BOROUGH OF KEYPORT

REGULAR MEETING AGENDA

TUESDAY, MARCH 2, 2021 – 7:00 P.M.

MUNICIPAL COMPLEX, COUNCIL CHAMBERS

70 W. FRONT STREET, KEYPORT, NJ

Members of the public who wish to participate in the meeting shall use the following dial in information:

Dial In via Computer

The following Link can be accessed from the Public Notice posted at www.keyportonline.com

Link: https://zoom.us/j/91760601992?pwd=cnB6Y2ZXWUJ1bE9ocnNvcVFVeEhEQT09

Meeting ID: 917 6060 1992

Passcode: 258097

Dial In via Telephone

Dial in Number: 646 558 8656

Meeting ID: 917 6060 1992

Passcode: 258097

CALL TO ORDER: PM

SUNSHINE LAW NOTICE:

ROLL CALL: ____ Mayor Kennedy ____ Council President Goode ____ Councilmember Pacheco ____ Councilmember Fotopoulos ____ Councilmember McDermott ____ Councilmember Davidson ____ Councilmember McNamara

As a courtesy to those around you, please silence your cell phones

PLEDGE OF ALLEGIANCE/MOMENT OF SILENCE

PROCLAMATION

National Women's History Month

PUBLIC COMMENT PORTION

The Meeting is opened to the public for comments on items listed on the Agenda

Opened: Closed:

MAYOR'S UPDATES

CONSENT AGENDA

(All resolutions listed hereunder are considered to be routine in nature and will be enacted in one motion. Any person may request that an item be removed for separate consideration.)

R76-21 Payment of Bills for the February 23, 2021 Bills List
AMENDED R77-21 Payment of Bills for the March 2, 2021 Bills List
MOVED - R78-21 (Moved to March 16, 2021 Council Meeting)
R79-21 Approving the Agreement with Monmouth County Society for the Prevention of Cruelty to Animals for Animal Control Services throughout the Borough
R80-21 Authorizing the Place-to-Place Transfer (Expansion of Licensed Premises) of Liquor License for Keyport Liquor License, LLC (d/b/a McDonagh's Pub)
R81-21 Establishing the Procedure and Regulations for the Rental of Storage Lockers within Veteran's Park for Non-Motorized Watercraft

APPROVAL OF RESOLUTIONS

Motion on the Consent Agenda

MM: 2nd: Roll Call: Goode, Pacheco, Fotopoulos, McDermott, Davidson, McNamara

PUBLIC HEARING/ADOPTION OF ORDINANCE

1. **Ordinance #1-21 Amending and Supplementing the Borough's Stormwater Management and Control Ordinance**

The Clerk reads the Ordinance by Title: **ORDINANCE OF THE BOROUGH OF KEYPORT, COUNTY OF MONMOUTH, NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER XXIV OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF KEYPORT GOVERNING THE BOROUGH'S STORMWATER MANAGEMENT AND CONTROL**

1a. Motion to Open Public Hearing
MM: 2nd:

1b. Motion adopt Ordinance
MM: 2nd: Roll Call: Goode, Pacheco, Fotopoulos, McDermott, Davidson, McNamara

1c. Motion authorizing the Clerk to publish the Ordinance as adopted
MM: 2nd: Ayes: Nays:

COMMUNICATIONS BY CONSENT

(For Approval)

1. Application for Raffle License from Keyport First Aid for a Pull Tab Raffle to be held Saturday through Sunday, March 15, 2021 through March 14, 2022 between 10AM and 3AM and requesting a waiver of local fees

2. Application for a Bingo License from Keyport First Aid for Thursday Bingo to be held April 1, 2021 through March 10, 2022 between 6PM and 11PM and requesting a waiver of local fees

3. Application for a Raffle License from K of C #3402 St. Josephs for an Off-Premise 50/50 Raffle to be held June 9, 2021 at 8:15PM

4. Letter dated February 17, 2021 from State of New Jersey Division of Alcoholic Beverage Control regarding 3BR Distillery, LLC, Application for Craft Distillery License

(To Receive and File)

5. Letter of resignation dated January 12, 2021 from Public Works Laborer Christopher Hogrefe effective January 22, 2021

6. Letter dated February 8, 2021 from NJDOT regarding the Safe Streets to Transit grant application for Green Grove Pedestrian Safety project

APPROVAL and/or RECEIPT AND FILE OF COMMUNICATIONS

Motion on Communications by Consent

MM: 2nd: Roll Call: Goode, Pacheco, Fotopoulos, McDermott, Davidson, McNamara

MINUTES FOR APPROVAL

February 2, 2021 Regular Meeting
February 16, 2021 Regular Meeting

MM: 2nd: Roll Call: Goode, Pacheco, Fotopoulos, McDermott, Davidson, McNamara

NEW BUSINESS

Bingo/Raffle Ordinance

UNFINISHED BUSINESS

Legalization of Recreational Marijuana (Opportunity for Public Comment)

ATTORNEY'S REPORT

5G Update

PUBLIC COMMENT PORTION

The Meeting is opened to the public for comments or questions.
Please limit comments to no more than five minutes per person.
Opened: Closed:

ADJOURNMENT

Motion to Adjourn moved by: 2nd:
Time of Adjournment: PM

2/23/21

RESOLUTION FOR THE PAYMENT OF BILLS

Be it resolved by the Mayor and the Council of the Borough of Keyport, New Jersey that the following numbered vouchers be paid to the person therein respectively and hereinafter named, for the amounts set opposite their respective names, and endorsed and approved on said vouchers.

NUMBER OF VOUCHERS	BANK ACCOUNT	AMOUNT
See attached listing	CURRENT ACCT. 2021	$ 157,014.83
	WATER/SEWER ACCT. 2021	$ 19,110.45
	FEDERAL & STATE GRANTS	$ 3,393.00
	TRUST ACCT.	$ 1,931.25

AUTHORIZED PER RESOLUTION

PASSED:

APPROVED:

MAYOR COLLETTE KENNEDY

ATTEST:

MICHELE CLARK, BOROUGH CLERK

OFFERED BY:

SECOND BY:

ROLL CALL VOTE:
AYES:
NAYS:
ABSTAIN:
ABSENT:

I, MICHELE CLARK, BOROUGH CLERK HEREBY CERTIFY THIS TO BE A TRUE COPY OF A RESOLUTION ADOPTED BY THE MAYOR AND COUNCIL OF THE BOROUGH OF KEYPORT AT THE _____ MEETING OF

MICHELE CLARK, BOROUGH CLERK

3/2/21
AMENDED

RESOLUTION FOR THE PAYMENT OF BILLS

Be it resolved by the Mayor and the Council of the Borough of Keyport, New Jersey that the following numbered vouchers be paid to the person therein respectively and hereinafter named, for the amounts set opposite their respective names, and endorsed and approved on said vouchers.

NUMBER OF VOUCHERS	BANK ACCOUNT	AMOUNT
See attached listing	CURRENT ACCT. 2021	$ 172,416.07
	WATER/SEWER ACCT. 2021	$ 6,399.34
	CURRENT ACCT. 2020	$ 54,805.20
	WATER/SEWER ACCT. 2020	$ 490.39
	GENERAL CAPITAL ACCT.	$ 15,403.58
	FEDERAL & STATE GRANTS	$ 2,903.66
	REC. BAYFRONT IMPROVEMENT	$ 956.20
	TRUST ACCT.	$ 7,540.78
	DEVELOPER ESCROW	$ 5,102.50

AUTHORIZED PER RESOLUTION

PASSED:

APPROVED:

_____
MAYOR COLLETTE KENNEDY

ATTEST:

_____
MICHELE CLARK, BOROUGH CLERK

OFFERED BY:

SECOND BY:

ROLL CALL VOTE:
AYES:
NAYS:
ABSTAIN:
ABSENT:

I, MICHELE CLARK, BOROUGH CLERK HEREBY CERTIFY THIS TO BE A TRUE COPY OF A RESOLUTION ADOPTED BY THE MAYOR AND COUNCIL OF THE BOROUGH OF KEYPORT AT THE _____ MEETING OF

_____
MICHELE CLARK, BOROUGH CLERK

R79-21

RESOLUTION #___-21

RESOLUTION OF THE BOROUGH OF KEYPORT, COUNTY OF MONMOUTH, NEW JERSEY APPROVING THE AGREEMENT WITH MONMOUTH COUNTY SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS FOR ANIMAL CONTROL SERVICES THROUGHOUT THE BOROUGH

WHEREAS, the Borough of Keyport, County of Monmouth (the "**Borough**"), provides animal control services, including the regulation, collection and housing of stray animals, for the benefit of the residents of the Borough; and

WHEREAS, the Borough, to improve and enhance the safety and quality of life of the residents of the Borough, desires to contract with an animal control services provider, and wishes to retain animal control services of the Society; and

WHEREAS, the Borough received a proposal for such services from Monmouth County Society for the Prevention of Cruelty to Animals (the "**Vendor**") for animal control services throughout the Borough for a period of twelve months beginning April 1, 2021 for a sum of $16,800, with the contract terminable by either the Borough or Vendor upon sixty (60) days written notice to either party; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Keyport as follows:

1. The aforementioned recitals are incorporated herein as though fully set forth at length.

2. The Mayor, in consultation with the Borough Attorney, is hereby directed and authorized to enter into a contract, to be maintained on file with the Borough Clerk, with the Vendor for animal control services throughout the Borough for a period of twelve months beginning April 1, 2021, for a sum of $16,800, with the contract terminable by either the Borough or Vendor upon sixty (60) days written notice to either party.

3. Sufficient funds are or will be available to pay for the associated with the Vendor's services.

4. If any part of this Resolution shall be deemed invalid, such parts shall be severed and the invalidity thereby shall not affect the remaining part of this Resolution.

5. A copy of this Resolution shall be available for public inspection at the offices of the Borough Clerk.

6. This Resolution shall take effect as provided in law.

OFFERED:
SECONDED:
AYES:
NAYS:
ABSENT:

I, Michele Clark, Borough Clerk, do hereby certify that this is a true copy of a Resolution adopted by the Mayor and Council of the Borough of Keyport at the Regular Meeting of January 19, 2021.

_____
Michele Clark, RMC
Borough Clerk

CERTIFICATION OF FUNDS

I hereby certify funds are available from: _____

_____
Thomas P. Fallon, Chief Financial Officer

MONMOUTH COUNTY
MCSPCA

SOCIETY FOR PREVENTION OF CRUELTY TO ANIMALS
LAW ENFORCMENT DIVISION
260 WALL STREET, KEYPORT, NEW JERSEY 07724
732-542-0040
FAX: 732-542-4552

THIS AGREEMENT, made this day of by and between the **MONMOUTH COUNTY SOCIETY FOR THE PREVENTION OF CRULETY TO ANIMALS**, a non-profit 501(c) 3, government entity created under New Jersey State law, having principal offices at 260 Wall Street, Eatontown, New Jersey, hereinafter referred to as the "MCSPCA " and the Borough of Keyport , a municipal corporation of the State of New Jersey, having principal offices at 70 West Front Street, Keyport, New Jersey 07735, hereinafter, referred to as the "Municipality".

WHEREAS, the Municipality wishes to retain the services of the MCSPCA for animal control for a 12 month period beginning on the 1st day of April 2021.

NOW THEREFORE, in consideration of the mutual agreements set forth below, it is agreed that:

1. The MCSPCA shall make their services as independent contractor, as an animal service provider, as hereinafter described, available to the Municipality on a daily basis, during standard business hours, as needed, five (5) days a week. Weekends, Holidays and Night emergency services (after standard day time business hours), will also be provided when necessary on the terms stated. Services are defined as the rescue, custody and care of

injured animals, trapped animals, sick animals, animals whose lives are endangered or animals present a danger to humans, including those who have bitten a person.

For the purpose of this Agreement, marine mammals, feral cat colonies and dead deer are specifically excluded, neither shall the MCSPCA trap, rescue, or relocate or care for geese unless same is in need of veterinary care.

Upon the Municipality's request, or in the case for the need of animal humane and/or Services as defines herein, feral cat colonies will remain the responsibility of the person "caretaker" caring for the cats. If there is a sick, rabid, or injured cat, the MCSPCA will provide services and assistance, and shall be entitled to be reimbursed for all the costs and expenses to said feral cat colony. If the colony is abandoned by the caretaker and the MCSPCA is called to remove any and/or care for the colony, the costs and expenses incurred by the MCSPCA will be in addition to the cost for Services and will be the responsibility of the Municipality. If the Municipality enters into a Memorandum of Understanding (MOU) with the MCSPCA for the purpose of TNR, then all terms of the MOU shall be set forth as agreed upon by the MCSPCA and the Municipality and shall supersede certain terms in the contract.

2. The Municipality will pay the MCSPCA the sum of $16,800.00 for 12 months. The said sum to be prorated on a monthly basis of $1,400.00. Payment for all services, including additional costs and expenses as stated herein, and unless express terms to the contrary are agreed, are due thirty (30) days after presentment of invoice and/or Municipality voucher executed by appropriate party, time is of the essence.
3. It is expressly understood, except as otherwise stated, the services include all the costs and expenses incurred by the MCSPCA or its animal control officer in the maintenance of custodial facilities and vehicle to be used by the animal control officer.

4. Upon a request from the Municipality, the MCSPCA shall respond to an emergency as defined herein. Emergency veterinary treatment will be provided to an ill or injured animal as required by the State Law regulation. The MCSPCA reserves the right in its sole discretion to determine that if the animal requires transportation to an emergency clinic on nights, weekends, or holidays, when our own veterinarians are not available.

   If there is no known owner, the cost of in house services shall be covered by the MCSPCA any expense incurred by the MCSPCA for outside veterinary services will be the responsibility of the Municipality. If the owner is known, the cost and expenses will be bore by the owner.

5. The MCSPCA shall, at the request of an owner of an unwanted animal, render assistance in delivery of said animal to an appropriate humane shelter, including a shelter maintained by the SPCA. The MCSPCA will be paid for the cost and expenses of such assistance, which shall be the responsibility of the owner.

6. The MCSPCA shall use reasonable efforts to impound any stray, abandoned or unlicensed dog or cat, running at large on public property within the municipality. When such impoundment occurs, the dog or cat shall be put up for adoption or humanly disposed of, at the sole and exclusive discretion of the SPCA, after seven (7) day statutory hold period. It is expressly understood, once the MCSPCA accepts any animal and takes it into custody; it shall become the property of the MCSPCA for the disposition a stated above. The MCSPCA Animal Control Officer (ACO) or MCSPCA Humane Law Enforcement Officer shall issue summons for Municipal Ordinances and NJ Title 4 pertaining to all animal laws that apply under the scope of the ACO's employment. (ie: Dog/Cat licensing, animals running at large, dangerous dog)

7. Upon proof of ownership, any person may redeem his/her animal from the MCSPCA upon payment to the MCSPCA and shall be responsible to pay for any vaccinations and/or necessary medical treatment that the medical team deemed necessary. Once the ownership is established, and the animal is no longer a stray, regular boarding rates at $20.00 per day shall be paid to the MCSPCA by the owner prior to the release of the animal. No release or redemption shall be honored unless the owner provides proof of ownership and produces a current municipal dog/cat license if applicable. If an animal is unclaimed after seven (7) days, the MCSPCA shall by law take ownership of the animal and offer the animal for adoption, humanly disposed or any other disposition that the MCSPCA deems humanely appropriate.
8. Any stray dog, cat or any other animal taken into the custody of the MCSPCA and charged with biting a human being, shall be quarantined for the required period of ten (10) days. The cost and expenses incurred during this period shall be the responsibility of the owner. If no known owner, the costs shall be absorbed by the SPCA.
9. Transportation of the head of the animal suspected of rabies to the State department shall be provided by the MCSPCA under the condition that the said animal expired on the premises before the ten (10) day quarantine period referred to above. The fee for removal of the head and deliver for rabies examination will be paid by the owner of the animal or absorbed by the MCSPCA if the owner is unknown.
10. The animal control officer shall be an employee of the SPCA. The MCSPCA shall indemnify and hold the Municipality harmless from and against any damage caused by the animal control officer, expressly excluded damage caused by the animal.

