



**WOODLAND TOWNSHIP
REGULAR MEETING
April 24, 2024
7:00 p.m.**

CALL TO ORDER

FLAG SALUTE

OBSERVANCE OF MOMENT OF SILENCE

OPEN PUBLIC MEETING ACT STATEMENT BY CLERK

Notice of time and date for this meeting appeared in Resolution #2024-11 dated January 3, 2024. This notice was sent to the Burlington County Times and the Courier Post newspaper as a legal notice and sunshine notice in compliance with the "Open Public Meetings Act". It was also posted on the bulletin board in the Municipal Building.

RECORD OF ATTENDANCE

_____ Mayor DeGroff	_____ Mr. Herndon	_____ Ms. Mull
_____ Mr. Leisse	_____ Mr. Burns	
_____ Ms. Rosmando	_____ Ms. Seeland	_____ Chief Viscardi
_____ Mr. Huber	_____ Ms. Brown	_____ Members of the Public

APPROVAL OF MINUTES

- a. Regular Meeting – March 27, 2024
- b. Workshop meeting – March 27, 2024

CORRESPONDENCE

- a.

SUBMISSION OF BILLS AND CLAIMS \$375,883.10

- | | |
|-------------------------|---------------|
| a. Current Fund - | \$ 365,417.53 |
| b. Payroll Account - | \$ 10,465.57 |
| c. Escrow Account - | \$ -0- |
| d. Capital Account - | \$ -0- |
| e. Unemployment Account | \$ -0- |
| f. Mining Operations | \$ -0- |

APPLICATIONS

- a. NJ State Championship Time Trial – May 19, 2024



**WOODLAND TOWNSHIP
REGULAR MEETING
April 24, 2024
7:00 p.m.**

ORDINANCES

- a. **Ordinance 2024-1** **Updating Stormwater Management Tier A Requirements (Re-intro)**
- b. **Ordinance 2024-2** **CAP Bank (Public hearing)**
 Motion to open public hearing
 Comments
 Motion to close public hearing
 Motion to adopt
- c. **Ordinance 2024-3** **Amend Ordinance 2017-6 and to Adopt Flood Hazard Maps and Designate a Floodplain Administrator (Introduction)**
- d. **Ordinance 2024-4** **Amend Ordinance 1998-4 Woodland Township Zoning Ord. (Int.)**
- e. **Ordinance 2024-5** **Amend Ordinance 2023-3 Stormwater Management (Intro)**

PUBLIC COMMENT – CONSENT AGENDA ONLY

CONSENT AGENDA – RESOLUTIONS

(NOTE: consent agenda items are considered to be routine and will be enacted with a single motion; any items requiring expenditure are supported by a Certificate of Availability of Funds; and item can be removed from the Consent Agenda and discussed separately at the request of any Committee Member)

- **RESOLUTION 2024-39** **Cancellation of 2023/2024 Uncollectable Taxes**
- **RESOLUTION 2024-40** **Appointment of Employee for Grader**

OLD BUSINESS – Tabernacle Township – agreed to hot box use - \$1635/day

NEW BUSINESS –

- **RESOLUTION 2024- 33** **Budget Adoption & Public Hearing**

REPORTS

- a. Tax Collector –March collections –\$41,800.84
- b. Clerk –
 - March Miscellaneous Collections - \$15,645.60
 - Next Regular Meeting –May 22, 2024
 - OPRA Report – March
- c. Tax Assessor – no report
- d. CFO –
- e. Engineer – See report
- f. Solicitor – no report
- g. OEM – no report
- h. Chief – see report



**WOODLAND TOWNSHIP
REGULAR MEETING
April 24, 2024
7:00 p.m.**

i. Public works –see report

COMMENTS FROM THE PUBLIC (please state your name & address for the record. Comments are limited to and will enforce a three minute limit)

COMMITTEE COMMENTS:

Donna Mull

Mark Herndon

Mayor DeGroff –

ADJOURNMENT

Township of Woodland

Bill List

April 24, 2024

TREASURER'S ACCOUNT

Date Pd.	Ck #	Payee	Amount	Description
04/01/24	ACH	Lenape BOE	\$ 88,962.67	April School Tax Payment
04/01/24	ACH	State of NJ-Div. of Pensions & Benefits	26,673.00	Annual Pension Payment
04/01/24	TRF	Payroll Account	12,959.66	04/05 Payroll
04/12/24	ACH	Woodland BOE	185,331.50	April School Tax Payment
04/15/24	TRF	Payroll Account	19,097.48	04/19 Payroll
04/08/24	8176-8180	See Attached Check Register	3,073.30	April Bills
04/15/24	8181-8182	See Attached Check Register	698.00	April Bills
04/24/24	8183-8186	VOIDS		
04/24/24	8187-8204	See Attached Check Register	28,621.92	April Bills
		Total	\$ 365,417.53	

PAYROLL ACCOUNT

Date Pd.	Ck #	Payee	Amount	Description
03/25/24	ACH	AFLAC	\$ 147.42	February Insurance
03/26/24	ACH	CASA Payroll	112.50	Payroll Expense
03/27/24	ACH	IRS	4,751.16	Federal Income Tax
03/27/24	ACH	NJGIT	840.69	NJ Income Tax
03/28/24	TRF	Woodland Township Unemployment Trust	266.97	1st Qtr. 2024 Unemployment
04/03/24	ACH	Empower	50.58	DCRP
04/09/24	ACH	CASA Payroll	149.50	Payroll Expense
04/10/24	ACH	IRS	3,450.45	Federal Income Tax
04/10/24	ACH	NJGIT	502.65	NJ Income Tax
04/17/24	ACH	Empower	46.23	DCRP
04/18/24	ACH	AFLAC	147.42	February Insurance
		Total	\$ 10,465.57	
		Grand Total	\$ 375,883.10	

Approved by: Mayor DeGroff
 Committeeman Herndon
 Committeewoman Mull
 April 24, 2024

Range of Checking Accts: First to Last Range of Check Dates: 04/08/24 to 04/08/24
 Report Type: All Checks Report Format: Condensed Check Type: Computer: Y Manual: Y Dir Deposit: Y

Check #	Check Date	Vendor	Amount Paid	Reconciled/Void	Ref Num
PO #		Description			Contract
01CURRENT					
8176	04/08/24	ATLAN010 ATLANTIC CITY ELECTRIC			531
24-00139		MARCH ELECTRIC & LIGHTS	2,180.03		
8177	04/08/24	VERIZ011 VERIZON			531
24-00124		(609)726-1968 BILLED 03/18/24	82.23		
8178	04/08/24	VERIZ011 VERIZON			531
24-00135		(609)726-1700 BILLED 03/21/24	283.32		
8179	04/08/24	VERIZ011 VERIZON			531
24-00137		OEM PHONE LINES - APRIL	248.72		
8180	04/08/24	VERIZ040 VERIZON			531
24-00125		FIOS INTERNET FEE 03/17-04/16	279.00		

Checking Account Totals	Paid	Void	Amount Paid	Amount Void
Checks:	5	0	3,073.30	0.00
Direct Deposit:	0	0	0.00	0.00
Total:	5	0	3,073.30	0.00

Report Totals	Paid	Void	Amount Paid	Amount Void
Checks:	5	0	3,073.30	0.00
Direct Deposit:	0	0	0.00	0.00
Total:	5	0	3,073.30	0.00

Range of Checking Accts: First to Last Range of Check Dates: 04/15/24 to 04/15/24
 Report Type: All Checks Report Format: Super Condensed Check Type: Computer: Y Manual: Y Dir Deposit: Y

Check #	Check Date	Vendor	Amount Paid	Reconciled/Void	Ref Num
01CURRENT					
8181	04/15/24	HARDR005 HARD ROCK HOTEL & CASINO	218.00		532
8182	04/15/24	TCTA0010 TCTA OF NEW JERSEY	480.00		532

Checking Account Totals	<u>Paid</u>	<u>Void</u>	<u>Amount Paid</u>	<u>Amount Void</u>
Checks:	2	0	698.00	0.00
Direct Deposit:	0	0	0.00	0.00
Total:	<u>2</u>	<u>0</u>	<u>698.00</u>	<u>0.00</u>

Report Totals	<u>Paid</u>	<u>Void</u>	<u>Amount Paid</u>	<u>Amount Void</u>
Checks:	2	0	698.00	0.00
Direct Deposit:	0	0	0.00	0.00
Total:	<u>2</u>	<u>0</u>	<u>698.00</u>	<u>0.00</u>

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 Report Type: All Checks Report Format: Condensed Check Type: Computer: Y Manual: Y Dir Deposit: Y

Check #	Check Date	Vendor	Amount Paid	Reconciled/Void	Ref Num
PO #		Description			Contract
01CURRENT					
8181	04/15/24	HARDR005 HARD ROCK HOTEL & CASINO			532
24-00143	05/29 & 30	RESERVATION-SEELAND	218.00		
8182	04/15/24	TCTA0010 TCTA OF NEW JERSEY			532
24-00141	2024	TCTA CONFERENCE-SEELAND	480.00		
Checking Account Totals					
			<u>Paid</u>	<u>Void</u>	<u>Amount Paid</u> <u>Amount Void</u>
		Checks:	2	0	698.00 0.00
		Direct Deposit:	0	0	0.00 0.00
		Total:	2	0	698.00 0.00
Report Totals					
			<u>Paid</u>	<u>Void</u>	<u>Amount Paid</u> <u>Amount Void</u>
		Checks:	2	0	698.00 0.00
		Direct Deposit:	0	0	0.00 0.00
		Total:	2	0	698.00 0.00

Range of Checking Accts: First to Last Range of Check Dates: 04/24/24 to 04/24/24
Report Type: All Checks Report Format: Super Condensed Check Type: Computer: Y Manual: Y Dir Deposit: Y

Check #	Check Date	Vendor	Amount Paid	Reconciled/Void	Ref Num
01CURRENT					
8187	04/24/24	ALLEN010 ALLEN'S OIL & PROPANE INC.	562.77		533
8188	04/24/24	ASSOC010 ASSOCIATION OF MUNICIPAL	150.00		533
8189	04/24/24	BROWN005 BROWN PRODUCTS, INC.	7,136.80		533
8190	04/24/24	CHATS011 FESTIVAL COMMITTEE	250.00		533
8191	04/24/24	CLOUD010 THE CLOUDSCALE365 GROUP, INC.	60.43		533
8192	04/24/24	DONNA005 DONNA MULL	105.56		533
8193	04/24/24	EXCLU010 EXCLUSIVE SERVICE & MAINT.CO.	4,070.00		533
8194	04/24/24	HARTM005 HARTMAN DUFF	2,642.50		533
8195	04/24/24	HOLTM005 HOLT MCNALLY & ASSOCIATES INC.	2,700.00		533
8196	04/24/24	HOMED005 HOME DEPOT CREDIT SERVICES	107.91		533
8197	04/24/24	KYOCERA KYOCERA DOC. SOLUTIONS AME	144.84		533
8198	04/24/24	MIDDLE010 MIDDLESEX WELDING SALES	16.90		533
8199	04/24/24	MRBOB010 MR. BOB	105.00		533
8200	04/24/24	PENNO010 PENNONI ASSOCIATES INC.	10,207.99		533
8201	04/24/24	STEWA005 STEWART BUSINESS SYSTEMS, LLC	44.80		533
8202	04/24/24	VECTO010 VECTOR SECURITY INC.	101.70		533
8203	04/24/24	VERIZ011 VERIZON	107.36		533
8204	04/24/24	VERIZ011 VERIZON	107.36		533

Checking Account Totals	Paid	Void	Amount Paid	Amount Void
Checks:	18	0	28,621.92	0.00
Direct Deposit:	0	0	0.00	0.00
Total:	18	0	28,621.92	0.00

Report Totals	Paid	Void	Amount Paid	Amount Void
Checks:	18	0	28,621.92	0.00
Direct Deposit:	0	0	0.00	0.00
Total:	18	0	28,621.92	0.00

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PO #		Description			Contract
01	CURRENT				
8187	04/24/24	ALLEN010 ALLEN'S OIL & PROPANE INC.			533
24-00138		MARCH PROPANE	562.77		
8188	04/24/24	ASSOC010 ASSOCIATION OF MUNICIPAL			533
24-00155		2024 DUES - DEKLERK	150.00		
8189	04/24/24	BROWN005 BROWN PRODUCTS, INC.			533
24-00131		MODEL MPT30-10 LIMB TRIMMER	7,136.80		
8190	04/24/24	CHATS011 FESTIVAL COMMITTEE			533
24-00128		REFUND OF PERMIT FEE	250.00		
8191	04/24/24	CLOUD010 THE CLOUDSCALE365 GROUP, INC.			533
24-00146		MONTH.MAINT.SVC.-TELEPHONE-APR	60.43		
8192	04/24/24	DONNA005 DONNA MULL			533
24-00145		REIMBURSE APPLE PEN	105.56		
8193	04/24/24	EXCLU010 EXCLUSIVE SERVICE & MAINT.CO.			533
24-00150		ROLL OFF SERVICES - MARCH	4,070.00		
8194	04/24/24	HARTM005 HARTMAN DUFF			533
24-00157		MARCH 2024 LEGAL FEES	2,642.50		
8195	04/24/24	HOLTM005 HOLT MCNALLY & ASSOCIATES INC.			533
24-00133		2024 AUDITING SERVICES	1,500.00		
24-00156		2024 AUDITING SERVICES	1,200.00		
			<u>2,700.00</u>		
8196	04/24/24	HOMED005 HOME DEPOT CREDIT SERVICES			533
24-00129		GRASS SEED & WEED KILLER	107.91		
8197	04/24/24	KYOCERA KYOCERA DOC. SOLUTIONS AME			533
23-00172		5/15/23 - 5/14/24 COPIER LEASE	144.84		
8198	04/24/24	MIDDL010 MIDDLESEX WELDING SALES			533
24-00158		CYLINDER RENTAL - MARCH	16.90		
8199	04/24/24	MRBOB010 MR. BOB			533
24-00126		03/26-04/22 PORT.TOILET RENT.	105.00		
8200	04/24/24	PENNO010 PENNONI ASSOCIATES INC.			533
24-00132		FEBRUARY GENERAL ENGINNEERING	10,207.99		
8201	04/24/24	STEWA005 STEWART BUSINESS SYSTEMS, LLC			533
23-00176		ANNUAL SERVICE FEE	44.80		
8202	04/24/24	VECTO010 VECTOR SECURITY INC.			533
24-00127		APRIL ALARM MONITORING	101.70		

Check #	Check Date	Vendor	Reconciled/Void	Ref Num
PO #		Description	Amount Paid	Contract

01CURRENT			Continued	
8203	04/24/24	VERIZ011 VERIZON		533
24-00148	(609)726-0329	BILLED 04/03/24	107.36	
8204	04/24/24	VERIZ011 VERIZON		533
24-00149	(609)726-1996	BILLED 04/03/24	107.36	

Checking Account Totals	<u>Paid</u>	<u>Void</u>	<u>Amount Paid</u>	<u>Amount Void</u>
Checks:	18	0	28,621.92	0.00
Direct Deposit:	0	0	0.00	0.00
Total:	18	0	28,621.92	0.00

Report Totals	<u>Paid</u>	<u>Void</u>	<u>Amount Paid</u>	<u>Amount Void</u>
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Direct Deposit:	0	0	0.00	0.00
Total:	18	0	28,621.92	0.00

**TOWNSHIP OF WOODLAND
BURLINGTON COUNTY, NEW
JERSEY**

**APPLICATION FOR OUTSIDE
EVENT PERMIT LICENSE
Pursuant to Ordinance 1994-7**

One copy of the completed application and the permit fee shall be filed with the Township Clerk not less than 30 (thirty) days before the date on which the event is scheduled. The Township Committee may at its discretion reduce or waive the set fee of \$250.00

This application form shall be accompanied by a copy of a map outlining the event route and indicating any start/stopping points, assembly areas, and intermediate points (including checkpoints, turnarounds, rest-stops, and fueling points); by copies of independent applications and/or notifications as submitted to any Federal, State, County, or other agencies (including, but not limited to, the NJ DEP Bureau of Parks, New Jersey State Police, and Pinelands Commission); and by any additional information the Township Committee shall find reasonably necessary.

Type of Event: Bicycle Race _____ Name of Event: NJ State Championship Time Trial

Date of Event: 5/19/24 _____ Rain Date (if applicable) _____

Applicant's Name: James Bernstein _____ Title: _____

Address: 375 McKinley Ave, Bayville, NJ 08721 _____

Telephone #: 609-933-4247 _____ Email: Bernstein.jim@gmail.com _____

Event Chairperson: _____

Address: _____

Telephone #: _____ Email: _____

Event Date Contact Name and telephone: _____

Route Event is Traversing (Attach map)

Starting point: Ocean Spray Plant, Rt 563 _____ Time: 8:00 am _____

Ending point: Ocean Spray Plant, Rt 563 _____ Time: 10:00 am _____

Maximum Length: 12 miles in each direction

Streets to be Traversed: This is a Bicycle race in which riders are individually timed riding from one point to another. Riders will ride one at a time spaced 30 seconds apart on the shoulder of

Application/Permit License

the road. They will start on 563 just outside the Ocean Spray Plant. They will proceed south along the shoulder of 563, bearing left onto Route 679. After approximately 3 miles on route 679, riders will turn around (in the presence of State Police) and head back north along the shoulders of 679 and 563 back to the Ocean Spray Plant.

Riders will be on the shoulder of the road and will be riding individually. There will **not** be any groups of multiple riders impeding traffic on the roads. There should be no impact on normal vehicular traffic.

State Police have been contracted for security, safety and traffic control.

Assembly Area: Ocean Spray Parking Lot _____

Beginning Time for Units to Assemble: 8:00 am _____

Intermediate Points/E.T.A. _____
(note: MV FUELING POINTS REQUIRE FIRE PROTECTION)

Approximate Size of Event: # of persons: 150 cyclists _____

of Vehicles/Animals: 0 _____

Types of vehicles/Animals: 0 _____

Interval of Space/Time to be Maintained Between Event Units: ~1,000 feet _____

Speed (mph): Maximum: _____ Minimum: _____

Provisions for Emergency and Safety Services:

Medevac Landing Zone: _____
(note: MEDEVAC OPERATION REQUIRES FIRE COMPANY PROTECTION)

Ambulance: na _____

Fire Protection: na _____

Traffic Control: State Police on site _____

Signature of Applicant: Jan H. B. [Signature] _____ Dated: 4/17/24 _____

FOR USE BY TOWNSHIP CLERK

Application Filing Date: _____ Fee Paid: ____ Route Maps: ____
Approval from Woodland Fire/EMS _____

OUTSIDE EVENT LICENSE

Event Name: _____ Date: _____

This constitutes the license for an outside event permit as specified by the Woodland Township Ordinance 1994-7. The Chairperson for this event shall carry this permit during the event. Issuance of this license shall be subject to all ordinances and regulations of Woodland Township.

License approved:

Maryalice Brown, RMC
Township Clerk/Administrator

Date: _____

Woodland Township Ordinance # 2024 -1
AN ORDINANCE UPDATING STORMWATER MANAGEMENT TIER A REQUIREMENTS

This Ordinance sets forth procedures that meet the requirements of Tier A Stormwater Management and other standards within the Township of Woodland of Burlington County.

WHEREAS, supporting the transition to Tier A Stormwater Management contributes to Township of Woodland's commitment to best practices in stormwater management and is in the best interest of public welfare; and

WHEREAS, the Township of Woodland encourages the public to abide by stormwater regulations; and

WHEREAS, adoption of this ordinance supports the State of New Jersey's goals to maintain the water quality in New Jersey; and

WHEREAS, adoption of this ordinance will support the Master Plan of Township of Woodland adopted in concurrence with P.L. 1975 c. 291, s. 1 eff. Aug. 1, 1976, and is consistent with goals of the Master Plan as well as the land use elements of the Master Plan; and

NOW, THEREFORE, BE IT ORDAINED, by the Committee of the Township of Woodland, County of Burlington State of New Jersey as follows:

Definitions:

For the purpose of this ordinance, the following terms, phrases, words, and their derivations, shall have the meanings stated herein unless their use in the text of this Chapter clearly demonstrates a different meaning. When consistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.

- "Applicant" means any "person", as defined below, who applies for approval to remove trees regulated under this ordinance.
- "Containerized" means the placement of yard waste in a trash can, bucket, bag, or other container to prevent yard waste from spilling or blowing out into the street and contaminating stormwater.
- "Critical Root Radius (CRR)" – means the zone around the base of a tree where the majority of the root system is found. This zone is calculated by multiplying the diameter at breast height (DBH) of the tree by 1.5 feet. For example: a tree with a 6" DBH would have a CRR = 6"x1.5' = 9'.
- "De-icing materials" means any granular or solid material such as melting salt or any other granular solid that assists in the melting of snow.

