

BOROUGH OF BERGENFIELD PUBLIC NOTICE

ORDINANCE 23-2612 - AN ORDINANCE AMENDING CHAPTER 268 OF THE CODE OF THE BOROUGH OF BERGENFIELD, ENTITLED "STORMWATER MANAGEMENT"

was re-introduced at a Regular Meeting of the Mayor and Council of the Borough of Bergenfield, in the County of Bergen, New Jersey, held on Tuesday, September 20, 2023 and will be further considered for final passage after public hearing at a meeting of the Mayor and Council to be held at the Bergenfield Public Library located at 50 W. Clinton Avenue in Bergenfield, in the Friends Meeting Room, on Tuesday, October 3, 2023 at 8:00 p.m. prevailing time, or as soon thereafter as the matter can be heard.

A clear and concise statement of this ordinance is to establish minimum stormwater management requirements and controls for "major development", and all applications for a new construction, enlargement or addition to an existing structure not defined in 286-2.

A copy of this ordinance may be obtained without cost between the hours of 8:30 a.m. and 4:30 p.m. at the office of the Borough Clerk, 198 North Washington Avenue, Bergenfield, New Jersey.

Marie Quinones-Wilson
Borough Clerk
September 26, 2023

Chapter 268. Stormwater Management

AN ORDINANCE TO AMEND CHAPTER 268, ENTITLED "STORMWATER MANAGEMENT" OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF BERGENFIELD.

ZERO INCREASE OF STORMWATER RUNOFF

§ 268-1. Scope and purpose.

Policy statement. Flood control, groundwater recharge, and pollutant reduction shall be achieved through the use of stormwater management measures, including green infrastructure best management practices (GI BMPs) and nonstructural stormwater management strategies. GI BMPs and low-impact development (LID) should be utilized to meet the goal of maintaining natural hydrology to reduce stormwater runoff volume, reduce erosion, encourage infiltration and groundwater recharge, and reduce pollution. GI BMPs and LID should be developed based upon physical site conditions and the origin, nature and the anticipated quantity, or amount, of potential pollutants. Multiple stormwater management BMPs may be necessary to achieve the established performance standards for water quality, quantity, and groundwater recharge.

- a. *Purpose.* The purpose of this chapter is to establish minimum stormwater management requirements and controls for "major development," and all applications for a new construction, enlargement or addition to an existing structure not defined in as defined below in § 268-2.
- b. *Applicability.* This chapter shall be applicable to all applications where improved lot coverage exceeds the maximum allowable requirements from Ch.186, Land Development Schedule B – Limiting; any improvement that exceeds that maximum improved lot coverage shall require a drainage plan with zero run off which is reviewed and approved by the Borough Zoning Board Engineer.

Provisions:

- A. All applications for a building permit for properties to which this article applies shall contain a plan or certification providing for a zero increase in stormwater runoff for the completed project.
- B. The Borough Engineer shall review each application for a building permit for properties to which this article applies and approve same as providing for a zero increase in stormwater runoff for the completed project.
- C. No building permit shall be issued for any project to which this article applies when, in the opinion of the Borough Zoning Board Engineer, the applicant fails to provide for a zero increase in stormwater runoff.
- D. At the time of the application for a building permit for any project to which this article applies, the applicant shall deposit \$1,500 in escrow to cover or defray the cost of the Borough Zoning Board Engineer's review and inspection of the application relative to stormwater runoff and/or the other site-work related items.

Design Guidelines:

An application for a building permit for any project to which this article applies, shall include an underground seepage pit or similar system designed to adequately handle stormwater runoff generated on impervious areas discharged into the system. The following minimum requirements for the seepage pit or similar system design:

- A. The seepage pit shall be designed by a NJ Professional Engineer and inspected by the Borough Zoning Board Engineer to retain at least 10-year, 60-minute duration storm runoff generated on the additional impervious area.
- B. If the area larger than the additional impervious surface is discharged into the seepage pit, the seepage pit shall be designed to retain the runoff generated on the total area connected to the seepage pit.
- C. The seepage pit bottom shall be, at a minimum, 2 feet above seasonal high-water table.
- D. The soil shall be sufficiently permeable to drain the pit within a 72-hr period.
- E. The seepage pit should be inspected once a year and cleaned as necessary.
- F. All sump pumps, roofing and exterior drainage systems shall drain into the seepage pit and shall not drain into the street.
- G. Applicant's engineer shall provide a permeability rate from soil sampling.
- H. Should it be found that a seepage pit is not a viable solution to prevent an increase in stormwater runoff, the applicant's engineer shall propose an alternative solution for review and approval by the Borough.

Definitions:

Improved lot coverage shall mean the percentage of the area covered by principal and accessory buildings, structures and uses, including but not limited to, decks, driveways, patios, walkways, parking areas, garages, pools, and all areas covered by any materials other than vegetation or soil.

Severability:

In any sentence, section, clause or other portion of this article or the application thereof to any person or circumstance shall for any reason be adjudged by a court of competent jurisdiction to be invalid, such judgement shall not affect, impair or repeal the remainder of this article.

Repealer:

All ordinances or parts thereof inconsistent herewith are hereby repealed to the extent of the such inconsistency.

Effective Date: This Ordinance shall become effective upon final approval and publication, pursuant to law, and upon completion of all outstanding cases.

Revised 9/20/23

Notice is HEREBY GIVEN that the foregoing Ordinance was re-introduced at a meeting of the Borough of Bergenfield on the 20th day of September, 2023 and passed on first reading, and the same was ordered for final passage at a meeting of the Council to be held at the Bergenfield Public Library located at 50 W. Clinton Avenue in Bergenfield, in the Friends Meeting Room, on the 3rd day of October, 2023 at 8 p.m., at which time and place all persons interested will be given an opportunity to be heard concerning such Ordinance

Borough Clerk