11. Removal of an animal, including wildlife, inside a home, apartment building, garage, roof, etc., "residence", is not covered under this agreement. The MCSPCA reserves the right to answer/respond to those calls; however, the owner of the premises will be charged $90.00 per hour during standard business hours and $118.00 after standard hours. If the nature of the call is deemed by a police officer to pose a public safety risk, the MCSPCA shall respond and handle the call at no cost to the homeowner.
12. The MCSPCA shall not be responsible for handling deer or any wildlife carcasses; however the MCSPCA shall retrieve infirmed/ injured deer or wildlife at the SPCA's discretion.
13. The Municipality will be charged at an additional charge, a boarding fee of $20.00 per day, payable monthly, for any animal which, upon request of the Municipality as part of a court process or upon order from a court shall impound an animal. The Municipality agrees to expressively seek reimbursement from the costs uncured by the MCSPCA as any judgement from the owner, in the absence as such; the costs shall be the responsibility of the Municipality.
14. The signatory of this document represents that it/he/she possess the requisite authority to bind the public entity further represents the execution of the Agreement is authorized by Municipality.
15. Except for non-payment, this Agreement contract may be determined during the Term by either party upon sixty (60) days written notice by Certified Mail, Return Receipt Requested, to the other party, in its sole discretion the terminating party may provide an opportunity to cure.
16. It is expressively agreed that the MCSPCA is not obligated to incur any cost, expense or legal fees as a consequence of the failure of the Municipality to timely and fully remit all payment due hereunder; such costs, expenses, legal fees shall be the sole responsibility of the Municipality.

17. The Parties hereto shall indemnify and hold the other harmless from and against any claim, award, cost, expense by any third party, not affiliated in any way employed by either party for any damage or injury caused by the act or omission of the indemnifying party or its agents.

THIS AGREEMENT is a sole expression of the understanding between the parties and may only be modified by a written amendment signed by both parties.

MONMOUH COUNTY SOCIETY FOR THE PREVENTION OF CRUELYTY TO ANIMALS

BY:_____

Ross Licitra
Executive Director

MUNICIPALITY

BY:_____

_____

ATTEST

R80-21

RESOLUTION #___-21

AUTHORIZING THE PLACE-TO-PLACE TRANSFER (EXPANSION OF LICENSED PREMISES) OF LIQUOR LICENSE FOR KEYPORT LIQUOR LICENSE, LLC d/b/a MCDONOUGH'S PUB.

WHEREAS, the Borough of Keyport, County of Monmouth (the "**Borough**") is a public body corporate and politic of the State of New Jersey; and

WHEREAS, pursuant to Section 6.32 of the Borough of Keyport Municipal Code the Borough Council has been designated as the local issuing authority for licenses for the sale or distribution of alcoholic beverages (a "**Liquor License**") in the Borough; and

WHEREAS, the applicant, Keyport Liquor License, LLC, d/b/a McDonough's Pub, Plenary Retail Consumption License #1322-33-012-008, (the "**Applicant**") filed an application for a "Place to Place Transfer (expansion of licensed premises)" (the "**Application**") to expand the scope of the Applicant's existing Liquor License at the premises at 2 West Front Street (the "**Property**"); and

WHEREAS, the Application seeks to expand the scope of the Liquor License to add the second floor and the entire parking area on the Applicant's Property as depicted in drawings submitted as part of its Application; and

WHEREAS, an objection was filed with the Borough Clerk with respect to the Application, and a public hearing was subsequently held by the Borough Council regarding the objection on February 2, 2021, wherein all parties involved, including the general public, were provided with an opportunity to be heard on the Application; and

WHEREAS, after all testimony was presented and public input on the Application made, Borough Council requested that the Applicant provide certain clarifications with respect to the Application, which clarifications were subsequently made and submitted by the Applicant to Borough Council, together with the report of the Borough Department of Police on the Application; and

WHEREAS, the updated information was reviewed and discussed by Borough Council at its February 16, 2021 Council Meeting and was deemed satisfactory; and

WHEREAS, the Monmouth County Board of Health has reviewed the Application and by letter dated February 19, 2021 offered no objection to the proposed Liquor License expansion, except to require the submission of revised legible plans for the parking area of the Property if any permanent or temporary structures are intended for that area (the "**County's Condition**"); and

WHEREAS, the Application form is complete in all respects, the required applications fees have been paid, and the license has been properly renewed for the current license term; and

WHEREAS, the Applicant remains qualified to be licensed according to all standard established by Title 33 of the New Jersey Statutes, regulations promulgated thereunder, as well as pertinent local ordinances and conditions consistent with Title 33.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Keyport as follows:

1. The aforementioned recitals are incorporated herein as though fully set forth at length.

2. The Application is hereby approved for the expansion of the licensed premises at 2 West Front Street, Keyport, New Jersey, to add the second floor and the entire parking area on the Applicant's Property as depicted in the drawings submitted as part of its Application, and subject to the County's Condition.

3. The Applicant is hereby authorized to expand the scope of its Liquor License as requested in its Application subject to the County's Condition.

4. Nothing contained herein, should be construed to waive the Applicant's obligations to comply with all other applicable State and Federal laws, rules and regulations, and ordinances of the Borough; nor to waive the Applicant's obligations to comply with existing and future land use approvals and requirements as determined by the Borough.

5. The Borough Clerk shall endorse the license certificate as follows: "This license, subject to all its terms and conditions, is hereby expanded effective March 2, 2021."

6. A copy of this Resolution shall be available for public inspection at the offices of the Borough Clerk.

7. This Resolution shall take effect as provided by law.

OFFERED:
SECONDED:
AYES:
NAYS:
ABSENT:

I, Michele Clark, Borough Clerk, do hereby certify that this is a true copy of the Resolution adopted by the Mayor and Council of the Borough of Keyport at the Regular Council Meeting of March 2, 2021.

_____
Michele Clark, RMC
Borough Clerk

R81-21

RESOLUTION #____-21

ESTABLISHING THE PROCEDURE AND REGULATIONS FOR THE RENTAL OF STORAGE LOCKERS WITHIN VETERAN'S PARK FOR NON-MOTORIZED WATERCRAFT

WHEREAS, the Borough of Keyport, County of Monmouth (the "**Borough**") is a public body corporate and politic of the State of New Jersey; and

WHEREAS, the Borough has constructed eighteen (18) storage lockers designed for the storage of kayaks, canoes, stand-up paddle boards and other non-motorized watercraft within Veteran's Park for public use on an annual rental basis; and

WHEREAS, the Borough seeks to continue to rent these storage lockers to members of the public and it is necessary to establish regulations for the rental and use of these storage lockers which shall be consistent with the terms of a Locker Rental Agreement (the "**Agreement**").

NOW, THEREFORE, BE IT RESOLVED by the Mayor and the Council of the Borough of Keyport as follows:

1. The aforementioned recitals are incorporated herein as though fully set forth at length.
2. The attached "Locker Rental Application/Agreement" shall be used for the rental of storage lockers at Veteran's Park.
3. The non-refundable annual rental fee for a locker shall be $120.00 for residents of the Borough of Keyport and $200.00 for non-residents. These fees shall not be pro-rated.
4. The rental of storage lockers shall be limited to a maximum of two (2) lockers per household. A separate Locker Rental Application/Agreement shall be required for each locker.
5. The Borough Administrator is authorized to rent the storage lockers to the public for the period April 1, 2021 to March 30, 2022 in accordance with the following procedures:
    a. A public notice announcing the rental of storage lockers shall be posted on the Borough website and social media no later than March 5, 2021.
    b. Notice shall be given, by mail or email no later than March 5, 2021, to individuals renting a storage locker for the 2020-2021 period of the opportunity to renew their rental for the 2021-2022 period. The notice shall include a copy of the 2021-2022 Locker Rental Application/Agreement and shall provide that the signed agreement together with payment of the annual rental fee in full must be submitted to the Borough Administrator no later than March 19, 2021. The notice shall also provide and that in the event the Locker Rental Application/Agreement and payment are not received by March 19, 2021, all equipment and lock(s) must be removed no later than March 31, 2021.

c. After March 19, 2021 a lottery for available storage lockers, if any, will be conducted from applications received from residents of the Borough of Keyport. Those selected in this lottery shall be notified to submit the required rental fee no later than March 31, 2021.

d. After March 31, 2021 a lottery for remaining storage lockers, if any, will be conducted from applications received from non-residents. Those selected in this lottery shall be notified to submit the required rental fee no later than April 9, 2021, after which any available locker shall be rented on a first-come, first-served basis.

6. If any part of this Resolution shall be deemed invalid, such parts shall be severed and the invalidity thereby shall not affect the remaining parts of this Resolution.

7. This Resolution shall take effect immediately.

OFFERED:
SECONDED:
AYES:
NAYS:
ABSENT:

I, Michele Clark, Borough Clerk, do hereby certify that this is a true copy of the Resolution adopted by the Mayor and Council of the Borough of Keyport at the Regular Council Meeting of

_____
Michele Clark, RMC
Borough Clerk

The Pearl of the Bayshore℠
Keyport
NEW JERSEY

BOROUGH OF KEYPORT
70 West Front Street, P.O. Box 60
Keyport, NJ 07735
(732) 739-3900

VETERANS PARK LOCKER RENTAL APPLICATION (2021-2022)

If you are renewing a prior year rental, a signed agreement together with full payment of the annual rental fee must be submitted to the Borough Administrator no later than March 19, 2021. If the Locker Rental Application/Agreement and payment are not received by March 19, 2021, all equipment and lock(s) must be removed no later than March 31, 2021.

A lottery for available storage lockers, if any, will be conducted with the applications received from residents of the Borough of Keyport after March 19, 2021. Those selected in this lottery will be notified to submit the required rental fee no later than March 31, 2021.

After March 31, 2021 a lottery for the remaining storage lockers, if any, will be conducted with the applications received from non-residents. Those selected in this lottery will be notified to submit the required rental fee no later than April 9, 2021, after which any available locker will be rented on a first-come, first-served basis.

Applicant Name: _____

Address: _____

Are you a resident of the Borough of Keyport? _____ YES _____ NO

Phone(s): _____

E-mail(s): _____

Alternate Emergency Contact Person: _____

Phone(s): _____

E-mail(s): _____

- Rental Period: April 1, 2021 to March 31, 2022.
- The non-refundable annual rental fee for a locker is $120.00 for residents of the Borough of Keyport and $200.00 for non-residents. These fees will not be pro-rated.
- The applicant must provide their own lock and is solely responsible for the contents of the locker.
- The rental of storage lockers shall be limited to a maximum of two (2) lockers per household. A separate Locker Rental Application/Agreement is required for each locker. Lockers cannot be subleased, there is no exception.
- The storage of trailers or carriages is prohibited.
- In the event of an impending storm, lessee may be required to relocate their equipment to a safe space as directed by the Borough.

OFFICE USE ONLY ASSIGNED LOCKER:

APPLICATION RECEIVED: _____ BY: _____

PAYMENT RECEIVED: _____ BY: _____

AMOUNT $ ☐ Cash ☐ Check #

The Pearl of the Bayshore℠
Keyport
NEW JERSEY

BOROUGH OF KEYPORT
70 West Front Street, P.O. Box 60
Keyport, NJ 07735
(732) 739-3900

VETERANS PARK LOCKER RENTAL RELEASE, WAIVER, AND INDEMNITY AGREEMENT

The undersigned acknowledges that the Borough of Keyport (hereinafter called the Borough) is extending a special privilege in allowing the undersigned to store a non-motorized watercraft (NMW) and related equipment. In consideration of the privilege to use the assigned storage locker, the undersigned and any personal representative, heirs, and next-of-kin, hereby acknowledges, agrees, and represents the following:

Use of the storage locker at Veterans Park is allowed year-round provided that the appropriate fee has been paid, but in the event of an approaching named storm or other hazard, all NMW may have to be removed by the undersigned owner or representative if notified. I agree to only store my NMW in the locker assigned and agree that a storage space will be assigned to each applicant by the person designated by the Borough. I also agree to keep my unit locked at all times when not in use. An unlocked unit may result in removal from the unit by the Borough and a call to the lessee to come pick up the NMW.

I understand the Borough does not guarantee the security of the property being stored. In addition, I realize that the area is not locked, secured, or guarded and agree to assume full responsibility for and risk of property damage while my NMW is stored during the rental period. Any/All actions and/or usage of non-motorized watercraft rests solely of the user of that watercraft, no exceptions.

I agree to release, waive, discharge, and covenant not to sue the Borough, its directors, officers, employees, and agent, from all liability to me, my personal representative, heirs, and next-of-kin for any loss, theft, or damage, and any claim or demands therefore on account of injury to my property, whether caused by the negligence of the Borough or otherwise during the storage period.

CONTACT PERSON: I agree to designate a contact person and phone number in my absence so that, in the event of an emergency, the contact person will be responsible for my NMW.

*The undersigned further expressly agrees that the foregoing **RELEASE, WAIVER, AND INDEMNITY AGREEMENT** is intended to be as broad and inclusive as New Jersey law allows and that, if any portion is held invalid, it is agreed that the balance shall continue in full legal force and effect.*

Printed Name: _____

Signature: _____

Date: _____

ORD - ADOPT

ORDINANCE #1-21

ORDINANCE OF THE BOROUGH OF KEYPORT, COUNTY OF MONMOUTH, NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER XXIV OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF KEYPORT GOVERNING THE BOROUGH'S STORMWATER MANAGEMENT AND CONTROL

WHEREAS, the Borough of Keyport (the "**Borough**") is a public body corporate and politic of the State of New Jersey; and

WHEREAS, Chapter XXIV of the Borough's Revised General Ordinances governs the requirements for stormwater management and control within the Borough; and

WHEREAS, the Governing Body of the Borough desires to amend certain sections of Chapter XXIV to conform to stormwater management rules established by the New Jersey Department of Environmental Protection and pursuant to recommendations from the Borough Engineer; and

WHEREAS, the Council of the Borough (the "**Council**") has determined to amend Chapter XXIV referenced therein to provide for such amendments (additions are underlined, deletions are ~~stricken~~).

NOW THEREFORE, BE IT ORDAINED by the Council that the Revised General Ordinances of the Borough of Keyport, Chapter XXIV be and hereby is amended and supplemented as follows:

Section 1. The aforementioned recitals are incorporated herein as though fully set forth at length.

Section 2. The Council hereby amends Chapter XXIV of the Revised General Ordinances of the Borough of Keyport to read as follows:

24-1 SCOPE AND PURPOSE.

a. Policy Statement. Flood control, groundwater recharge, and pollutant reduction ~~through nonstructural or low impact techniques such as green infrastructure shall be prioritized before relying on structural BMPs. Structural BMPs should be integrated with nonstructural stormwater management strategies and proper maintenance plans. Nonstructural strategies include both environmentally sensitive site design and source controls that prevent pollutants from being placed on the site or from being exposed to stormwater. Source control plans should be developed based upon physical site conditions and the origin, nature, and the anticipated quantity or amount of potential pollutants~~. shall be achieved through the use of stormwater management measures, including green infrastructure Best Management Practices (GI BMPs) and nonstructural stormwater management strategies. GI BMPs and low impact development (LID) should be utilized to

meet the goal of maintaining natural hydrology to reduce stormwater runoff volume, reduce erosion, encourage infiltration and groundwater recharge, and reduce pollution. GI BMPs and LID should be developed based upon physical site conditions and the origin, nature and the anticipated quantity, or amount, of potential pollutants. Multiple stormwater management BMPs may be necessary to achieve the established performance standards for water quality, quantity, and groundwater recharge.

b. Purpose. It is the purpose of this Chapter to establish minimum stormwater management requirements and controls for "major development," as defined in Section 24-2.

c. Applicability.

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

(a) Nonresidential, major developments; and

(b) Aspects of residential major developments that are not pre-empted by the Residential Site Improvement Standards at N.J.A.C. 5:21.

