

**AGENDA, THE MAYOR AND BOARD OF ALDERMEN
CAUCUS MEETING, MARCH 14, 2006**

The semi-monthly regular meeting was held in council chambers, 37 North Sussex Street, Dover, NJ

CALL TO ORDER: Mayor Dodd called meeting to order at 7 PM

All joined in the Pledge of Allegiance to the Flag, and prayer was given, asking for guidance and strength to do what is right for our town and our people.

**ROLL CALL: Present Alderman Romaine, Fahy, Burbridge, Newman, Delaney, Poolas, Ryan, Visioli and Mayor Dodd
Absent: Alderman Newman
Also present: Administrator Garvin, Attorney Pennella and Clerk Verga**

Clerk Verga stated this meeting is in compliance with the open public meetings act.

CORRESPONDENCE:

Letter from NJ League of Municipalities re: Emergency Truck Routing Regulations issued by DOT
Letter from NJ League of Municipalities re: Bicycle Helmet Law Change
Letter from NJ League of Municipalities re: Community Dialogue on the State Budget
Letter from NJ League of Municipalities re: Press conference for bills which seek to address gangs and youth violence issues
Letter from NJ League of Municipalities re: Senate Bill 1219-Revising the Open Public Meetings Act
Letter from NJ League of Municipalities re: New information from DLGS concerning OPRA
Letter from NJ League of Municipalities re: Mayors Wellness Campaign update
Letter from NJ League of Municipalities re: Transportation Trust fund
Letter from NJ League of Municipalities re: Anti-Gang Initiative
Notice from NJ League of Municipalities re: Increasing the Efficiency and Effectiveness of Municipal Government
Letter from Rockaway Township Planning Board re: Application for sign variance approval for Block 11001 Lot 012
(The Marketplace)
Resolution from Town of Boonton re: Exempting Municipal Clerks from penalties for OPRA violation
Tax Collector's Report for February

ATTORNEY CORRESPONDENCE:

ITEMS FOR DISCUSSION:

Bills List Resolution
Resolution re: Reimbursement of taxes for Block 1311 Lot 7 (North Sussex LLC)
Resolution re: Overpayment of taxes for Block 1318 Lot 1 (150 E. McFarlan Street)
Approval for the Dover Little League Opening Day Parade route on 4/15/06 starting at 9:30 a.m.
Approval of two (2) Raffle Licenses for Sacred Heart Church to be held at 4 Richards Avenue on 4/07/06 from 6:00 p.m. to midnight
Approval of two (2) Raffle Licenses for Dover Emblem Club to be held at 4 Princeton Avenue on 4/28/06 from 5:00 p.m. to 11:00 p.m.
Approval of two (2) Raffle Licenses for Project Graduation to be held at Dover High School 100 Grace Street on 4/21/06 from 7:00 p.m. to 10:00 p.m.
Approval of Raffle License for El Primer Paso to be held at 29 Segur Street on 5/25/06 at 9:00 a.m.
Approval of Taxi Cab Driver Licenses (See Schedule A)
Approval of One-Day ABC License for El Somero Mayor a NJ Nonprofit Corporation (#1) to be held at the Baker Theatre (#3) 41 W. Blackwell Street on 3/18/06 from 7:30 p.m. to 1:30 a.m.
Approval of One-Day ABC License for Fiesta De Reyes (#2) to be held at Casa Puerto Rico (#5) 50 W. Blackwell Street on 4/15/06 from 8:00 p.m. to 2:00 a.m.

Approval of One-Day ABC License for Casa Puerto Rico (#6) to be held at 50 W. Blackwell Street on 5/13/06 from 8:00 p.m. to 2:00 a.m.

Approval of One-Day ABC License for Casa Puerto Rico (#7) to be held at 50 W. Blackwell Street on 5/20/06 from 8:00 p.m. to 2:00 a.m.

Approval of One-Day ABC License for Club Colombia (#1) for the Colombian Festival to be held at Crescent Field (#1) on 7/15/06 from noon to 7:00 p.m.