- “Diameter at Breast Height (DBH)” The diameter in inches of the trunk of a mature tree measured at a point four and a half feet above ground level from the downhill side of the tree.
- “Domestic sewage” means waste and wastewater from humans or household operations that is discharged to or otherwise enters a treatment works.
- “Feed” means to distribute or scatter any edible material with the intention of feeding or attracting wildlife. Feeding does not include baiting in the legal taking of fish and/or game.
- “Illicit connection” means, any physical or non-physical connection that discharges the following to a municipal separate storm sewer system (unless that discharge is authorized under a NJPDES permit other than the NJPDES permit for discharges from that system):
 - o Domestic sewage;
 - o Non-contact cooling water, process wastewater, or other industrial waste (other than stormwater); or
 - o Any category of non-stormwater discharges that a permittee for the MS4 identifies as a source or significant contributor of pollutants pursuant to 40 C.F.R. 122.26(d)(2)(iv)(B)(1) or 122.34(b)(3)(iii).
 - o Non-physical connections may include, but are not limited to, leaks, flows, or overflows into the municipal separate storm sewer system.
- “Impervious surface” means a surface that has been covered with a layer of material so that it is highly resistant to infiltration by water.
- “Industrial waste” means non-domestic waste, including, but not limited to, those pollutants regulated under Section 307(a), (b), or (c) of the Federal Clean Water Act.
- “Litter Receptacle” means a container suitable for the depositing of litter.
- “Litter” means any used or unconsumed substance or waste material which has been discarded, whether made of aluminum, glass, plastic, rubber, paper, or other natural or synthetic material, or any combination thereof, including, but not limited to, any bottle, jar or can, or any top, cap or detachable tab of any bottle, jar or can, any unlighted cigarette, cigar, match or any flaming or glowing material or any garbage, trash, refuse, debris, rubbish, grass clippings or other lawn or garden waste, newspapers, magazines, glass, metal, plastic or paper containers or other packaging or construction material, but does not include the waste of the primary processes of mining or other extraction processes, logging, sawmilling, farming or manufacturing.
- “Municipal separate storm sewer system (MS4)” means a conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, manmade channels, or storm drains) that is owned or operated by Woodland

Township or other public body, and is designed and used for collecting and conveying stormwater.

- “NJPDES permit” means a permit issued by the New Jersey Department of Environmental Protection to implement the New Jersey Pollutant Discharge Elimination System (NJPDES) rules at N.J.A.C. 7:14A.
- “Non-contact cooling water” means water used to reduce temperature for the purpose of cooling. Such waters do not come into direct contact with any raw material, intermediate product (other than heat) or finished product. Non-contact cooling water may however contain algaecides, or biocides to control fouling of equipment such as heat exchangers, and/or corrosion inhibitors.
- “Owner/Keeper” means any person who shall possess, maintain, house or harbor any pet or otherwise have custody of any pet, whether or not the owner of such pet.
- “Permanent structure” means a permanent building or permanent structure that is anchored to a permanent foundation with an impermeable floor, and that is completely roofed and walled (new structures require a door or other means of sealing the access way from wind driven rainfall). A fabric frame structure is a permanent structure if it meets the following specifications:
 - Concrete blocks, jersey barriers or other similar material shall be placed around the interior of the structure to protect the side walls during loading and unloading of de-icing materials;
 - The design shall prevent stormwater run-on and run through, and the fabric cannot leak;
 - The structure shall be erected on an impermeable slab;
 - The structure cannot be open sided; and
 - The structure shall have a roll up door or other means of sealing the access way from wind driven rainfall.
- “Person” Any individual, corporation, company, partnership, firm, political subdivision of this State and any state, interstate or federal agency.
- “Pet solid waste” means feces from any domesticated animal.
- “Pet” means any domesticated animal kept for companionship.
- “Planting strip” The part of a street right-of-way between the abutting property line and the curb or traveled portion of the street, exclusive of any sidewalk.
- “Process wastewater” means any water which, during manufacturing or processing, comes into direct contact with or results from the production or use of any raw material, intermediate

product, finished product, byproduct, or waste product. Process wastewater includes, but is not limited to, leachate and cooling water other than non-contact cooling water.

- “Proper disposal” means placement in a designated waste receptacle, or other suitable container which is regularly emptied by the municipality or some other refuse collector; or disposal into a system designed to convey domestic sewage for proper treatment and disposal.
- “Refuse container” means any waste container that a person controls whether owned, leased, or operated, including dumpsters, trash cans, garbage pails, and plastic trash bags.
- “Refuse” means matter thrown away or rejected as waste, trash.
- “Resident” means an individual who resides on a residential property or contractor hired by the individual who resides on a residential property.
- “Storm drain inlet” means the point of entry into the storm sewer system.
- “Stormwater” means water resulting from precipitation (including rain and snow) that runs off the land’s surface, is transmitted to the subsurface, is captured by separate storm sewers or other sewerage or drainage facilities or is conveyed by snow removal equipment.
- “Street Tree” A tree planted in the sidewalk or planting strip in the public right of way.
- “Street” means an improved or unimproved public road in a city or town which includes driving lanes, shoulders, gutters, curbs, sidewalks, and parking areas.
- “Tree removal” means to kill or to cause irreparable damage that leads to the decline and/or death of a tree. This includes, but is not limited to, excessive pruning, application of substances that are toxic to the tree, and improper grading and/or soil compaction around the base of the tree that leads to the decline and/or death of a tree. Removal does not include responsible pruning and maintenance of a tree, or the application of tree treatments intended to manage invasive species.
- “Tree” means a woody perennial plant, typically having a single stem or trunk growing to a considerable height and bearing lateral branches at some distance from the ground.
- “Tree of Significance” means any tree that is recognized by the municipal governing body as being of significance due to its size, unique value, age, rarity, or the aesthetic, botanical, ecological and historical value
- “Wildlife” means any undomesticated animal and includes all organisms that live wild in an area.

- “Yard Waste” means loose leaves and grass clippings.

SECTION I. Pet Waste

Purpose:

An ordinance to establish requirements for the proper disposal of pet solid waste in Woodland Township to protect the environment, public health, safety and welfare, and to prescribe penalties for failure to comply.

Regulated Activities:

All pet owners and keepers are required to immediately and properly dispose of their pet’s solid waste deposited on any property, public or private, not owned or possessed by that person.

Exemptions:

Any owner or keeper who requires the use of a disability assistance animal for disabilities such as vision or hearing loss, or other physical disabilities, shall be exempt from the provisions of this section while such animal is being used for that purpose. This exemption is not applicable to pets that are exclusively emotional support animals.

Enforcement:

This ordinance shall be enforced by the Code Enforcement Officer of Woodland Township.

Violations and Penalties:

Any person(s) who is found to be in violation of the provisions of this ordinance shall be subject to a fine not to exceed \$500.

SECTION II. Wildlife Feeding

Purpose:

An ordinance to prohibit the feeding of unconfined wildlife in any public park or on any other property owned or operated by Woodland Township to protect the environment, public health, safety and welfare, and to prescribe penalties for failure to comply.

Regulated Activities:

No person shall feed, in any public park or on any other property owned or operated by Woodland Township, any wildlife.

Exemptions:

Exemptions include unconfined wildlife at environmental education centers and feral cats as part of an approved Trap-Neuter-Release program.

Enforcement:

This ordinance shall be enforced by the Code Enforcement Officer of Woodland Township. Any person found to be in violation of this ordinance shall be ordered to cease the feeding immediately.

Violations and Penalties:

Any person(s) who is found to be in violation of the provisions of this ordinance shall be subject to a fine not to exceed \$500.

SECTION III. Litter Control

Purpose:

An ordinance to establish requirements to control littering in Woodland Township to protect the environment, public health, safety, and welfare, and to prescribe penalties for failure to comply.

Regulated Activities:

- A. It shall be unlawful for any person to throw, drop, discard or otherwise place any litter of any nature upon public or private property other than in a litter receptacle.
- B. Whenever any litter is thrown or discarded or allowed to fall from a vehicle or boat in violation of this ordinance, the operator or owner, or both, of the motor vehicle or boat shall also be deemed to have violated this ordinance.

Exemptions:

None

Enforcement:

This ordinance shall be enforced by the Code Enforcement Officer of Woodland Township.

Violations and Penalties:

Any person(s) who is found to be in violation of the provisions of this ordinance shall be subject to a fine no less than \$100 and not to exceed \$500.

SECTION IV. Improper Disposal of Waste

Purpose:

An ordinance to prohibit the spilling, dumping, or disposal of materials other than stormwater to the municipal separate storm sewer system (MS4) operated by Woodland Township to protect the environment, public health, safety, and welfare, and to prescribe penalties for failure to comply.

Regulated Activities:

The spilling, dumping, or disposal of materials other than stormwater that causes the discharge of pollutants to the municipal separate storm sewer system operated by Woodland Township is prohibited.

Exemptions:

- A. Potable water line flushing and discharges from potable water sources, excluding the discharge of filter backwash and first flush water from potable well development/redevelopment activities utilizing chemicals in accordance with N.J.A.C. 7:9D. The volume of first flush water, which is a minimum of three times the volume of the well water column, shall be handled and disposed of properly;

- B. Uncontaminated ground water (e.g., infiltration, crawl space or basement sump pumps, foundation or footing drains, rising ground waters);
- C. Air conditioning condensate (excluding contact and non-contact cooling water; and industrial refrigerant condensate);
- D. Irrigation water (including landscape and lawn watering runoff);
- E. Flows from springs, riparian habitats, wetlands, water reservoir discharges and diverted stream flows;
- F. Residential car washing water and dechlorinated swimming pool discharges from single family residential homes;
- G. Sidewalk, driveway, and street wash water;
- H. Flows from firefighting activities including the washing of fire fighting vehicles;
- I. Flows from clean water rinsing of beach maintenance equipment immediately following use and only if the equipment is used for its intended purpose;
- J. Rinsing of beach maintenance equipment is limited to exterior, undercarriage, and exposed parts and does not apply to engines or other enclosed machinery.
- K. Flows from clean water rinsing of equipment and vehicles used in the application of salt and deicing materials. Prior to rinsing, all equipment shall be cleaned using dry methods such as shoveling and sweeping. Recovered materials are to be returned to storage or properly discarded; and
- L. Rinsing of deicing equipment is limited to exterior, undercarriage, and exposed parts and does not apply to engines or other enclosed machinery.

Enforcement:

This ordinance shall be enforced by the Code Enforcement Officer of Woodland Township.

Violations and Penalties:

Any person(s) who is found to be in violation of the provisions of this ordinance shall be subject to a fine no less than \$100 and not to exceed \$500 for each incident.

SECTION V. Yard Waste

Purpose:

An ordinance establishing proper management of residential yard waste in Woodland Township to protect the environment, public health, safety, and welfare, and to prescribe penalties for failure to comply.

Regulated Activities:

No person shall sweep, rake, blow, or otherwise place yard waste into the street unless it is for a scheduled collection.

- A. For non-containerized (loose) yard waste collection: Placement of loose yard waste must be at least 10 feet away from any storm drain inlet and no sooner than 7 days prior to a scheduled and announced collection.

- B. For containerized yard waste collection: Yard waste shall be placed in an appropriate container at the curb or along the street for collection.

Placement of such yard waste on the street at any other time or in any other manner is a violation of this ordinance. If such placement of yard waste occurs, the person responsible for placement of the yard waste shall be in violation of this ordinance and must remove the yard waste immediately.

Exemptions:

None

Enforcement:

This ordinance shall be enforced by the Code Enforcement Officer of Woodland Township.

Violations and Penalties:

Any person(s) who is found to be in violation of the provisions of this ordinance shall be subject to a fine not to exceed \$500.

SECTION VI. Private Storm Drain Inlet Retrofitting

Purpose:

An ordinance requiring the retrofitting of existing storm drain inlets which are in direct contact with repaving, repairing, reconstruction, or resurfacing or alterations of facilities on private property, to prevent the discharge of solids and floatables (such as plastic bottles, cans, food wrappers and other litter) to the municipal separate storm sewer system(s) operated by Woodland Township to protect the environment, public health, safety and welfare, and to prescribe penalties for failure to comply. Installation of all new storm drain inlets must include a catch basin or other BMP designed for solids collection in areas which drain to surface waters and that do not have any other downstream BMPS prior to the surface water discharge.

Regulated Activities:

- A. No person in control of private property (except a residential lot with one single family house) shall authorize the repaving, repairing (excluding the repair of individual potholes), resurfacing (including top coating or chip sealing with asphalt emulsion or a thin base of hot bitumen), reconstructing or altering any surface that is in direct contact with an existing storm drain inlet on that property unless the storm drain inlet either:
 1. Already meets the design standard below to control passage of solid and floatable materials; or
 2. Is retrofitted or replaced to meet the standard in Section IV below prior to the completion of the project.
- B. The below design standard applies to the following types of storm drain inlet retrofit projects unless a more stringent standard is specified by the municipality's Stormwater Control Ordinance:
 1. Privately-owned or operated storm drain inlets (e.g., condominium association) must be retrofitted where the storm drains are:
 - a. In direct contact with any repaving, repairing (excluding individual pothole repair), or resurfacing (including top coating or chip sealing with asphalt emulsion or a thin base of hot bitumen); or
 - b. In direct contact with any reconstruction or alteration of facilities. This does not include single family homes.
- C. Grates in pavement or other ground surfaces shall meet either of the following standards:

1. The New Jersey Department of Transportation (NJDOT) bicycle safe grate standards described in Chapter 2.4 of the NJDOT Bicycle Compatible Roadways and Bikeways Planning and Design Guidelines (see www.state.nj.us/transportation/about/publicat/pdf/BikeComp/introtofac.pdf); or
2. A grate where each individual clear space in that grate has an area of no more than seven (7.0) square inches or is not greater than 0.5 inches across the smallest dimension. Note that the Residential Site Improvement Standards at N.J.A.C. 5:21 include requirements for bicycle safe grates.
 - a. Examples of grates subject to this standard include grates in grate inlets; the grate portion (noncurb opening portion) of combination inlets; grates on storm sewer manholes; ditch grates; trench grates; and grates of spacer bars in slotted drains. Examples of ground surfaces include surfaces of roads, (including bridges), driveways, parking areas, bikeways, plazas, sidewalks, lawns, fields, open channels, and stormwater basin floors used to collect stormwater from the surface into a storm drain or surface water body.
 - b. For curb-openings inlets, including curb-opening inlets in combination inlets, the clear space in the curb opening, or each individual clear space if the curb opening has two or more clear spaces, shall have an area of no more than seven (7.0) square inches or be no greater than two (2.0) inches across the smallest dimension.

Exemptions:

The following exemptions from the design standard apply:

- A. Where each individual clear space in the curb opening in existing curb-opening inlets does not have an area of more than nine (9.0) square inches;
- B. Where the review agency determines that the standards would cause inadequate hydraulic performance that could not practicably be overcome by using additional or larger storm drain inlets;
- C. Where flows from the water quality design storm as specified in N.J.A.C. 7:8 are conveyed through any device (e.g., manufactured treatment device, or a catch basin hood) that is designed, at a minimum, to prevent delivery of all solid and floatable materials that could not pass through one of the following:
 1. A rectangular space four and five-eighths inches long and one and one-half inches wide; or
 2. A bar screen having a bar spacing of 0.5 inches;

- a. Note that these exemptions do not authorize any infringement of requirements in the Residential Site Improvement Standards for bicycle safe grates in new residential development (N.J.A.C. 5:21-4.18(b)2 and 7.4(b)1).
- D. Where flows are conveyed through a trash rack that has parallel bars with one inch (1”) spacing between the bars, to the elevation of the water quality design storm as specified in N.J.A.C. 7:8; or
- E. Where the Department determines, pursuant to the New Jersey Register of Historic Places Rules at N.J.A.C. 7:4-7.2(c), that action to meet the standard is an undertaking that constitutes an encroachment or will damage or destroy the New Jersey Register listed historic property.

Enforcement:

This ordinance shall be enforced by the Code Enforcement Officer of Woodland Township.

Violations and Penalties:

Any person(s) who is found to be in violation of the provisions of this ordinance shall be subject to a fine not to exceed \$500 for each storm drain inlet that is not retrofitted to meet the design standard.

SECTION VII. Privately-Owned Salt Storage

Purpose:

The purpose of this ordinance is to prevent stored salt and other solid de-icing materials from being exposed to stormwater.

This ordinance establishes requirements for the storage of salt and other solid de-icing materials on properties not owned or operated by the municipality (privately-owned), including residences, in Woodland Township to protect the environment, public health, safety and welfare, and to prescribe penalties for failure to comply.

Deicing Material Storage Requirements:

- A. Temporary outdoor storage of de-icing materials in accordance with the requirements below is allowed between October 15th and April 15th:
 - 1. Loose materials shall be placed on a flat, impervious surface in a manner that prevents stormwater run-through;
 - 2. Loose materials shall be placed at least 50 feet from surface water bodies, storm drain inlets, ditches and/or other stormwater conveyance channels;
 - 3. Loose materials shall be maintained in a cone-shaped storage pile. If loading or unloading activities alter the cone-shape during daily activities, tracked materials shall be swept back into the storage pile, and the storage pile shall be reshaped into

a cone after use;

4. Loose materials shall be covered as follows:

- a. The cover shall be waterproof, impermeable, and flexible;
- b. The cover shall extend to the base of the pile(s);
- c. The cover shall be free from holes or tears;
- d. The cover shall be secured and weighed down around the perimeter to prevent removal by wind; and
- e. Weight shall be placed on the cover(s) in such a way that minimizes the potential of exposure as materials shift and runoff flows down to the base of the pile.

(1) Sandbags lashed together with rope or cable and placed uniformly over the flexible cover, or poly-cord nets provide a suitable method. Items that can potentially hold water (e.g., old tires) shall not be used;

5. Containers must be sealed when not in use; and

6. The site shall be free of all de-icing materials between April 16th and October 14th.

B. De-icing materials should be stored in a permanent structure if a suitable storage structure is available. For storage of loose de-icing materials in a permanent structure, such storage may be permanent, and thus not restricted to October 15 - April 15.

C. The property owner, or owner of the de-icing materials if different, shall designate a person(s) responsible for operations at the site where these materials are stored outdoors, and who shall document that weekly inspections are conducted to ensure that the conditions of this ordinance are met. Inspection records shall be kept on site and made available to the municipality upon request.

1. Residents who operate businesses from their homes that utilize de-icing materials are required to perform weekly inspections.

Exemptions:

Residents may store de-icing materials outside in a solid-walled, closed container that prevents precipitation from entering and exiting the container, and which prevents the de-icing materials from leaking or spilling out. Under these circumstances, weekly inspections are not necessary, but repair or replacement of damaged or inadequate containers shall occur within 2 weeks.

If containerized (in bags or buckets) de-icing materials are stored within a permanent structure, they are not subject to the storage and inspection requirements in Section III above. Piles of de-

icing materials are not exempt, even if stored in a permanent structure.

This ordinance does not apply to facilities where the stormwater discharges from de-icing material storage activities are regulated under another NJPDES permit.

Enforcement:

This ordinance shall be enforced by Code Enforcement Officer of Woodland Township during the course of ordinary enforcement duties.

Violations and Penalties:

Any person(s) who is found to be in violation of the provisions of this ordinance shall have 72 hours to complete corrective action. Repeat violations and/or failure to complete corrective action shall result in fines not exceeding \$500. A separate offense may be deemed committed on each day that a violation occurs or continues.

SECTION VIII. Tree Removal-Replacement Ordinance

Purpose:

An ordinance to establish requirements for tree removal and replacement in Woodland Township to reduce soil erosion and pollutant runoff, promote infiltration of rainwater into the soil, and protect the environment, public health, safety, and welfare.

A. Regulated Activities:

Any person planning to remove a street tree, as defined as Tree removal, with DBH of 2.5” or more or any non-street tree with DBH of 6” or more. If Code Enforcement finds any tree removal to not be in compliance with this Ordinance, they shall notify the person, corporation, or entity with regard to a potential violation of this Ordinance. The person, corporation or entity shall provide a response to the notice within twenty (20) days of the date of the notice advising, which response may include assertion of exemptions(s) as set for below.

B. Tree Replacement Requirements:

1. Any person who removes one or more street tree(s) within a five-year period, with a DBH of 2.5” or more, unless exempt under § 194-4, shall be subject to the requirements of the Tree Replacement Requirements Table below.

2. For applicants, other than “Homeowners”:

Any person, other than a homeowner, who removes one or more tree(s) with a DBH of 6” or more per acre within a five-year period, unless exempt under § 194-4, shall be subject to the requirements of the Tree Replacement Requirements Table below.

3. For Homeowner applicants:

Any person that removes more than three (3) trees per acre with a DBH between 6” and 32.99”, or any one (1) tree with a DBH 33” or greater or a tree of significance within a five-year period, unless exempt under § 194-4, shall be subject to the requirements of the Tree Replacement Requirements Table below.

The species type and diversity of replacement trees shall be in accordance with the lists of approved trees which shall be adopted from time to time by resolution of the Township governing body and incorporated herein by reference: Tree Planting List, Right-of-Way Tree List, and Invasive Tree List.