2. This Chapter shall also be applicable to all major developments undertaken by the Borough of Keyport.

d. Compatibility with Other Permit and Ordinance Requirements. Development approvals issued for subdivisions and site plans pursuant to this Chapter are to be considered an integral part of development approvals under the subdivision and site plan review process and do not relieve the applicant of the responsibility to secure required permits, or approvals for activities regulated by any other applicable code, rule, act, or ordinance. In their interpretation and application, the provisions of this Chapter shall be held to be the minimum requirements for the promotion of the public health, safety, and general welfare. This Chapter is not intended to interfere with, abrogate, or annul any other ordinances, rule or regulation, statute, or other provision of law except that, where any provision of this Chapter imposes restrictions different from those imposed by any other ordinance, rule or regulation, or other provision of law, the more restrictive provisions or higher standards shall control.

24-2 DEFINITIONS

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

CAFRA CENTERS, CORES OR NODES

Those areas within boundaries ~~accepted by the Department pursuant to N.J.A.C. 7:8E-5B~~incorporated by reference or revised by the Department in accordance with N.J.A.C. 7:7-13.16.

CAFRA PLANNING MAP

The map used by the Department to identify the location of Coastal Planning Areas, CAFRA centers, CAFRA cores, and CAFRA nodes. The CAFRA Planning Map is available on the Department's Geographic Information System (GIS).~~The geographic depiction of the boundaries for Coastal Planning Areas, CAFRA Centers, CAFRA Cores and CAFRA Nodes pursuant to N.J.A.C. 7:7E-5B.3.~~

COMMUNITY BASIN

An infiltration system, sand filter designed to infiltrate, standard constructed wetland, or wet pond, established in accordance with N.J.A.C. 7:8-4.2(c)14, that is designed and constructed in accordance with the New Jersey Stormwater Best Management Practices Manual, or an alternate design, approved in accordance with N.J.A.C. 7:8-5.2(g), for an infiltration system, sand filter designed to infiltrate, standard constructed wetland, or wet pond and that complies with the requirements of this chapter.

COMPACTION

The increase in soil bulk density.

CONTRIBUTARY DRAINAGE AREA

The area from which stormwater runoff drains to a stormwater management measure, not including the area of the stormwater management measure itself.

CORE

A pedestrian-oriented area of commercial and civic uses serving the surrounding municipality, generally including housing and access to public transportation.

COUNTY REVIEW AGENCY

An agency designated by the County Board of Commissioners to review municipal storm water management plans and implementing ordinance(s). The County review agency may either be:

a. A County planning agency; or

b. A County water resource association created under N.J.S.A. 58:16A-55.5, if the ordinance or resolution delegates authority to approve, conditionally approve, or disapprove municipal stormwater management plans and implementing ordinances.

DEPARTMENT

The New Jersey Department of Environmental Protection.

DESIGN ENGINEER

A person professionally qualified and duly licensed in New Jersey to perform engineering services that may include, but not necessarily be limited to, development of project

requirements, creation and development of project design and preparation of drawings and specifications.

DESIGNATED CENTER

A State Development and Redevelopment Plan Center as designated by the State Planning Commission such as urban, regional, town, village, or hamlet.

DEVELOPMENT

The division of a parcel of land into two (2) or more parcels, the construction, reconstruction, conversion, structural alteration, relocation or enlargement of any building or structure, any mining excavation or landfill, and any use or change in the use of any building or other structure, or land or extension of use of land, by any person, for which permission is required under the Municipal Land Use Law, N.J.S.A. 40:55D-1 et seq. In the case of development of agricultural lands, development means: any activity that requires a State permit; any activity reviewed by the County Agricultural Board (CAB) and the State Agricultural Development Committee (SADC), and municipal review of any activity not exempted by the Right to Farm Act, N.J.S.A. 4:1C-1 et seq.

DISTURBANCE

The placement or reconstruction of impervious surface or motor vehicle surface, or exposure and/or movement of soil or bedrock or clearing, cutting, or removing of vegetation. Milling and repaving is not considered disturbance for the purposes of this definition.

DRAINAGE AREA

A geographic area within which stormwater, sediments, or dissolved materials drain to a particular receiving waterbody or to a particular point along a receiving waterbody.

EMPOWERMENT NEIGHBORHOOD

A neighborhood designated by the Urban Coordinating Council "in consultation and conjunction with" the New Jersey Redevelopment Authority pursuant to N.J.S.A. 55:19-69.

ENVIRONMENTALLY CONSTRAINED AREAS

The following areas where the physical alteration of the land is in some way restricted, either through regulation, easement, deed restriction or ownership such as: wetlands, floodplains, threatened and endangered species sites or designated habitats, and parks and preserves. Habitats of endangered or threatened species are identified using the Department's Landscape Project as approved by the Department's Endangered and Nongame Species Program.

ENVIRONMENTALLY CRITICAL AREAS

An area or feature which is of significant environmental value, including but not limited to: stream corridors; natural heritage priority sites; habitat of endangered or threatened species; large areas of contiguous open space or upland forest; steep slopes; and well head protection and groundwater recharge areas. Habitats of endangered or threatened species

are identified using the Department's Landscape Project as approved by the Department's Endangered and Nongame Species Program.

EROSION

The detachment and movement of soil or rock fragments by water, wind, ice or gravity.

GREEN INFRASTRUCTURE

A stormwater management measure that manages stormwater close to its source by:

a. Treating stormwater runoff through infiltration into subsoil;

b. Treating stormwater runoff through filtration by vegetation or soil; or

c. Storing stormwater runoff for reuse.

HYDROLOGIC UNIT CODE 14 (HUC 14)

An area within which water drains to a particular receiving surface water body, also known as a subwatershed, which is identified by a 14-digit hydrologic unit boundary designation, delineated within New Jersey by the United States Geological Survey.

IMPERVIOUS SURFACE

A surface that has been covered with a layer of material so that it is highly resistant to infiltration by water.

INFILTATION

The process by which water seeps into the soil from precipitation.

LEAD PLANNING AGENCY

One or more public entities having stormwater management planning authority designated by the regional stormwater management planning committee pursuant to N.J.A.C. 7:8-3.2, that serves as the primary representative of the committee.

MAJOR DEVELOPMENT

An individual "development," as well as multiple developments that individually or collectively result in:

a. The disturbance of one or more acres of land since February 2, 2004;

b. The creation of one-quarter acre or more of "regulated impervious surface" since February 2, 2004;

c. The creation of one-quarter acre or more of "regulated motor vehicle surface" since March 2, 2021; or

d. A combination of 2 and 3 above that totals an area of one-quarter acre or more. The same surface shall not be counted twice when determining if the combination area equals one-quarter acre or more.

Major development includes all developments that are part of a common plan of development or sale (for example, phased residential development) that collectively or individually meet any one or more of paragraphs 1, 2, 3, or 4 above. Projects undertaken by any government agency that otherwise meet the definition of "major development" but which do not require approval under the Municipal Land Use Law, N.J.S.A. 40:55D-1 et seq., are also considered "major development."

~~Any "development" that provides for ultimately disturbing one (1) or more acres of land. Disturbance for the purpose of this rule is the placement of impervious surface or exposure and/or movement of soil or bedrock or clearing, cutting, or removing of vegetation. "Major development" also means "development" which results in an increase of impervious area on any site of one-quarter (1/4) acre (10,890 square feet) or greater.~~

MOTOR VEHICLE

A land vehicle propelled other than by muscular power, such as automobiles, motorcycles, autocycles, and low speed vehicles. For the purposes of this definition, motor vehicle does not include farm equipment, snowmobiles, all-terrain vehicles, motorized wheelchairs, go-carts, gas buggies, golf carts, ski-slope grooming machines, or vehicles that run only on rails or tracks.

MOTOR VEHICLE SURFACE

Any pervious or impervious surface that is intended to be used by "motor vehicles" and/or aircraft, and is directly exposed to precipitation including, but not limited to, driveways, parking areas, parking garages, roads, racetracks, and runways.

MUNICIPALITY

Any city, borough, town, township, or village.

NEW JERSEY STORMWATER BEST MANAGEMENT PRACTICES (BMP) MANUAL

The manual maintained by the Department providing, in part, design specifications, removal rates, calculation methods, and soil testing procedures approved by the Department as being capable of contributing to the achievement of the stormwater management standards specified in this chapter. The BMP Manual is periodically amended by the Department as necessary to provide design specifications on additional best management practices and new information on already included practices reflecting the best available current information regarding the particular practice and the Department's determination as to the ability of that best management practice to contribute to compliance with the standards contained in this chapter. Alternative stormwater management measures, removal rates, or calculation methods may be utilized, subject to any limitations specified in this chapter, provided the design engineer demonstrates to the municipality, in accordance with Section E.6 of this ordinance and N.J.A.C. 7:8-5.2(g), that the proposed measure and its design will contribute to achievement of the design and performance standards established by this chapter.

NODE

An area designated by the State Planning Commission concentrating facilities and activities which are not organized in a compact form.

NUTRIENT

A chemical element or compound, such as nitrogen or phosphorus, which is essential to and promotes the development of organisms.

PERSON

Any individual, corporation, company, partnership, firm, association, the Borough of Keyport, or political subdivision of this State subject to municipal jurisdiction pursuant to the Municipal Land Use Law, N.J.S.A. 40:55D-1 et seq.

POLLUTANT

Any dredged spoil, solid waste, incinerator residue, filter backwash, sewage, garbage, refuse, oil, grease, sewage sludge, munitions, chemical wastes, biological materials, medical wastes, radioactive substance (except those regulated under the Atomic Energy Act of 1954, as amended (42 U.S.C. 2011 et seq.), thermal waste, wrecked or discarded equipment, rock, sand, cellar dirt, industrial, municipal, agricultural, and construction waste or runoff, or other residue discharged directly or indirectly to the land, groundwaters or surface waters of the State, or to a domestic treatment works. "Pollutant" includes both hazardous and nonhazardous pollutants.

RECHARGE

The amount of water from precipitation that infiltrates into the ground and is not evapotranspired.

REGULATED IMPERVIOUS SURFACE

Any of the following, alone or in combination:

a. A net increase of impervious surface;

b. The total area of impervious surface collected by a new stormwater conveyance system (for the purpose of this definition, a "new stormwater conveyance system" is a stormwater conveyance system that is constructed where one did not exist immediately prior to its construction or an existing system for which a new discharge location is created);

c. The total area of impervious surface proposed to be newly collected by an existing stormwater conveyance system; and/or

d. The total area of impervious surface collected by an existing stormwater conveyance system where the capacity of that conveyance system is increased.

REGULATED MOTOR VEHICLE SURFACE

Any of the following, alone or in combination:

a. The total area of motor vehicle surface that is currently receiving water;

b. A net increase in motor vehicle surface; and/or quality treatment either by vegetation or soil, by an existing stormwater management measure, or by treatment at a wastewater treatment plant, where the water quality treatment will be modified or removed.

SEDIMENT

Solid material, mineral or organic, that is in suspension, is being transported, or has been moved from its site of origin by air, water or gravity as a product of erosion.

SITE

The lot or lots upon which a major development is to occur or has occurred.

SOIL

All unconsolidated mineral and organic material of any origin.

STATE DEVELOPMENT AND REDEVELOPMENT PLAN METROPOLITAN PLANNING AREA (PA1)

An area delineated on the State Plan Policy Map and adopted by the State Planning Commission that is intended to be the focus for much of the State's future redevelopment and revitalization efforts.

STATE PLAN POLICY MAP

The geographic application of the State Development and Redevelopment Plan's goals and Statewide policies, and the official map of these goals and policies.

STORMWATER

Water resulting from precipitation (including rain and snow) that runs off the land's surface, is transmitted to the subsurface, or is captured by separate storm sewers or other sewage or drainage facilities, or conveyed by snow removal equipment.

STORMWATER MANAGEMENT BASIN

An excavation or embankment and related areas designed to retain stormwater runoff. A stormwater management basin may either be normally dry (that is, a detention basin or infiltration basin), retain water in a permanent pool (a retention basin), or be planted mainly with wetland vegetation (most constructed storm water wetlands).

STORMWATER MANAGEMENT MEAURE

Any structural or nonstructural strategy, practice, technology, process, program, or other method intended to control or reduce stormwater runoff and associated pollutants, or to induce or control the infiltration or groundwater recharge of stormwater or to eliminate illicit or illegal nonstormwater discharges into stormwater conveyances.

STORMWATER MANAGEMENT PLANNING AGENCY

A public body authorized by legislation to prepare stormwater management plans.

STORMWATER MANAGEMENT PLANNING AREA

The geographic area for which a stormwater management planning agency is authorized to

prepare stormwater management plans, or a specific portion of that area identified in a stormwater management plan prepared by that agency.

STORMWATER RUNOFF

Water flow on the surface of the ground or in storm sewers, resulting from precipitation.

TIDAL FLOOD HAZARD AREA

A flood hazard area in which the flood elevation resulting from the two-, 10-, or 100-year storm, as applicable, is governed by tidal flooding from the Atlantic Ocean. Flooding in a tidal flood hazard area may be contributed to, or influenced by, stormwater runoff from inland areas, but the depth of flooding generated by the tidal rise and fall of the Atlantic Ocean is greater than flooding from any fluvial sources. In some situations, depending upon the extent of the storm surge from a particular storm event, a flood hazard area may be tidal in the 100-year storm, but fluvial in more frequent storm events~~A flood hazard area, which may be influenced by stormwater runoff from inland areas, but which is primarily caused by the Atlantic Ocean~~.

URBAN COORDINATING COUNCIL EMPOWERMENT NEIGHBORHOOD

A neighborhood given priority access to State resources through the New Jersey Redevelopment Authority.

URBAN ENTERPRISE ZONE

A zone designated by the New Jersey Enterprise Zone Authority pursuant to the New Jersey Urban Enterprise Zones Act, N.J.S.A. 52:27H- 60 et seq.

URBAN REDEVELOPMENT AREA

Previously developed portions of areas:

a. Delineated on the State Plan Policy Map (SPPM) as the Metropolitan Planning Area (PA1), Designated Centers, Cores or Nodes;

b. Designated as CAFRA Centers, Cores or Nodes;

c. Designated as Urban Enterprise Zones; and

d. Designated as Urban Coordinating Council Empowerment Neighborhoods.

WATER CONTROL STRUCTURE

A structure within, or adjacent to, a water, which intentionally or coincidentally alters the hydraulic capacity, the flood elevation resulting from the two-, 10-, or 100-year storm, flood hazard area limit, and/or floodway limit of the water. Examples of a water control structure may include a bridge, culvert, dam, embankment, ford (if above grade), retaining wall, and weir.

WATERS OF THE STATE

The ocean and its estuaries, all springs, streams, wetlands, and bodies of surface or groundwater, whether natural or artificial, within the boundaries of the State of New Jersey or subject to its jurisdiction.

WETLANDS or WETLAND

An area that is inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support, and that under normal circumstances does support, a prevalence of vegetation typically adapted for life in saturated soil conditions, commonly known as hydrophytic vegetation. (Ord. #3-07, §2)

24-3 GENERAL STANDARDS.

a. ~~Design and Performance Standards for~~ Stormwater Management Measures for major development shall be developed to meet the erosion control, groundwater recharge, stormwater runoff quantity, and stormwater runoff quality standards as follows:

1. The minimum standards for erosion control are those established under the Soil and Sediment Control Act, N.J.S.A. 4:24-39 et seq., and implementing rules at N.J.A.C. 2:90~~Stormwater management measures for major development shall be developed to meet the erosion control, groundwater recharge, stormwater runoff quantity, and stormwater runoff quality standards in Section 24-4. To the maximum extent practicable, these standards shall be met by incorporating nonstructural stormwater management strategies into the design. If these strategies alone are not sufficient to meet these standards, structural stormwater management measures necessary to meet these standards shall be incorporated into the design~~.

2. The minimum standards for groundwater recharge, stormwater quality, and stormwater runoff quantity shall be met by incorporating green infrastructure.

b.~~2~~. The standards in this Chapter apply only to new major development and are intended to minimize the impact of stormwater runoff on water quality and water quantity in receiving water bodies and maintain groundwater recharge. The standards do not apply to new major development to the extent that alternative design and performance standards are applicable under a regional stormwater management plan or Water Quality Management Plan adopted in accordance with Department rules.

