin.
- (c) In new stormwater management basins, the maximum interior slope for an earthen dam, embankment, or berm shall not be steeper than three horizontal to one vertical.

[No Changes to Paragraphs D. and E.]

SECTION VII

§300-31 Requirements for a site development stormwater plan.

[No Changes to Paragraph A. and B.]

C. Checklist requirements. The following information shall be required:

- (1) Topographic base map. The reviewing engineer may require upstream tributary drainage system information as necessary. It is recommended that the topographic base map of the site be submitted which extends a minimum of 200 feet beyond the limits of the proposed development, at a scale of one-inch equals 200 feet or greater, showing two-foot contour intervals. The map as appropriate may indicate the following: existing surface water drainage, shorelines, steep slopes, soils, erodible soils, perennial or intermittent streams, waterways that drain into or upstream of the Category One waters, wetlands and floodplains along with their appropriate buffer strips, marshlands and other wetlands, pervious or vegetative surfaces, existing man-made structures, roads, bearing and distances of property lines, and significant natural and man-made features not otherwise shown.
- (2) Environmental site analysis: a written and graphic description of the natural and man-made features of the site and its environs. This description should include a discussion of soil conditions, slopes, wetlands, waterways and vegetation on the site. Particular attention should be given to unique, unusual, or environmentally sensitive features and to those that provide particular opportunities or constraints for development.
- (3) Project description and site plan(s): a map (or maps) at the scale of the topographical base map indicating the location of areas of impervious surface, including but not limited to existing and proposed buildings, roads, parking areas, utilities, structural facilities for stormwater management and sediment control, and other permanent structures. The map(s) shall also clearly show areas where alterations occur in the natural terrain and cover, including lawns and other landscaping, and seasonal high

groundwater elevations. A written description of the site plan and justification of proposed changes in natural conditions shall also be provided.

- (4) Land use planning and source control plan. This plan shall provide a demonstration of how the goals and standards of §300-25 through 300-28 are being met. The focus of this plan shall be to describe how the site is being developed to meet the objective of controlling groundwater recharge, stormwater quality and stormwater quantity problems at the source by land management and source controls whenever possible.
- (5) Stormwater management facilities map. The following information, illustrated on a map of the same scale as the topographic base map, shall be included:
 - (a) Total area to be **disturbed**, paved or built upon, proposed surface contours, land area to be occupied by the stormwater management facilities and the type of vegetation thereon, and details of the proposed plan to control and dispose of stormwater.
 - (b) Details of all stormwater management facility designs, during and after construction, including discharge provisions, discharge capacity for each outlet at different levels of detention and emergency spillway provisions with maximum discharge capacity of each spillway.
- (6) Calculations.
 - (a) Comprehensive hydrologic and hydraulic design calculations for the predevelopment and post-development conditions for the design storms specified in §300-26.
 - (b) When the proposed stormwater management control measure (e.g., infiltration basins) depends on the hydrologic properties of soils, **or require certain separation from the seasonal high water table**, then a soils report shall be submitted. The soils report shall be based on on-site boring logs or soil pit profiles. The number and location of required soil borings or soil pits shall be determined based on what is needed to determine the suitability and distribution of soils present at the location of the control measure.
- (7) Maintenance and repair plan. The design and planning of the stormwater management facility shall meet the maintenance requirements of §300-32.
- (8) Waiver from submission requirements. The municipal official or board reviewing an application under this article may, in consultation with the municipal engineer, waive submission of any of the requirements in § 300-31C(1) through (6) of this article when it can be demonstrated that the information requested is impossible to obtain or it would create a hardship on the applicant to obtain and its absence will not materially affect the review process.
- (9) Site plan checklist. Major development applications shall require the applicant to complete and submit a copy of the site conditions checklist, which can be found immediately following this section.

SECTION VIII

If any section, paragraph, subsection, clause or provision of this Ordinance shall be adjudged by the courts to be invalid, such adjudications shall apply to the section, paragraph, subsection,

clause, or provision so adjudicated, and the remainder of the Ordinance shall be deemed valid in effect.

SECTION IX

Any ordinance or parts thereof in conflict with the provisions of this Ordinance are hereby repealed to the extent of such conflict.

SECTION X

This Ordinance shall take effect upon passage and publication in accordance with the applicable law.

Introduced: June 12, 2024
Adopted: June 26, 2024

MOVED: Voogt
SECONDED: Vieira

AYES: 3
NAYS: 0
ABSENT: 2 (Celli/Widdis)
ABSTAIN: 0

Date:_____

Date:_____

Amanda Caldwell

John Pallone