Ordinance #08-2006 re: Amending Chapter 236 Land Use and Development Article VA-Stormwater Management/1st reading/Ald. Romaine

Ordinance #09-2006 re: Handicapped parking space located at 79 Lincoln Avenue/1st reading/Ald. Delaney

Ordinance #10-2006 re: Amending Chapter 349 Taxi and Limousines/1st reading/Ald. Delaney

Ordinance #11-2006 re: Limiting and restricting the parking of certain vehicles on public streets/1st reading/Ald. Visioli

**AGENDA, THE MAYOR AND BOARD OF ALDERMEN
REGULAR MEETING, MARCH 14, 2006**

CALL TO ORDER:

Meeting called to order at 7:21 PM by Mayor Dodd

ROLL CALL:

Present – Alderman Romaine, Fahy, Burbridge, Delaney, Poolas, Ryan, Visioli, Mayor Dodd

Absent: Alderman Newman

Also present – Administrator Garvin, Attorney Pennella and Clerk Verga

This meeting is in compliance with the open public meetings act.

PUBLIC PORTION – 3 Minutes

Connie Sibona-Foster 90 Penn Ave. Would like town to contact the Morris Ledger and ask them to stop giving out free newspapers – they are accumulating on people’s lawns. Mayor asked that a letter be written to the Ledger asking them to stop this habit.

Seeing no other hands, and hearing no voices, this portion of the meeting was closed to the public.

ADMINISTRATOR’S REPORT:

Will set up a meeting with Morris County Advisory Committee on Senior Services. Members of governing body with budget concerns or comments should forward them to the Administrator. At a meeting with Mayor Dodd, Administrator and Flea market owners, Carol and Robert Brumale, the town came to an agreement reducing foot print of flea market area.

MAYOR’S REPORT:

The Mayor attended Dover High School Media Center ribbon cutting ceremony and reported that the Board of Education has done an outstanding job. Mayor Dodd attended the welcome home ceremony of our troops from Iraq as well as the Red/White/Blue ceremony for the Fire and Police. Bassett Highway redevelopment draft plan was received, not ready to go public with it yet.

ALDERMAN’S/COMMITTEE REPORTS:

Alderman Poolas

Attended Board of Health Meeting and reported on the Board establishing a Food Handling Course ordinance. The “File of Life” is moving forward. Animal Control Officer Report was requested – this is a “contracted” service from Randolph. Alderman Poolas attended various meetings throughout the month, High School Media Center, Welcome the Troops Home and Red White and Blue Sunday. He accepted the plaque for the Dover Fire Dept.

Alderman Delaney

Had a few ward issues that were taken care of with our Administrator. He met with Chief Valentine, Alderman Visioli and Administrator Garvin regarding police bicycle patrols. He was assured by the Chief that will take place.

Alderman Burbridge

She was at the ribbon cutting ceremony at the new media center. Attended the economic re-development meeting. Gave update on the Library. Took care of some constituents complaints. Verizon is leaving fiber optic clippings where they are doing installation of new wiring.

Alderman Fahy

He attended the ribbon cutting ceremony at the new media center. Update on Dover Recreation Dept. events was given. Requested that Police Committee has patrols stepped up on 2nd St. Playground area. Several years ago a handy reference guide for residents was available. We should consider redoing this reference pamphlet.

Alderman Ryan

Attended the Board of Education meeting and reported on same.

Alderman Visioli

Relative to the Fire Department January statistics were down around 14% over 2005. Engine #5 mechanical repairs completed tank replacement still scheduled for mid-April.

Alderman Romaine

Our storm water management has met the time frame as outlined by State. Finance Committee looking to introduce budget on March 28. Attended Media Center ceremony as well as welcome home troops from Iraq. Code enforcement and engineering reports will be available second meeting of the month. Requested monthly report from Administrator as regards to fines issued for violations by the court for housing violations.

ATTORNEY REPORT:

Working with Housing Partnership as regards to Spring St. project.

CONSENT AGENDA:

Bills List Resolution

Resolution re: Reimbursement of taxes for Block 1311 Lot 7 (North Sussex LLC)

Resolution re: Overpayment of taxes for Block 1318 Lot 1 (150 E. McFarlan Street)

Alderman Romaine has moved the foregoing consent agenda items be adopted and duly seconded by Alderman Delaney

Ayes: Alderman Romaine, Fahy, Burbridge, , Delaney, Poolas, Ryan, Visioli and Mayor Dodd.

Noes: none

Abstain: none

Absent: Newman

Motion to approve the Dover Little League Opening Day Parade route on 4/15/06 starting at 9:30 a.m.