Replacement tree(s) shall meet the Required Actions in Table below, and shall be planted within twelve (12) months of the date of removal of the original tree(s). Replacement tree(s) shall be monitored by the applicant for a period of two (2) years to ensure their survival and shall promptly be replaced if they die during the monitoring period. . Trees planted in temporary containers or pots do not count towards tree replacement requirements.

Tree Replacement Requirements Table	
Tree Removed (DBH)	Required Action
DBH of 2.5” (for street trees) or 6” (for other trees) to 12.99”	Replant 1 tree in with a minimum DBH of 1.5” for each tree removed
DBH of 13” to 22.99”	Replant 2 trees with minimum DBHs of 1.5” for each tree removed
DBH of 23” to 32.99”	Replant 3 trees with minimum DBHs of 1.5” for each tree removed
DBH of 33” or greater	Replant 4 trees with minimum DBHs of 1.5” for each tree removed
Tree of Significance	Replant 5 trees with minimum DBHs of 1.5” for each tree removed

D. Tree of Significance

1. All Tree of Significance removals shall be approved by the Code Enforcement Officer prior to removal.
2. The Township governing body may designate, by resolution, a certain tree or a certain species of trees as being of special value based on rarity or historical importance.

E. Replacement Alternatives:

1. If the municipality determines that some or all required replacement trees cannot be planted on the property where the tree removal activity occurred, then the applicant shall do one of the following:
 - a. Plant replacement trees in a separate area(s) approved by the municipality.
 - b. Pay a fee representing the cost to replace the removed or destroyed tree(s), including administration and labor costs, per tree removed. This fee shall be placed into a Township fund dedicated to planting and maintaining trees and shrubs on public property.

F. Exemptions:

All persons shall comply with the tree replacement and permit standards described within this Ordinance, except in the cases detailed below.

1. Clearing, cutting, and/or removal of trees which is necessary to service, maintain, or ensure the continued safe use of a lawfully existing structure, right-of-way, firebreak, field, park, and/or garden;
2. Lands in active agricultural use and garden centers;
3. Properties used for the practice of silviculture under an approved forest stewardship or woodland management plan;
4. Any trees removed pursuant to a New Jersey Department of Environmental Protection (NJDEP) or U.S. Environmental Protection Agency (EPA) approved environmental clean-up, or NJDEP approved habitat enhancement plan;
5. Approved game management practices, as recommended by the State of New Jersey Department of Environmental Protection, Division of Fish, Game and Wildlife;
6. Trees that are damaged as a result of storms and or other naturally occurring calamities, that if not immediately removed, pose an imminent threat or danger to life and/or property;
7. Any tree located on publicly owned land and removed by the public agency or its representatives, or by a tenant in furtherance of other exemptions stated in this ordinance;
8. Any trees removed within 100 feet of any structure for the purposes of fire safety. Any activity promoting public health and safety by creating, maintaining and improving fire defensible space around structures or other fire suppression and control activities, such as, but not limited to, the creation of fire lanes;
9. Any tree, excluding street trees, with a DBH less than 6”;
10. Any trees removed within one (1) acre surrounding a residential dwelling;
11. Tree removal, maintenance or land management by the Township, School District or Volunteer Fire Companies or its authorized contractors or subcontractors; and
12. Any Tree removal causing damage or the risk of damage to structures such as buildings, walkways and driveways and roadways.

Enforcement:

This ordinance shall be enforced by the Code Enforcement Officer of Woodland Township during the course of ordinary enforcement duties.

Violations and Penalties:

The burden of proof shall remain with the Township for any potential violations of this Ordinance. Any person who is found to be in violation of the provisions of this ordinance shall, upon conviction, be liable of not more than \$200 and costs of prosecution, in addition to the applicable Tree Removal Permit application fee. The Township may, based upon individual circumstances, require the planting of additional trees in accordance with the provisions of this Ordinance in lieu of a fine.

SECTION IX. Illicit Connections

Purpose:

An ordinance to prohibit illicit connections to the municipal separate storm sewer system(s) operated by Woodland Township to protect the environment, public health, safety, and welfare, and to prescribe penalties for failure to comply.

Regulated Activities:

No person shall discharge or cause to be discharged through an illicit connection to the municipal separate storm sewer system operated by Woodland Township any domestic sewage, non-contact cooling water, process wastewater, or other industrial waste (other than stormwater).

Exemptions:

None

Enforcement:

This ordinance shall be enforced by the Code Enforcement Officer of Woodland Township.

Violations and Penalties:

Any person(s) who is found to be in violation of the provisions of this ordinance shall be subject to a fine not to exceed \$500.

SECTION X. Privately-Owned Refuse Containers/Dumpsters

Purpose:

An ordinance requiring dumpsters and other refuse containers that are outdoors or exposed to stormwater to be covered at all times. This prohibits the spilling, dumping, leaking, or otherwise discharge of liquids, semi-liquids or solids from the containers to the municipal separate storm sewer system(s) operated by Woodland Township to protect the environment, public health, safety and welfare, and to prescribe penalties for failure to comply.

Regulated Activities:

Any person who controls a refuse container or dumpster, whether owned, leased, or operated, must ensure that such container or dumpster is covered at all times and shall prevent refuse from spilling out or overflowing. Any person who owns, leases or otherwise uses a refuse container or dumpster must ensure that such container or dumpster does not leak or otherwise discharge liquids, semi-liquids or solids to the municipal separate storm sewer system(s) operated by Woodland Township.

Exemptions:

- A. Permitted temporary demolition containers;
- B. Litter receptacles (other than dumpsters or other bulk containers);
- C. Individual homeowner trash and recycling containers;
- D. Refuse containers at facilities authorized to discharge stormwater from dumpsters at a site that is authorized under a valid NJPDES permit; and
- E. Large bulky items (e.g., furniture, bound carpet and padding, or household appliances placed curbside for pickup).

Enforcement:

This ordinance shall be enforced by the Code Enforcement Officer of Woodland Township.

Violations and Penalties:

Any person(s) who is found to be in violation of the provisions of this ordinance shall be subject to a fine not to exceed \$500.

SECTION XI. Severability:

Each section, subsection, sentence, clause and phrase of this Ordinance is declared to be an independent section, subsection, sentence, clause and phrase, and the finding or holding of any such portion of this Ordinance to be unconstitutional, void, or ineffective for any cause, or reason, shall not affect any other portion of this Ordinance.

SECTION XII. Effective Date:

This Ordinance shall be in full force and effect from and after its adoption and any publication as may be required by law.

HEARING NOTICE:

The above Ordinance was introduced at a Regular Meeting of the Township Committee of the Township of Woodland held on April 22, 2024, and was read for the first time. The Township Committee will further consider this Ordinance for final passage on June 26, 2024 at the Woodland Township Municipal Building, 3943 Main Street, Chatsworth, NJ at a meeting beginning at 7:00 p.m. or at any time and place to which such meeting may be adjourned. All persons interested will be given the opportunity to be heard concerning such ordinance.

Maryalice Brown, RMC
Township Clerk/Administrator

William DeGroff, Mayor
Woodland Township

Record of Vote (First Reading - _____)

	Moved	Second	Yes	No	Abstained	Absent
DeGroff						
Herndon						
Mull						

NOTICE OF FINAL ADOPTION:

Ordinance No. 2024-1 Stormwater Package Ordinance. Notice is hereby given that the foregoing ordinance was approved for final adoption by the Township Committee of the Township of Woodland at a Regular Meeting held on June 26, 2024

Maryalice Brown, RMC
Township Clerk/Administrator

William DeGroff, Mayor
Woodland Township

Record of Vote (Second Reading -)

	Moved	Second	Yes	No	Abstained	Absent
DeGroff						
Herndon						
Mull						

CALENDAR YEAR 2024-2
ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO
ESTABLISH A CAP BANK
(N.J.S.A. 40A: 4-45.14)

WHEREAS, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year’s final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Township Committee of the Township of Woodland in the County of Burlington finds it advisable and necessary to increase its CY 2024 budget by up to 3.5% over the previous year’s final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Township Committee hereby determines that a 1% increase in the budget for said year, amounting to \$10,320.68 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS the Township Committee hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW THEREFORE BE IT ORDAINED, by the Township Committee of the Township of Woodland in the County of Burlington, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2024 budget year, the final appropriations of the Township of Woodland shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5 %, amounting to \$36,122.38 and that the CY 2024 municipal budget for the Township of Woodland be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

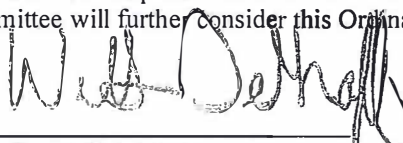
BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

HEARING NOTICE:

The above Ordinance was introduced at a Regular Meeting of the Township Committee of the Township of Woodland held on March 27, 2024 and was read for the first time. The Township Committee will further consider this Ordinance for final passage on April 24, 2024 at a meeting beginning at 7:00 p.m.



Maryalice Brown, RMC
 Township Clerk/Administrator



William DeGross, Mayor
 Woodland Township

Record of Vote (First Reading -)

	Moved	Second	Yes	No	Abstained	Absent
DeGross			✓			
Herndon		✓	✓			
Mull	✓		✓			

NOTICE OF FINAL ADOPTION:

Ordinance No. 2024-2 Cap Ordinance. Notice is hereby given that the foregoing ordinance was approved for final adoption by the Township Committee of the Township of Woodland at a Regular Meeting held on April 24, 2024.

Maryalice Brown, RMC
Township Clerk/Administrator

William DeGross, Mayor
Woodland Township

Record of Vote (Second Reading - _____)

	Moved	Second	Yes	No	Abstained	Absent
DeGross						
Herndon						
Mull						

ORDINANCE 2024-3

AN ORDINANCE BY THE TOWNSHIP OF WOODLAND TO AMEND ORDINANCE 2017-6 AND TO ADOPT FLOOD HAZARD MAPS; TO DESIGNATE A FLOODPLAIN ADMINISTRATOR; AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, the Legislature of the State of New Jersey has, in N.J.S.A. 40:48 et seq and N.J.S.A. 40:55D et seq., conferred upon local governments the authority to adopt regulations designed to promote the public health, safety, and general welfare of its citizenry; and

WHEREAS, the Federal Emergency Management Agency has identified special flood hazard areas within the boundaries of the Township of Woodland and such areas may be subject to periodic inundation which may result in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety and general welfare, and

WHEREAS, the Township of Woodland was accepted for participation in the National Flood Insurance Program on January 20, 1982 and the Township Committee of the Township of Woodland desires to continue to meet the requirements of Title 44 Code of Federal Regulations, Sections 59, 60, 65 and 70 necessary for such participation; and

WHEREAS, the Township of Woodland is required, pursuant to N.J.A.C. 5:23 et seq., to administer and enforce the State building codes, and such building codes contain certain provisions that apply to the design and construction of buildings and structures in flood hazard areas; and

WHEREAS, the Township of Woodland is required, pursuant to N.J.S.A. 40:49-5, to enforce zoning codes that secure safety from floods and contain certain provisions that apply to the development of lands; and

WHEREAS, the **Township of Woodland** is required, pursuant to N.J.S.A.58:16A-57, within 12 months after the delineation of any flood hazard area, to adopt rules and regulations concerning the development and use of land in the flood fringe area which at least conform to the standards promulgated by the New Jersey Department of Environmental Protection (NJDEP).

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Woodland that the following floodplain management regulations are hereby adopted.

SECTION 1. RECITALS.

The foregoing whereas clauses are incorporated herein by reference and made a part hereof.

SECTION 2. These regulations specifically repeal and replace the following ordinance(s) and regulation(s): Ordinance 2017-6

SECTION 101 SCOPE AND ADMINISTRATION

101.1 Title. These regulations, in combination with the flood provisions of the Uniform Construction Code (UCC) N.J.A.C. 5:23 (hereinafter "Uniform Construction Code," consisting of the Building Code, Residential Code, Rehabilitation Subcode, and related codes, and the New

Jersey Flood Hazard Area Control Act (hereinafter "FHACA"), N.J.A.C. 7:13, shall be known as the *Floodplain Management Regulations* of the Township of Woodland (hereinafter "these regulations").

101.2 Scope. These regulations, in combination with the flood provisions of the Uniform Construction Code and FHACA shall apply to all proposed development in flood hazard areas established in Section 102 of these regulations.

101.3 Purposes and objectives. The purposes and objectives of these regulations are to promote the public health, safety and general welfare and to minimize public and private losses due to flood conditions in specific flood hazard areas through the establishment of comprehensive regulations for management of flood hazard areas, designed to:

- (1) Protect human life and health.
- (2) Prevent unnecessary disruption of commerce, access, and public service during times of flooding.
- (3) Manage the alteration of natural floodplains, stream channels and shorelines;
- (4) Manage filling, grading, dredging and other development which may increase flood damage or erosion potential.
- (5) Prevent or regulate the construction of flood barriers which will divert floodwater or increase flood hazards.
- (6) Contribute to improved construction techniques in the floodplain.
- (7) Minimize damage to public and private facilities and utilities.
- (8) Help maintain a stable tax base by providing for the sound use and development of flood hazard areas.
- (9) Minimize the need for rescue and relief efforts associated with flooding.
- (10) Ensure that property owners, occupants, and potential owners are aware of property located in flood hazard areas.
- (11) Minimize the need for future expenditure of public funds for flood control projects and response to and recovery from flood events.
- (12) Meet the requirements of the National Flood Insurance Program for community participation set forth in Title 44 Code of Federal Regulations, Section 59.22.

101.4 Coordination with Building Codes. Pursuant to the requirement established in N.J.A.C. 5:23, the Uniform Construction Code, that the Township of Woodland administer and enforce the State building codes, the Township Committee of the Township of Woodland does hereby acknowledge that the Uniform Construction Code contains certain provisions that apply to the design and construction of buildings and structures in flood hazard areas. Therefore, these regulations are intended to be administered and enforced in conjunction with the Uniform Construction Code.

101.5 Ordinary Building Maintenance and Minor Work. Improvements defined as ordinary building maintenance and minor work projects by the Uniform Construction Code including non-structural replacement-in-kind of windows, doors, cabinets, plumbing fixtures, decks, walls, partitions, new flooring materials, roofing, etc. shall be evaluated by the Floodplain Administrator through the floodplain development permit to ensure compliance with the Substantial Damage and Substantial Improvement Section 103.14 of this ordinance.

101.6 Warning. The degree of flood protection required by these regulations is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur. Flood heights may be increased by man-made or natural causes. Enforcement of these regulations does not imply that land outside the special flood hazard areas, or that uses permitted within such flood hazard areas, will be free from flooding or flood damage.

101.7 Other laws. The provisions of these regulations shall not be deemed to nullify any provisions of local, State, or Federal law.

101.8 Violations and Penalties for Noncompliance. No structure or land shall hereafter be constructed, re-located to, extended, converted, or altered without full compliance with the terms of this ordinance and other applicable regulations. Violation of the provisions of this ordinance by failure to comply with any of its requirements (including violations of conditions and safeguards established in connection with conditions) shall constitute a violation under N.J.S.A. 40:49-5. Any person who violates this ordinance or fails to comply with any of its requirements shall be subject to one (1) or more of the following: a fine of not more than \$1250, imprisonment for a term not exceeding ninety(90) days or a period of community service not exceeding 90 days.

Each day in which a violation of an ordinance exists shall be considered to be a separate and distinct violation subject to the imposition of a separate penalty for each day of the violation as the Court may determine except that the owner will be afforded the opportunity to cure or abate the condition during a 30 day period and shall be afforded the opportunity for a hearing before the court for an independent determination concerning the violation. Subsequent to the expiration of the 30 day period, a fine greater than \$1250 may be imposed if the court has not determined otherwise, or if upon reinspection of the property, it is determined that the abatement has not been substantially completed.

Any person who is convicted of violating an ordinance within one year of the date of a previous violation of the same ordinance and who was fined for the previous violation, shall be sentenced by a court to an additional fine as a repeat offender. The additional fine imposed by the court upon a person for a repeated offense shall not be less than the minimum or exceed the maximum fine fixed for a violation of the ordinance but shall be calculated separately from the fine imposed for the violation of the ordinance.

101.8.1 Solid Waste Disposal in a Flood Hazard Area. Any person who has unlawfully disposed of solid waste in a floodway or floodplain who fails to comply with this ordinance or fails to comply with any of its requirements shall upon conviction thereof be fined not more than \$2500 or up to a maximum penalty by a fine not exceeding \$10,000 under N.J.S.A. 40:49-5.

101.9 Abrogation and greater restrictions. These regulations supersede any ordinance in effect in flood hazard areas. However, these regulations are not intended to repeal or abrogate any existing ordinances including land development regulations, subdivision regulations, zoning ordinances, stormwater management regulations, or building codes. In the event of a conflict between these regulations and any other ordinance, code, or regulation, the more restrictive shall govern.

SECTION 102 APPLICABILITY

102.1 General. These regulations, in conjunction with the Uniform Construction Code, provide minimum requirements for development located in flood hazard areas, including the subdivision

of land and other developments; site improvements and installation of utilities; placement and replacement of manufactured homes; placement of recreational vehicles; new construction and alterations, repair, reconstruction, rehabilitation or additions of existing buildings and structures; substantial improvement of existing buildings and structures, including repair of substantial damage; installation of tanks; temporary structures and temporary or permanent storage; utility and miscellaneous Group U buildings and structures; and certain building work exempt from permit under the Uniform Construction Code; and other buildings and development activities.

102.2 Establishment of Flood Hazard Areas. The Township of Woodland was accepted for participation in the National Flood Insurance Program on January 20, 1982.

The National Flood Insurance Program (NFIP) floodplain management regulations encourage that all Federal, State, and Local regulations that are more stringent than the minimum NFIP standards take precedence in permitting decisions. The FHACA requires that the effective Flood Insurance Rate Map, most recent preliminary FEMA mapping and flood studies, and Department delineations be compared to determine the most restrictive mapping. The FHACA also regulates unstudied flood hazard areas in watersheds measuring 50 acres or greater in size and most riparian zones in New Jersey. Because of these higher standards, the regulated flood hazard area in New Jersey may be more expansive and more restrictive than the FEMA Special Flood Hazard Area. Maps and studies that establish flood hazard areas are on file at the office of Office of the Zoning Officer, 3943 Route 563, Chatsworth, NJ 08019.

The following sources identify flood hazard areas in this jurisdiction and must be considered when determining the Best Available Flood Hazard Data Area:

- 1) **Effective Flood Insurance Study.** Special Flood Hazard Areas (SFHAs) identified by the Federal Emergency Management Agency in a scientific and engineering report entitled “Flood Insurance Study, Burlington County, New Jersey (All Jurisdictions)” dated August 28, 2019 and the accompanying Flood Insurance Rate Maps (FIRM) identified in Table 102.2(1) whose top level document (appendix map) effective date is August 28, 2019 are hereby adopted by reference.

Table 102.2(1)

Map Panel #	Effective Date	Suffix	Map Panel #	Effective Date	Suffix
34005C0294	12/21/2017	F	34005C0295	12/21/2017	F
34005C0312	12/21/2017	F	34005C0313	12/21/2017	F
34005C0314	12/21/2017	F	34005C0316	12/21/2017	F
34005C0318	12/21/2017	F	34005C0320	12/21/2017	F
34005C0340	12/21/2017	F	34005C0410	12/21/2017	F
34005C0426	12/21/2017	F	34005C0430	12/21/2017	F
34005C0431	12/21/2017	F	34005C0432	12/21/2017	F
34005C0433	12/21/2017	F	34005C0434	12/21/2017	F
34005C0440	12/21/2017	F	34005C0445	12/21/2017	F
34005C0455	12/21/2017	F	34005C0460	12/21/2017	F
34005C0465	12/21/2017	F	34005C0470	12/21/2017	F

- 2) **Federal Best Available Information.** The Township of Woodland shall utilize Federal flood information as listed in the table below that provides more detailed hazard information, higher flood elevations, larger flood hazard areas, and results in more restrictive regulations. This information may include but is not limited to preliminary flood elevation guidance from FEMA (such as Advisory Flood Hazard Area Maps, Work Maps or Preliminary FIS and FIRM). Additional Federal Best Available studies issued after the date of this ordinance must also be considered. These studies are listed on FEMA's Map Service Center. This information shall be used for floodplain regulation purposes only.

