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**Township of Chester**

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AUG 13 2013

August 7, 2013

Municipal Clerk:

Washington Township  
Mount Olive Township  
Randolph Township  
Roxbury Township  
Mendham Township

Chester Borough  
Tewksbury Township  
Peapack Gladstone Township  
Bedminster Township  
Morris County Planning Board  
Chester Township Planning Board

**NOTICE OF PENDING ORDINANCE**

**Ordinance 2013-6**

An Ordinance to Amend Chapter 113, "Land Use": Part 2, "Site Plan Review", Article 10, "Site Plan Details", Section 113-81, "Information required" and Article 11, "Design Standards for Site Plan Approval", Section 113-91, "Stormwater detention"; Part 3, "Soil Removal and Land Disturbance", Article 19, "Development Requirements", Section 113-135, "Roof runoff", Article 20, "Site Grading Plans", Section 136, "Detailed site grading plans", Section 137, "Conceptual site grading plans" and Section 113-138, "Subdivision and site plan requirements"; Article 22, "Applicability", Section 143, "Prior approved lots": Part 4, "Subdivision of Land", Article 30, "Design Standards for Subdivisions", Section 113-204, "Stormwater detention": Part 5, "Zoning", Article 33, "Administration", Section 113-216, "Permits" of the Code of Chester Township pertaining to requirements for dry wells.

The Ordinance herewith was introduced and passed upon first reading at a meeting of the Township Council of the Township of Chester, in the County of Morris, State of New Jersey, held on August 6, 2013. It will be further considered for final passage after a public hearing thereon, at a meeting of said Township Council to be held in the Township of Chester Municipal Building in said Township on September 3, 2013 at 7:30 pm and during the week prior to and up to and including the date of such meeting, copies of said Ordinance will be made available at the Clerk's Office in said Township of Chester Municipal Building to the members of the general public who shall request the same.

Carol Isemann  
Township Clerk/Administrator

# CHESTER TOWNSHIP

## Ordinance 2013-6

An Ordinance to Amend Chapter 113, "Land Use": Part 2, "Site Plan Review", Article 10, "Site Plan Details", Section 113-81, "Information required" and Article 11, "Design Standards for Site Plan Approval", Section 113-91, "Stormwater detention"; Part 3, "Soil Removal and Land Disturbance", Article 19, "Development Requirements", Section 113-135, "Roof runoff", Article 20, "Site Grading Plans", Section 136, "Detailed site grading plans", Section 137, "Conceptual site grading plans" and Section 113-138, "Subdivision and site plan requirements"; Article 22, "Applicability", Section 143, "Prior approved lots": Part 4, "Subdivision of Land", Article 30, "Design Standards for Subdivisions", Section 113-204, "Stormwater detention": Part 5, "Zoning", Article 33, "Administration", Section 113-216, "Permits" of the Code of Chester Township pertaining to requirements for dry wells.

**WHEREAS**, the Planning Board has determined that the regulations for dry wells contained in Chapter 113, "Land Use" of the Code of Chester Township do not adequately address the intentions of Chester Township regarding installation requirements and exemptions; and

**WHEREAS**, Chapter 113, "Land Use" of the Code of Chester Township lacks regulations providing alternatives for the construction of dry wells; and

**WHEREAS**, the Township desires to amend its requirements for exemptions to the dry well ordinance. and

**WHEREAS**, the Land Use Ordinance contains multiple sections that reference "seepage pits" and "dry wells", terminology that may cause confusion when used separately or together to describe the same function; and

**WHEREAS**, the Township Council desires to address these deficiencies by amending the requirements for subdivisions and site plans and the administration of building permits.

**NOW THEREFORE, BE IT ORDAINED** by the Township Council of Chester Township, County of Morris, and State of New Jersey that Articles 10, 11, 19, 20, 22, 30 and 33 of the Land Use Code for Chester Township are hereby amended as follows:

**SECTION ONE.** Article 10, Section 113-81; Article 11, Section 113-91; Article 19, Section 113-135; Article 20, Sections 136-137; and Article 22, Section 143 of the Land Use Code are hereby amended to delete all references to "seepage pits" and change them to "dry wells".

**§113-81. Information required.**

A. through M. [No Change]

N. Proposed water detention system. The proposed stormwater detention system showing all detention basins, dry wells or other means to control the peak rate of runoff from the developed site. Plans, profiles and details shall be drawn showing all structures, pipes, trash racks and other facilities.