Motion to approve two (2) Raffle Licenses for Sacred Heart Church to be held at 4 Richards Avenue on 4/07/06 from 6:00 p.m. to midnight

Motion to approve two (2) Raffle Licenses for Dover Emblem Club to be held at 4 Princeton Avenue on 4/28/06 from 5:00 p.m. to 11:00 p.m.

Motion to approve two (2) Raffle Licenses for Project Graduation to be held at Dover High School 100 Grace Street on 4/21/06 from 7:00 p.m. to 10:00 p.m.

Motion to approve Raffle License for El Primer Paso to be held at 29 Segur Street on 5/25/06 at 9:00 a.m.

Alderman Fahy has moved the foregoing consent agenda items be adopted and duly seconded by Alderman Burbridge

Ayes:: Alderman Romaine, Fahy, Burbridge, , Delaney, Poolas, Ryan, Visioli and Mayor Dodd.

Noes: none

Abstain: none

Absent: Newman

GENERAL BUSINESS:

1. Motion to approve Taxi Cab Driver Licenses (See Schedule A)
2. Motion to approve One-Day ABC License for El Somero Mayor a NJ Nonprofit Corporation (#1) to be held at the Baker Theatre (#3) 41 W. Blackwell Street on 3/18/06 from 7:30 p.m. to 1:30 a.m.
3. Motion to approve One-Day ABC License for Fiesta De Reyes (#2) to be held at Casa Puerto Rico (#5) 50 W. Blackwell Street on 4/15/06 from 8:00 p.m. to 2:00 a.m.
4. Motion to approve One-Day ABC License for Casa Puerto Rico (#6) to be held at 50 W. Blackwell Street on 5/13/06 from 8:00 p.m. to 2:00 a.m.
5. Motion to approve One-Day ABC License for Casa Puerto Rico (#7) to be held at 50 W. Blackwell Street on 5/20/06 from 8:00 p.m. to 2:00 a.m.
6. Motion to approve One-Day ABC License for Club Colombia for the Colombian Festival to be held at Crescent Field on 7/15/06 from noon to 7:00 p.m.

§ 236-63.2. Definitions.

Unless specifically defined below, words or phrases used in this ordinance shall be interpreted so as to give them the meaning they have in common usage and to give this ordinance 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.

COMPACTION - The increase in soil bulk density.

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 Chosen Freeholders to review municipal stormwater management plans and implementing ordinance(s). The county review agency for the Town of Dover is Morris County.

DEPARTMENT - The New Jersey Department of Environmental Protection.

DESIGNATED CENTER - A State Development and Redevelopment Plan Center as designated by the State Planning Commission such as urban, regional, town, village, or hamlet. The entire Town of Dover is a designated regional center.

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.

DEVELOPMENT - The division of a parcel of land into two 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.

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.

ENVIRONMENTALLY CRITICAL AREA - 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.

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.

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

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

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

MAJOR DEVELOPMENT - Any "development" that provides for ultimately disturbing one or more acres of land. Disturbance for the purpose of this article is the placement of impervious surface or exposure and/or movement of soil or bedrock or clearing, cutting, or removing of vegetation.

MUNICIPALITY -The Town of Dover.

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

NURTRIANT - 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 Town of Dover, 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, ground waters 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.

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. The Town of Dover lies entirely within Metropolitan Planning Area (PA1).

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

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 stormwater wetlands).

STORMWATER MANAGEMENT MEASURE - 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 non-stormwater discharges into stormwater conveyances.

TIDAL FLOOD HAZARD AREA - 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 ZONES - 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:

- (1) Delineated on the State Plan Policy Map (SPPM) as the Metropolitan Planning Area (PA1), Designated Centers, Cores or Nodes;
- (2) Designated as CAFRA Centers, Cores or Nodes;
- (3) Designated as Urban Enterprise Zones; and
- (4) Designated as Urban Coordinating Council Empowerment Neighborhoods.

WATERS OF THE STATE -The ocean and its estuaries, all springs, streams, wetlands, and bodies of surface or ground water, 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 ground water 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.

§ 236-63.3. General Standards.

A. Design and Performance Standards for Stormwater Management Measures

- (1) 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 § 236-63.4. 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 standards in this ordinance 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.
- (3) The Town of Dover may grant a variance or exemption from the design and performance standards set forth in the Stormwater Management Plan for the Town of Dover and this ordinance provided the major development implements a mitigation project in accordance with the Mitigation Plan included in the Stormwater Management Plan for the Town of Dover. In each instance that a variance or exemption is granted, the Town of Dover will submit a written report to Morris County and the Department of Environmental Protection describing the variance or exemption and the required mitigation.

