

WEST DEPTFORD TOWNSHIP

ORDINANCE 2023-25

**ORDINANCE OF THE TOWNSHIP OF WEST DEPTFORD AMENDING CHAPTER 141 –
STORMWATER CONTROL PROCEDURES**

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of West Deptford, County of Gloucester, State of New Jersey, that Chapter 141 – Stormwater Control Procedures be amended to reflect the New Jersey Department of Environmental Protection (NJDEP) amended Stormwater Management Rules (N.J.A.C. 7:8-1 *et seq.*) as follows:

Section 1. Chapter 141, Stormwater Control Procedures, Section 1, Scope and Purpose, Part C, Applicability, is hereby amended by adding the following additional Subparts to read as follows:

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

Section 2. Chapter 141, Stormwater Control Procedures, Section 2, Definitions, is hereby amended by adding the following words/definitions:

"Public roadway or railroad" means 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" means 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.

Section 3. Chapter 141, Stormwater Control Procedures, Section 4, Stormwater Management Requirements for Major Development, Subpart R, Stormwater Runoff Quantity Standards, Part 2(a)(b) and (c) are hereby amended to read as follows:

- a. Demonstrate through hydrologic and hydraulic analysis that for stormwater leaving the site, post-construction runoff hydrographs for the current and projected 2-, 10-, and 100-year storm events, as defined and determined in Section §141-5.C and §141-5.D, respectively, of this ordinance, do not exceed, at any point in time, the pre-construction runoff hydrographs for the same storm events;

- b. Demonstrate through hydrologic and hydraulic analysis that there is no increase, as compared to the pre-construction condition, in the peak runoff rates of stormwater leaving the site for the current and projected 2-, 10- and 100-year storm events, as defined and determined in Section §141-5.C and §141-5.D, respectively, of this 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 2-, 10- and 100-year storm events, as defined and determined in Section §141-5.C and §141-5.D, respectively, of this ordinance, are 50, 75 and 80 percent, respectively, of the pre-construction 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

Section 4. Chapter 141, Stormwater Control Procedures, Section 5, Calculation of Stormwater Runoff and Groundwater Recharge, Part A (1) and (2) are hereby amended to read as follows:

1. The design engineer shall calculate runoff using the following method:

- 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://directives.sc.egov.usda.gov/viewerFS.aspx?hid=21422>

or at United States Department of Agriculture Natural Resources Conservation Service, New Jersey State Office.

2. For the purpose of calculating curve numbers and groundwater recharge, there is a presumption that the pre-construction condition of a site or portion thereof is a wooded land use with good hydrologic condition. The term "curve number" applies to the NRCS methodology above at §141-5.A.1(a). A runoff 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).

Section 5. Chapter 141, Stormwater Control Procedures Section 5, Calculations of Stormwater Runoff and Groundwater Recharge, Part C is hereby amended to read as follows:

- C. The precipitation depths of the current 2-, 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

County	Current Precipitation Adjustment Factors		
	2-year Design Storm	10-year Design Storm	100-year Design Storm
Atlantic	1.01	1.02	1.03
Bergen	1.01	1.03	1.06
Burlington	0.99	1.01	1.04
Camden	1.03	1.04	1.05
Cape May	1.03	1.03	1.04
Cumberland	1.03	1.03	1.01
Essex	1.01	1.03	1.06
Gloucester	1.05	1.06	1.06
Hudson	1.03	1.05	1.09
Hunterdon	1.02	1.05	1.13
Mercer	1.01	1.02	1.04
Middlesex	1.00	1.01	1.03
Monmouth	1.00	1.01	1.02
Morris	1.01	1.03	1.06
Ocean	1.00	1.01	1.03
Passaic	1.00	1.02	1.05
Salem	1.02	1.03	1.03
Somerset	1.00	1.03	1.09
Sussex	1.03	1.04	1.07
Union	1.01	1.03	1.06
Warren	1.02	1.07	1.15

Section 6. Chapter 141, Stormwater Control Procedures, Section 5, Calculations of Stormwater Runoff and Groundwater Recharge, Part D, is hereby amended to read as follows:

- 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


	Future Precipitation Change Factors		
	2-year Design Storm	10-year Design Storm	10-year Design Storm
Atlantic	1.22	1.24	1.39
Bergen	1.20	1.23	1.37
Burlington	1.17	1.18	1.32
Camden	1.18	1.22	1.39
Cape May	1.21	1.24	1.32
Cumberland	1.20	1.21	1.39
Essex	1.19	1.22	1.33
Gloucester	1.19	1.23	1.41
Hudson	1.19	1.19	1.23
Hunterdon	1.19	1.23	1.42
Mercer	1.16	1.17	1.36
Middlesex	1.19	1.21	1.33
Monmouth	1.19	1.19	1.26
Morris	1.23	1.28	1.46
Ocean	1.18	1.19	1.24
Passaic	1.21	1.27	1.50
Salem	1.20	1.23	1.32
Somerset	1.19	1.24	1.48
Sussex	1.24	1.29	1.50
Union	1.20	1.23	1.35
Warren	1.20	1.25	1.37

Section 7. Chapter 141, Stormwater Control Procedures, Section 6, Sources of Technical Guidance, Parts A and B are hereby amended to read as follows:

- 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: <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://dep.nj.gov/stormwater/maintenance-guidance/>.
- B. Submissions required for review by the Department should be mailed to:
1. 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.

BE IT FURTHER ORDAINED that this Ordinance shall take effect immediately upon passage and publication according to law.

TOWNSHIP OF WEST DEPTFORD


JAMES P. MEHAFFEY, Mayor

Attest:


LEE ANN DEHART, Registered Municipal Clerk

INTRODUCED at a meeting of the Township Committee of the Township of West Deptford, held on October 18, 2023.

ROLL CALL VOTE				
	AYES	NAYS	ABSTAIN	ABSENT
James Mehaffey	/			
Megan Kerr				/
Ashley Morrell	/			
Adam Reid	/			
James Robinson	/			
TALLY:	4			/

ADOPTED at a meeting of the Township Committee of the Township of West Deptford, held on November 13, 2023.

ROLL CALL VOTE				
	AYES	NAYS	ABSTAIN	ABSENT
James Mehaffey	/			
Megan Kerr	/			
Ashley Morrell	/			
Adam Reid	/			
James Robinson	/			
TALLY:	5			