24-4 STORMWATER MANAGEMENT REQUIREMENTS FOR MAJOR DEVELOPMENT.

a. Maintenance Plan Required. The development shall incorporate a maintenance plan for the stormwater management measures incorporated into the design of a major development in accordance with § 24-10.

b. Threatened and Endangered Species. Stormwater management measures shall avoid adverse impacts of concentrated flow on habitat for threatened and endangered species as documented in the Department's Landscape Project or Natural Heritage Database

established under N.J.S.A. 13:1B-15.147 through 15.150, particularly Helonias bullata (swamp pink) and/or Clemmys muhlenbergii (bog turtle).

c. Exemptions. The following linear development projects are exempt from the groundwater recharge, stormwater runoff quantity, and stormwater runoff quality requirements of Section 24-4f. and g.:

1. The construction of an underground utility line provided that the disturbed areas are revegetated upon completion;

2. The construction of an aboveground utility line provided that the existing conditions are maintained to the maximum extent practicable; and

3. The construction of a public pedestrian access, such as a sidewalk or trail with a maximum width of 14 feet, provided that the access is made of permeable material.

d. Waivers. A waiver from strict compliance from the green infrastructure, groundwater recharge, stormwater runoff quantity, and stormwater runoff quality requirements of § 24-4f and g may be obtained for the enlargement of an existing public roadway or railroad; or the construction or enlargement of a public pedestrian access, provided that the following conditions are met:

1. The applicant demonstrates that there is a public need for the project that cannot be accomplished by any other means;

2. The applicant demonstrates through an alternatives analysis, that through the use of nonstructural and structural stormwater management strategies and measures, the option selected complies with the requirements of § 24-4f. and g. to the maximum extent practicable;

3. The applicant demonstrates that, in order to meet the requirements of § 24-4f. and g., existing structures currently in use, such as homes and buildings, would need to be condemned; and

4. The applicant demonstrates that it does not own or have other rights to areas, including the potential to obtain through condemnation lands not falling under paragraph d3. above within the upstream drainage area of the receiving stream, that would provide additional opportunities to mitigate the requirements of § 24-4f. and g. that were not achievable on site.

e. ~~Nonstructural Stormwater Management Strategies.~~Tables 1 through 3 below summarize the ability of stormwater best management practices identified and described in the New Jersey Stormwater Best Management Practices Manual to satisfy the green infrastructure, groundwater recharge, stormwater runoff quality and stormwater runoff quantity standards specified in Subsections O, P, Q, and R. When designed in accordance with the most current version of the New Jersey Stormwater Best Management Practices Manual, the stormwater management measures found at N.J.A.C. 7:8-5.2(f) Tables 5-1, 5-2 and 5-3 and

listed below in Tables 1, 2 and 3 are presumed to be capable of providing stormwater controls for the design and performance standards as outlined in the tables below. Upon amendments of the New Jersey Stormwater Best Management Practices to reflect additions or deletions of BMPs meeting these standards, or changes in the presumed performance of BMPs designed in accordance with the New Jersey Stormwater BMP Manual, the Department shall publish in the New Jersey Registers a notice of administrative change revising the applicable table. The most current version of the BMP Manual can be found on the Department's website at:

https://njstormwater.org/bmp_manual2.htm.

~~1. To the maximum extent practicable, the standards in Section 24-4f. and g. shall be met by incorporating nonstructural stormwater management strategies set forth at Section 24-4e. into the design. The applicant shall identify the nonstructural measures incorporated into the design of the project. If the applicant contends that it is not feasible for engineering, environmental, or safety reasons to incorporate any nonstructural stormwater management measures identified in paragraph 2. below into the design of a particular project, the applicant shall identify the strategy considered and provide a basis for the contention.~~

~~2. Nonstructural stormwater management strategies incorporated into site design shall:~~

~~(a) Protect areas that provide water quality benefits or areas particularly susceptible to erosion and sediment loss;~~

~~(b) Minimize impervious surfaces and break up or disconnect the flow of runoff over impervious surfaces;~~

~~(c) Maximize the protection of natural drainage features and vegetation;~~

~~(d) Minimize the decrease in the "time of concentration" from preconstruction to post-construction. "Time of concentration" is defined as the time it takes for runoff to travel from the hydraulically most distant point of the watershed to the point of interest within a watershed;~~

~~(e) Minimize land disturbance including clearing and grading;~~

~~(f) Minimize soil compaction;~~

~~(g) Provide low-maintenance landscaping that encourages retention and planting of native vegetation and minimizes the use of lawns, fertilizers and pesticides;~~

~~(h) Provide vegetated open-channel conveyance systems discharging into and through stable vegetated areas;~~

(i) Provide other source controls to prevent or minimize the use or exposure of pollutants at the site, in order to prevent or minimize the release of those pollutants into stormwater runoff. Such source controls include, but are not limited to:

(1) Site design features that help to prevent accumulation of trash and debris in drainage systems, including features that satisfy Section 24-4e,3. below;

(2) Site design features that help to prevent discharge of trash and debris from drainage systems;

(3) Site design features that help to prevent and/or contain spills or other harmful accumulations of pollutants at industrial or commercial developments; and

(4) When establishing vegetation after land disturbance, applying fertilizer in accordance with the requirements established under the Soil Erosion and Sediment Control Act, N.J.S.A. 4:24-39 et seq., and implementing rules.

3. Site design features identified under Section 24-4e2(i)(2) above shall comply with the following standard to control passage of solid and floatable materials through storm drain inlets. For purposes of this paragraph, "solid and floatable materials" means sediment, debris, trash, and other floating, suspended, or settleable solids. For exemptions to this standard see Section 24-4e,3(c) below.

(a) Grates.

(1) Design engineers shall use either of the following grates whenever they use a grate in pavement or another ground surface to collect stormwater from that surface into a storm drain or surface water body under that grate:

(i) The New Jersey Department of Transportation (NJDOT) bicycle safe grate, which is described in Chapter 2.4 of the NJDOT Bicycle Compatible Roadways and Bikeways Planning and Design Guidelines (April 1996); or

(ii) A different grate, if each individual clear space in that grate has an area of no more than seven (7.0) square inches, or is no greater than one half (0.5") inch across the smallest dimension.

(2) Examples of grates subject to this standard include grates in grate inlets, the grate portion (non-curb 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.

(b) Whenever design engineers use a curb opening inlet, the clear space in that curb opening (or each individual clear space, if the curb opening has two (2), 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.

(c) This standard does not apply:

(1) Where the review agency determines that this standard would cause inadequate hydraulic performance that could not practicably be overcome by using additional or larger storm drain inlets that meet these standards;

(2) Where flows from the water quality design storm as specified in Section 24-4g1 are conveyed through any device (e.g., end of pipe netting facility, 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:

(i) A rectangular space 4 5/8 inches long and 1 ½ inches wide (this option does not apply for outfall netting facilities); or

(ii) A bar screen having a bar spacing of 0.5 inch.

(3) Where flows are conveyed through a trash rack that has parallel bars with one (1") inch spacing between the bars, to the elevation of the water quality design storm as specified in Section 24-4g1; or

(4) Where the New Jersey Department of Environmental Protection 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 this standard is an undertaking that constitutes an encroachment or will damage or destroy the New Jersey Register listed historic property. Any land area used as a nonstructural stormwater management measure to meet the performance standards in Section 24-4f and g shall be dedicated to a government agency, subjected to a conservation restriction filed with the appropriate County Clerk's office, or subject to an approved equivalent restriction that ensures that measure or an equivalent stormwater management measure approved by the reviewing agency is maintained in perpetuity.

~~(5) Guidance for nonstructural stormwater management strategies is available in the New Jersey Stormwater Best Management Practices Manual. The BMP Manual may be obtained from the address identified in Section 24-7, or found on the Department's website at www.njstormwater.org.~~

f. Where the BMP tables in the NJ Stormwater Management Rule are different due to updates or amendments with the tables in this ordinance the BMP Tables in the Stormwater Management rule at N.J.A.C. 7:8-5.2(f) shall take precedence.

~~Erosion Control, Groundwater Recharge and Runoff Quantity Standards.~~

Table 1
Green Infrastructure BMPs for Groundwater Recharge, Stormwater Runoff Quality, and/or Stormwater Runoff Quantity

Best Management Practices	Stormwater Runoff Quality TSS Removal Rate (percent)	Stormwater Runoff Quantity	Groundwater Recharge	Minimum Separation from Seasonal High Water Table (feet)
Cistern	0	Yes	No	--
Dry Well[a]	0	No	Yes	2
Grass Swale	50 or less	No	No	2[e] / 1[f]
Green Roof	0	Yes	No	--
Manufactured Treatment Device[a] [g]	50 or 80	No	No	Dependent upon the device
Pervious Paving System[a]	80	Yes	Yes[b] / No[c]	2[b] / 1[c]
Small-Scale Bioretention Basin[a]	80 or 90	Yes	Yes[b] / No[c]	2[b] / 1[c]
Small-Scale Infiltration Basin	80	Yes	Yes	2
Small-Scale Sand Filter	80	Yes	Yes	2
Vegetative Filter Strip	**60-80**	No	No	--

Table 2
Green Infrastructure BMPs for Stormwater Runoff Quantity
(or for Groundwater Recharge and/or Stormwater Runoff Quality
With a Waiver or Variance from N.J.A.C. 7:8-5.3)

Best Management Practices	Stormwater Runoff Quality TSS Removal Rate (percent)	Stormwater Runoff Quantity	Groundwater Recharge	Minimum Separation from Seasonal High Water Table (feet)
Bioretention System	80 or 90	Yes	Yes[b] No[c]	2[b] 1[c]
Infiltration Basin	80	Yes	Yes	2
Sand Filter[b]	80	Yes	Yes	2
Standard Constructed Wetland	90	Yes	No	N/A
Wet Pond[d]	**50-90**	**Yes**	**No**	**N/A**

Table 3
BMPs for Groundwater Recharge, Stormwater Runoff Quality, and/or
Stormwater Runoff Quantity
only with a Waiver or Variance from N.J.A.C. 7:8-5.3

Best Management Practices	Stormwater Runoff Quality TSS Removal Rate (percent)	Stormwater Runoff Quantity	Groundwater Recharge	Minimum Separation from Seasonal High Water Table (feet)
Blue Roof	0	Yes	No	N/A
Extended Detention Basin	40-60	Yes	No	1
Manufactured Treatment Device[h]	50 or 80	No	No	Dependent upon the device
Sand Filter[c]	80	Yes	No	1
Subsurface Gravel Wetland	90	No	No	1
Wet Pond	**50-90**	**Yes**	**No**	**N/A**

Notes to Tables 1, 2, and 3:

(a) subject to the applicable contributory drainage area limitation specified at Subsection O(2);

(b) designed to infiltrate into the subsoil;
(c) designed with underdrains;
(d) designed to maintain at least a 10-foot wide area of native vegetation along at least 50 percent of the shoreline and to include a stormwater runoff retention component designed to capture stormwater runoff for beneficial reuse, such as irrigation;
(e) designed with a slope of less than two percent;
(f) designed with a slope of equal to or greater than two percent;
(g) manufactured treatment devices that meet the definition of green infrastructure at § 24-2;
(h) manufactured treatment devices that do not meet the definition of green infrastructure at § 24-2.

~~1. This paragraph contains minimum design and performance standards to control erosion, encourage, and control infiltration and groundwater recharge, and control stormwater runoff quantity impacts of major development.~~

~~(a) The minimum design and performance standards for erosion control are those established under the Soil Erosion and Sediment Control Act, N.J.S.A. 4:24-39 et seq. and implementing rules.~~

~~(b) The minimum design and performance standards for groundwater recharge are as follows:~~

~~(1) The design engineer shall, using the assumptions and factors for stormwater runoff and groundwater recharge calculations at Section 24-5, either:~~

~~(i) Demonstrate through hydrologic and hydraulic analysis that the site and its stormwater management measures maintain one hundred (100%) percent of the average annual preconstruction groundwater recharge volume for the site; or~~

~~(ii) Demonstrate through hydrologic and hydraulic analysis that the increase of stormwater runoff volume from preconstruction to post-construction for the 2-year storm is infiltrated.~~

~~(2) This groundwater recharge requirement does not apply to projects within the "urban redevelopment area," or to projects subject to paragraph (3) below.~~

~~(3) The following types of stormwater shall not be recharged:~~

~~(i) Stormwater from areas of high pollutant loading. High pollutant loading areas are areas in industrial and commercial developments where solvents and/or petroleum products are loaded/ unloaded, stored, or applied, areas~~

where pesticides are loaded/unloaded or stored; areas where hazardous materials are expected to be present in greater than "reportable quantities" as defined by the United States Environmental Protection Agency (EPA) at 40 CFR 302.4 areas where recharge would be inconsistent with Department approved remedial action work plan or landfill closure plan and areas with high risks for spills of toxic materials, such as gas stations and vehicle maintenance facilities; and

(ii) Industrial stormwater exposed to "source material." "Source material" means any material(s) or machinery, located at an industrial facility, that is directly or indirectly related to process, manufacturing or other industrial activities, which could be a source of pollutants in any industrial stormwater discharge to groundwater. Source materials include, but are not limited to, raw materials; intermediate products; final products; waste materials; by-products; industrial machinery, and fuels, and lubricants, solvents, and detergents that are related to process, manufacturing, or other industrial activities that are exposed to stormwater.

(4) The design engineer shall assess the hydraulic impact on the groundwater table and design the site so as to avoid adverse hydraulic impacts. Potential adverse hydraulic impacts include, but are not limited to, exacerbating a naturally or seasonally high water table so as to cause surficial ponding, flooding of basements, or interference with the proper operation of subsurface sewage disposal systems and other subsurface structures in the vicinity or downgradient of the groundwater recharge area.

(c) In order to control stormwater runoff quantity impacts, the design engineer shall, using the assumptions and factors for stormwater runoff calculations at Section 24-5, complete one (1) of the following:

(1) Demonstrate through hydrologic and hydraulic analysis that for stormwater leaving the site, post-construction runoff hydrographs for the 2-, 10-, and 100-year storm events do not exceed, at any point in time, the preconstruction runoff hydrographs for the same storm events;

(2) Demonstrate through hydrologic and hydraulic analysis that there is no increase, as compared to the preconstruction condition, in the peak runoff rates of stormwater leaving the site for the 2-, 10-, and 100-year storm events 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;~~

~~(3) Design stormwater management measures so that the post-construction peak runoff rates for the 2, 10 and 100 year storm events are 50, 75 and 80 percent, respectively, of the preconstruction peak runoff rates. The percentages apply only to the post-construction stormwater runoff that is attributable to the portion of the site on which the proposed development or project is to be constructed. The percentages shall not be applied to post-construction stormwater runoff into tidal flood hazard areas if the increased volume of stormwater runoff will not increase flood damages below the point of discharge; or~~

~~(4) In tidal flood hazard areas, stormwater runoff quantity analysis in accordance with paragraphs (1), (2) and (3) above shall only be applied if the increased volume of stormwater runoff could increase flood damages below the point of discharge.~~

~~2. Any application for a new agricultural development that meets the definition of major development at Section 24-2 shall be submitted to the appropriate Soil Conservation District for review and approval in accordance with the requirements of this section and any applicable Soil Conservation District guidelines for stormwater runoff quantity and erosion control. For the purposes of this section, "agricultural development" means land uses normally associated with the production of food, fiber and livestock for sale. Such uses do not include the development of land for the processing or sale of food and the manufacturing of agriculturally related products.~~

g. An alternative stormwater management measure, alternative removal rate, and/or alternative method to calculate the removal rate may be used if the design engineer demonstrates the capability of the proposed alternative stormwater management measure and/or the validity of the alternative rate or method to the municipality. A copy of any approved alternative stormwater management measure, alternative removal rate, and/or alternative method to calculate the removal rate shall be provided to the Department in accordance with § 24-6B. Alternative stormwater management measures may be used to satisfy the requirements at Subsection O only if the measures meet the definition of green infrastructure at § 24-2. Alternative stormwater management measures that function in a similar manner to a BMP listed at Subsection O(2) are subject to the contributory drainage area limitation specified at Subsection 0(2) for that similarly functioning BMP. Alternative stormwater management measures approved in accordance with this subsection that do not function in a similar manner to any BMP listed at Subsection O(2) shall have a contributory drainage area less than or equal to 2.5 acres, except for alternative stormwater management measures that function similarly to cisterns, grass swales, green roofs, standard constructed wetlands, vegetative filter strips, and wet ponds, which are not subject to a contributory drainage area limitation. Alternative measures that function similarly to standard constructed wetlands or wet ponds shall not be used for compliance with the stormwater

runoff quality standard unless a variance in accordance with N.J.A.C. 7:8-4.6 or a waiver from strict compliance in accordance with Subsection D is granted from Subsection O.