§ 236-63.4. Stormwater Management Requirements for Major Development.

- A. The development shall incorporate a maintenance plan for the stormwater management measures incorporated into the design of a major development in accordance with § 236-63.10.
- B. Stormwater management measures shall avoid adverse impacts of concentrated flow on habitat for threatened and endangered species as documented in the Department' 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 muhlnebergi* (bog turtle).
- C. The following linear development projects are exempt from the groundwater recharge, stormwater runoff quantity, and stormwater runoff quality requirements of §236-63.4.F and §236-63.4.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. A waiver from strict compliance from the groundwater recharge, stormwater runoff quantity, and stormwater runoff quality requirements of §236-63.4.F and §236-63.4.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 § 236-63.4.F and § 236-63.4.G to the maximum extent practicable;
- (3) The applicant demonstrates that, in order to meet the requirements of § 236-63.4.F and § 236-63.4.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 D.3 above within the upstream drainage area of the receiving stream, that would provide additional opportunities to mitigate the requirements of § 236-63.4.F and § 236-63.4.G that were not achievable on-site.

E. Nonstructural Stormwater Management Strategies

- (1) To the maximum extent practicable, the standards in § 236-63.4.F and § 236-63.4.G shall be met by incorporating nonstructural stormwater management strategies set forth at § 236-63.4.E 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 pre-construction 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 § 236-63.4.E.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 §236-63.4.E(2)(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 §236-63.4.E(3)(c) below.
 - a. 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:
 - [1] 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
 - [2] 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 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 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 Town of Dover 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 § 236-63.4.G.1 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:
 - [a] A rectangular space four and five-eighths inches long and one and one-half inches wide (this option does not apply for outfall netting facilities); or
 - [b] A bar screen having a bar spacing of 0.5 inches.

- [3] Where flows are conveyed through a trash rack that has parallel bars with one-inch (1”) spacing between the bars, to the elevation of the water quality design storm as specified in § 236-63.4.G.1; 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.
- (4) Any land area used as a nonstructural stormwater management measure to meet the performance standards in § 236-63.4.F and § 236-63.4.G shall be dedicated to a government agency, subjected to a conservation restriction filed with the Morris 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 § 236-63.7, or found on the Department’s website at www.njstormwater.org.

F. Erosion Control, Groundwater Recharge and Runoff Quantity Standards

- (1) This subsection 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 §236-63.5, either:
 - a. Demonstrate through hydrologic and hydraulic analysis that the site and its stormwater management measures maintain 100 percent of the average annual pre-construction 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.
 - [2] This groundwater recharge requirement does not apply to projects within the “urban redevelopment area,” or to projects subject to (3) below.
 - [3] 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.

- [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 § 236-63.5, complete one of the following:
- [1] Demonstrate through hydrologic and hydraulic analysis that for stormwater leaving the site, post-construction runoff hydrographs for the two, 10, and 100-year storm events do not exceed, at any point in time, the pre-construction runoff hydrographs for the same storm events;
 - [2] 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 two, 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 pre-construction peak runoff rates. The percentages apply only to the post-construction stormwater runoff that is attributable to the portion of the site on which the proposed development or project is to be constructed. 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 (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 § 236-63.2 shall be submitted to the Morris County 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. Stormwater Runoff Quality Standards

- (1) Stormwater management measures shall be designed to reduce the post-construction load of total suspended solids (TSS) in stormwater runoff by 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 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 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 1. The calculation of the volume of runoff may take into account the implementation of non-structural 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 § 236-63.7, or found on the Department’s website at www.njstormwater.org. The BMP Manual and other sources of technical guidance are listed in § 236-63.7. 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 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:

$$R = A + B - \frac{A \times B}{100}$$

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

Table 2: TSS Removal Rates for BMPs	
Best Management Practice	TSS Percent Removal Rate
Bioretention Systems	90
Constructed Stormwater Wetland	90
Extended Detention Basin	40-60
Infiltration Structure	80
Manufactured Treatment Device	See §236-63.6.C
Sand Filter	80
Vegetative Filter Strip	60-80
Wet Pond	50-90

- (4) If there is more than one onsite drainage area, the 80 percent 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 §236-63.4.F and §236-63.4.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 §236-63.7.
- (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 Subsection (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 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 percent 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 Morris County 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 § 236-63.4.G(8) 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 G.8 shall maintain or enhance the current functional value and overall condition of the special water resource protection area as defined in G.8.a.(1) 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 G.8 does not apply to the construction of one 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.