Table 102.2(2)

Map Panel #	Preliminary Date	Map Panel #	Preliminary Date
None as of the date of this ordinance			

- 3) **Other Best Available Data.** The Township of Woodland shall utilize high water elevations from flood events, groundwater flooding areas, studies by federal or state agencies, or other information deemed appropriate by the Township of Woodland. Other "best available information" may not be used which results in less restrictive flood elevations, design standards, or smaller flood hazard areas than the sources described in Section 102.2 (1) and (2), above. This information shall be used for floodplain regulation purposes only.
- 4) **State Regulated Flood Hazard Areas.** For State regulated waters, the NJ Department of Environmental Protection (NJDEP) identifies the flood hazard area as the land, and the space above that land, which lies below the "Flood Hazard Area Control Act Design Flood Elevation", as defined in Section 201, and as described in the New Jersey Flood Hazard Area Control Act at N.J.A.C. 7:13. A FHACA flood hazard area exists along every regulated water that has a drainage area of 50 acres or greater. Such area may extend beyond the boundaries of the Special Flood Hazard Areas (SFHAs) as identified by FEMA. The following is a list of New Jersey State studied waters in this community under the FHACA, and their respective map identification numbers.

Table 102.2 List of State Studied Waters

Name of Studied Water	File Name	Map Number
Jefferson Lake	M0000088	JL-1, 85
Bisphams Mill Ck	S0000003	WMA-15
Shinns Branch	S0000004	WMA-19
Burr's Mill Bk	S0000005	WMA-19 1 of 2
Burr's Mill Bk	S0000006	WMA-19 2 of 2
West Branch Wading Rv	S0000007	WMA-14 1 of 4
West Branch Wading Rv	S0000008	WMA-14 2 of 4
West Branch Wading Rv	S0000009	WMA-14 3 of 4
West Branch Wading Rv	S0000010	WMA-14 4 of 4

102.3 Establishing the Local Design Flood Elevation (LDFE).

The Local Design Flood Elevation (LDFE) is established in the flood hazard areas determined in Section 102.2, above, using the best available flood hazard data sources, and the Flood Hazard Area Control Act minimum Statewide elevation requirements for lowest floors in A, Coastal A, and V zones, ASCE 24 requirements for critical facilities as specified by the building code, plus additional freeboard as specified by this ordinance.

At a minimum, the Local Design Flood Elevation shall be as follows:

- 1) For a delineated watercourse, the elevation associated with the Best Available Flood Hazard Data Area determined in Section 102.2, above plus one foot or as described by N.J.A.C. 7:13 of freeboard; or
- 2) For any undelineated watercourse (where mapping or studies described in 102.2 (1) and (2) above are not available) that has a contributory drainage area of 50 acres or more, the applicants must provide one of the following to determine the Local Design Flood Elevation:
 - a. A copy of an unexpired NJDEP Flood Hazard Area Verification plus one foot of freeboard and any additional freeboard as required by ASCE 24; or
 - b. A determination of the Flood Hazard Area Design Flood Elevation using Method 5 or Method 6 (as described in N.J.A.C. 7:13) plus one foot of freeboard and any additional freeboard as required by ASCE 24. Any determination using these methods must be sealed and submitted according to Section 105.2-3.
- 3) AO Zones – For Zone AO areas on the municipality's FIRM (or on preliminary flood elevation guidance from FEMA), the Local Design Flood Elevation is determined from the FIRM panel as the highest adjacent grade plus the depth number specified plus one foot of freeboard. If no depth number is specified, the Local Design Flood Elevation is three (3) feet above the highest adjacent grade.
- 4) Class IV Critical Facilities - For any proposed development of new and substantially improved Flood Design Class IV Critical Facilities, the Local Design Flood Elevation must be the higher of the 0.2% annual chance (500 year) flood elevation or the Flood Hazard Area Design Flood Elevation with an additional 2 feet of freeboard in accordance with ASCE 24.
- 5) Class III Critical Facilities - For proposed development of new and substantially improved Flood Design Class III Critical Facilities in coastal high hazard areas, the Local Design Flood Elevation must be the higher of the 0.2% annual chance (500 year) flood elevation or the Flood Hazard Area Design Flood Elevation with an additional 1 foot of freeboard in accordance with ASCE 24.

SECTION 103 DUTIES AND POWERS OF THE FLOODPLAIN ADMINISTRATOR

103.1 Floodplain Administrator Designation. The Construction Official is designated the Floodplain Administrator. The Floodplain Administrator shall have the authority to delegate performance of certain duties to other employees.

103.2 General. The Floodplain Administrator is authorized and directed to administer the provisions of these regulations. The Floodplain Administrator shall have the authority to render interpretations of these regulations consistent with the intent and purpose of these regulations and to establish policies and procedures in order to clarify the application of its provisions. Such interpretations, policies and procedures shall be consistent with the intent and purpose of these regulations and the flood provisions of the building code and shall not have the effect of waiving specific requirements without the granting of a variance pursuant to Section 107 of these regulations.

103.3 Coordination. The Floodplain Administrator shall coordinate with the Construction Official to administer and enforce the flood provisions of the Uniform Construction Code.

103.4 Duties. The duties of the Floodplain Administrator shall include but are not limited to:

- (1) Review all permit applications to determine whether proposed development is located in flood hazard areas established in Section 102 of these regulations.
- (2) Require development in flood hazard areas to be reasonably safe from flooding and to be designed and constructed with methods, practices and materials that minimize flood damage.
- (3) Interpret flood hazard area boundaries and provide available flood elevation and flood hazard information.
- (4) Determine whether additional flood hazard data shall be obtained or developed.
- (5) Review required certifications and documentation specified by these regulations and the building code to determine that such certifications and documentations are complete.
- (6) Establish, in coordination with the Construction Official, written procedures for administering and documenting determinations of substantial improvement and substantial damage made pursuant to Section 103.14 of these regulations.
- (7) Coordinate with the Construction Official and others to identify and investigate damaged buildings located in flood hazard areas and inform owners of the requirement to obtain permits for repairs.
- (8) Review requests submitted to the Construction Official seeking approval to modify the strict application of the flood load and flood resistant construction requirements of the Uniform Construction code to determine whether such requests require consideration as a variance pursuant to Section 107 of these regulations.
- (9) Require applicants who submit hydrologic and hydraulic engineering analyses to support permit applications to submit to FEMA the data and information necessary to maintain the Flood Insurance Rate Maps when the analyses propose to change base flood elevations, flood hazard area boundaries, or floodway designations; such submissions shall be made within 6 months of such data becoming available.
- (10) Require applicants who propose alteration of a watercourse to notify adjacent jurisdictions and the NJDEP Bureau of Flood Engineering, and to submit copies of such notifications to the Federal Emergency Management Agency (FEMA).
- (11) Inspect development in accordance with Section 106 of these regulations and inspect flood hazard areas to determine if development is undertaken without issuance of permits.
- (12) Prepare comments and recommendations for consideration when applicants seek variances in accordance with Section 107 of these regulations.

- (13) Cite violations in accordance with Section 108 of these regulations.
- (14) Notify the Federal Emergency Management Agency when the corporate boundaries of The Township of Woodland have been modified.
- (15) Permit Ordinary Maintenance and Minor Work in the regulated areas discussed in Section 102.2.

103.5 Use of changed technical data. The Floodplain Administrator and the applicant shall not use changed flood hazard area boundaries or base flood elevations for proposed buildings or developments unless the Floodplain Administrator or applicant has applied for a Conditional Letter of Map Revision (CLOMR) to the Flood Insurance Rate Map (FIRM) revision and has received the approval of the Federal Emergency Management Agency. A revision of the effective FIRM does not remove the related feature(s) on a flood hazard area delineation that has been promulgated by the NJDEP. A separate application must be made to the State pursuant to N.J.A.C. 7:13 for revision of a flood hazard design flood elevation, flood hazard area limit, floodway limit, and/or other related feature.

103.6 Other permits. It shall be the responsibility of the Floodplain Administrator to assure that approval of a proposed development shall not be given until proof that necessary permits have been granted by Federal or State agencies having jurisdiction over such development, including Section 404 of the Clean Water Act. In the event of conflicting permit requirements, the Floodplain Administrator must ensure that the most restrictive floodplain management standards are reflected in permit approvals.

103.7 Determination of Local Design Flood Elevations. If design flood elevations are not specified, the Floodplain Administrator is authorized to require the applicant to:

- (1) Obtain, review, and reasonably utilize data available from a Federal, State, or other source, or
- (2) Determine the design flood elevation in accordance with accepted hydrologic and hydraulic engineering techniques. Such analyses shall be performed and sealed by a licensed professional engineer. Studies, analyses, and computations shall be submitted in sufficient detail to allow review and approval by the Floodplain Administrator. The accuracy of data submitted for such determination shall be the responsibility of the applicant.

It shall be the responsibility of the Floodplain Administrator to verify that the applicant's proposed Best Available Flood Hazard Data Area and the Local Design Flood Elevation in any development permit accurately applies the best available flood hazard data and methodologies for determining flood hazard areas and design elevations described in 102.2 and 102.3 respectively. This information shall be provided to the Construction Official and documented according to Section 103.15.

103.8 Requirement to submit new technical data. Base Flood Elevations may increase or decrease resulting from natural changes (e.g. erosion, accretion, channel migration, subsidence, uplift) or man-made physical changes (e.g. dredging, filling, excavation) affecting flooding conditions. As soon as practicable, but not later than six months after the date of a man-made change or when information about a natural change becomes available, the Floodplain Administrator shall notify the Federal Insurance Administrator of the changes by submitting technical or scientific data in accordance with Title 44 Code of Federal Regulations Section 65.3. Such a submission is necessary so that upon confirmation of those physical changes affecting flooding conditions, risk premium rates and floodplain management

requirements will be based upon current data.

103.9 Activities in riverine flood hazard areas. In riverine flood hazard areas where design flood elevations are specified but floodways have not been designated, the Floodplain Administrator shall not permit any new construction, substantial improvement or other development, including the placement of fill, unless the applicant submits an engineering analysis prepared by a licensed professional engineer that demonstrates that the cumulative effect of the proposed development, when combined with all other existing and anticipated flood hazard area encroachment, will not increase the design flood elevation more than 0.2 feet at any point within the community.

103.10 Floodway encroachment. Prior to issuing a permit for any floodway encroachment, including fill, new construction, substantial improvements and other development or land-disturbing-activity, the Floodplain Administrator shall require submission of a certification prepared by a licensed professional engineer, along with supporting technical data, that demonstrates that such development will not cause any increase in the base flood level.

103.10.1 Floodway revisions. A floodway encroachment that increases the level of the base flood is authorized if the applicant has applied for a Conditional Letter of Map Revision (CLOMR) to the Flood Insurance Rate Map (FIRM) and has received the approval of FEMA.

103.11 Watercourse alteration. Prior to issuing a permit for any alteration or relocation of any watercourse, the Floodplain Administrator shall require the applicant to provide notification of the proposal to the appropriate authorities of all adjacent government jurisdictions, as well as the NJDEP Bureau of Flood Engineering and the Division of Land Resource Protection. A copy of the notification shall be maintained in the permit records and submitted to FEMA.

103.11.1 Engineering analysis. The Floodplain Administrator shall require submission of an engineering analysis prepared by a licensed professional engineer, demonstrating that the flood-carrying capacity of the altered or relocated portion of the watercourse will be maintained, neither increased nor decreased. Such watercourses shall be maintained in a manner that preserves the channel's flood-carrying capacity.

103.12 Alterations in coastal areas. The excavation or alteration of sand dunes is governed by the New Jersey Coastal Zone Management (CZM) rules, N.J.A.C. 7:7. Prior to issuing a flood damage prevention permit for any alteration of sand dunes in coastal high hazard areas and Coastal A Zones, the Floodplain Administrator shall require that a New Jersey CZM permit be obtained and included in the flood damage prevention permit application. The applicant shall also provide documentation of any engineering analysis, prepared by a licensed professional engineer, that demonstrates that the proposed alteration will not increase the potential for flood damage.

103.13 Development in riparian zones All development in Riparian Zones as described in N.J.A.C. 7:13 is prohibited by this ordinance unless the applicant has received an individual or general permit or has complied with the requirements of a permit by rule or permit by certification from NJDEP Division of Land Resource Protection prior to application for a floodplain development permit and the project is compliant with all other Floodplain Development provisions of this ordinance. The width of the riparian zone can range between 50 and 300 feet and is determined by the attributes of the waterbody and designated in the New Jersey Surface Water Quality Standards N.J.A.C. 7:9B. The portion of the riparian zone

located outside of a regulated water is measured landward from the top of bank. Applicants can request a verification of the riparian zone limits or a permit applicability determination to determine State permit requirements under N.J.A.C. 7:13 from the NJDEP Division of Land Resource Protection.

103.14 Substantial improvement and substantial damage determinations. When buildings and structures are damaged due to any cause including but not limited to man-made, structural, electrical, mechanical, or natural hazard events, or are determined to be unsafe as described in N.J.A.C. 5:23; and for applications for building permits to improve buildings and structures, including alterations, movement, repair, additions, rehabilitations, renovations, ordinary maintenance and minor work, substantial improvements, repairs of substantial damage, and any other improvement of or work on such buildings and structures, the Floodplain Administrator, in coordination with the Construction Official, shall:

- (1) Estimate the market value or require the applicant to obtain a professional appraisal prepared by a qualified independent appraiser, of the market value of the building or structure before the start of construction of the proposed work; in the case of repair, the market value of the building or structure shall be the market value before the damage occurred and before any repairs are made.
- (2) Determine and include the costs of all ordinary maintenance and minor work, as discussed in Section 101.5, performed in the floodplain regulated by this ordinance in addition to the costs of those improvements regulated by the Construction Official in substantial damage and substantial improvement calculations.
- (3) Compare the cost to perform the improvement, the cost to repair the damaged building to its pre-damaged condition, or the combined costs of improvements and repairs, where applicable, to the market value of the building or structure.
- (4) Determine and document whether the proposed work constitutes substantial improvement or repair of substantial damage
- (5) Notify the applicant in writing when it is determined that the work constitutes substantial improvement or repair of substantial damage and that compliance with the flood resistant construction requirements of the building code is required and notify the applicant in writing when it is determined that work does not constitute substantial improvement or repair of substantial damage. The Floodplain Administrator shall also provide all letters documenting substantial damage and compliance with flood resistant construction requirements of the building code to the NJDEP Bureau of Flood Engineering.

103.15 Department records. In addition to the requirements of the building code and these regulations, and regardless of any limitation on the period required for retention of public records, the Floodplain Administrator shall maintain and permanently keep and make available for public inspection all records that are necessary for the administration of these regulations and the flood provisions of the Uniform Construction Code, including Flood Insurance Studies, Flood Insurance Rate Maps; documents from FEMA that amend or revise FIRMs; NJDEP delineations, records of issuance of permits and denial of permits; records of ordinary maintenance and minor work, determinations of whether proposed work constitutes substantial improvement or repair of substantial damage; required certifications and documentation specified by the Uniform Construction Code and these regulations including as-built Elevation Certificates; notifications to adjacent communities, FEMA, and the State related to alterations of watercourses; assurance that the flood carrying capacity of altered waterways will be maintained; documentation related to variances, including justification for issuance or denial; and records of enforcement actions taken pursuant to these regulations and the flood resistant provisions of the Uniform Construction Code. The Floodplain Administrator shall also record

the required elevation, determination method, and base flood elevation source used to determine the Local Design Flood Elevation in the floodplain development permit.

103.16 Liability. The Floodplain Administrator and any employee charged with the enforcement of these regulations, while acting for the jurisdiction in good faith and without malice in the discharge of the duties required by these regulations or other pertinent law or ordinance, shall not thereby be rendered liable personally and is hereby relieved from personal liability for any damage accruing to persons or property as a result of any act or by reason of an act or omission in the discharge of official duties. Any suit instituted against an officer or employee because of an act performed by that officer or employee in the lawful discharge of duties and under the provisions of these regulations shall be defended by legal representative of the jurisdiction until the final termination of the proceedings. The Floodplain Administrator and any subordinate shall not be liable for cost in any action, suit or proceeding that is instituted in pursuance of the provisions of these regulations.

SECTION 104 PERMITS

104.1 Permits Required. Any person, owner or authorized agent who intends to conduct any development in a flood hazard area shall first make application to the Floodplain Administrator and shall obtain the required permit. Depending on the nature and extent of proposed development that includes a building or structure, the Floodplain Administrator may determine that a floodplain development permit or approval is required in addition to a building permit.

104.2 Application for permit. The applicant shall file an application in writing on a form furnished by the Floodplain Administrator. Such application shall:

- (1) Identify and describe the development to be covered by the permit.
- (2) Describe the land on which the proposed development is to be conducted by legal description, street address or similar description that will readily identify and definitively locate the site.
- (3) Indicate the use and occupancy for which the proposed development is intended.
- (4) Be accompanied by a site plan and construction documents as specified in Section 105 of these regulations, grading and filling plans and other information deemed appropriate by the Floodplain Administrator.
- (5) State the valuation of the proposed work, including the valuation of ordinary maintenance and minor work.
- (6) Be signed by the applicant or the applicant's authorized agent.

104.3 Validity of permit. The issuance of a permit under these regulations or the Uniform Construction Code shall not be construed to be a permit for, or approval of, any violation of this appendix or any other ordinance of the jurisdiction. The issuance of a permit based on submitted documents and information shall not prevent the Floodplain Administrator from requiring the correction of errors. The Floodplain Administrator is authorized to prevent occupancy or use of a structure or site which is in violation of these regulations or other ordinances of this jurisdiction.

104.4 Expiration. A permit shall become invalid when the proposed development is not commenced within 180 days after its issuance, or when the work authorized is suspended or abandoned for a period of 180 days after the work commences. Extensions shall be requested in writing and justifiable cause demonstrated. The Floodplain Administrator is authorized to grant, in writing, one or more extensions of time, for periods not more than 180 days each.

104.5 Suspension or revocation. The Floodplain Administrator is authorized to suspend or revoke a permit issued under these regulations wherever the permit is issued in error or on the basis of incorrect, inaccurate or incomplete information, or in violation of any ordinance or code of this jurisdiction.

SECTION 105 SITE PLANS AND CONSTRUCTION DOCUMENTS

105.1 Information for development in flood hazard areas. The site plan or construction documents for any development subject to the requirements of these regulations shall be drawn to scale and shall include, as applicable to the proposed development:

- (1) Delineation of flood hazard areas, floodway boundaries and flood zone(s), base flood elevation(s), and ground elevations when necessary for review of the proposed development. For buildings that are located in more than one flood hazard area, the elevation and provisions associated with the most restrictive flood hazard area shall apply.
- (2) Where base flood elevations or floodway data are not included on the FIRM or in the Flood Insurance Study, they shall be established in accordance with Section 105.2.
- (3) Where the parcel on which the proposed development will take place will have more than 50 lots or is larger than 5 acres and base flood elevations are not included on the FIRM or in the Flood Insurance Study, such elevations shall be established in accordance with Section 105.2(3) of these regulations.
- (4) Location of the proposed activity and proposed structures, and locations of existing buildings and structures; in coastal high hazard areas and Coastal A zones, new buildings shall be located landward of the reach of mean high tide.
- (5) Location, extent, amount, and proposed final grades of any filling, grading, or excavation.
- (6) Where the placement of fill is proposed, the amount, type, and source of fill material; compaction specifications; a description of the intended purpose of the fill areas; and evidence that the proposed fill areas are the minimum necessary to achieve the intended purpose. The applicant shall provide an engineering certification confirming that the proposal meets the flood storage displacement limitations of N.J.A.C. 7:13.
- (7) Extent of any proposed alteration of sand dunes.
- (8) Existing and proposed alignment of any proposed alteration of a watercourse.
- (9) Floodproofing certifications, V Zone and Breakaway Wall Certifications, Operations and Maintenance Plans, Warning and Evacuation Plans and other documentation required pursuant to FEMA publications.

The Floodplain Administrator is authorized to waive the submission of site plans, construction documents, and other data that are required by these regulations but that are not required to be prepared by a registered design professional when it is found that the nature of the proposed development is such that the review of such submissions is not necessary to ascertain compliance.

105.2 Information in flood hazard areas without base flood elevations (approximate Zone A). Where flood hazard areas are delineated on the effective or preliminary FIRM and base flood elevation data have not been provided, the applicant shall consult with the Floodplain

Administrator to determine whether to:

- (1) Use the Approximation Method (Method 5) described in N.J.A.C. 7:13 in conjunction with Appendix 1 of the FHACA to determine the required flood elevation.
- (2) Obtain, review, and reasonably utilize data available from a Federal, State or other source when those data are deemed acceptable to the Floodplain Administrator to reasonably reflect flooding conditions.
- (3) Determine the base flood elevation in accordance with accepted hydrologic and hydraulic engineering techniques according to Method 6 as described in N.J.A.C. 7:13. Such analyses shall be performed and sealed by a licensed professional engineer.

Studies, analyses, and computations shall be submitted in sufficient detail to allow review and approval by the Floodplain Administrator prior to floodplain development permit issuance. The accuracy of data submitted for such determination shall be the responsibility of the applicant. Where the data are to be used to support a Letter of Map Change (LOMC) from FEMA, the applicant shall be responsible for satisfying the submittal requirements and pay the processing fees.