~~Stormwater Run-off Quality Standards.~~

~~1. Stormwater management measures shall be designed to reduce the post-construction load of total suspended solids (TSS) in stormwater runoff by eighty (80%) percent of the anticipated load from the developed site, expressed as an annual average. Stormwater management measures shall only be required for water quality control if an additional one-quarter (1/4) acre of impervious surface is being proposed on a development site. The requirement to reduce TSS does not apply to any stormwater runoff in a discharge regulated under a numeric effluent limitation for TSS imposed under the New Jersey Pollution Discharge Elimination System (NJPDES) rules, N.J.A.C. 7:14A, or in a discharge specifically exempt under a NJPDES permit from this requirement. The water quality design storm is one and one-quarter (1.25") inches of rainfall in two (2) hours. Water quality calculations shall take into account the distribution of rain from the water quality design storm, as reflected in Table 1. The calculation of the volume of runoff may take into account the implementation of nonstructural and structural stormwater management measures.~~

~~**Table 1: Water Quality Design Storm Distribution**~~

~~Time (minutes)~~	~~Cumulative Rainfall (inches)~~	~~Time (minutes)~~	~~Cumulative Rainfall (inches)~~
~~0~~	~~0.0000~~	~~65~~	~~0.8917~~
~~5~~	~~0.0083~~	~~70~~	~~0.9917~~
~~10~~	~~0.0166~~	~~75~~	~~1.0500~~
~~15~~	~~0.0250~~	~~80~~	~~1.0840~~
~~20~~	~~0.0500~~	~~85~~	~~1.1170~~
~~25~~	~~0.0750~~	~~90~~	~~1.1500~~
~~30~~	~~0.1000~~	~~95~~	~~1.1750~~
~~35~~	~~0.1330~~	~~100~~	~~1.2000~~
~~40~~	~~0.1660~~	~~105~~	~~1.2250~~
~~45~~	~~0.2000~~	~~110~~	~~1.2334~~
~~50~~	~~0.2583~~	~~115~~	~~1.2417~~
~~55~~	~~0.3583~~	~~120~~	~~1.2500~~
~~60~~	~~0.6250~~		

~~2. For purposes of TSS reduction calculations, Table 2 below presents the presumed removal rates for certain BMPs designed in accordance with the New Jersey Stormwater Best Management Practices Manual. The BMP Manual may be obtained from the address identified in Section 24-7, or found on the Department's website at www.njstorm:water.org. The BMP Manual and other sources of technical guidance are listed in Section 24-7. TSS reduction shall be calculated based on the removal rates for the BMPs in Table 2 below. Alternative removal rates and methods of calculating removal rates may be used if the design engineer provides documentation demonstrating the capability of these alternative rates and methods to the review agency. A copy of any approved alternative rate or method of calculating the removal rate shall be provided to the Department at~~

the following address: Division of Watershed Management, New Jersey Department of Environmental Protection, PO Box 418, Trenton, New Jersey, 08625-0418.

3. If more than one (1) BMP in series is necessary to achieve the required 80% percent TSS reduction for a site, the applicant shall utilize the following formula to calculate TSS reduction:

R = A + B - [(A X B)/100]

Where:
R = total TSS percent load removal from application of both BMPs
A = the TSS percent removal rate applicable to the first BMP
B = the TSS percent removal rate applicable to the second BMP

Table 2: TSS Removal Rate for BMPs

Best Management Practice	TSS Removal Rate (percentage)
Bioretention Systems	90%
Constructed Stormwater Wetlands	90%
Extended Detention Basin	40%-60%
Infiltration Structure	80%
Manufactured Treatment Device	See § 24-6c
Sand Filter	80%
Vegetative Filter Strip	60%-80%
Wet Pond	**50%-90%**

4. If there is more than one on-site drainage area, the 80% TSS removal rate shall apply to each drainage area, unless the runoff from the subareas converge on site in which case the removal rate can be demonstrated through a calculation using a weighted average.

5. Stormwater management measures shall also be designed to reduce, to the maximum extent feasible, the post-construction nutrient load of the anticipated load from the developed site in stormwater runoff generated from the water quality design storm. In achieving reduction of nutrients to the maximum extent feasible, the design of the site shall include nonstructural strategies and structural measures that optimize nutrient removal while still achieving the performance standards in § 24-4f. and g.

6. Additional information and examples are contained in the New Jersey Stormwater Best Management Practices Manual, which may be obtained from the address identified in § 24-7.

7. In accordance with the definition of FW1 at N.J.A.C. 7:9B-1.4, stormwater management measures shall be designed to prevent any increase in stormwater runoff to waters classified as FW1.

8. Special water resource protection areas shall be established along all waters designated Category One at N.J.A.C. 7:9B, and perennial or intermittent streams that drain into or upstream of the Category One waters as shown on the USGS Quadrangle Maps or in the County Soil Surveys, within the associated HUC14 drainage area. These areas shall be established for the protection of water quality, aesthetic value, exceptional ecological significance, exceptional recreational significance, exceptional water supply significance, and exceptional fisheries significance of those established Category One waters. These areas shall be designated and protected as follows:

(a) The applicant shall preserve and maintain a special water resource protection area in accordance with one of the following:

(1) A 300-foot special water resource protection area shall be provided on each side of the waterway, measured perpendicular to the waterway from the top of the bank outwards or from the centerline of the waterway where the bank is not defined, consisting of existing vegetation or vegetation allowed to follow natural succession is provided.

(2) Encroachment within the designated special water resource protection area under paragraph (1) above shall only be allowed where previous development or disturbance has occurred (for example, active agricultural use, parking area or maintained lawn area). The encroachment shall only be allowed where applicant demonstrates that the functional value and overall condition of the special water resource protection area will be maintained to the maximum extent practicable. In no case shall the remaining special water resource protection area be reduced to less than one hundred fifty (150') feet as measured perpendicular to the top of bank of the waterway or centerline of the waterway where the bank is undefined. All encroachments proposed under this subparagraph shall be subject to review and approval by the Department.

(b) All stormwater shall be discharged outside of and flow through the special water resource protection area and shall comply with the Standard for Off-Site Stability in the "Standards For Soil Erosion and Sediment Control in New Jersey," established under the Soil Erosion and Sediment Control Act, N.J.S.A. 4:24-39 et seq.

(c) If stormwater discharged outside of and flowing through the special water resource protection area cannot comply with the Standard For Off-Site Stability in the "Standards for Soil Erosion and Sediment Control in New

~~Jersey," established under the Soil Erosion and Sediment Control Act, N.J.S.A. 4:24-39 et seq., then the stabilization measures in accordance with the requirements of the above standards may be placed within the special water resource protection area, provided that:~~

~~(1) Stabilization measures shall not be placed within 150 feet of the Category One waterway;~~

~~(2) Stormwater associated with discharges allowed by this section shall achieve a 95% TSS post-construction removal rate;~~

~~(3) Temperature shall be addressed to ensure no impact on the receiving waterway;~~

~~(4) The encroachment shall only be allowed where the applicant demonstrates that the functional value and overall condition of the special water resource protection area will be maintained to the maximum extent practicable;~~

~~(5) A conceptual project design meeting shall be held with the appropriate Department staff and Soil Conservation District staff to identify necessary stabilization measures; and~~

~~(6) All encroachments proposed under this section shall be subject to review and approval by the Department.~~

~~(d) A stream corridor protection plan may be developed by a regional stormwater management planning committee as an element of a regional stormwater management plan, or by a municipality through an adopted municipal stormwater management plan. If a stream corridor protection plan for a waterway subject to §24-4g8. has been approved by the Department of Environmental Protection, then the provisions of the plan shall be the applicable special water resource protection area requirements for that waterway. A stream corridor protection plan for a waterway subject to paragraph g,8. shall maintain or enhance the current functional value and overall condition of the special water resource protection area as defined in paragraph g8(a)(l) above. In no case shall a stream corridor protection plan allow the reduction of the Special Water Resource Protection Area to less than 150 feet as measured perpendicular to the waterway subject to this subsection.~~

~~(e) Paragraph g8 does not apply to the construction of one (1) individual single family dwelling that is not part of a larger development on a lot receiving preliminary or final subdivision approval on or before February 2, 2004, provided that the construction begins on or before February 2, 2009.~~

h. Whenever the stormwater management design includes one or more BMPs that will infiltrate stormwater into subsoil, the design engineer shall assess the hydraulic impact on the groundwater table and design the site, so as to avoid adverse hydraulic impacts. Potential adverse hydraulic impacts include, but are not limited to, exacerbating a naturally or seasonally high water table, so as to cause surficial ponding, flooding of basements, or interference with the proper operation of subsurface sewage disposal systems or other subsurface structures within the zone of influence of the groundwater mound, or interference with the proper functioning of the stormwater management measure itself.

i. Design standards for stormwater management measures are as follows:

1. Stormwater management measures shall be designed to take into account the existing site conditions, including, but not limited to, environmentally critical areas; wetlands; flood-prone areas; slopes; depth to seasonal high water table; soil type, permeability, and texture; drainage area and drainage patterns; and the presence of solution-prone carbonate rocks (limestone);

2. Stormwater management measures shall be designed to minimize maintenance, facilitate maintenance and repairs, and ensure proper functioning. Trash racks shall be installed at the intake to the outlet structure, as appropriate, and shall have parallel bars with one-inch spacing between the bars to the elevation of the water quality design storm. For elevations higher than the water quality design storm, the parallel bars at the outlet structure shall be spaced no greater than one-third the width of the diameter of the orifice or one-third the width of the weir, with a minimum spacing between bars of one inch and a maximum spacing between bars of six inches. In addition, the design of trash racks must comply with the requirements of § 24-9C;

3. Stormwater management measures shall be designed, constructed, and installed to be strong, durable, and corrosion resistant. Measures that are consistent with the relevant portions of the Residential Site Improvement Standards at N.J.A.C. 5:21-7.3, 7.4, and 7.5 shall be deemed to meet this requirement;

4. Stormwater management BMPs shall be designed to meet the minimum safety standards for stormwater management BMPs at § 24-9; and

5. The size of the orifice at the intake to the outlet from the stormwater management BMP shall be a minimum of two and one-half inches in diameter.

j. Manufactured treatment devices may be used to meet the requirements of this subchapter, provided the pollutant removal rates are verified by the New Jersey Corporation for Advanced Technology and certified by the Department. Manufactured treatment devices that do not meet the definition of green infrastructure at § 24-2 may be used only under the circumstances described at Subsection O.4.

k. Any application for a new agricultural development that meets the definition of major development at § 24-2 shall be submitted to the Soil Conservation District for review and

approval in accordance with the requirements at Subsections O, P, Q and R and any applicable Soil Conservation District guidelines for stormwater runoff quantity and erosion control. For purposes of this subsection, "agricultural development" means land uses normally associated with the production of food, fiber, and livestock for sale. Such uses do not include the development of land for the processing or sale of food and the manufacture of agriculturally related products.

l. If there is more than one drainage area, the groundwater recharge, stormwater runoff quality, and stormwater runoff quantity standards at Subsections P, Q and R shall be met in each drainage area, unless the runoff from the drainage areas converge onsite and no adverse environmental impact would occur as a result of compliance with any one or more of the individual standards being determined utilizing a weighted average of the results achieved for that individual standard across the affected drainage areas.

m. Any stormwater management measure authorized under the municipal stormwater management plan or ordinance shall be reflected in a deed notice recorded in the Office of the Monmouth County Clerk. A form of deed notice shall be submitted to the municipality for approval prior to filing. The deed notice shall contain a description of the stormwater management measure(s) used to meet the green infrastructure, groundwater recharge, stormwater runoff quality, and stormwater runoff quantity standards at Subsections O, P, Q and R and shall identify the location of the stormwater management measure(s) in NAD 1983 State Plane New Jersey FIPS 2900 US Feet or Latitude and Longitude in decimal degrees. The deed notice shall also reference the maintenance plan required to be recorded upon the deed pursuant to § 24-11B(5). Prior to the commencement of construction, proof that the above required deed notice has been filed shall be submitted to the municipality. Proof that the required information has been recorded on the deed shall be in the form of either a copy of the complete recorded document or a receipt from the clerk or other proof of recordation provided by the recording office. However, if the initial proof provided to the municipality is not a copy of the complete recorded document, a copy of the complete recorded document shall be provided to the municipality within 180 calendar days of the authorization granted by the municipality.

n. A stormwater management measure approved under the municipal stormwater management plan or ordinance may be altered or replaced with the approval of the municipality, if the municipality determines that the proposed alteration or replacement meets the design and performance standards pursuant to § 24-4 of this ordinance and provides the same level of stormwater management as the previously approved stormwater management measure that is being altered or replaced. If an alteration or replacement is approved, a revised deed notice shall be submitted to the municipality for approval and subsequently recorded with the Office of the Monmouth County Clerk and shall contain a description and location of the stormwater management measure, as well as reference to the maintenance plan, in accordance with M above. Prior to the commencement of construction, proof that the above required deed notice has been filed shall be submitted to the municipality in accordance with M above.

o. Green Infrastructure Standards.

1. This subsection specifies the types of green infrastructure BMPs that may be used to satisfy the groundwater recharge, stormwater runoff quality, and stormwater runoff quantity standards.

2. To satisfy the groundwater recharge and stormwater runoff quality standards at Subsections P and Q, the design engineer shall utilize green infrastructure BMPs identified in Table 1 at Subsection F and/or an alternative stormwater management measure approved in accordance with Subsection G. The following green infrastructure BMPs are subject to the following maximum contributory drainage area limitations:

Best Management Practice	**Maximum Contributory Drainage Area**
Dry Well	1 acre
Manufactured Treatment Device	2.5 acres
Pervious Pavement Systems	Area of additional inflow cannot exceed three times the area occupied by the BMP
Small-scale Bioretention Systems	2.5 acres
Small-scale Infiltration Basin	2.5 acres
Small-scale Sand Filter	2.5 acres

3. To satisfy the stormwater runoff quantity standards at Subsection R, the design engineer shall utilize BMPs from Table 1 or from Table 2 and/or an alternative stormwater management measure approved in accordance with Subsection G.

4. If a variance in accordance with N.J.A.C. 7:8-4.6 or a waiver from strict compliance in accordance with Subsection D is granted from the requirements of this subsection, then BMPs from Table 1, 2, or 3, and/or an alternative stormwater management measure approved in accordance with Subsection G may be used to meet the groundwater recharge, stormwater runoff quality, and stormwater runoff quantity standards at Subsections P, Q and R.

5. For separate or combined storm sewer improvement projects, such as sewer separation, undertaken by a government agency or public utility (for example, a sewerage company), the requirements of this subsection shall only apply to areas owned in fee simple by the government agency or utility, and areas within a right-of-way or easement held or controlled by the government agency or utility; the entity shall not be required to obtain additional property or property rights to fully satisfy the requirements of this subsection. Regardless of the amount of area of a separate or combined storm sewer improvement project subject to the green infrastructure requirements of this subsection, each project shall fully comply with the applicable groundwater recharge, stormwater runoff quality control, and stormwater runoff quantity standards at Subsections P, Q and R, unless the project is granted a waiver from strict compliance in accordance with Subsection D.

p. Groundwater Recharge Standards.

1. This subsection contains the minimum design and performance standards for groundwater recharge as follows:

2. The design engineer shall, using the assumptions and factors for stormwater runoff and groundwater recharge calculations at § 24-5, either:

(a) Demonstrate through hydrologic and hydraulic analysis that the site and its stormwater management measures maintain 100 percent of the average annual preconstruction groundwater recharge volume for the site; or

(b) Demonstrate through hydrologic and hydraulic analysis that the increase of stormwater runoff volume from pre-construction to post-construction for the 2-year storm is infiltrated.

3. This groundwater recharge requirement does not apply to projects within the "urban redevelopment area," or to projects subject to 4 below.