§ 236-63.5. 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 the NRCS National Engineering Handbook Section 4 – Hydrology and Technical Release 55 – Urban Hydrology for Small Watersheds; or

- (b) The Rational Method for peak flow and the Modified Rational Method for hydrograph computations.
- (2) For the purpose of calculating runoff coefficients and groundwater recharge, there is a presumption that the pre-construction condition of a site or portion thereof is a wooded land use with good hydrologic condition. The term “runoff coefficient” applies to both the NRCS methodology at § 236-63.5.A(1)(a) and the Rational and Modified Rational Methods at § 236-63.5.A(1)(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 years without interruption prior to the time of application. If more than one land cover have existed on the site during the five years immediately prior to the time of application, the land cover with the lowest runoff potential shall be used for the computations. In addition, there is the presumption that the site is in good hydrologic condition (if the land use type is pasture, lawn, or park), with good cover (if the land use type is woods), or with good hydrologic condition and conservation treatment (if the land use type is cultivation).
 - (3) In computing pre-construction 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 pre-construction 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.

§ 236-63.6. 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 (1”) 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 (1/3) the width of the diameter of the orifice or one-third (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 § 236-63.8.D.

- (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 two and one-half inches in diameter.
 - (5) Stormwater management basins shall be designed to meet the minimum safety standards for stormwater management basins at § 236-63.8.
- 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 § 236-63.4 of this ordinance.
- C. Manufactured treatment devices may be used to meet the requirements of § 236-63.4 of this ordinance, provided the pollutant removal rates are verified by the New Jersey Corporation for Advanced Technology and certified by the Department.

§ 236-63.7. Sources for technical guidance.

- A. Technical guidance for stormwater management measures can be found in the documents listed at 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. Information is provided on stormwater management measures such as: 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.

The New Jersey Department of Environmental Protection Stormwater Management Facilities Maintenance Manual, as amended.

- B. Additional technical guidance for stormwater management measures can be obtained from the following:
- (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 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.

§ 236-63.8. 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.

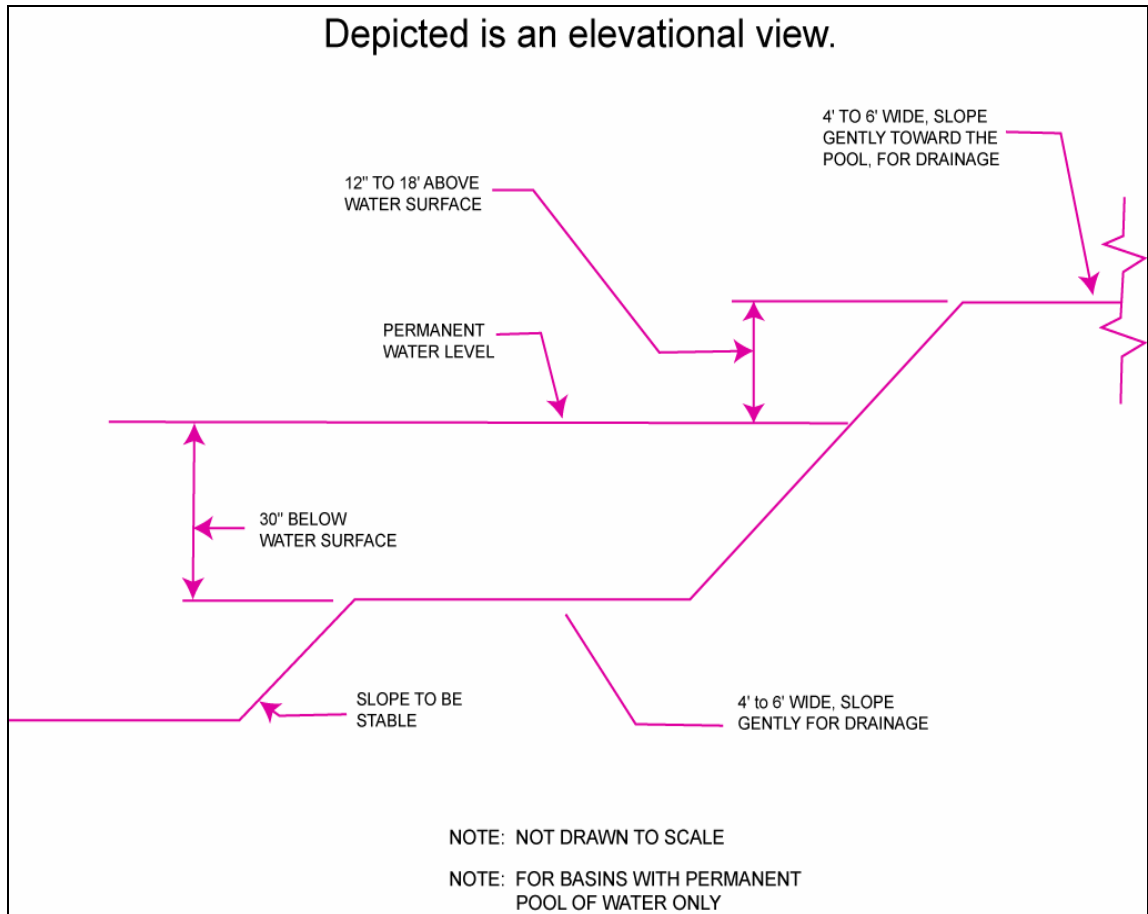
B. Requirements for Trash Racks, Overflow Grates and Escape Provisions