105.3 Analyses and certifications by a Licensed Professional Engineer. As applicable to the location and nature of the proposed development activity, and in addition to the requirements of this section, the applicant shall have the following analyses signed and sealed by a licensed professional engineer for submission with the site plan and construction documents:

- (1) For development activities proposed to be located in a regulatory floodway, a floodway encroachment analysis that demonstrates that the encroachment of the proposed development will not cause any increase in base flood elevations; where the applicant proposes to undertake development activities that do increase base flood elevations, the applicant shall submit such analysis to FEMA as specified in Section 105.4 of these regulations and shall submit the Conditional Letter of Map Revision, if issued by FEMA, with the site plan and construction documents.
- (2) For development activities proposed to be located in a riverine flood hazard area where base flood elevations are included in the FIS or FIRM but floodways have not been designated, hydrologic and hydraulic analyses that demonstrate that the cumulative effect of the proposed development, when combined with all other existing and anticipated flood hazard area encroachments will not increase the base flood elevation more than 0.2 feet at any point within the jurisdiction. This requirement does not apply in isolated flood hazard areas not connected to a riverine flood hazard area or in flood hazard areas identified as Zone AO or Zone AH.
- (3) For alteration of a watercourse, an engineering analysis prepared in accordance with standard engineering practices which demonstrates that the flood-carrying capacity of the altered or relocated portion of the watercourse will not be decreased, and certification that the altered watercourse shall be maintained, neither increasing nor decreasing the channel's flood-carrying capacity. The applicant shall submit the analysis to FEMA as specified in Section 105.4 of these regulations. The applicant shall notify the chief executive officer of all affected adjacent jurisdictions, the NJDEP's Bureau of Flood Engineering and the Division of Land Resource Protection; and shall provide documentation of such notifications.
- (4) For activities that propose to alter sand dunes in coastal high hazard areas (Zone V) and Coastal A Zones, an engineering analysis that demonstrates that the proposed alteration will not increase the potential for flood damage and documentation of the issuance of a New Jersey Coastal Zone Management permit under N.J.A.C. 7:7.

- (5) For analyses performed using Methods 5 and 6 (as described in N.J.A.C. 7:13) in flood hazard zones without base flood elevations (approximate A zones).

105.4 Submission of additional data. When additional hydrologic, hydraulic or other engineering data, studies, and additional analyses are submitted to support an application, the applicant has the right to seek a Letter of Map Change (LOMC) from FEMA to change the base flood elevations, change floodway boundaries, or change boundaries of flood hazard areas shown on FIRMs, and to submit such data to FEMA for such purposes. The analyses shall be prepared by a licensed professional engineer in a format required by FEMA. Submittal requirements and processing fees shall be the responsibility of the applicant.

SECTION 106 INSPECTIONS

106.1 General. Development for which a permit is required shall be subject to inspection. Approval as a result of an inspection shall not be construed to be an approval of a violation of the provisions of these regulations or the building code. Inspections presuming to give authority to violate or cancel the provisions of these regulations or the building code or other ordinances shall not be valid.

106.2 Inspections of development. The Floodplain Administrator shall inspect all development in flood hazard areas authorized by issuance of permits under these regulations. The Floodplain Administrator shall inspect flood hazard areas from time to time to determine if development is undertaken without issuance of a permit.

106.3 Buildings and structures. The Construction Official shall make or cause to be made, inspections for buildings and structures in flood hazard areas authorized by permit in accordance with the Uniform Construction Code, N.J.A.C. 5:23.

- 1) **Lowest floor elevation.** Upon placement of the lowest floor, including the basement, and prior to further vertical construction, certification of the elevation required in Section 801.2 shall be submitted to the Construction Official on an Elevation Certificate.
- 2) **Lowest horizontal structural member.** In V zones and Coastal A zones, upon placement of the lowest floor, including the basement, and prior to further vertical construction, certification of the elevation required in Section 801.2 shall be submitted to the Construction Official on an Elevation Certificate.
- 3) **Installation of attendant utilities** (electrical, heating, ventilating, air-conditioning, and other service equipment) and sanitary facilities elevated as discussed in Section 801.2.
- 4) **Final inspection.** Prior to the final inspection, certification of the elevation required in Section 801.2 shall be submitted to the Construction Official on an Elevation Certificate.

106.4 Manufactured homes. The Floodplain Administrator shall inspect manufactured homes that are installed or replaced in flood hazard areas to determine compliance with the requirements of these regulations and the conditions of the issued permit. Upon placement of a manufactured home, certification of the elevation of the lowest floor shall be submitted on an Elevation Certificate to the Floodplain Administrator prior to the final inspection.

SECTION 107 VARIANCES

107.1 General. The Land Use Board shall hear and decide requests for variances. The Land Use Board shall base its determination on technical justifications submitted by applicants, the considerations for issuance in Section 107.5, the conditions of issuance set forth in Section 107.6, and the comments and recommendations of the Floodplain Administrator and, as applicable, the Construction Official. The Land Use Board has the right to attach such conditions to variances as it deems necessary to further the purposes and objectives of these regulations.

107.2 Historic structures. A variance to the substantial improvement requirements of this ordinance is authorized provided that the repair or rehabilitation of a historic structure is completed according to N.J.A.C. 5:23-6.33, Section 1612 of the International Building Code and R322 of the International Residential Code, the repair or rehabilitation will not preclude the structure's continued designation as a historic structure, the structure meets the definition of the historic structure as described by this ordinance, and the variance is the minimum necessary to preserve the historic character and design of the structure.

107.3 Functionally dependent uses. A variance is authorized to be issued for the construction or substantial improvement necessary for the conduct of a functionally dependent use provided the variance is the minimum necessary to allow the construction or substantial improvement, and that all due consideration has been given to use of methods and materials that minimize flood damage during the base flood and create no additional threats to public safety.

107.4 Restrictions in floodways. A variance shall not be issued for any proposed development in a floodway when any increase in flood levels would result during the base flood discharge, as evidenced by the applicable analysis and certification required in Section 105.3(1) of these regulations.

107.5 Considerations. In reviewing requests for variances, all technical evaluations, all relevant factors, all other portions of these regulations, and the following shall be considered:

- (1) The danger that materials and debris may be swept onto other lands resulting in further injury or damage.
- (2) The danger to life and property due to flooding or erosion damage.
- (3) The susceptibility of the proposed development, including contents, to flood damage and the effect of such damage on current and future owners.
- (4) The importance of the services provided by the proposed development to the community.
- (5) The availability of alternate locations for the proposed development that are not subject to flooding or erosion and the necessity of a waterfront location, where applicable.
- (6) The compatibility of the proposed development with existing and anticipated development.
- (7) The relationship of the proposed development to the comprehensive plan and floodplain management program for that area.
- (8) The safety of access to the property in times of flood for ordinary and emergency vehicles.
- (9) The expected heights, velocity, duration, rate of rise and debris and sediment transport of the floodwater and the effects of wave action, where applicable, expected at the site.

- (10) The costs of providing governmental services during and after flood conditions including maintenance and repair of public utilities and facilities such as sewer, gas, electrical and water systems, streets, and bridges.

107.6 Conditions for issuance. Variances shall only be issued upon:

- (1) Submission by the applicant of a showing of good and sufficient cause that the unique characteristics of the size, configuration, or topography of the site limit compliance with any provision of these regulations or renders the elevation standards of the building code inappropriate.
- (2) A determination that failure to grant the variance would result in exceptional hardship due to the physical characteristics of the land that render the lot undevelopable.
- (3) A determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, nor create nuisances, cause fraud on or victimization of the public or conflict with existing local laws or ordinances.
- (4) A determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.
- (5) Notification to the applicant in writing over the signature of the Floodplain Administrator that the issuance of a variance to construct a structure below the base flood level will result in increased premium rates for flood insurance up to amounts as high as \$25 for \$100 of insurance coverage, and that such construction below the base flood level increases risks to life and property.

SECTION 108 VIOLATIONS

108.1 Violations. Any development in any flood hazard area that is being performed without an issued permit or that is in conflict with an issued permit shall be deemed a violation. A building or structure without the documentation of elevation of the lowest floor, the lowest horizontal structural member if in a V or Coastal A Zone, other required design certifications, or other evidence of compliance required by the building code is presumed to be a violation until such time as that documentation is provided.

108.2 Authority. The Floodplain Administrator is authorized to serve notices of violation or stop work orders to owners of property involved, to the owner's agent, or to the person or persons doing the work for development that is not within the scope of the Uniform Construction Code but is regulated by these regulations and that is determined to be a violation.

108.3 Unlawful continuance. Any person who shall continue any work after having been served with a notice of violation or a stop work order, except such work as that person is directed to perform to remove or remedy a violation or unsafe condition, shall be subject to penalties as prescribed by N.J.S.A. 40:49-5 as appropriate.

108.4 Review Period to Correct Violations. A 30-day period shall be given to the property owner as an opportunity to cure or abate the condition. The property owner shall also be afforded an opportunity for a hearing before the court for an independent determination concerning the violation. Subsequent to the expiration of the 30-day period, a fine greater than \$1,250.00 may be imposed if a court has not determined otherwise or, upon reinspection of the property, it is determined that the abatement has not been substantially completed.

SECTION 201 DEFINITIONS

201.1 General. The following words and terms shall, for the purposes of these regulations, have the meanings shown herein. Other terms are defined in the Uniform Construction Code N.J.A.C. 5:23 and terms are defined where used in the International Residential Code and International Building Code (rather than in the definitions section). Where terms are not defined, such terms shall have ordinarily accepted meanings such as the context implies.

201.2 Definitions

30 DAY PERIOD – The period of time prescribed by N.J.S.A. 40:49-5 in which a property owner is afforded the opportunity to correct zoning and solid waste disposal after a notice of violation pertaining to this ordinance has been issued.

100 YEAR FLOOD ELEVATION – Elevation of flooding having a 1% annual chance of being equaled or exceeded in a given year which is also referred to as the Base Flood Elevation.

500 YEAR FLOOD ELEVATION – Elevation of flooding having a 0.2% annual chance of being equaled or exceeded in a given year.

A ZONES – Areas of 'Special Flood Hazard in which the elevation of the surface water resulting from a flood that has a 1% annual chance of equaling or exceeding the Base Flood Elevation (BFE) in any given year shown on the Flood Insurance Rate Map (FIRM) zones A, AE, AH, A1–A30, AR, AR/A, AR/AE, AR/A1– A30, AR/AH, and AR/AO. When used in reference to the development of a structure in this ordinance, A Zones are not inclusive of Coastal A Zones because of the higher building code requirements for Coastal A Zones.

AH ZONES– Areas subject to inundation by 1-percent-annual-chance shallow flooding (usually areas of ponding) where average depths are between one and three feet. Base Flood Elevations (BFEs) derived from detailed hydraulic analyses are shown in this zone.

AO ZONES – Areas subject to inundation by 1-percent-annual-chance shallow flooding (usually sheet flow on sloping terrain) where average depths are between one and three feet.

ACCESSORY STRUCTURE – Accessory structures are also referred to as appurtenant structures. An accessory structure is a structure which is on the same parcel of property as a principal structure and the use of which is incidental to the use of the principal structure. For example, a residential structure may have a detached garage or storage shed for garden tools as accessory structures. Other examples of accessory structures include gazebos, picnic pavilions, boathouses, small pole barns, storage sheds, and similar buildings.

AGRICULTURAL STRUCTURE - A structure used solely for agricultural purposes in which the use is exclusively in connection with the production, harvesting, storage, drying, or raising of agricultural commodities, including the raising of livestock. Communities must require that new construction or substantial improvements of agricultural structures be elevated or floodproofed to or above the Base Flood Elevation (BFE) as any other nonresidential building. Under some circumstances it may be appropriate to wet-floodproof certain types of agricultural structures when located in wide, expansive floodplains through issuance of a variance. This should only be done for structures used for temporary storage of equipment or crops or temporary shelter for livestock and only in circumstances where it can be demonstrated that agricultural structures can be designed in such a manner that results in minimal damage to the structure and its contents and will create no additional threats to public safety. New construction or substantial improvement of livestock confinement buildings, poultry houses, dairy operations, similar

livestock operations and any structure that represents more than a minimal investment must meet the elevation or dry-floodproofing requirements of 44 CFR 60.3(c)(3).

AREA OF SHALLOW FLOODING – A designated Zone AO, AH, AR/AO or AR/AH (or VO) on a community's Flood Insurance Rate Map (FIRM) with a one percent or greater annual chance of flooding to an average depth of one to three feet where a clearly defined channel does not exist, where the path of flooding is unpredictable, and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow. **AREA OF SPECIAL FLOOD HAZARD** – see **SPECIAL FLOOD HAZARD AREA**

ALTERATION OF A WATERCOURSE – A dam, impoundment, channel relocation, change in channel alignment, channelization, or change in cross-sectional area of the channel or the channel capacity, or any other form of modification which may alter, impede, retard or change the direction and/or velocity of the riverine flow of water during conditions of the base flood.

ASCE 7 – The standard for the Minimum Design Loads for Buildings and Other Structures, referenced by the building code and developed and published by the American Society of Civil Engineers, Reston, VA. which includes but is not limited to methodology and equations necessary for determining structural and flood-related design requirements and determining the design requirements for structures that may experience a combination of loads including those from natural hazards. Flood related equations include those for determining erosion, scour, lateral, vertical, hydrostatic, hydrodynamic, buoyancy, breaking wave, and debris impact.

ASCE 24 – The standard for Flood Resistant Design and Construction, referenced by the building code and developed and published by the American Society of Civil Engineers, Reston, VA. References to ASCE 24 shall mean ASCE 24-14 or the most recent version of ASCE 24 adopted in the UCC Code [N.J.A.C. 5:23].

BASE FLOOD ELEVATION (BFE) – The water surface elevation resulting from a flood that has a 1-percent or greater chance of being equaled or exceeded in any given year, as shown on a published Flood Insurance Study (FIS), or preliminary flood elevation guidance from FEMA. May also be referred to as the “100-year flood elevation”.

BASEMENT – Any area of the building having its floor subgrade (below ground level) on all sides.

BEST AVAILABLE FLOOD HAZARD DATA - The most recent available preliminary flood risk guidance FEMA has provided. The Best Available Flood Hazard Data may be depicted on but not limited to Advisory Flood Hazard Area Maps, Work Maps, or Preliminary FIS and FIRM.

BEST AVAILABLE FLOOD HAZARD DATA AREA- The areal mapped extent associated with the most recent available preliminary flood risk guidance FEMA has provided. The Best Available Flood Hazard Data may be depicted on but not limited to Advisory Flood Hazard Area Maps, Work Maps, or Preliminary FIS and FIRM.

BEST AVAILABLE FLOOD HAZARD DATA ELEVATION - The most recent available preliminary flood elevation guidance FEMA has provided. The Best Available Flood Hazard Data may be depicted on but not limited to Advisory Flood Hazard Area Maps, Work Maps, or Preliminary FIS and FIRM.

BREAKAWAY WALLS – Any type of wall subject to flooding that is not required to provide structural support to a building or other structure and that is designed and constructed such that, below the Local Design Flood Elevation, it will collapse under specific lateral loads such that (1) it

allows the free passage of floodwaters, and (2) it does not damage the structure or supporting foundation system. Certification in the V Zone Certificate of the design, plans, and specifications by a licensed design professional that these walls are in accordance with accepted standards of practice is required as part of the permit application for new and substantially improved V Zone and Coastal A Zone structures. A completed certification must be submitted at permit application.

BUILDING – Per the FHACA, “Building” means a structure enclosed with exterior walls or fire walls, erected and framed of component structural parts, designed for the housing, shelter, enclosure, and support of individuals, animals, or property of any kind. A building may have a temporary or permanent foundation. A building that is intended for regular human occupation and/or residence is considered a habitable building.

CONDITIONAL LETTER OF MAP REVISION - A Conditional Letter of Map Revision (CLOMR) is FEMA's comment on a proposed project that would, upon construction, affect the hydrologic or hydraulic characteristics of a flooding source and thus result in the modification of the existing regulatory floodway, the effective Base Flood Elevations (BFEs), or the Special Flood Hazard Area (SFHA). The letter does not revise an effective NFIP map, it indicates whether the project, if built as proposed, would be recognized by FEMA. FEMA charges a fee for processing a CLOMR to recover the costs associated with the review that is described in the Letter of Map Change (LOMC) process. Building permits cannot be issued based on a CLOMR, because a CLOMR does not change the NFIP map.

CONDITIONAL LETTER OF MAP REVISION - FILL – A Conditional Letter of Map Revision - Fill (CLOMR-F) is FEMA's comment on a proposed project involving the placement of fill outside of the regulatory floodway that would, upon construction, affect the hydrologic or hydraulic characteristics of a flooding source and thus result in the modification of the existing regulatory floodway, the effective Base Flood Elevations (BFEs), or the Special Flood Hazard Area (SFHA). The letter does not revise an effective NFIP map, it indicates whether the project, if built as proposed, would be recognized by FEMA. FEMA charges a fee for processing a CLOMR to recover the costs associated with the review that is described in the Letter of Map Change (LOMC) process. Building permits cannot be issued based on a CLOMR, because a CLOMR does not change the NFIP map.

CRITICAL BUILDING – Per the FHACA, “Critical Building” means that:

- a. It is essential to maintaining continuity of vital government operations and/or supporting emergency response, sheltering, and medical care functions before, during, and after a flood, such as a hospital, medical clinic, police station, fire station, emergency response center, or public shelter; or
- b. It serves large numbers of people who may be unable to leave the facility through their own efforts, thereby hindering or preventing safe evacuation of the building during a flood event, such as a school, college, dormitory, jail or detention facility, day care center, assisted living facility, or nursing home.

DEVELOPMENT – Any manmade change to improved or unimproved real estate, including but not limited to, buildings or other structures, tanks, temporary structures, temporary or permanent storage of materials, mining, dredging, filling, grading, paving, excavations, drilling operations and other land-disturbing activities.

DRY FLOODPROOFING – A combination of measures that results in a non-residential structure, including the attendant utilities and equipment as described in the latest version of ASCE 24, being watertight with all elements substantially impermeable and with structural components

having the capacity to resist flood loads.

ELEVATED BUILDING – A building that has no basement and that has its lowest elevated floor raised above ground level by foundation walls, shear walls, posts, piers, pilings, or columns. Solid perimeter foundations walls are not an acceptable means of elevating buildings in V and VE Zones.

ELEVATION CERTIFICATE – An administrative tool of the National Flood Insurance Program (NFIP) that can be used to provide elevation information, to determine the proper insurance premium rate, and to support an application for a Letter of Map Amendment (LOMA) or Letter of Map Revision based on fill (LOMR-F).

ENCROACHMENT – The placement of fill, excavation, buildings, permanent structures or other development into a flood hazard area which may impede or alter the flow capacity of riverine flood hazard areas.

FEMA PUBLICATIONS – Any publication authored or referenced by FEMA related to building science, building safety, or floodplain management related to the National Flood Insurance Program. Publications shall include but are not limited to technical bulletins, desk references, and American Society of Civil Engineers Standards documents including ASCE 24.

FLOOD OR FLOODING

- a. A general and temporary condition of partial or complete inundation of normally dry land areas from:
 1. The overflow of inland or tidal waters.
 2. The unusual and rapid accumulation or runoff of surface waters from any source.
 3. Mudslides (i.e. mudflows) which are proximately caused by flooding as defined in (a) (2) of this definition and are akin to a river or liquid and flowing mud on the surfaces of normally dry land areas, as when earth is carried by a current of water and deposited along the path of the current.
- b. The collapse or subsidence of land along the shore of a lake or other body of water as a result of erosion or undermining caused by waves or currents of water exceeding anticipated cyclical levels or suddenly caused by an unusually high water level in a natural body of water, accompanied by a severe storm, or by an unanticipated force of nature, such as flash flood or an abnormal tidal surge, or by some similarly unusual and unforeseeable event which results in flooding as defined in paragraph (a)(1) of this definition.

FLOOD HAZARD AREA DESIGN FLOOD ELEVATION – Per the FHACA, the peak water surface elevation that will occur in a water during the flood hazard area design flood. This elevation is determined via available flood mapping adopted by the State, flood mapping published by FEMA (including effective flood mapping dated on or after January 31, 1980, or any more recent advisory, preliminary, or pending flood mapping; whichever results in higher flood elevations, wider floodway limits, greater flow rates, or indicates a change from an A zone to a V zone or coastal A zone), approximation, or calculation pursuant to the Flood Hazard Area Control Act Rules at N.J.A.C. 7:13-3.1 – 3.6 and is typically higher than FEMA's base flood elevation. A water that has a drainage area measuring less than 50 acres does not possess, and is not assigned, a flood hazard area design flood elevation.

FLOOD INSURANCE RATE MAP (FIRM) – The official map on which the Federal Emergency Management Agency has delineated both the areas of special flood hazards and the risk premium zones applicable to the community.

FLOOD INSURANCE STUDY (FIS) – The official report in which the Federal Emergency Management Agency has provided flood profiles, as well as the Flood Insurance Rate Map(s) and the water surface elevation of the base flood.