4. The following types of stormwater shall not be recharged:

(a) Stormwater from areas of high pollutant loading. High pollutant loading areas are areas in industrial and commercial developments where solvents and/or petroleum products are loaded/unloaded, stored, or applied, areas where pesticides are loaded/unloaded or stored; areas where hazardous materials are expected to be present in greater than "reportable quantities" as defined by the United States Environmental Protection Agency (EPA) at 40 CFR 302.4; areas where recharge would be inconsistent with Department approved remedial action work plan or landfill closure plan and areas with high risks for spills of toxic materials, such as gas stations and vehicle maintenance facilities; and

(b) Industrial stormwater exposed to "source material." "Source material" means any material(s) or machinery, located at an industrial facility, that is directly or indirectly related to process, manufacturing or other industrial activities, which could be a source of pollutants in any industrial stormwater discharge to groundwater. Source materials include, but are not limited to, raw materials; intermediate products; final products; waste materials; by-products; industrial machinery and fuels, and lubricants, solvents, and detergents that are related to process, manufacturing, or other industrial activities that are exposed to stormwater.

q. Stormwater Runoff Quality Standards

1. This subsection contains the minimum design and performance standards to control stormwater runoff quality impacts of major development. Stormwater runoff

quality standards are applicable when the major development results in an increase of one-quarter acre or more of regulated motor vehicle surface.

2. Stormwater management measures shall be designed to reduce the post-construction load of total suspended solids (TSS) in stormwater runoff generated from the water quality design storm as follows:

   (a) Eighty percent TSS removal of the anticipated load, expressed as an annual average shall be achieved for the stormwater runoff from the net increase of motor vehicle surface.

   (b) If the surface is considered regulated motor vehicle surface because the water quality treatment for an area of motor vehicle surface that is currently receiving water quality treatment either by vegetation or soil, by an existing stormwater management measure, or by treatment at a wastewater treatment plant is to be modified or removed, the project shall maintain or increase the existing TSS removal of the anticipated load expressed as an annual average.

3. The requirement to reduce TSS does not apply to any stormwater runoff in a discharge regulated under a numeric effluent limitation for TSS imposed under the New Jersey Pollutant Discharge Elimination System (NJPDES) rules, N.J.A.C. 7:14A, or in a discharge specifically exempt under a NJPDES permit from this requirement. Every major development, including any that discharge into a combined sewer system, shall comply with 2 above, unless the major development is itself subject to a NJPDES permit with a numeric effluent limitation for TSS or the NJPDES permit to which the major development is subject exempts the development from a numeric effluent limitation for TSS.

4. The water quality design storm is 1.25 inches of rainfall in two hours. Water quality calculations shall take into account the distribution of rain from the water quality design storm, as reflected in Table 4, below. The calculation of the volume of runoff may take into account the implementation of stormwater management measures.

Table 4: Water Quality Design Storm Distribution

Time (Minutes)	Cumulative Rainfall (Inches)	Time (Minutes)	Cumulative Rainfall (Inches)	Time (Minutes)	Cumulative Rainfall (Inches)
1	0.00166	41	0.1728	81	1.0906
2	0.00332	42	0.1796	82	1.0972
3	0.00498	43	0.1864	83	1.1038
4	0.00664	44	0.1932	84	1.1104
5	0.00830	45	0.2000	85	1.1170
6	0.00996	46	0.2117	86	1.1236
7	0.01162	47	0.2233	87	1.1302
8	0.01328	48	0.2350	88	1.1368

9	0.01494	49	0.2466	89	1.1434
10	0.01660	50	0.2583	90	1.1500
11	0.01828	51	0.2783	91	1.1550
12	0.01996	52	0.2983	92	1.1600
13	0.02164	53	0.3183	93	1.1650
14	0.02332	54	0.3383	94	1.1700
15	0.02500	55	0.3583	95	1.1750
16	0.03000	56	0.4116	96	1.1800
17	0.03500	57	0.4650	97	1.1850
18	0.04000	58	0.5183	98	1.1900
19	0.04500	59	0.5717	99	1.1950
20	0.05000	60	0.6250	100	1.2000
21	0.05500	61	0.6783	101	1.2050
22	0.06000	62	0.7317	102	1.2100
23	0.06500	63	0.7850	103	1.2150
24	0.07000	64	0.8384	104	1.2200
25	0.07500	65	0.8917	105	1.2250
26	0.08000	66	0.9117	106	1.2267
27	0.08500	67	0.9317	107	1.2284
28	0.09000	68	0.9517	108	1.2300
29	0.09500	69	0.9717	109	1.2317
30	0.10000	70	0.9917	110	1.2334
31	0.10660	71	1.0034	111	1.2351
32	0.11320	72	1.0150	112	1.2367
33	0.11980	73	1.0267	113	1.2384
34	0.12640	74	1.0383	114	1.2400
35	0.13300	75	1.0500	115	1.2417
36	0.13960	76	1.0568	116	1.2434
37	0.14620	77	1.0636	117	1.2450
38	0.15280	78	1.0704	118	1.2467
39	0.15940	79	1.0772	119	1.2483
40	**0.16600**	**80**	**1.0840**	**120**	**1.2500**

5. If more than one BMP in series is necessary to achieve the required 80 percent TSS reduction for a site, the applicant shall utilize the following formula to calculate TSS reduction:

$R = A + B - (A \times B)/100,$

Where

R = total TSS Percent Load Removal from application of both BMPs, and

A= the TSS Percent Removal Rate applicable to the first BMP

B = the TSS Percent Removal Rate applicable to the second BMP.

6. Stormwater management measures shall also be designed to reduce, to the maximum extent feasible, the post-construction nutrient load of the anticipated load from the developed site in stormwater runoff generated from the water quality design storm. In achieving reduction of nutrients to the maximum extent feasible, the design of the site shall include green infrastructure BMPs that optimize nutrient removal while still achieving the performance standards in Subsection P, Q and R.

7. In accordance with the definition of FW1 at N.J.A.C. 7:9B-1.4, stormwater management measures shall be designed to prevent any increase in stormwater runoff to waters classified as FW1.

8. The Flood Hazard Area Control Act Rules at N.J.A.C. 7:13-4.1(c)1 establish 300-foot riparian zones along Category One waters, as designated in the Surface Water Quality Standards at N.J.A.C. 7:9B, and certain upstream tributaries to Category One waters. A person shall not undertake a major development that is located within or discharges into a 300-foot riparian zone without prior authorization from the Department under N.J.A.C. 7:13.

9. Pursuant to the Flood Hazard Area Control Act Rules at N.J.A.C. 7:13-11.2(j)3i, runoff from the water quality design storm that is discharged within a 300-foot riparian zone shall be treated in accordance with this subsection to reduce the post-construction load of total suspended solids by 95 percent of the anticipated load from the developed site, expressed as an annual average.

10. This stormwater runoff quality standards do not apply to the construction of one individual single-family dwelling, provided that it is not part of a larger development or subdivision that has received preliminary or final site plan approval prior to December 3, 2018, and that the motor vehicle surfaces are made of permeable material(s) such as gravel, dirt, and/or shells.

r. Stormwater Runoff Quality Standards

1. This subsection contains the minimum design and performance standards to control stormwater runoff quantity impacts of major development.

2. In order to control stormwater runoff quantity impacts, the design engineer shall, using the assumptions and factors for stormwater runoff calculations at § 24-5, complete one of the following:

(a) Demonstrate through hydrologic and hydraulic analysis that for stormwater leaving the site, post-construction runoff hydrographs for the 2-, 10-, and 100-year storm events 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 2-, 10- and 100-year storm events 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 2-, 10- and 100-year storm events are 50, 75 and 80 percent, respectively, of the pre-construction peak runoff rates. The percentages apply only to the postconstruction stormwater runoff that is attributable to the portion of the site on which the proposed development or project is to be constructed; or

(d) In tidal flood hazard areas, stormwater runoff quantity analysis in accordance with 2a, b and c above is required unless the design engineer demonstrates through hydrologic and hydraulic analysis that the increased volume, change in timing, or increased rate of the stormwater runoff, or any combination of the three will not result in additional flood damage below the point of discharge of the major development. No analysis is required if the stormwater is discharged directly into any ocean, bay, inlet, or the reach of any watercourse between its confluence with an ocean, bay, or inlet and downstream of the first water control structure.

3. The stormwater runoff quantity standards shall be applied at the site's boundary to each abutting lot, roadway, watercourse, or receiving storm sewer system.

24-5 CALCULATION OF STORMWATER RUNOFF AND GROUNDWATER RECHARGE.

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

1. The design engineer shall calculate runoff using one of the following methods:

(a) The USDA Natural Resources Conservation Service (NRCS) methodology, including the NRCS Runoff Equation and Dimensionless Unit Hydrograph, as described in Chapters 7, 9, 10, 15 and 16 Part 630, Hydrology National Engineering Handbook, incorporated herein by reference as amended and supplemented. This methodology is additionally described in *Technical Release 55 – Urban Hydrology for Small Watersheds* (TR-55), dated June 1986, incorporated herein by reference as amended and supplemented. Information regarding the methodology is available from the Natural Resources Conservation Service website at:

~~the NRCS National Engineering Handbook Section 4 – Hydrology and Technical Release 55 – Urban Hydrology for Small Watersheds; or~~

https://www.nrcs.usda.gov/Internet/FSE_DOCUMENTS/stelprdb1044171.pdf

or at United States Department of Agriculture Natural Resources Conservation Service, 220 Davison Avenue, Somerset, New Jersey 08873; or

(b) The Rational Method for peak flow and the Modified Rational Method for hydrograph computations. The rational and modified rational methods are described in "Appendix A-9 Modified Rational Method" in the Standards for Soil Erosion and Sediment Control in New Jersey, January 2014. This document is available from the State Soil Conservation Committee or any of the Soil Conservation Districts listed at N.J.A.C. 2:90-1.3(a)3. The location, address, and telephone number for each Soil Conservation District is available from the State Soil Conservation Committee, PO Box 330, Trenton, New Jersey 08625. The document is also available at:

http://www.nj.gov/agriculture/divisions/anr/pdf/2014NJSoilErosionControlStandardsComple te.pdf.

2. For the purpose of calculating runoff coefficients and groundwater recharge, there is a presumption that the preconstruction condition of a site or portion thereof is a wooded land use with good hydrologic condition. The term "runoff coefficient" applies to both the NRCS methodology at § 24-5a1(a) and the Rational and Modified Rational Methods at § 24-5al(b). A runoff coefficient 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 (5) years without interruption prior to the time of application. If more than one (1) land cover have existed on the site during the five (5) years immediately prior to the time of application, the land cover with the lowest runoff potential shall be used for the computations. In addition, there is the presumption that the site is in good hydrologic condition (if the land use type is pasture, lawn, or park), with good cover (if the land use type is woods), or with good hydrologic condition and conservation treatment (if the land use type is cultivation).

3. In computing preconstruction stormwater runoff, the design engineer shall account for all significant land features and structures, such as ponds, wetlands, depressions, hedgerows, or culverts, that may reduce preconstruction stormwater runoff rates and volumes,

4. In computing stormwater runoff from all design storms, the design engineer shall consider the relative stormwater runoff rates and/or volumes of pervious and impervious surfaces separately to accurately compute the rates and volume of stormwater runoff from the site. To calculate runoff from unconnected impervious

cover, urban impervious area modifications as described in the NRCS Technical Release 55 - Urban Hydrology for Small Watersheds and other methods may be employed.

5. If the invert of the outlet structure of a stormwater management measure is below the flood hazard design flood elevation as defined at N.J.A.C. 7:13, the design engineer shall take into account the effects of tailwater in the design of structural stormwater management measures.

b. Groundwater recharge may be calculated in accordance with the following:

1. The New Jersey Geological Survey Report GSR-32 A Method for Evaluating Ground-Water Recharge Areas in New Jersey, incorporated herein by reference as amended and supplemented. Information regarding the methodology is available from the New Jersey Stormwater Best Management Practices Manual; at http://www.state.nj.us/dep/njgs/; or at New Jersey Geological Survey, 29 Arctic Parkway, P.O. Box 427, Trenton, New Jersey, 08625-0427; (609) 984- 6587.

24-6 STANDARDS FOR STRUCTURAL STORMWATER MANAGEMENT MEASURES.

a. Standards for structural stormwater management measures are as follows:

1. Structural stormwater management measures shall be designed to take into account the existing site conditions, including, for example, environmentally critical areas, wetlands; flood-prone areas; slopes; depth to seasonal high water table; soil type, permeability and texture; drainage area and drainage patterns; and the presence of solution-prone carbonate rocks (limestone).

2. Structural stormwater management measures shall be designed to minimize maintenance, facilitate maintenance and repairs, and ensure proper functioning. Trash racks shall be installed at the intake to the outlet structure as appropriate, and shall have parallel bars with one-inch spacing between the bars to the elevation of the water quality design storm. For elevations higher than the water quality design storm, the parallel bars at the outlet structure shall be spaced no greater than 1/3 the width of the diameter of the orifice or 1/3 the width of the weir, with a minimum spacing between bars of one inch and a maximum spacing between bars of six inches. In addition, the design of trash racks must comply with the requirements of § 24-8b.

3. Structural stormwater management measures shall be designed, constructed, and installed to be strong, durable, and corrosion resistant. Measures that are consistent with the relevant portions of the Residential Site Improvement Standards at N.J.A.C. 5:21-7.3, 7.4, and 7.5 shall be deemed to meet this requirement.

4. At the intake to the outlet from the stormwater management basin, the orifice size shall be a minimum of 2½ inches in diameter.

5. Stormwater management basins shall be designed to meet the minimum safety standards for stormwater management basins at § 24-8.

b. Stormwater management measure guidelines are available in the New Jersey Stormwater Best Management Practices Manual. Other stormwater management measures may be utilized provided the design engineer demonstrates that the proposed measure and its design will accomplish the required water quantity, groundwater recharge and water quality design and performance standards established by § 24-4 of this Chapter.

c. Manufactured treatment devices may be used to meet the requirements of § 24-4 of this Chapter, provided the pollutant removal rates are verified by the New Jersey Corporation for Advanced Technology and certified by the Department.

24-7 SOURCES FOR TECHNICAL GUIDANCE.

a. Technical guidance for stormwater management measures can be found in the documents listed below, which are available to download from the Department's website at:

http://www.nj.govidep/stormwater/bmp_manual2.htm.

~~at paragraphs 1. and 2. below, which are available from Maps and Publications, New Jersey Department of Environmental Protection, 428 East State Street, P.O. Box 420, Trenton, New Jersey, 08625; telephone (609) 777-1038.~~

1. Guidelines for stormwater management measures are contained in the New Jersey Stormwater Best Management Practices Manual, as amended and supplemented. Information is provided on stormwater management measures such as, but not limited to, those listed in Tables 1, 2, and 3.~~: bioretention systems, constructed stormwater wetlands, dry wells, extended detention basins, infiltration structures, manufactured treatment devices, pervious paving, sand filters, vegetative filter strips, and wet ponds.~~

2. Additional maintenance guidance is available on the Department's website at:~~The New Jersey Department of Environmental Protection Stormwater Management Facilities Maintenance Manual, as amended.~~

https://www.njstormwater.org/maintenance guidance.htm.

b. ~~Additional technical guidance for stormwater management measures can be obtained from the following~~ Submissions required for review by the Department should be mailed to:

~~1. The "Standards for Soil Erosion and Sediment Control in New Jersey" promulgated by the State Soil Conservation Committee and incorporated into N.J.A.C. 2:90. Copies of these standards may be obtained by contacting the State Soil Conservation Committee or any of the Soil Conservation Districts listed in N.J.A.C. 2:90-1.3(a)4. The location, address, and telephone number of each Soil~~

~~Conservation District may be obtained from the State Soil Conservation Committee, P.O. Box 330, Trenton, New Jersey, 08625; (609) 292-5540;~~

~~2. The Rutgers Cooperative Extension Service, (732) 932-9306; and~~

~~3.~~ The Division of Water Quality, New Jersey Department of Environmental Protection, Mail Code 401-02B, ~~The Soil Conservation Districts listed in N.J.A.C. 2:90-1.3(a)4. The location, address, and telephone number of each Soil Conservation District may be obtained from the State Soil Conservation Committee,~~ P.O. Box ~~33~~420, Trenton, New Jersey, 08625-0420.~~, (609) 292-5540.~~

24-8 SOLIDS AND FLOATABLE MATERIALS CONTROL STANDARDS.

a. Site design features identified under § 24-4F, or alternative designs in accordance with § 24-4G, to prevent discharge of trash and debris from drainage systems shall comply with the following standard to control passage of solid and floatable materials through storm drain inlets. For purposes of this paragraph, "solid and floatable materials" means sediment, debris, trash, and other floating, suspended, or settleable solids. For exemptions to this standard see § 24-8A(2) below.