Q. through Y. [No Change]

**§113-91. Stormwater detention.**

A. through E. [No Change]

F. Dry wells. Where dry wells or similar facilities are approved to be used in lieu of or in conjunction with detention basins, such facility shall have as a minimum the capacity to store three inches of runoff from all impervious surfaces.

G. [No Change]

**§113-135. Roof runoff.**

A stormwater runoff from roof areas shall be transported to dry wells designed in accordance with § 113-204H of Part 4, Subdivision of Land. The location, construction details and specifications for such facilities shall be shown on the site grading plan.

**§113-136. Detailed site grading plans.**

A. through B.(15). [No Change]

B.(16) The location, plans and specifications for any proposed dry wells to control roof runoff.

B.(17) and B.(18). [No Change]

**§113-137. Conceptual site grading plans.**

A. through B.(8). [No Change]

B.(9) The location of any proposed dry wells to control runoff.

B.(10) [No Change]

**§113-143. Prior approved lots.**

For all lots approved or in existence prior to March 1, 1988, a detailed grading plan in accordance with § 113-136 and roof dry wells pursuant to § 113-204 shall be provided to the Township Engineer for review and approval prior to issuance of a building permit. However, the standards set forth in §§ 113-113 through 113-117 shall not be applicable.

SECTION TWO. Article 20, Section 113-138 of the Land Use Code is hereby amended to delete a reference to "seepage pits" and change it to "dry wells"; and to add a reference to dry well exemptions.

**§113-138. Subdivision and site plan requirements.**

- A. [No Change]
- B. Roof dry wells shall be required for any new construction or the alteration, reconstruction, extension or structural change of an existing building that is part of a major or minor subdivision or site plan application, except as may be exempted pursuant to §113-204.I., in accordance with §113-204 H. of the Land Use Ordinance.
- C. [No Change]

SECTION THREE. Article 30, Section 113-204 H. of the Land Use Code is hereby amended to clarify exemptions from the requirement to provide dry wells and to provide for alternative methods of dry well construction.

**§113-204. Stormwater detention.**

- A. through G. [No Change]
- H. Roof runoff. All stormwater runoff from roof areas for any new building or building addition shall be transported to dry wells. Such facilities shall have a capacity to store not less than three inches of runoff from all roof areas for any new building or building addition. The dry wells shall be constructed of precast concrete rings which shall be surrounded with gravel or broken stone not to exceed 1 1/2 inches in size. If the use of precast concrete rings is impractical, other manufactured products may be used if expressly approved by the Township Engineer. For the purpose of computing volume, gravel or stone shall have a porosity of 40%. Each dry well, or series of dry wells, shall have an overflow to grade. The conveyance system from the roof to the dry well shall conform to the requirements of the National Standard Plumbing Code. The Planning Board may waive the above requirements if subsurface conditions are determined to be unsuitable for the satisfactory performance of dry wells.
- I. Exemptions. The installation of dry wells shall not be required for:
  - (1) [No Change]
  - (2) The construction of a building that does not have a permanent foundation.
  - (3) The construction or reconstruction of a building or a building addition that results in an increase in building coverage of less than 400 SF.
  - (4) The construction of a new roof for any purpose on or attached to an existing building where the total surface area of the roof when completed is equal to

or less than the total roof area of the existing building before the reconstruction of the roof was undertaken.

J. [No Change]

SECTION FOUR. Article 33, Section 113-216 of the Land Use Code is hereby amended to add a reference to dry well exemptions.

**§113-216. Permits.**

A. [No Change]

B. Zoning permits.

(1) and (2) [No Change]

(3) Roof dry wells. All stormwater runoff from roof areas for any new building or building addition, except as may be exempted pursuant to §113-204.I., shall provide roof dry wells in accordance with §113-204 H. of the Land Use Ordinance; the design of which shall be reviewed and approved by the Township Engineer prior to the issuance of a zoning permit.

(4) and (5) [No Change]

C. and D. [No Change]

SECTION FIVE. All ordinances or part of ordinances inconsistent with this ordinance are hereby repealed to the extent of such inconsistency.

SECTION SIX. If any section, paragraph, subdivision, clause or provision of this ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provision and the remainder of this ordinance shall be deemed valid and effective.

SECTION SEVEN. This ordinance shall take effect upon its passage and publication according to law.

Introduced: August 6, 2013

Public Hearing: September 3, 2013

ATTEST:

TOWNSHIP COUNCIL OF THE  
TOWNSHIP OF CHESTER

*Carol Isemann*  
Carol Isemann  
Municipal Clerk/Administrator

*William A. Cogger*  
William A. Cogger  
Mayor