FLOODPLAIN OR FLOOD PRONE AREA – Any land area susceptible to being inundated by water from any source. See "Flood or flooding."

FLOODPLAIN MANAGEMENT REGULATIONS – Zoning ordinances, subdivision regulations, building codes, health regulations, special purpose ordinances (such as a floodplain ordinance, grading ordinance, and erosion control ordinance) and other applications of police power. The term describes such State or local regulations, in any combination thereof, which provide standards for the purpose of flood damage prevention and reduction.

FLOODPROOFING – Any combination of structural and nonstructural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures, and their contents.

FLOODPROOFING CERTIFICATE – Certification by a licensed design professional that the design and methods of construction for floodproofing a non-residential structure are in accordance with accepted standards of practice to a proposed height above the structure's lowest adjacent grade that meets or exceeds the Local Design Flood Elevation. A completed floodproofing certificate is required at permit application.

FLOODWAY – The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than 0.2 foot.

FREEBOARD – A factor of safety usually expressed in feet above a flood level for purposes of floodplain management. "Freeboard" tends to compensate for the many unknown factors that could contribute to flood heights greater than the height calculated for a selected size flood and floodway conditions, such as wave action, bridge openings, and the hydrological effect of urbanization of the watershed.

FUNCTIONALLY DEPENDENT USE – A use that cannot perform its intended purpose unless it is located or carried out in close proximity to water, including only docking facilities, port facilities necessary for the loading or unloading of cargo or passengers, and shipbuilding and ship repair facilities. The term does not include long-term storage or related manufacturing facilities.

HABITABLE BUILDING– Pursuant to the FHACA Rules (N.J.A.C. 7:13), means a building that is intended for regular human occupation and/or residence. Examples of a habitable building include a single-family home, duplex, multi-residence building, or critical building; a commercial building such as a retail store, restaurant, office building, or gymnasium; an accessory structure that is regularly occupied, such as a garage, barn, or workshop; mobile and manufactured homes, and trailers intended for human residence, which are set on a foundation and/or connected to utilities, such as in a mobile home park (not including campers and recreational vehicles); and any other building that is regularly occupied, such as a house of worship, community center, or meeting hall, or animal shelter that includes regular human access and occupation. Examples of a non-habitable building include a bus stop shelter, utility building, storage shed, self-storage unit, construction trailer, or an individual shelter for animals such as a doghouse or outdoor kennel.

HARDSHIP – As related to Section 107 of this ordinance, meaning the exceptional hardship that would result from a failure to grant the requested variance. The Land Use Board requires that the variance be exceptional, unusual, and peculiar to the property involved. Mere economic or financial hardship alone is not exceptional. Inconvenience, aesthetic considerations, physical handicaps, personal preferences, or the disapproval of one's neighbors likewise cannot, as a rule, qualify as an exceptional hardship. All of these problems can be resolved through other means without granting a variance, even if the alternative is more expensive, or requires the property owner to build elsewhere or put the parcel to a different use than originally intended.

HIGHEST ADJACENT GRADE – The highest natural elevation of the ground surface prior to construction next to the proposed or existing walls of a structure.

HISTORIC STRUCTURE – Any structure that is:

- a. Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
- b. Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
- c. Individually listed on a State inventory of historic places in States with historic preservation programs which have been approved by the Secretary of the Interior; or
- d. Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either:
 1. By an approved State program as determined by the Secretary of the Interior; or
 2. Directly by the Secretary of the Interior in States without approved programs.

LAWFULLY EXISTING – Per the FHACA, means an existing fill, structure and/or use, which meets all Federal, State, and local laws, and which is not in violation of the FHACA because it was established:

- a. Prior to January 31, 1980; or
- b. On or after January 31, 1980, in accordance with the requirements of the FHACA as it existed at the time the fill, structure and/or use was established.

Note: Substantially damaged properties and substantially improved properties that have not been elevated are not considered “lawfully existing” for the purposes of the NFIP. This definition is included in this ordinance to clarify the applicability of any more stringent statewide floodplain management standards required under the FHACA.

LETTER OF MAP AMENDMENT - A Letter of Map Amendment (LOMA) is an official amendment, by letter, to an effective National Flood Insurance Program (NFIP) map that is requested through the Letter of Map Change (LOMC) process. A LOMA establishes a property's location in relation to the Special Flood Hazard Area (SFHA). LOMAs are usually issued because a property has been inadvertently mapped as being in the floodplain but is actually on natural high ground above the base flood elevation. Because a LOMA officially amends the effective NFIP map, it is a public record that the community must maintain. Any LOMA should be noted on the community's master flood map and filed by panel number in an accessible location.

LETTER OF MAP CHANGE – The Letter of Map Change (LOMC) process is a service provided by FEMA for a fee that allows the public to request a change in flood zone designation in an Area of Special Flood Hazard on a Flood Insurance Rate Map (FIRM). Conditional Letters of Map Revision, Conditional Letters of Map Revision – Fill, Letters of Map Revision, Letters of Map Revision-Fill, and Letters of Map Amendment are requested through the Letter of Map Change

(LOMC) process.

LETTER OF MAP REVISION - A Letter of Map Revision (LOMR) is FEMA's modification to an effective Flood Insurance Rate Map (FIRM). Letter of Map Revisions are generally based on the implementation of physical measures that affect the hydrologic or hydraulic characteristics of a flooding source and thus result in the modification of the existing regulatory floodway, the effective Base Flood Elevations (BFEs), or the Special Flood Hazard Area (SFHA). The LOMR officially revises the Flood Insurance Rate Map (FIRM) and sometimes the Flood Insurance Study (FIS) report, and when appropriate, includes a description of the modifications. The LOMR is generally accompanied by an annotated copy of the affected portions of the FIRM or FIS report. Because a LOMR officially revises the effective NFIP map, it is a public record that the community must maintain. Any LOMR should be noted on the community's master flood map and filed by panel number in an accessible location.

LETTER OF MAP REVISION – FILL -- A Letter of Map Revision Based on Fill (LOMR-F) is FEMA's modification of the Special Flood Hazard Area (SFHA) shown on the Flood Insurance Rate Map (FIRM) based on the placement of fill outside the existing regulatory floodway may be initiated through the Letter of Map Change (LOMC) Process. Because a LOMR-F officially revises the effective Flood Insurance Rate Map (FIRM) map, it is a public record that the community must maintain. Any LOMR-F should be noted on the community's master flood map and filed by panel number in an accessible location.

LICENSED DESIGN PROFESSIONAL – Licensed design professional shall refer to either a New Jersey Licensed Professional Engineer, licensed by the New Jersey State Board of Professional Engineers and Land Surveyors or a New Jersey Licensed Architect, licensed by the New Jersey State Board of Architects.

LICENSED PROFESSIONAL ENGINEER - A licensed professional engineer shall refer to individuals licensed by the New Jersey State Board of Professional Engineers and Land Surveyors.

LOCAL DESIGN FLOOD ELEVATION (LDFE) – The elevation reflective of the most recent available preliminary flood elevation guidance FEMA has provided as depicted on but not limited to Advisory Flood Hazard Area Maps, Work Maps, or Preliminary FIS and FIRM which is also inclusive of freeboard specified by the New Jersey Flood Hazard Area Control Act and Uniform Construction Codes and any additional freeboard specified in a community's ordinance. In no circumstances shall a project's LDFE be lower than a permit-specified Flood Hazard Area Design Flood Elevation or a valid NJDEP Flood Hazard Area Verification Letter plus the freeboard as required in ASCE 24 and the effective FEMA Base Flood Elevation.

LOWEST ADJACENT GRADE – The lowest point of ground, patio, or sidewalk slab immediately next a structure, except in AO Zones where it is the natural grade elevation.

LOWEST FLOOR – In A Zones, the lowest floor is the top surface of the lowest floor of the lowest enclosed area (including basement). In V Zones and coastal A Zones, the bottom of the lowest horizontal structural member of a building is the lowest floor. An unfinished or flood resistant enclosure, usable solely for the parking of vehicles, building access or storage in an area other than a basement is not considered a building's lowest floor provided that such enclosure is not built so as to render the structure in violation of other applicable non-elevation design requirements of these regulations.

MANUFACTURED HOME – A structure that is transportable in one or more sections, eight (8)

feet or more in width and greater than four hundred (400) square feet, built on a permanent chassis, designed for use with or without a permanent foundation when attached to the required utilities, and constructed to the Federal Manufactured Home Construction and Safety Standards and rules and regulations promulgated by the U.S. Department of Housing and Urban Development. The term also includes mobile homes, park trailers, travel trailers and similar transportable structures that are placed on a site for 180 consecutive days or longer.

MANUFACTURED HOME PARK OR SUBDIVISION – A parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.

MARKET VALUE – The price at which a property will change hands between a willing buyer and a willing seller, neither party being under compulsion to buy or sell and both having reasonable knowledge of relevant facts. As used in these regulations, the term refers to the market value of buildings and structures, excluding the land and other improvements on the parcel. Market value shall be determined by one of the following methods (1) Actual Cash Value (replacement cost depreciated for age and quality of construction), (2) tax assessment value adjusted to approximate market value by a factor provided by the tax assessor's office, or (3) established by a qualified independent appraiser.

NEW CONSTRUCTION – Structures for which the start of construction commenced on or after the effective date of the first floodplain regulation adopted by a community; includes any subsequent improvements to such structures. New construction includes work determined to be a substantial improvement.

NON-RESIDENTIAL – Pursuant to ASCE 24, any building or structure or portion thereof that is not classified as residential.

ORDINARY MAINTENANCE AND MINOR WORK – This term refers to types of work excluded from construction permitting under N.J.A.C. 5:23 in the March 5, 2018 New Jersey Register. Some of these types of work must be considered in determinations of substantial improvement and substantial damage in regulated floodplains under 44 CFR 59.1. These types of work include but are not limited to replacements of roofing, siding, interior finishes, kitchen cabinets, plumbing fixtures and piping, HVAC and air conditioning equipment, exhaust fans, built in appliances, electrical wiring, etc. Improvements necessary to correct existing violations of State or local health, sanitation, or code enforcement officials which are the minimum necessary to assure safe living conditions and improvements of historic structures as discussed in 44 CFR 59.1 shall not be included in the determination of ordinary maintenance and minor work.

RECREATIONAL VEHICLE – A vehicle that is built on a single chassis, 400 square feet or less when measured at the largest horizontal projection, designed to be self-propelled or permanently towable by a light-duty truck, and designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel or seasonal use. A recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices and has no permanently attached additions.

RESIDENTIAL – Pursuant to the ASCE 24:

- a. Buildings and structures and portions thereof where people live or that are used for sleeping purposes on a transient or non-transient basis;
- b. Structures including but not limited to one- and two-family dwellings, townhouses, condominiums, multi-family dwellings, apartments, congregate residences, boarding houses, lodging houses, rooming houses, hotels, motels, apartment buildings, convents, monasteries,

- dormitories, fraternity houses, sorority houses, vacation time-share properties; and
- c. institutional facilities where people are cared for or live on a 24-hour basis in a supervised environment, including but not limited to board and care facilities, assisted living facilities, halfway houses, group homes, congregate care facilities, social rehabilitation facilities, alcohol and drug centers, convalescent facilities, hospitals, nursing homes, mental hospitals, detoxification facilities, prisons, jails, reformatories, detention centers, correctional centers, and prerelease centers.

SOLID WASTE DISPOSAL – "Solid Waste Disposal" shall mean the storage, treatment, utilization, processing or final disposition of solid waste as described in N.J.A.C. 7:26-1.6 or the storage of unsecured materials as described in N.J.A.C. 7:13-2.3 for a period of greater than 6 months as specified in N.J.A.C. 7:26 which have been discharged, deposited, injected, dumped, spilled, leaked, or placed into any land or water such that such solid waste may enter the environment or be emitted into the air or discharged into any waters, including groundwaters.

SPECIAL FLOOD HAZARD AREA – The greater of the following: (1) Land in the floodplain within a community subject to a one percent or greater chance of flooding in any given year, shown on the FIRM as Zone V, VE, V1-3-, A, AO, A1-30, AE, A99, or AH; (2) Land and the space above that land, which lies below the peak water surface elevation of the flood hazard area design flood for a particular water, as determined using the methods set forth in the New Jersey Flood Hazard Area Control Act in N.J.A.C. 7:13; (3) Riparian Buffers as determined in the New Jersey Flood Hazard Area Control Act in N.J.A.C. 7:13. Also referred to as the AREA OF SPECIAL FLOOD HAZARD.

START OF CONSTRUCTION – The **Start of Construction is as follows:**

- a. **For other than new construction or substantial improvements, under the Coastal Barrier Resources Act (CBRA)**, this is the date the building permit was issued, provided that the actual start of construction, repair, rehabilitation, addition, placement, or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a building on site, such as the pouring of a slab or footing, the installation of piles, the construction of columns or any work beyond the stage of excavation; or the placement of a manufactured (mobile) home on a foundation. For a substantial improvement, actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.
- b. For the purposes of determining whether proposed construction must meet new requirements when National Flood Insurance Program (NFIP) maps are issued or revised and Base Flood Elevation's (BFEs) increase or zones change, the Start of Construction includes substantial improvement, and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition placement, or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation.

Permanent construction does not include land preparation, such as clearing, grading, and filling, nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or

sheds not occupied as dwelling units or not part of the main structure. Such development must also be permitted and must meet new requirements when National Flood Insurance Program (NFIP) maps are issued or revised and Base Flood Elevation's (BFEs) increase or zones change.

For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

For determining if new construction and substantial improvements within the Coastal Barrier Resources System (CBRS) can obtain flood insurance, a different definition applies.

STRUCTURE – A walled and roofed building, a manufactured home, or a gas or liquid storage tank that is principally above ground.

SUBSTANTIAL DAMAGE – Damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.

SUBSTANTIAL IMPROVEMENT – Any reconstruction, rehabilitation, addition, or other improvement of a structure taking place, the cost of which equals or exceeds 50 percent of the market value of the structure before the "start of construction" of the improvement. This term includes structures which have incurred "substantial damage", regardless of the actual repair work performed. The term does not, however, include either:

- a. Any project for improvement of a structure to correct existing violations of State or local health, sanitary or safety code specifications which have been identified by the local code enforcement officer and which are the minimum necessary to assure safe living conditions; or
- b. Any alteration of a "historic structure", provided that the alteration will not preclude the structure's continued designation as a "historic structure."

UTILITY AND MISCELLANEOUS GROUP U BUILDINGS AND STRUCTURES – Buildings and structures of an accessory character and miscellaneous structures not classified in any special occupancy, as described in ASCE 24.

VARIANCE – A grant of relief from the requirements of this section which permits construction in a manner otherwise prohibited by this section where specific enforcement would result in unnecessary hardship.

VIOLATION – A development that is not fully compliant with these regulations or the flood provisions of the building code. A structure or other development without the elevation certificate, other certifications, or other evidence of compliance required in this ordinance is presumed to be in violation until such time as that documentation is provided.

WATER SURFACE ELEVATION – the height, in relation to the North American Vertical Datum (NAVD) of 1988, (or other datum, where specified) of floods of various magnitudes and frequencies in the flood plains of coastal or riverine areas.

WATERCOURSE. A river, creek, stream, channel, or other topographic feature in, on, through, or over which water flows at least periodically.

WET FLOODPROOFING – Floodproofing method that relies on the use of flood damage resistant materials and construction techniques in areas of a structure that are below the Local Design Flood Elevation by intentionally allowing them to flood. The application of wet floodproofing as a flood protection technique under the National Flood Insurance Program (NFIP) is limited to enclosures below elevated residential and non-residential structures and to accessory and agricultural structures that have been issued variances by the community.

SECTION 301 SUBDIVISIONS AND OTHER DEVELOPMENTS

301.1 General. Any subdivision proposal, including proposals for manufactured home parks and subdivisions, or other proposed new development in a flood hazard area shall be reviewed to assure that:

- (1) All such proposals are consistent with the need to minimize flood damage.
- (2) All public utilities and facilities, such as sewer, gas, electric and water systems are located and constructed to minimize or eliminate flood damage.
- (3) Adequate drainage is provided to reduce exposure to flood hazards; in Zones AH and AO, adequate drainage paths shall be provided to guide floodwater around and away from structures.

301.2 Subdivision requirements. Where any portion of proposed subdivisions, including manufactured home parks and subdivisions, lies within a flood hazard area, the following shall be required:

- (1) The flood hazard area, including floodways, coastal high hazard areas, and Coastal A Zones, and base flood elevations, as appropriate, shall be delineated on tentative subdivision plats.
- (2) Residential building lots shall be provided with adequate buildable area outside the floodway.
- (3) The design criteria for utilities and facilities set forth in these regulations and appropriate codes shall be met.

SECTION 401 SITE IMPROVEMENT

401.1 Encroachment in floodways. Development, land disturbing activity, and encroachments in floodways shall not be authorized unless it has been demonstrated through hydrologic and hydraulic analyses required in accordance with Section 105.3(1) of these regulations, that the proposed encroachment will not result in any increase in the base flood level during occurrence of the base flood discharge. If Section 105.3(1) is satisfied, proposed elevation, addition, or reconstruction of a lawfully existing structure within a floodway shall also be in accordance with Section 801.2 of this ordinance and the floodway requirements of N.J.A.C. 7:13.

401.1.1 Prohibited in floodways. The following are prohibited activities:

- (1) The storage of unsecured materials is prohibited within a floodway pursuant to N.J.A.C. 7:13.
- (2) Fill and new structures are prohibited in floodways per N.J.A.C. 7:13.

401.2 Sewer facilities. All new and replaced sanitary sewer facilities, private sewage treatment plants (including all pumping stations and collector systems) and on-site waste disposal systems shall be designed in accordance with the New Jersey septic system regulations contained in N.J.A.C. 14A and N.J.A.C. 7:9A, the UCC Plumbing Subcode (N.J.A.C. 5:23) and Chapter 7, ASCE 24, to minimize or eliminate infiltration of floodwater into the facilities and discharge from the facilities into flood waters, or impairment of the facilities and systems.

401.3 Water facilities. All new and replacement water facilities shall be designed in accordance with the New Jersey Safe Drinking Water Act (N.J.A.C. 7:10) and the provisions of Chapter 7 ASCE 24, to minimize or eliminate infiltration of floodwater into the systems.

401.4 Storm drainage. Storm drainage shall be designed to convey the flow of surface waters to minimize or eliminate damage to persons or property.

401.5 Streets and sidewalks. Streets and sidewalks shall be designed to minimize potential for increasing or aggravating flood levels.

401.6 Limitations on placement of fill. Subject to the limitations of these regulations, fill shall be designed to be stable under conditions of flooding including rapid rise and rapid drawdown of floodwater, prolonged inundation, and protection against flood-related erosion and scour. In addition to these requirements, when intended to support buildings and structures (Zone A only), fill shall comply with the requirements of the UCC (N.J.A.C. 5:23). Proposed fill and encroachments in flood hazard areas shall comply with the flood storage displacement limitations of N.J.A.C. 7:13.

401.7 Hazardous Materials. The placement or storage of any containers holding hazardous substances in a flood hazard area is prohibited unless the provisions of N.J.A.C. 7:13 which cover the placement of hazardous substances and solid waste is met.

SECTION 501 MANUFACTURED HOMES

501.1 General. All manufactured homes installed in flood hazard areas shall be installed pursuant to the Nationally Preemptive Manufactured Home Construction and Safety Standards Program (24 CFR 3280).

501.2 Elevation. All new, relocated, and replacement manufactured homes to be placed or substantially improved in a flood hazard area shall be elevated such that the bottom of the frame is elevated to or above the elevation specified in Section 801.2.

501.3 Foundations. All new, relocated, and replacement manufactured homes, including substantial improvement of existing manufactured homes, shall be placed on foundations as specified by the manufacturer only if the manufacturer's installation instructions specify that the home has been designed for flood-resistant considerations and provides the conditions of applicability for velocities, depths, or wave action as required by 24 CFR Part 3285-302. The Floodplain Administrator is authorized to determine whether the design meets or exceeds the performance necessary based upon the proposed site location conditions as a precondition of issuing a flood damage prevention permit. If the Floodplain Administrator determines that the home's performance standards will not withstand the flood loads in the proposed location, the applicant must propose a design certified by a New Jersey licensed design professional and in accordance with 24 CFR 3285.301 (c) and (d) which conforms with ASCE 24, the accepted standard of engineering practice for flood resistant design and construction.

501.4 Anchoring. All new, relocated, and replacement manufactured homes to be placed or substantially improved in a flood hazard area shall be installed using methods and practices which minimize flood damage and shall be securely anchored to an adequately anchored foundation system to resist flotation, collapse and lateral movement. This requirement is in addition to applicable State and local anchoring requirements for resisting wind forces.

501.5 Enclosures. Fully enclosed areas below elevated manufactured homes shall comply with the requirements of Section 801.2.

501.6 Protection of mechanical equipment and outside appliances. Mechanical equipment and outside appliances shall be elevated to or above the elevation of the bottom of the frame required in Section 801.2 of these regulations.