1. Design engineers shall use one of the following grates whenever they use a grate in pavement or another ground surface to collect stormwater from that surface into a storm drain or surface water body under that grate:

(a) The New Jersey Department of Transportation (NJDOT) bicycle safe grate, which is described in Chapter 2.4 of the NJDOT Bicycle Compatible Roadways and Bikeways Planning and Design Guidelines; or

(b) A different grate, if each individual clear space in that grate has an area of no more than seven (7.0) square inches, or is no greater than 0.5 inches across the smallest dimension. Examples of grates subject to this standard include grates in grate inlets, the grate portion (non-curb-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 system floors used to collect stormwater from the surface into a storm drain or surface water body.

(c) For curb-opening inlets, including curb-opening inlets in combination inlets, the clear space in that 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.

2. The standard in A(1) above does not apply:

(a) Where each individual clear space in the curb opening in existing curb-opening inlet does not have an area of more than nine (9.0) square inches;

(b) Where the municipality agrees 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., end of pipe netting facility, 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:

(i) A rectangular space four and five-eighths (4.625) inches long and one and one-half (1.5) inches wide (this option does not apply for outfall netting facilities); or

(ii) A bar screen having a bar spacing of 0.5 inches.

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 inch) 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 New Jersey Department of Environmental Protection 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 this standard is an undertaking that constitutes an encroachment or will damage or destroy the New Jersey Register listed historic property

24-8~~9~~ SAFETY STANDARDS FOR STORMWATER MANAGEMENT BASINS.

a. This section sets forth requirements to protect public safety through the proper design and operation of stormwater management basins. This section applies to any new stormwater management basin.

b. The provisions of this section are not intended to preempt more stringent municipal or county safety requirements for new or existing stormwater management basins. Municipal and county stormwater management plans and ordinances may, pursuant to their authority, require existing stormwater management basins to be retrofitted to meet one or more of the safety standards in § 24-9C(1),(2), and (3) for trash racks, overflow grates, and escape provisions at outlet structures.

~~b~~c. Requirements for trash racks, overflow grates and escape provisions.

1. A trash rack is a device designed to catch trash and debris and prevent the clogging of outlet structures. Trash racks shall be installed at the intake to the outlet from the stormwater management basin to ensure proper functioning of the basin outlets in accordance with the following:

   (a) The trash rack shall have parallel bars, with no greater than six-inch spacing between the bars.

   (b) The trash rack shall be designed so as not to adversely affect the hydraulic performance of the outlet pipe or structure.

   (c) The average velocity of flow through a clean trash rack is not to exceed 2.5 feet per second under the full range of stage and discharge. Velocity is to be computed on the basis of the net area of opening through the rack.

   (d) The trash rack shall be constructed and installed to be rigid, durable, and corrosion resistant, and shall be designed to withstand a perpendicular live loading of 300 lbs./ft. sq.

2. An overflow grate is designed to prevent obstruction of the overflow structure. If an outlet structure has an overflow grate, such grate shall meet the following requirements:

   (a) The overflow grate shall be secured to the outlet structure but removable for emergencies and maintenance.

   (b) The overflow grate spacing shall be no less than two inches across the smallest dimension,

   (c) The overflow grate shall be constructed and installed to be rigid, durable, and corrosion resistant, and shall be designed to withstand a perpendicular live loading of 300 lbs./ft. sq.

3. For purposes of this subsection, "escape provisions" means the permanent installation of ladders, steps, rungs, or other features that provide easily accessible means of egress from stormwater management basins. Stormwater management basins shall include escape provisions as follows:

   (a) If a stormwater management basin has an outlet structure, escape provisions shall be incorporated in or on the structure. With the prior approval of the reviewing agency identified in § 24-8c., a freestanding outlet structure may be exempted from this requirement.

   (b) Safety ledges shall be constructed on the slopes of all new stormwater management basins having a permanent pool of water deeper than 2½ feet. Such safety ledges shall be comprised of two steps. Each step shall be four

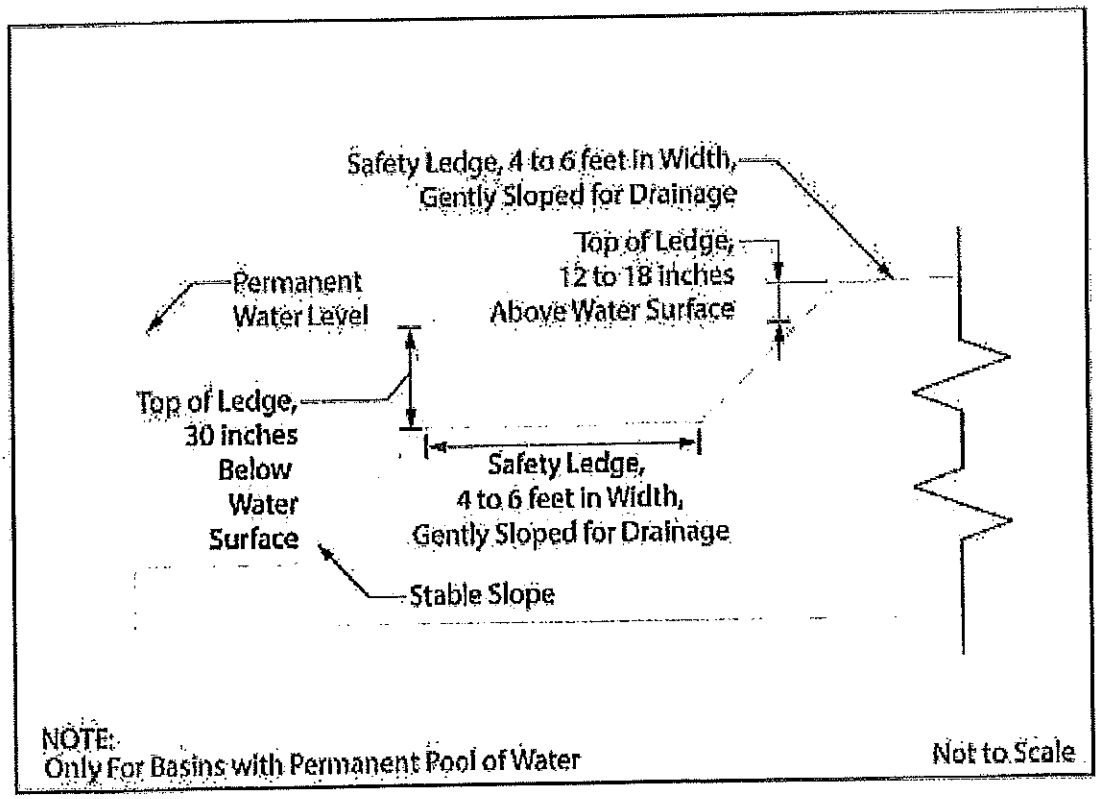
feet to six feet in width. One step shall be located approximately 2½ feet below the permanent water surface, and the second step shall be located one to 1½ feet above the permanent water surface. See § 24-8d. for an illustration of safety ledges in a stormwater management basin.

(c) In new stormwater management basins, the maximum interior slope for an earthen dam, embankment, or berm shall not be steeper than three horizontal to one vertical.

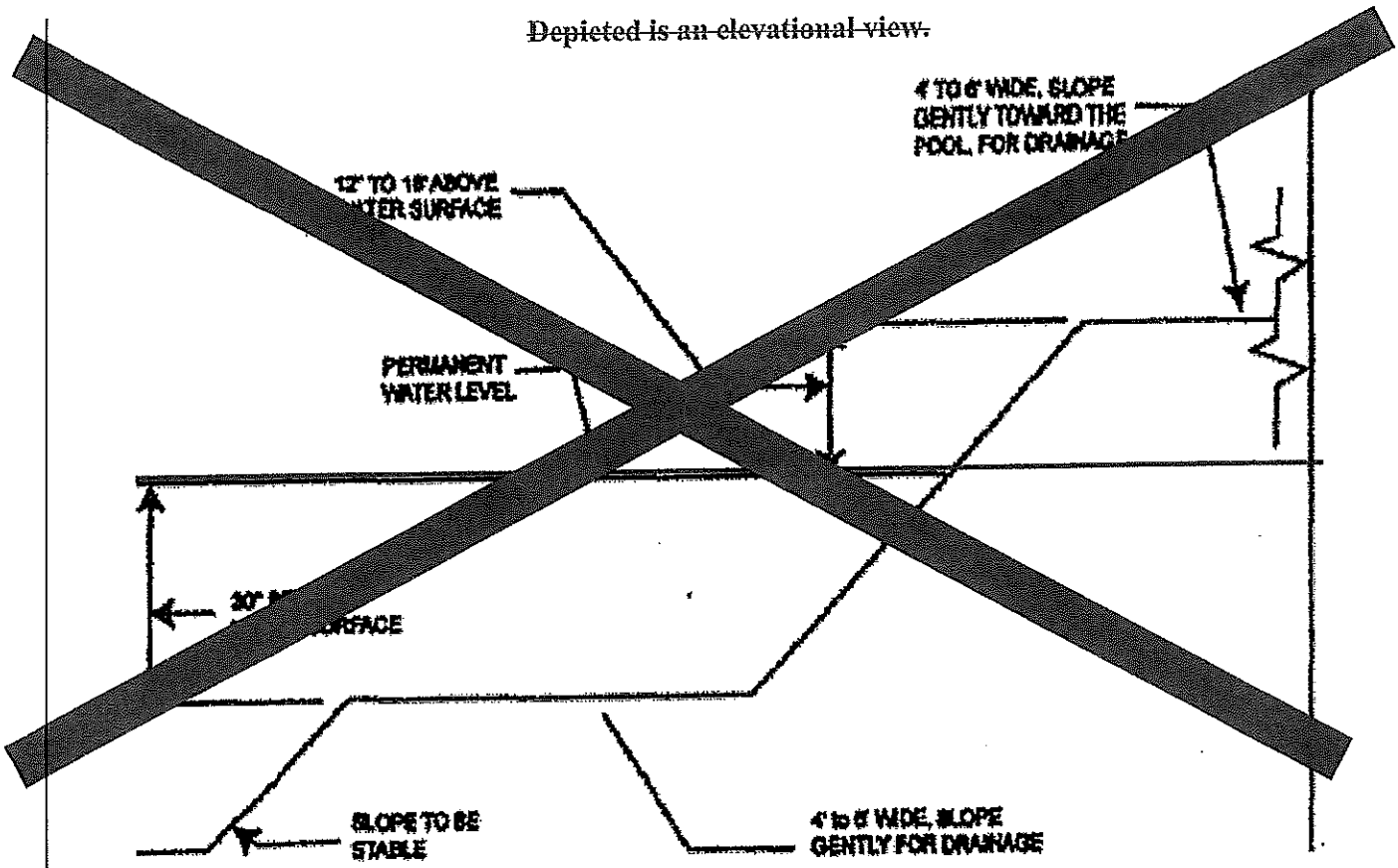
ed. Variance or Exemption from Safety Standards.

1. A variance or exemption from the safety standards for stormwater management basins may be granted only upon a written finding by the appropriate reviewing agency (municipality, County or Department) that the variance or exemption will not constitute a threat to public safety.

de. Illustration of Safety Ledges in a New Stormwater Management Basin.



~~Depicted is an elevational view.~~



~~NOTE: NOT DRAWN TO SCALE~~
~~NOTE: FOR BASINS WITH PERMANENT POOL OF WATER ONLY~~

24-910 REQUIREMENTS FOR A SITE DEVELOPMENT STORMWATER PLAN.

a. Submission of Site Development Stormwater Plan.

1. Whenever an applicant seeks municipal approval of a development subject to this Chapter, the applicant shall submit all of the required components of the Checklist for the Site Development Stormwater Plan at § 24-9c. below as part of the submission of the applicant's application for subdivision or site plan approval.

2. The applicant shall demonstrate that the project meets the standards set forth in this Chapter.

3. The applicant shall submit seven copies of the materials listed in the checklist for site development stormwater plans in accordance with § 24-9c. of this Chapter.

b. Site Development Stormwater Plan Approval. The applicant's Site Development project shall be reviewed as a part of the subdivision or site plan review process by the municipal board or official from which municipal approval is sought. That municipal board or official shall consult the engineer retained by the Planning and/or Zoning Board (as appropriate) to determine if all of the checklist requirements have been satisfied and to determine if the project meets the standards set forth in this Chapter.

c. Checklist Requirements. The following information shall be required:

1. Topographic Base Map. The reviewing engineer may require upstream tributary drainage system information as necessary. It is recommended that the topographic base map of the site be submitted which extends a minimum of 200 feet beyond the limits of the proposed development, at a scale of one inch equals 200 feet or greater, showing two-foot contour intervals. The map as appropriate may indicate the following: existing surface water drainage, shorelines, steep slopes, soils, erodible soils, perennial or intermittent streams that drain into or upstream of the Category One waters, wetlands and floodplains along with their appropriate buffer strips, marshlands and other wetlands, pervious or vegetative surfaces, existing manmade structures, roads, bearing and distances of property lines, and significant natural and manmade features not otherwise shown.

2. Environmental Site Analysis. A written and graphic description of the natural and manmade features of the site and its environs. This description should include a discussion of soil conditions, slopes, wetlands, waterways and vegetation on the site. Particular attention should be given to unique, unusual, or environmentally sensitive features and to those that provide particular opportunities or constraints for development.

3. Project Description and Site Plan(s). A map (or maps) at the scale of the topographical base map indicating the location of existing and proposed buildings, roads, parking areas, utilities, structural facilities for stormwater management and sediment control, and other permanent structures. The map(s) shall also clearly show areas where alterations occur in the natural terrain and cover, including lawns and other landscaping, and seasonal high groundwater elevations. A written description of the site plan and justification of proposed changes in natural conditions may also be provided.

4. Land Use Planning and Source Control Plan. This plan shall provide a demonstration of how the goals and standards of §§ 24-3 through 24-6 are being met. The focus of this plan shall be to describe how the site is being developed to meet the objective of controlling groundwater recharge, stormwater quality and stormwater quantity problems at the source by land management and source controls whenever possible.

5. Stormwater Management Facilities Map. The following information, illustrated on a map of the same scale as the topographic base map, shall be included:

(a) Total area to be paved or built upon, proposed surface contours, land area to be occupied by the stormwater management facilities and the type of vegetation thereon, and details of the proposed plan to control and dispose of stormwater.

(b) Details of all stormwater management facility designs, during and after construction, including discharge provisions, discharge capacity for each outlet at different levels of detention and emergency spillway provisions with maxim.um discharge capacity of each spillway.

6. Calculations.

(a) Comprehensive hydrologic and hydraulic design calculations for the predevelopment and post-development conditions for the design storms specified in § 24-4 of this Chapter.

(b) When the proposed stormwater management control measures (e,g., infiltration basins) depends on the hydrologic properties of soils, then a soils report shall be submitted. The soils report shall be based on on-site boring logs or soil pit profiles. The number and location of required soil borings or soil pits shall be determined based on what is needed to determine the suitability and distribution of soils present at the location of the control measure.

7. Maintenance and Repair Plan. The design and planning of the stormwater management facility shall meet the maintenance requirements of § 24-10.

8. Waiver from Submission Requirements. The municipal official or board reviewing an application under this Chapter may, in consultation with the Municipal Engineer, waive submission of any of the requirements in § 24-9c1 through §24-9c6 of this Chapter when it can be demonstrated that the information requested is impossible to obtain or it would create a hardship on the applicant to obtain and its absence will not materially affect the review process.

24-10~~1~~1 MAINTENANCE AND REPAIR.

a. Applicability.