- (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 paragraph 3, 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 § 236-63.8.C a free-standing 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 two and one-half feet. Such safety ledges shall be comprised of two steps. Each step shall be four to six feet in width. One step shall be located approximately two and one-half feet below the permanent water surface, and the second step shall be located one to one and one-half feet above the permanent water surface. See § 236-63.8.D 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 3 horizontal to 1 vertical.

C. Variance or Exemption from Safety Standards

- (4) 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 (Town of Dover, Morris County or the Department) that the variance or exemption will not constitute a threat to public safety.

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



§ 236-63.9. Requirements for a site development stormwater plan.

A. Submission of Site Development Stormwater Plan

- (1) Whenever an applicant seeks Town of Dover approval of a development subject to this ordinance, the applicant shall submit all of the required components of the Checklist for the Site Development Stormwater Plan at § 236-63.9.C 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 ordinance.
- (3) The applicant shall submit 16 copies of the materials listed in the checklist for site development stormwater plans in accordance with § 236-63.9.C of this ordinance.

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 conducted by the Town of Dover. The Town of Dover shall consult the town engineer to determine if all of the checklist requirements have been satisfied and to determine if the project meets the standards set forth in this ordinance.

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 1"=200' or greater, showing 2-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 flood plains along with their appropriate buffer strips, marshlands and other wetlands, pervious or vegetative surfaces, existing man-made structures, roads, bearing and distances of property lines, and significant natural and manmade features not otherwise shown.

Environmental Site Analysis

(1) A written and graphic description of the natural and man-made 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.

(1) 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 ground water elevations. A written description of the site plan and justification of proposed changes in natural conditions may also be provided.

(2) Land Use Planning and Source Control Plan

This plan shall provide a demonstration of how the goals and standards of § 236-63.3 through § 236-63.6 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.

(3) 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 maximum discharge capacity of each spillway.

(4) Calculations

- (a) Comprehensive hydrologic and hydraulic design calculations for the pre-development and post-development conditions for the design storms specified in § 236-63.4 of this ordinance.
- (b) When the proposed stormwater management control measures (e.g., infiltration basins) depend on the hydrologic properties of soils, then a soils report shall be submitted. The soils report shall be based on onsite 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.

(5) Maintenance and Repair Plan

The design and planning of the stormwater management facility shall meet the maintenance requirements of § 236-63.10.

(6) Waiver from Submission Requirements

The Town of Dover may, in consultation with the municipal engineer, waive submission of any of the requirements in § 236-63.9.C(1) through § 236-63.9.C(6) of this ordinance 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.

§ 236-63.10. Maintenance and repair.