Exception. Where such equipment and appliances are designed and installed to prevent water from entering or accumulating within their components and the systems are constructed to resist hydrostatic and hydrodynamic loads and stresses, including the effects of buoyancy, during the occurrence of flooding up to the elevation required by Section 801.2, the systems and equipment shall be permitted to be located below that elevation. Electrical wiring systems shall be permitted below the design flood elevation provided they conform to the provisions of NFPA 70 (National Electric Code).

SECTION 601 RECREATIONAL VEHICLES

601.1 Placement prohibited. The placement of recreational vehicles shall not be authorized in coastal high hazard areas and in floodways.

601.2 Temporary placement. Recreational vehicles in flood hazard areas shall be fully licensed and ready for highway use and shall be placed on a site for less than 180 consecutive days.

601.3 Permanent placement. Recreational vehicles that are not fully licensed and ready for highway use, or that are to be placed on a site for more than 180 consecutive days, shall meet the requirements of Section 801.2 for habitable buildings and Section 501.3.

SECTION 701 TANKS

701.1 Tanks. Underground and above-ground tanks shall be designed, constructed, installed, and anchored in accordance with ASCE 24 and N.J.A.C. 7:13.

SECTION 801 OTHER DEVELOPMENT AND BUILDING WORK

801.1 General requirements for other development and building work. All development and building work, including man-made changes to improved or unimproved real estate for which specific provisions are not specified in these regulations or the Uniform Construction Code (N.J.A.C. 5:23), shall:

- (1) Be located and constructed to minimize flood damage;
- (2) Meet the limitations of Section 105.3(1) of this ordinance when located in a regulated floodway;
- (3) Be anchored to prevent flotation, collapse or lateral movement resulting from hydrostatic and hydrodynamic loads, including the effects of buoyancy, during the conditions of flooding up to the Local Design Flood Elevation determined according to Section 102.3;
- (4) Be constructed of flood damage-resistant materials as described in ASCE 24 Chapter 5;
- (5) Have mechanical, plumbing, and electrical systems above the Local Design Flood Elevation determined according to Section 102.3 or meet the requirements of ASCE 24 Chapter 7 which requires that attendant utilities are located above the Local Design Flood

Elevation unless the attendant utilities and equipment are:

- i. Specifically allowed below the Local Design Flood Elevation; and
 - ii. Designed, constructed, and installed to prevent floodwaters, including any backflow through the system from entering or accumulating within the components.
- (6) Not exceed the flood storage displacement limitations in fluvial flood hazard areas in accordance with N.J.A.C. 7:13; and
- (7) Not exceed the impacts to frequency or depth of offsite flooding as required by N.J.A.C. 7:13 in floodways.

801.2 Requirements for Habitable Buildings and Structures.

- 1) Construction and Elevation in A Zones not including Coastal A Zones.
 - a. No portion of a building is located within a V Zone.
 - b. No portion of a building is located within a Coastal A Zone, unless a licensed design professional certifies that the building's foundation is designed in accordance with ASCE 24, Chapter 4.
 - c. All new construction and substantial improvement of any habitable building (as defined in Section 201) located in flood hazard areas shall have the lowest floor, including basement, together with the attendant utilities (including all electrical, heating, ventilating, air-conditioning and other service equipment) and sanitary facilities, elevated to or above the Local Design Flood Elevation as determined in Section 102.3, be in conformance with ASCE Chapter 7, and be confirmed by an Elevation Certificate.
 - d. All new construction and substantial improvements of non-residential structures shall:
 - i. Have the lowest floor, including basement, together with the attendant utilities (including all electrical, heating, ventilating, air-conditioning and other service equipment) and sanitary facilities, elevated to or above the Local Design Flood Elevation as determined in Section 102.3, be in conformance with ASCE Chapter 7, and be confirmed by an Elevation Certificate; or
 - ii. Together with the attendant utility and sanitary facilities, be designed so that below the Local Design Flood Elevation, the structure:
 1. Meets the requirements of ASCE 24 Chapters 2 and 7; and
 2. Is constructed according to the design plans and specifications provided at permit application and signed by a licensed design professional, is certified by that individual in a Floodproofing Certificate, and is confirmed by an Elevation Certificate.
 - e. All new construction and substantial improvements with fully enclosed areas below the lowest floor shall be used solely for parking of vehicles, building access, or storage in an area other than a basement and which are subject to flooding. Enclosures shall:
 - iii. For habitable structures, be situated at or above the adjoining exterior grade along at least one entire exterior wall, in order to provide positive drainage of the enclosed area in accordance with N.J.A.C. 7:13; enclosures (including crawlspaces and basements) which are below grade on all sides are prohibited;
 - iv. Be designed to automatically equalize hydrostatic flood forces on exterior walls

by allowing for the entry and exit of floodwaters unless the structure is non-residential and the requirements of 801.2.1(d)ii are met;

- v. Be constructed to meet the requirements of ASCE 24 Chapter 2;
- vi. Have openings documented on an Elevation Certificate; and
- vii. Have documentation that a deed restriction has been obtained for the lot if the enclosure is greater than six feet in height. This deed restriction shall be recorded in the Office of the County Clerk or the Registrar of Deeds and Mortgages in which the building is located, shall conform to the requirements in N.J.A.C.7:13, and shall be recorded within 90 days of receiving a Flood Hazard Area Control Act permit or prior to the start of any site disturbance (including pre-construction earth movement, removal of vegetation and structures, or construction of the project), whichever is sooner. Deed restrictions must explain and disclose that:
 1. The enclosure is likely to be inundated by floodwaters which may result in damage and/or inconvenience.
 2. The depth of flooding that the enclosure would experience to the Flood Hazard Area Design Flood Elevation;
 3. The deed restriction prohibits habitation of the enclosure and explains that converting the enclosure into a habitable area may subject the property owner to enforcement;

801.3 Garages and accessory storage structures. Garages and accessory storage structures shall be designed and constructed in accordance with the Uniform Construction Code.

801.4 Fences. Fences in floodways that have the potential to block the passage of floodwater, such as stockade fences and wire mesh fences, shall meet the requirements of Section 105.3(1) of these regulations. Pursuant to N.J.A.C. 7:13, any fence located in a floodway shall have sufficiently large openings so as not to catch debris during a flood and thereby obstruct floodwaters, such as barbed-wire, split-rail, or strand fence. A fence with little or no open area, such as a chain link, lattice, or picket fence, does not meet this requirement. Foundations for fences greater than 6 feet in height must conform with the Uniform Construction Code. Fences for pool enclosures having openings not in conformance with this section but in conformance with the Uniform Construction Code to limit climbing require a variance as described in Section 107 of this ordinance.

801.5 Retaining walls, sidewalks, and driveways. Retaining walls, sidewalks and driveways that involve placement of fill in floodways shall meet the requirements of Section 105.3(1) of these regulations and N.J.A.C. 7:13.

801.6 Swimming pools. Swimming pools shall be designed and constructed in accordance with the Uniform Construction Code. Above-ground swimming pools and below-ground swimming pools that involve placement of fill in floodways shall also meet the requirements of Section 105.3(1) of these regulations. Above-ground swimming pools are prohibited in floodways by N.J.A.C. 7:13.

801.7 Roads and watercourse crossings.

- (1) For any railroad, roadway, or parking area proposed in a flood hazard area, the travel surface shall be constructed at least one foot above the Flood Hazard Area Design Elevation in accordance with N.J.A.C. 7:13.
- (2) Roads and watercourse crossings that encroach into regulated floodways or riverine

waterways with base flood elevations where floodways have not been designated, including roads, bridges, culverts, low- water crossings and similar means for vehicles or pedestrians to travel from one side of a watercourse to the other side, shall meet the requirements of Section 105.3(1) of these regulations.

SECTION 901 TEMPORARY STRUCTURES AND TEMPORARY STORAGE

901.1 Temporary structures. Temporary structures shall be erected for a period of less than 180 days. Temporary structures shall be anchored to prevent flotation, collapse or lateral movement resulting from hydrostatic loads, including the effects of buoyancy, during conditions of the base flood. Fully enclosed temporary structures shall have flood openings that are in accordance with ASCE 24 to allow for the automatic entry and exit of flood waters.

901.2 Temporary storage. Temporary storage includes storage of goods and materials for a period of less than 180 days. Stored materials shall not include hazardous materials.

901.3 Floodway encroachment. Temporary structures and temporary storage in floodways shall meet the requirements of Section 105.3(1) of these regulations.

SECTION 1001 UTILITY AND MISCELLANEOUS GROUP U

1001.1 Utility and Miscellaneous Group U. In accordance with Section 312 of the International Building Code, Utility and Miscellaneous Group U includes buildings and structures that are accessory in character and miscellaneous structures not classified in any specific occupancy in the Building Code, including, but not limited to, agricultural buildings, aircraft hangars (accessory to a one- or two-family residence), barns, carports, communication equipment structures (gross floor area less than 1,500 sq. ft.), fences more than 6 feet (1829 mm) high, grain silos (accessory to a residential occupancy), livestock shelters, private garages, retaining walls, sheds, stables, tanks and towers.

1001.2 Flood loads. Utility and miscellaneous Group U buildings and structures, including substantial improvement of such buildings and structures, shall be anchored to prevent flotation, collapse or lateral movement resulting from flood loads, including the effects of buoyancy, during conditions up to the Local Design Flood Elevation as determined in Section 102.3.

1001.3 Elevation. Utility and miscellaneous Group U buildings and structures, including substantial improvement of such buildings and structures, shall be elevated such that the lowest floor, including basement, is elevated to or above the Local Design Flood Elevation as determined in Section 102.3 and in accordance with ASCE 24. Utility lines shall be designed and elevated in accordance with N.J.A.C. 7:13.

1001.4 Enclosures below base flood elevation. Fully enclosed areas below the design flood elevation shall be constructed in accordance with Section 801.2 and with ASCE 24 for new construction and substantial improvements. Existing enclosures such as a basement or crawlspace having a floor that is below grade along all adjoining exterior walls shall be abandoned, filled-in, and/or otherwise modified to conform with the requirements of N.J.A.C. 7:13 when the project has been determined to be a substantial improvement by the Floodplain Administrator.

1001.5 Flood-damage resistant materials. Flood-damage-resistant materials shall be used below the Local Design Flood Elevation determined in Section 102.3.

1001.6 Protection of mechanical, plumbing, and electrical systems. Mechanical, plumbing, and electrical systems, equipment and components, heating, ventilation, air conditioning, plumbing fixtures, duct systems, and other service equipment, shall be elevated to or above the Local Design Flood Elevation determined in Section 102.3.

Exception: Electrical systems, equipment and components, and heating, ventilating, air conditioning, and plumbing appliances, plumbing fixtures, duct systems, and other service equipment shall be permitted to be located below the Local Design Flood Elevation provided that they are designed and installed to prevent water from entering or accumulating within the components and to resist hydrostatic and hydrodynamic loads and stresses, including the effects of buoyancy, during the occurrence of flooding to the Local Design Flood Elevation in compliance with the flood-resistant construction requirements of ASCE 24. Electrical wiring systems shall be permitted to be located below the Local Design Flood Elevation provided they conform to the provisions of NFPA 70 (National Electric Code).

SECTION 3. SEVERABILITY.

Where any section, subsection, sentence, clause, or phrase of these regulations is, for any reason, declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the regulations as a whole, or any part thereof, other than the part so declared.

SECTION 4. EFFECTIVE DATE.

This ordinance shall take effect upon adoption of this ordinance.

HEARING NOTICE:

The above Ordinance was introduced at a Regular Meeting of the Township Committee of the Township of Woodland held on April 24, 2024, 2024, and was read for the first time. The Township Committee will further consider this Ordinance for final passage on June 26, 2024, at the Woodland Township Municipal Building, 3943 Main Street, Chatsworth, NJ at a meeting beginning at 7:00 p.m. or at any time and place to which such meeting may be adjourned. All persons interested will be given the opportunity to be heard concerning such ordinance.

Maryalice Brown, RMC
Township Clerk/Administrator

William DeGroff, Mayor
Woodland Township

Record of Vote (First Reading - _____)

	Moved	Second	Yes	No	Abstained	Absent
DeGroff						
Herndon						
Mull						

NOTICE OF FINAL ADOPTION:

Ordinance No. 2024-3 Flood Plain Ordinance. Notice is hereby given that the foregoing ordinance was approved for final adoption by the Township Committee of the Township of Woodland at a Regular Meeting held on June 26, 2024.

Maryalice Brown, RMC
Township Clerk/Administrator

William DeGroff, Mayor
Woodland Township

Record of Vote (Second Reading - _____)

	Moved	Second	Yes	No	Abstained	Absent
DeGroff						
Herndon						
Mull						

ORDINANCE NO. 2024-4

**AN ORDINANCE AMENDING ORDINANCE 1998-4, THE WOODLAND TOWNSHIP
ZONING ORDINANCE, OF THE TOWNSHIP OF WOODLAND, COUNTY OF
BURLINGTON AND STATE OF NEW JERSEY**

WHEREAS, the Pinelands Protection Act (N.J.S.A. 13:18A-1) requires that the municipal master plan and local land use ordinances of the Township of Woodland implement the objectives of the Pinelands Comprehensive Management Plan (N.J.A.C. 7:50) and conform with the minimum standards contained therein; and

WHEREAS, the Pinelands Commission adopted amendments to the Pinelands Comprehensive Management Plan, effective December 4, 2023.

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Woodland, County of Burlington and State of New Jersey, as follows:

SECTION 1: Article II, Definitions, of the Woodland Township Zoning Ordinance, is hereby amended by adding to Appendix A the following definitions:

DIVERT or DIVERSION – Means the taking of water from a river, stream, lake, pond, aquifer, well, other underground source, or other waterbody, whether or not the water is returned thereto, consumed, made to flow into another stream or basin, or discharged elsewhere.

HYDROLOGIC UNIT CODE-11 or HUC-11 – Means an area within which water drains to a particular receiving surface water body, also known as a subwatershed, which is identified by an 11-digit hydrologic unit boundary designation, delineated within New Jersey by the United States Geological Survey.

NONCONSUMPTIVE USE – Means the use of water diverted from surface or ground waters in such a manner that at least 90 percent of the diverted water is returned to the source surface or ground water at or near the point from which it was taken.

SECTION 2: Article XVII, Pinelands Development Standards, Section 1706, “Water Quality,” of the Woodland Township Zoning Ordinance, is hereby amended by repealing and replacing subsection 1706.5 as follows:

5. Water Management.

- a.** Water shall not be exported from the Pinelands except as otherwise provided at N.J.S.A. 58:1A-7.1.
- b.** A diversion within Woodland Township that involves the interbasin transfer of water from sources within the Pinelands Area between the Atlantic Basin and the Delaware Basin, as defined at **(i)** and **(ii)** below, or outside of either basin, shall be prohibited.
 - (i)** The Atlantic Basin is comprised of Watershed Management Areas 13, 14, 15, and 16, as identified by the New Jersey Department of Environmental Protection.
 - (ii)** The Delaware Basin is comprised of Watershed Management Areas 17, 18, 19, and 20 as identified by the New Jersey Department of Environmental Protection.
- c.** A diversion within Woodland Township involving the intrabasin transfer of water between HUC-11 watersheds in the same basin, Atlantic Basin or Delaware Basin as defined at **b(i)** and **(ii)** above, shall be permitted. If such an intrabasin transfer involves water sourced from the Kirkwood-Cohansey aquifer, the diversion shall meet the criteria and standards set forth at **d.** below.
- d.** Within Woodland Township, a new diversion or an increase in allocation from either a single existing diversion source or from combined existing and new diversion sources in the same HUC-11 watershed and in the Kirkwood-Cohansey aquifer, that results in a total diversion of 50,000 gallons of water per day or more (hereafter referred to as "proposed diversion") shall be prohibited unless it meets the criteria of **(i)** below. "Allocation" shall mean a diversion permitted pursuant to a Water Allocation Permit or Water Use Registration Number issued by the New Jersey Department of Environmental Protection pursuant to N.J.A.C. 7:19.
 - (i)** A proposed diversion shall only be permitted if it is:

- (a) A new well that is to replace an existing well, provided the existing well is decommissioned in accordance with N.J.A.C. 7:9D-3 and the new replacement well will:
 - (1) Be approximately the same depth as the existing well;
 - (2) Divert from the same aquifer as the existing well;
 - (3) Have the same or lesser pump capacity as the existing well; and
 - (4) Be located within 100 feet of, and in the same HUC-11 watershed as, the existing well;

- (b) Any proposed diversion that is exclusively for agricultural or horticultural use; or

- (c) Any proposed diversion for a resource extraction operation that constitutes a nonconsumptive use, provided the water returned to the source is not discharged to a stream or waterbody or otherwise results in offsite flow, and the diversion and return are located on the same parcel.

SECTION 3: Article XVII, Pinelands Development Standards, Section 1711, Resource Extraction, of the Woodland Township Zoning Ordinance, is hereby amended by revising subsection 1. as follows:

- 1. Any application filed for approval of resource extraction operations in the Pinelands shall include at least the following information:

a. – q. (No change.)

- r. If the application includes a proposed diversion from the Kirkwood-Cohansey aquifer, a hydrogeologic report that identifies the volume of the diversion, the volume of water to be returned to the source, a description of the route of return to the source, the methodology used to quantify the volume of water returned to the source and a description of any other existing or proposed water diversions or discharges on or from the parcel. The report shall also include a map that depicts the location of the diversion, the location of the return to source, the location of all existing or proposed resource extraction operations and the location of all wetlands on or within 300 feet of the parcel on which the diversion is proposed.

HEARING NOTICE:

The above Ordinance was introduced at a Regular Meeting of the Township Committee of the Township of Woodland held on April 24, 2024 and was read for the first time. The Township Committee will further consider this Ordinance for final passage on June 26, 2024 at the Woodland Township Municipal Building, 3943 Main Street, Chatsworth, NJ at a meeting beginning at 7:00 p.m. or at any

time and place to which such meeting may be adjourned. All persons interested will be given the opportunity to be heard concerning such ordinance.

Maryalice Brown, RMC
Township Clerk/Administrator

William DeGroff, Mayor
Woodland Township

Record of Vote (First Reading - _____)

	Moved	Second	Yes	No	Abstained	Absent
DeGroff						
Herndon						
Mull						

NOTICE OF FINAL ADOPTION:

Ordinance No. 2024-4 Amending Ordinance 1998-4. Notice is hereby given that the foregoing ordinance was approved for final adoption by the Township Committee of the Township of Woodland at a Regular Meeting held on June 26, 2024.

Maryalice Brown, RMC
Township Clerk/Administrator

William DeGroff, Mayor
Woodland Township

Record of Vote (Second Reading - _____)

	Moved	Second	Yes	No	Abstained	Absent
DeGroff						
Herndon						
Mull						

ORDINANCE NO. 2024-5

**AN ORDINANCE AMENDING ORDINANCE 2023-3, OF THE CODE OF THE
TOWNSHIP OF WOODLAND, COUNTY OF BURLINGTON AND STATE OF NEW
JERSEY**

WHEREAS, the Pinelands Protection Act (N.J.S.A. 13:18A-1) requires that the municipal master plan and local land use ordinances of the Township of Woodland implement the objectives of the Pinelands Comprehensive Management Plan (N.J.A.C. 7:50) and conform with the minimum standards contained therein; and

WHEREAS, the Pinelands Comprehensive Management Plan incorporates by reference certain stormwater management regulations contained at N.J.A.C. 7:8; and

WHEREAS, the New Jersey Department of Environmental Protection adopted amendments to certain stormwater management regulations contained at N.J.A.C. 7:8, effective July 17, 2023.

WHEREAS, the Pinelands Commission adopted amendments to the Pinelands Comprehensive Management Plan, effective December 4, 2023.

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Woodland, County of Burlington and State of New Jersey, as follows:

SECTION 1: Section 4, Stormwater Control within the Township of Woodland, is hereby amended by revising subsection III.D. as follows:

D. Tables 1, 2, and 3 below summarize the ability of stormwater best management practices identified and described in the New Jersey Stormwater BMP Manual to satisfy the green infrastructure, groundwater recharge, stormwater runoff quality and stormwater runoff quantity standards specified in **IIIN, O, P, and Q**. When designed in accordance with the most current version of the New Jersey Stormwater BMP

Manual and this Section, the stormwater management measures found 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 BMP Manual 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 NJDEP 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 NJDEP website at: <https://dep.nj.gov/stormwater/bmp-manual/>.

SECTION 2: Section 4, Stormwater Control within the Township of Woodland, is hereby amended by revising subsection III.O. as follows:

O. Groundwater Recharge Standards

- (1) (No change.)
- (2) For all major developments, the total runoff volume generated from the net increase in impervious surfaces by the current 10-year, 24-hour storm, as defined and determined in **IVH**, shall be retained and infiltrated onsite.
- (3) For minor development that involves the construction of four or fewer dwelling units, the runoff generated from the total roof area of the dwelling(s) by the current 10-year, 24-hour storm, as defined and determined in **IVH**, shall be retained and infiltrated through installation of one or more green infrastructure stormwater management measures designed in accordance with the New Jersey Stormwater BMP Manual. Appropriate green infrastructure stormwater management measures include, but are not limited to dry wells, pervious pavement systems, and small scale bioretention systems, including rain gardens.
- (4) -- (5) (No change.)