1. Projects subject to review as in Section 24-lc. of this Chapter shall comply with the requirements of § 24-l0b and c.

b. General Maintenance.

1. The design engineer shall prepare a maintenance plan for the stormwater management measures incorporated into the design of a major development.

2. The maintenance plan shall contain specific preventative maintenance tasks and schedules; cost estimates, including estimated cost of sediment, debris, or trash removal; and the name, address, and telephone number of the person or persons responsible for preventative and corrective maintenance (including replacement). Maintenance guidelines for stormwater management measures are available in the New Jersey Stormwater Best Management Practices Manual. The plan shall contain information on BMP location, design, ownership, maintenance tasks and frequencies, and other details as specified in Chapter 8 of the NJ BMP Manual, as well as the tasks specific to the type of BMP, as described in the applicable chapter containing design specifics.

3. If the maintenance plan identifies a person other than the ~~developer~~ property owner (for example, a developer, a public agency or homeowners' association) as having the responsibility for maintenance, the plan shall include documentation of such person's or entity's agreement to assume this responsibility, or of the owner~~developer~~'s obligation to dedicate a stormwater management facility to such person under an applicable ordinance or regulation.

~~3~~4. Responsibility for maintenance shall not be assigned or transferred to the owner or tenant of an individual property in a residential development or project, unless such owner or tenant owns or leases the entire residential development or project. The individual property owner may be assigned incidental tasks, such as weeding of a green infrastructure BMP, provided the individual agrees to assume these tasks; however, the individual cannot be legally responsible for all of the maintenance required.

~~4~~5. If the person responsible for maintenance identified under § 24-10b2 above is not a public agency, the maintenance plan and any future revisions based on § 24-10b7 below shall be recorded upon the deed of record for each property on which the maintenance described in the maintenance plan must be undertaken.

~~5~~6. Preventative and corrective maintenance shall be performed to maintain the function of the stormwater management measure, including repairs or replacement to the structure; removal of sediment, debris, or trash; restoration of eroded areas; snow and ice removal; fence repair or replacement; restoration of vegetation; and repair or replacement of nonvegetated linings.

~~6~~7. The ~~person~~ party responsible for maintenance identified under § 24-10b~~2~~3 above shall perform all of the following requirements:

(a) maintain a detailed log of all preventative and corrective maintenance for the structural stormwater management measures incorporated into the design of the development, including a record of all inspections and copies of all maintenance-related work orders;~~.~~

(b) evaluate the effectiveness of the maintenance plan at least once per year and adjust the plan and the deed as needed; and

(c) retain and make available, upon request by any public entity with administrative, health, environmental, or safety authority over the site, the maintenance plan and the documentation required by Subsections B(6) and B(7) above

~~7~~8. The person responsible for maintenance identified under § 24-l0b2 above shall evaluate the effectiveness of the maintenance plan at least once per year and adjust the plan and the deed as needed.

~~8~~9. The person responsible for maintenance identified under § 24-l0b2 above shall retain and make available, upon request by any public entity with administrative, health, environmental, or safety authority over the site, the maintenance plan and the documentation required by § 24-l0b6 and 24-l0b7 above.

~~9~~10. The requirements of §§ 24-l0b3 and 24-l0b4 do not apply to stormwater management facilities that are dedicated to and accepted by the municipality or another governmental agency, subject to all applicable municipal stormwater general permit conditions, as issued by the Department.

1~~0~~0. In the event that the stormwater management facility becomes a danger to public safety or public health, or if it is in need of maintenance or repair, the municipality shall so notify the responsible person in writing. Upon receipt of that notice, the responsible person shall have 14 days to effect maintenance and repair of the facility in a manner that is approved by the Municipal Engineer or his designee. The municipality, in its discretion, may extend the time allowed for effecting maintenance and repair for good cause. If the responsible person fails or refuses to perform such maintenance and repair, the municipality or County may immediately proceed to do so and shall bill the cost thereof to the responsible person.

c. Nothing in this section shall preclude the municipality in which the major development is located from requiring the posting of a performance or maintenance guarantee in accordance with N.J.S.A. 40:55D-53.

24-1~~1~~2 VIOLATIONS AND PENALTIES.

Any person who erects, constructs, alters, repairs, converts, maintains, or uses any building, structure or land in violation of this Chapter shall be subject to a maximum penalty of a fine of two hundred fifty ($250.00) dollars per calendar day until such violation(s) have been resolved to the satisfaction of the municipality and/or the NJDEP.

24-123 EFFECTIVE DATE.

This Chapter shall take effect immediately upon the approval by the County review agency, or sixty (60) days from the receipt of the ordinance by the County review agency if the County review agency should fail to act.

24-134 SEVERABILITY.

If the provisions of any section, subsection, paragraph, subdivision, or clause of this Chapter shall be judged invalid by a court of competent jurisdiction, such order of judgment shall not affect or invalidate the remainder of any section, subsection, paragraph, subdivision, or clause of this Chapter.

Section 3. All Ordinances or parts thereof inconsistent with the provisions of this Ordinance are hereby repealed.

Section 4. 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 5. Except as amended by this ordinance, all other provision of the Borough's Revised General Ordinances shall remain in full force and effect.

Section 6. The Borough Clerk is hereby directed, upon adoption of the ordinance after public hearing thereon, to publish notice of the passage thereof.

Section 7. This ordinance shall be in full force and effect from and after its adoption and any publication according to law.

Introduced: February 16, 2021
Public Hearing: March 2, 2021
Adopted:

Michele Clark, RMC
Borough Clerk

Collette J. Kennedy, Mayor

RECEIVED
FEB 1 1 2021
BY:

Comm #1

Application for a Raffles License

Application No. RA 21
Identification No. 236-10-14781

Submit four (4) copies of this application to the Municipal Clerk's office in the municipality where the games will be conducted.

Please print clearly.

Name of municipality: Borough Of Keyport

Part A - General

1. Name of applying organization: Keyport First Aid Squad
2a. Street address of headquarters: 1927 Atlantic Street, Keyport, NJ 07735
b. Mailing address (if different): P.O. Box 168, Keyport, NJ 07735

3. A license is requested to conduct raffles of the kind stated on the date, or on each of the dates, and during the hours listed (use a separate application for each type of raffle).

Date	Hours	Date	Hours
Saturday thru Sunday	10:00 AM - 3:00 AM		
3/15/2021 - 3/14/2022			
Pull TAB			

4a. Address of place where raffles will be played: 1927 Atlantic St. Keyport, NJ 07735

b. Does the applicant own the premises or regularly occupy them for its general purposes? ☑ Yes ☐ No

5. If raffles equipment is to be rented, attach a statement by the raffles equipment lessor to this application on Form 13.

Part B - Schedule of Expenses

The items of expense intended to be incurred or paid in connection with the games listed in this application, the names and addresses of the persons to whom each item is to be paid, and the purpose for which each item is to be paid, are:

Item of Expense	Name and address of supplier	Purpose
Machine	Atlantic Bingo - 229 Main St. Belleville, NJ 07109	Bingo
License	Borough of Keyport, 70 W. Front St. Keyport, NJ 07735	Raffle
License	Legalized Games of Chance Control Commission, Newark, NJ	Raffle
Supplies	Imperial Bag & Paper - 225 Rt. 1 Jersey City	Cleaning
Supplies	Staples - Hazlet, NJ	Paper Supplies

RECEIVED
FEB 11 2021
BY:

Comm #2

Application for a Bingo License

Application No. BA_ 21
Identification No. 236-10-14781

Submit four (4) copies of this application to the Municipal Clerk's office in the municipality where the games will be conducted.

Please print clearly.

Name of municipality: Borough of Keyport

Part A - General

1. Name of applying organization: Keyport First Aid Squad

2a. Street address of headquarters: 1927 Atlantic St., Keyport, NJ 07735

b. Mailing address (if different): P.O. Box 168, Keyport, NJ 07735

3. List date(s) and hours for games:

Date	Hours	Date	Hours
	6:00 - 11:00 PM	Oct. 7,14,21,28,2021	6:00 - 11:00 PM
April 1,8,15,22,29, 2021	6:00 - 11:00 PM	Nov. 4,11,18, 2021	6:00 - 11:00 PM
May 6,13,20,27, 2021	6:00 - 11:00 PM	Dec. 2,9,16,23,30 2021	6:00 - 11:00 PM
June 3,10,17, 2021	6:00 - 11:00 PM	Jan. 6,13,20,27,2022	6:00 - 11:00 PM
July 1,8,15,22,29, 2021	6:00 - 11:00 PM	Feb. 3,10,17,24,2022	6:00 - 11:00 PM
Aug 5,12,19,26, 2021	6:00 - 11:00 PM	March 3,10, 2022	6:00 - 11:00 PM
Sept. 2,9,16,23,30 2021	6:00 - 11:00 PM		

4. Address of place where bingo will be played: 1927 Atlantic Street, Keyport, NJ 07735

a. Does the applicant own the premises or regularly occupy them for its general purposes? ☑ Yes ☐ No

b. If "No," from whom will the applicant rent the premises?

Name _____ Address _____

c. If premises are to be rented, attach Form 10, "Statement of Landlord."

Part B - Schedule of Expenses

The items of expense intended to be incurred or paid in connection with the games listed in this application, the names and addresses of the persons to whom each item is to be paid, and the purpose for which each item is to be paid, are:

Item of Expense	Name and address of supplier	Purpose
Machine	Atlantic Bingo - 229 Main St. Belleville, NJ 07109	Bingo
License	Borough of Keyport, 70 W. Front St. Keyport, NJ 07735	Bingo
License	Legalized Games of Chance Control Commission, Newark, NJ	Bingo
Supplies	Imperial Bag & Paper - 225 Rt. 1 Jersey City	Cleaning
Supplies	Staples - Hazlet, NJ	Paper Supplies

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FEB 11 2021
BY: .....

KEYPORT FIRST AID SQUAD Inc.

1927 Atlantic St.
P.O. Box 168
Keyport, NJ 07735-0168

February 10, 2021

To: Mayor and Council:

The Keyport First Aid Squad request that all Borough licensing fees for the Bingo and raffle licenses submitted be waived.

Sincerely,

Kenneth G. Krohe
Chief

Comm #3

RECEIVED
FEB 16 2021
BY: .....

LGCCC 2R-A
Municipal Record Service (609) 547-2444

Application for Raffles License

Application No. RA: -21
Identification No. 236-6-39765

Insert name of Municipality Borough of Keyport

Prepare 4 copies of application. One copy will be returned

Part A General

1 Name of applying organization K of C # 3402 St. Josephs

2 a. Street address of headquarters 54 Highway 35 Keyport, N.J. 07735

b. Mailing address (if different) .....

3 A license is requested to conduct raffles of the kind stated on the date, or on each of the dates, and during the hours listed (use a separate application for each type of raffle).

Date	Hours	Date	Hours
June 9, 2021	8:15pm		
Off Premise 50/50 Raffle			

4 Address of place where Raffles will be played 54 Highway 35 Keyport, N.J. 07735

a. Does the applicant own the premises or regularly occupy them for its general purposes? X Yes ..... No

5 If raffles equipment is rented, attach statement of raffles equipment lessor to application on Form 13.

Part B Qualification of Applicant

1 Is this the first time the applicant has applied for a license in this municipality? ..... Yes X No

2 If not, has there been any change in the applicant's certificate of incorporation, charter, constitution or by-laws since the latest application was made? ..... Yes X No

3 If applicant is unincorporated, state number of members: 360 members.

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BY: .....
Comm# 4

PHILIP D. MURPHY
Governor

SHEILA Y. OLIVER
Lt. Governor

STATE OF NEW JERSEY
OFFICE OF THE ATTORNEY GENERAL
DEPARTMENT OF LAW AND PUBLIC SAFETY
DIVISION OF ALCOHOLIC BEVERAGE CONTROL
P.O. BOX 087
TRENTON, NJ 08625-0087
PHONE: (609) 984-2830 FAX: (609) 633-6078
WWW.NJ.GOV/OAG/ABC

GURBIR S. GREWAL
Attorney General

JAMES B. GRAZIANO
Director

February 17, 2021

The Honorable Collette J. Kennedy
Mayor of the Borough of Keyport
PO Box 60
70 W. Front St.
Keyport, NJ 07735

RE: 3BR Distillery, LLC
Application for Craft Distillery License

Dear Mayor Kennedy:

The Division of Alcoholic Beverage Control received an application for a new Craft Distillery License filed by 3BR Distillery, LLC. The applicant requests that this license privilege be sited at 7 Main St., Keyport, NJ 07735.

A Craft Distillery License, which is issued pursuant to N.J.S.A. 33:1-10.3(d), would authorize 3BR Distillery, LLC to manufacture distilled alcoholic beverages not to exceed more than 20,000 gallons per year, to sell and distribute this product to licensed wholesalers and retailer in the State of New Jersey and to maintain a warehouse. The holder of the license is entitled to sell this product at retail to consumers on the licensed premises of the distillery for consumption on the premises, but only in connection with a tour of the distillery, or for consumption off the premises in a quantity of not more than 5 liters per person. A determination upon the license application is made following completion of a qualifying investigation and site visit by the Division's Licensing Bureau. The applicant must also be registered as a distillery with the U.S. Bureau of Alcohol and Tobacco Tax and Trade Bureau and is required to comply with all applicable local, county and/or state requirements associated with manufacturing processes and wastewater discharge.

I am providing you with this notification to ensure your awareness of this request for a State-issued license to operate within the municipal limits of the Borough of Keyport. Please provide the Division with any relevant written comments or observations within 14 days from the date of this letter.

If you have any questions, please contact Scott Fagerty at (609) 376-9696.

Very truly yours,

James Graziano
Director

SF

cc: Michele Clark, Municipal Clerk
The Borough of Keyport
70 W. Front St., 2nd Fl.
Keyport, NJ 07735

Shannon Torres, Chief of Police
The Borough of Keyport
70 W. Front St.
Keyport, NJ 07735

Aleks Zhadnov
3BR Distillery, LLC
7 Main St.
Keyport, NJ 07735

License file

Comm #5

January 12, 2021

RECEIVED
JAN 12 2021
BY:

Borough of Keyport
Department of Public Works
Keyport, NJ 07735

RE: Letter of Resignation

Dear Sir/Madam:

Please accept this letter as a formal notice of my resignation from the Laborer position with the Borough of Keyport, Department of Public Works, effective in two (2) weeks, making my last day of employment, January 22, 2021.

After careful consideration, I have accepted a position with another company. Working for the Borough of Keyport has been a great experience for me, which has afforded me opportunities to learn and grow and I am very grateful to have been a part of the Borough.

It has been a pleasure working for the Borough of Keyport.

Sincerely,

Christopher Hogrefe

X Chris Hogrefe

Comm # 6

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FEB 1 1 2021
BY: .....

State of New Jersey

DEPARTMENT OF TRANSPORTATION
P.O. Box 600
Trenton, New Jersey 08625-0600

PHILIP D. MURPHY
Governor

SHEILA Y. OLIVER
Lt. Governor

DIANE GUTIERREZ-SCACCETTI
Commissioner

February 8, 2021

The Honorable Collette Kennedy
Mayor, Keyport Borough
70 W. Front Street
Keyport, NJ 07735

Dear Mayor Kennedy:

Thank you for your application requesting funds for your municipality under the New Jersey Department of Transportation's (NJDOT) Fiscal Year 2021 Safe Streets to Transit Program.

Unfortunately, the NJDOT is unable to provide a Safe Streets to Transit grant for your Green Grove Pedestrian Safety project. The Safe Streets to Transit grant Program continues to be a popular and competitive program. This year's solicitation resulted in 52 applications requesting more than $18 million. NJDOT makes every effort to fund as many projects as possible, but the funding needs far exceed available resources.

NJDOT encourages you to apply for the upcoming Fiscal Year 2022 Safe Streets to Transit Program. Please contact our Local Aid District Offices for assistance in developing an application. Thank you for applying.

District 1 - Mt. Arlington – 973-810-9120
District 2 - Newark - 973-877-1500
District 3 - Trenton – 609-963-2020
District 4 - Cherry Hill - 856-414-8414

Sincerely,

Laine Rankin
Director
Division of Local Aid and Economic Development

cc: Municipal Clerk
Municipal Engineer