SECTION 3: Section 4, Stormwater Control within the Township of Woodland, is hereby amended by revising subsection III.Q. as follows:

Q. Stormwater Runoff Quantity Standards

- (1) (No change.)
- (2) In order to control stormwater runoff quantity impacts, the design engineer shall, using the assumptions and factors for stormwater runoff calculations at §IV, 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 2-, 10-, and 100-year storm events, as defined and determined in **IVH and I**, 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 **IVH and I**, 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 **§IVH and I**, 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
- (d) (No change.)

(3) -- (5) (No change.)

SECTION 4: Section 4, Stormwater Control within the Township of Woodland, Subsection IV, Calculation of Stormwater Runoff and Groundwater Recharge, is hereby amended as follows:

IV. Calculation of Stormwater Runoff and Groundwater Recharge

- A. Stormwater runoff shall be calculated by the design engineer using 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, except that the Rational Method for peak flow and the Modified Rational Method for hydrograph computations shall not be used. 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

- B.** (No change.)
- C.** 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 at **A.** above. A 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).
- D. -- G.** (No change.)
- H.** 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>Burlington</u>	<u>0.99</u>	<u>1.01</u>	<u>1.04</u>
<u>Ocean</u>	<u>1.00</u>	<u>1.01</u>	<u>1.03</u>

- I. **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 **H.(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>Burlington</u>	<u>1.17</u>	<u>1.18</u>	<u>1.32</u>
<u>Ocean</u>	<u>1.18</u>	<u>1.19</u>	<u>1.24</u>

SECTION 5: Section 4, Stormwater Control within the Township of Woodland,

Subsection V, Sources for Technical Guidance, is hereby amended as follows:

V. 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 NJDEP’s website at: <https://dep.nj.gov/stormwater/bmp-manual/>.

(1) (No change.)

(2) Additional maintenance guidance is available on the NJDEP’s website at: <https://dep.nj.gov/stormwater/maintenance-guidance/>.

B.

(1) Submissions required for review by the NJDEP should be mailed to:

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.

(2) (No change.)

HEARING NOTICE:

The above Ordinance was introduced at a Regular Meeting of the Township Committee of the Township of Woodland held on April 26, 2024 and was read for the first time. The Township Committee will further consider this Ordinance for final passage on June 26, 2024 at the Woodland Township Municipal Building, 3943 Main Street, Chatsworth, NJ at a meeting beginning at 7:00 p.m. or at any time and place to which such meeting may be adjourned. All persons interested will be given the opportunity to be heard concerning such ordinance.

Maryalice Brown, RMC
Township Clerk/Administrator

William DeGross, Mayor
Woodland Township

Record of Vote (First Reading - _____)

	Moved	Second	Yes	No	Abstained	Absent
DeGross						
Herndon						
Mull						

NOTICE OF FINAL ADOPTION:

Ordinance No. 2024-5 Amending 2023-3. Notice is hereby given that the foregoing ordinance was approved for final adoption by the Township Committee of the Township of Woodland at a Regular Meeting held on June 26, 2024.

Maryalice Brown, RMC
Township Clerk/Administrator

William DeGross, Mayor
Woodland Township

Record of Vote (Second Reading - _____)

	Moved	Second	Yes	No	Abstained	Absent
DeGross						
Herndon						
Mull						

RESOLUTION 2024 - 39

Resolution to Cancel 2023/2024 Uncollectable Taxes

WHEREAS, N.J.S.A. 54:4-91 requires the collector to submit to the governing body on or before May 1st annually, a list of uncollectible taxes for the current year for cancellation.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Woodland, County of Burlington, State of New Jersey, at its regular meeting on April 24, 2024, the Tax Collector is hereby authorized and directed to cancel the following current year taxes:

Amt. to Cancel	Block/Lot	Reason
\$1,416.93	3913 / 15	Assigned Tax Lien at Assessed Value
238.65	101 / 17	Ownership Dispute
6,079.62	5301 / 36.03	Property in Dispute

BE IT FURTHER RESOLVED, a certified copy of this resolution will be forwarded to the Tax Collector and Tax Assessor.

Adopted: April 24, 2024

Maryalice Brown, RMC
Township Clerk/Administrator

William DeGroff, Mayor

Vote on Adoption

	Moved	Seconded	Ayes	Nays	Absent	Abstain
DeGroff						
Herndon						
Daniels						

CERTIFICATION

I, Maryalice Brown, Township Clerk of the Township of Woodland, do hereby certify that the above is a true and correct copy of a resolution duly adopted by the Mayor and Township Committee at its Regular Meeting held on April 24, 2024.

Maryalice Brown, RMC, Township Clerk/Administrator

DATE: _____

RESOLUTION 2024-40

APPOINTMENT OF TEMPORARY, PART-TIME PUBLIC WORKS EMPLOYEE

WHEREAS, due to vacancy in the Public Works Department, Woodland Township is in need of a temporary, part-time laborer, and

WHEREAS, the Woodland Township Committee desires to appoint Nathan Pepper as a temporary, part-time laborer for the Township of Woodland retro to April 1, 2024.

NOW, THEREFORE, BE IT RESOLVED, the Township Committee of the Township of Woodland hereby appoints Nathan Pepper in the position of Temporary, Part-Time Public Works Laborer effective April 1, 2024, at a rate of \$20.00 per hour.

Adopted: April 24, 2024

Maryalice Brown, RMC
Township Clerk/Administrator

William DeGroff, Mayor

Vote on Adoption

	Moved	Seconded	Ayes	Nays	Absent	Abstain
DeGroff						
Herndon						
Mull						

CERTIFICATION

I, Maryalice Brown, Township Clerk of the Township of Woodland, do hereby certify that the above is a true and correct copy of a resolution duly adopted by the Mayor and Township Committee at its Regular Meeting held on April 24, 2024

Maryalice Brown, RMC
Township Clerk/Administrator

2024-33

SECTION 2 - UPON ADOPTION FOR YEAR 2024

Be it Resolved by the COMMITTEEPERSONS RESOLUTION of the TOWNSHIP
of WOODLAND, County of BURLINGTON that the budget hereinbefore set forth is hereby adopted and shall constitute an appropriation for the purposes stated of the sums therein set forth as appropriations, and authorization of the amount of:

- (a) \$ 450,701.00 (Item 2 below) for municipal purposes, and
- (b) \$ - (Item 3 below) for school purposes in Type I School Districts only (N.J.S.A. 18A:9-2) to be raised by taxation and,
- (c) \$ - (Item 4 below) to be added to the certificate of amount to be raised by taxation for local school purposes in Type II School Districts only (N.J.S.A. 18A:9-3) and certification to the County Board of Taxation of the following summary of general revenues and appropriations.
- (d) \$ - (Sheet 43) Open Space, Recreation, Farmland and Historic Preservation Trust Fund Levy
- (e) \$ - (Sheet 44) Arts and Culture Trust Fund Levy
- (f) \$ - (Item 5 Below) Minimum Library Tax

RECORDED VOTE
(Insert last name)

Ayes

Nays

Abstained

Absent

SUMMARY OF REVENUES

1. General Revenues				
Surplus Anticipated		08-100	\$	90,125.00
Miscellaneous Revenues Anticipated		13-099	\$	1,210,419.00
Receipts from Delinquent Taxes		15-499	\$	70,000.00
2. AMOUNT TO BE RAISED BY TAXATION FOR MUNICIPAL PURPOSED (Item 6(a), Sheet 11)		07-190	\$	450,701.00
3. AMOUNT TO BE RAISED BY TAXATION FOR SCHOOLS IN TYPE I SCHOOL DISTRICTS ONLY:				
Item 6, Sheet 42		07-195	\$	-
Item 6(b), Sheet 11 (N.J.S.A. 40A:4-14)		07-191	\$	-
TOTAL AMOUNT TO BE RAISED BY TAXATION FOR SCHOOLS IN TYPE I SCHOOL DISTRICTS ONLY				\$ -
4. To Be Added TO THE CERTIFICATE FOR THE AMOUNT TO BE RAISED BY TAXATION FOR SCHOOLS IN TYPE II SCHOOL DISTRICTS ONLY:				
Item 6(b), Sheet 11 (N.J.S.A. 40A:4-14)		07-191		
5. AMOUNT TO BE RAISED BY TAXATION MINIMUM LIBRARY TAX				
		07-192	\$	-
Total Revenues		13-299	\$	1,821,245.00

SUMMARY OF APPROPRIATIONS

5. GENERAL APPROPRIATIONS:	XXXXXX	XXXXXXXXXXXXXX
Within "CAPS"	XXXXXX	XXXXXXXXXXXXXX
(a & b) Operations Including Contingent	34-201	\$ 996,425.00
(e) Deferred Charges and Statutory Expenditures - Municipal	34-209	\$ 51,673.00
(g) Cash Deficit	46-885	\$ -
Excluded from "CAPS"	XXXXXX	XXXXXXXXXXXXXX
(a) Operations - Total Operations Excluded from "CAPS"	34-305	\$ 191,792.00
(c) Capital Improvements	44-999	\$ 290,490.00
(d) Municipal Debt Service	45-999	\$ -
(e) Deferred Charges - Municipal	46-999	\$ 70,000.00
(f) Judgments	37-480	\$ -
(n) Transferred to Board of Education for Use of Local Schools (N.J.S.A. 40:48-17.1 & 17.3)	29-405	\$ -
(g) Cash Deficit	46-885	\$ -
(k) For Local District School Purposes	29-410	\$ -
(m) Reserve for Uncollected Taxes	50-899	\$ 220,865.00
6. SCHOOL APPROPRIATIONS - TYPE I SCHOOL DISTRICT ONLY (N.J.S.A. 40A:4-13)	07-195	
Total Appropriations	34-499	\$ 1,821,245.00

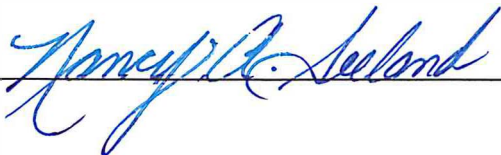
It is hereby certified that the within budget is a true copy of the budget finally adopted by resolution of the Governing Body on the 24th day of April, 2024. It is further certified that each item of revenue and appropriation is set forth in the same amount and by the same title as appeared in the 2024 approved budget and all amendments thereto, if any, which have been previously approved by the Director of Local Government Services.

Certified by me this _____ day of _____, 2024, _____, Clerk

Signature

TAX REPORT - MARCH, 2024

CURRENT RECEIPTS	2023 MARCH	2024-MARCH Month to Date	2024 YEAR TO DATE
2024 - TAXES/PRINCIPAL	\$ -	\$ 9,882.07	\$ 1,037,082.42
2023 - TAXES/PRINCIPAL	\$ 20,124.89	\$ 28,814.77	\$ 26,730.07
2022 - TAXES/PRINCIPAL	\$ 5,853.77	\$ -	\$ -
INTEREST & COSTS ON TAXES	\$ 717.23	\$ 1,204.00	\$ 2,232.07
ARREARS	\$ -	\$ -	\$ -
TAX SALE PREMIUM	\$ -	\$ -	\$ -
MUNICIPAL LIEN (P) Redemptions	\$ -	\$ -	\$ -
MUNICIPAL LIEN (I) Redemptions	\$ -	\$ -	\$ -
MUNICIPAL LIEN Costs/Redemptions	\$ 20.00	\$ -	\$ -
OUTSIDE LIEN (P) Redemptions	\$ -	\$ -	\$ -
OUTSIDE LIEN (I) Redemptions	\$ -	\$ -	\$ -
OUTSIDE LIEN Costs/Redemptions	\$ -	\$ -	\$ -
OUTSIDE LIEN Year-End Penalty	\$ -	\$ -	\$ -
MISC FEE TO THE LIEN	\$ -	\$ -	\$ -
ASSIGNED TAX LIENS (P)	\$ 624.00	\$ -	\$ -
ASSIGNED TAX LIENS (I)	\$ 311.69	\$ 1,900.00	\$ 1,900.00
TAX SALE PREMIUMS	\$ -	\$ -	\$ -
TAX SALE ADVERTISING COSTS	\$ -	\$ -	\$ -
TAX SEARCHES	\$ -	\$ -	\$ -
RETURNED CHECK FEE	\$ -	\$ -	\$ -
SPECIAL CHARGES PRINCIPAL	\$ -	\$ -	\$ -
SPECIAL CHARGES INTEREST	\$ -	\$ -	\$ -
COST OF SALE - PRIOR	\$ -	\$ -	\$ -
COST OF SALE @ SALE	\$ -	\$ -	\$ -
SALE OF TOWNSHIP PROPERTY	\$ -	\$ -	\$ -
DUPLICATE BILL FEES	\$ -	\$ -	\$ -
TOTAL CURRENT RECEIPTS	\$ 27,651.58	\$ 41,800.84	\$ 1,067,944.56



Nancy A. Seeland, Tax Collector

Date: 4-2-2024

March, 2024 OPRA Log						
Ref.Num	Requestor Name	2024 OPRA BRIEF DESCRIPTION	DateRec'd	Extension Req/ Clairification Req.	Date Responded	A/D
12a	NJ Records	New water/sewer lines and/or extensions	3/5/2024		3/11/2024	A
b		New/replacement/ or repairs for curbs, driveway aprons or sidewalks	3/5/2024		3/11/2024	A
c		New or repair of Dam	3/5/2024		3/11/2024	A
d		Lagoon dredging	3/5/2024		3/11/2024	A
e		Plotting fee	3/5/2024		3/11/2024	A
f		Solar panels	3/5/2024		3/11/2024	A
g		Lead remediation from water	3/5/2024		3/11/2024	A
13	Kathy Burger	Please provide all resolutions and shared service agreements between the Township of Woodland and Township of Tabernacle adopted or approved from January 1, 2022 through March 7, 2024. These records should include the Agreement for services to provide Township Administrator and Township Clerk services	3/11/2024		3/11/2024	A
14	Patrick Quigley	Permit fee log 12/23-2/24	3/8/2024		3/13/2024	A
15a	Terry Sheerin	any/all documents related to code enforcement, permit approvals, CO & inspection 1/22 - 3/10 - not construction	3/11/2024		3/13/2024	A
15b		Code Enforcers Certification	3/8/2024		3/13/2024	A
16	Terry Sheerin	Any/all documentation including meeting dates, minutes, public notices & invitation to member sof the community for involvement as it relates to the overdue Master Plan	3/12/2024		3/13/2024	A
17 a	Jeffrey Brennan	zoning file for block 4602, L26.04	3/12/2024		3/18/2024	A
17b		construction file for block 4602, L 26.04	3/12/2024		3/18/2024	A
17c		tax office file for block 4602, L 26.04	3/12/2024		3/18/2024	A
18	Jesse Estlow	scanned petitions that were filed Monday, March 25, 2024, by 4:00 deadline	3/25/2024		3/25/2024	A
19	Kathy Burger	all correspondence to include letters, memos, emails, text messages, etc regarding compliments and or complaints regarding services provided by the Township of Woodland Public Works Dept. or any Township employees and/or volunteers. All correspondence to any/all Twp. Committee Members, Twp. Mayor, Twp Dep. Mayor, Twp. Admin, Twp Clerk, & DPW Supervisor for the time period of 3/1/23 - 3/18/24	3/21/2024		4/3/2024	A
20	John Schmidt	Maryalice Brown notary journal for January 21, 2024, March 21, 2024, March 25, 2024	3/25/2024		4/3/2024	A
20b		Video footage or still shots of Samuel R. Moore, III and Mark Hartman for January 21, 2024, March 21, 2024, March 25, 2024	3/25/2024	4/3/2024	4/8/2024	A
21	Fran Brooks	Maryalice Brown notary journal for January 21, 2024, March 21, 2024, March 25, 2024	3/27/2024		4/3/2024	A
21b		Video footage or still shots of Samuel R. Moore, III and Mark Hartman for January 21, 2024, March 21, 2024, March 25, 2024	3/27/2024	4/3/2024	4/8/2024	A



ENGINEER'S REPORT
FOR
WOODLAND TOWNSHIP COMMITTEE
April 2024

The items for the Committee's consideration include the following:

- A. Route 72 Development (WOODT 19001)
 - 1. My office is assisting the Committee with the redevelopment as needed.

- B. Municipal Aid FY2020 (WOODT 19004)
 - 1. My office is working with the Township Solicitor and NJDOT to resolve issues of penalties as a result of the paving core results.

- C. Tax Map Pilot (WOODT 21003)
 - 1. Updated revised tax maps have been Division of Taxation for review.

- D. General Engineering (WOODT 23001)
 - 1. My office is assisting the Committee with investigating and addressing drainage issues in the Township as needed.
 - 2. My office is assisting the Committee with property condition assessment in the Township as needed.
 - 3. My office will assist the Township with additional paving along Woodmansie, as requested. The LFIF grant application was submitted to the NJDOT. Grant announcements are expected in May.
 - 4. My office will assist the Committee with completing road maintenance as needed.
 - 5. My office is assisting the Township with the procurement of vehicles as needed.
 - 6. My office will assist the Township with addressing stormwater issues in the Township. The Township has received the first portion of the Tier A stormwater grant.
 - 7. My office is working with the Township and Fire Chief to design and permit well(s) for use in filling Fire Company trucks.
 - 8. My office is assisting the Township with leaf collection and disposal options.

- E. Municipal Aid Application FY2023 (WOODT 23003)
 - 1. NJDOT has approved the plans and specifications, my office will be advertising for the project bids.

- F. Stormwater Pollution Prevention Plan (WOODT 23004)
 - 1. The SP3 plan was revised and resubmitted to address NJDEP comments.

- G. Township Master Plan Update (WOODT 23005)
 - 1. My office is preparing a draft of the re-examination report based on the review of the Township's goals and objectives.

- H. Stormwater GIS (WOODT 23008)
 - 1. My office is coordinating the scheduling to complete the field work.

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February 7, 2024

WOODT24002P

Woodland Township

Attn: Maryalice Brown, Administrator

PO Box 388

Chatsworth, NJ 08019

**RE: TOWNSHIP OF WOODLAND
LEBANON LAKES RESURFACING PHASE 2
PROPOSAL FOR PROFESSIONAL SERVICES**

Dear Ms. Brown:

We are pleased to offer this proposal for professional services to provide design, contract administration, inspection and construction management of the first phase of the Lebanon Lakes Resurfacing Phase 2 project. We understand that the Township has received a \$152,320 grant from NJDOT to complete the work.

We recommend that the second phase include Parkway Drive and Maple Drive.

We have provided the following detailed scope of services.

SCOPE OF SERVICES

Pennoni Associates Inc. will provide the following professional services:

Design/Bidding Phase Services

- We will conduct one site visit to conduct field measurements.
- We will prepare design plans based off aerial imagery and specifications.
- We will submit plans and specifications to NJDOT for acceptance prior to bid.
- We will advertise bids in accordance with the Local Public Contracts Law.
- We will attend the Bid opening and receive and review bids.
- We will prepare a recommendation letter for Township approval.
- We will prepare contracts.

Construction Phase Services

- We will schedule and attend preconstruction meeting.
- We will provide inspection services during construction activities to ensure the contractor is following the design intent.
- We will provide construction management and administration of the contract from commencement until project closeout.
- We will obtain quotes for core samples of paving if necessary.
- We will assist the Township with submission of reimbursement documentation to the NJDOT.
- We will prepare and submit project closeout documentation to the NJDOT.

SCHEDULE

We are prepared to begin work immediately upon notice to proceed.

FEE

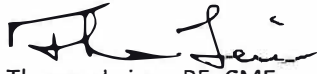
Our estimated fee is as follows:

Design/Bidding	\$ 11,000
Construction Management & Inspection	<u>\$ 6,350</u>
	\$ 17,350

Please feel free to contact us with any questions.

Sincerely,

PENNONI ASSOCIATES INC.



Thomas Leisse, PE, CME
Township Engineer



Christopher R. Kunder, EIT
Project Engineer

April 18, 2024

Woodland Fire/EMS

April 2024

Chiefs Report

- 14 Incidents for the month
- 93 Year to date
- Engine 2912 primer motor and harness shorted and melted, approximately \$1,900.00 to repair. Need permission to authorize repair.
- All other apparatus up and good.
- Hose/Ladder & Pump testing being completed this month.

Progress:

Shawn Viscardi
Fire Chief

Memo

To: File
From: Maryalice Brown, Clerk/Administrator
Date: March 30, 2024
Re: Public work activities for the month

- Replaced street signs
- Picked up garbage along roadways
- Removed/cut up fallen trees
- Repaired pot holes
- Repair dirt roads
- Received/set up new machine