A. Applicability

- (1) Projects subject to review as in § 236-63.1.C of this ordinance shall comply with the requirements of §236-63.10.B and §236-63.10.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 maintenance plan shall identify the Town of Dover or the duly designated entity, as specified in § 236-63.10.B(3) below, as having responsibility for maintenance.
- (3) The Town of Dover will assume responsibility for maintenance, unless the responsibility is specifically assigned by the governing body to another public or private entity through a duly executed agreement. The Town of Dover shall have the sole power to decide whether the maintenance shall be assumed by the Town or assigned to another public or private entity. The terms of the agreement shall be in a form satisfactory to the municipal attorney and may include, but are not limited to, maintenance easements, personal guarantees, deed restrictions, covenants and bonds.
- (4) 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.
- (5) The Town of Dover or the designated responsible entity, will 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.
- (6) The Town of Dover shall evaluate the effectiveness of the maintenance plan at least once per year and adjust the plan and the deed as needed.
- (7) The Town of Dover or the designated responsible entity 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 Sections 10.B.6 and 10.B.7 above.

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.

Section 2

The title of the section is to be as follows:

State Inspection; semiannual inspection, parking and sign requirements.

Further, sub-section B of Section 349-7 is amended and supplemented as follows:

Owners or operators must submit each vehicle for inspection by the Chief of Police or his designee semi-annually, except if a state inspection is performed within such six month time period. The six month time period for inspection shall be June through November and December through May. The purpose of this inspection is to insure full compliance with all of the requirements of the Ordinance and any state laws or regulations. If any violations are found, the Police Department shall inform the Town Clerk that the license issued shall be revoked if the violation is not corrected within ten days of the inspection. Under such circumstances, the Police Department will inform the applicant what repairs need to be completed to prevent the revocation of the license. In no way should the provisions of this chapter be interpreted as to prohibit an applicant from having a previously rejected vehicle re-inspected after the required repairs are completed. An applicant aggrieved by any provision of this section has an immediate right of appeal to the Mayor and Board of Aldermen. The Police Department shall randomly select the time period within each six month inspection period when a regulated vehicle must present itself for inspection.

Section 349-9 is amended to read as follows:

Each applicant for a regulated vehicle driver license shall, upon making application therefore, furnish his or her existing driver's licenses and fingerprints by record check and present him or herself to the Dover Police Department for pictures. One picture shall be retained by the Town Clerk, another shall be affixed to the driver's license and the third shall be affixed to a card suitably framed under any transparent covering approved by the Police Department and displayed in a prominent place mounted as close as possible to the center of the front dashboard of the regulated vehicle so that it is plainly visible to passengers. Said card must also contain a brief description of the driver, including his or her age, height, complexion, color of hair and color of eyes. Each applicant shall permit the Town Police Department to obtain his or her driver abstract from the Division of Motor Vehicles.

Section 2. All ordinances or parts of ordinances inconsistent with this within ordinance are hereby repealed to the extent of such inconsistencies.

Section 3. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

Section 4. The Ordinance shall take effect in accordance with law.

Alderman Delaney has moved the foregoing Ordinance be adopted and duly seconded by Alderman Poolas

Ayes:: Alderman Romaine, Fahy, , Delaney, Poolas, Ryan, Visioli and Mayor Dodd.

Noes: none

Abstain: Burbridge

Absent: Newman

Ordinance #11-2006

ORDINANCE OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER LIMITING AND RESTRICTING THE PARKING OF CERTAIN VEHICLES ON THE PUBLIC STREETS OF THE TOWN OF DOVER

Be it ORDAINED by the Mayor and Board of the Aldermen of the Town of Dover, County of Morris and State of New Jersey as follows:

Section 1. Definitions.

“Commercial Motor Vehicle” includes every type of motor/driven vehicle used for commercial purposes on the highways, such as the transportation of goods, wares, and merchandise, excepting such vehicles as are run only upon rails or tracks and vehicles of the passenger car type used for touring purposes or the carrying of farm products and milk, as the case may be.

“Noncommercial truck” means every motor vehicle designed primarily for transportation of property, and which is not a “commercial vehicle”.

“Parking” means the standing or waiting on a street, road or highway of a vehicle not actually engaged in receiving or discharging passengers or merchandise, unless in obedience to traffic regulations or traffic signs or signals.

“Person” includes natural persons, firms, co-partnerships, associations and corporations.

“Recreation vehicle” means a self propelled or towed vehicle equipped to serve as temporary living quarters for recreational, camping, or travel purposes and used solely as a family or personal conveyance.

“Road tractor” means every motor vehicle designed and used for drawing other vehicles and not so constructed as to carry any load thereon either independently or any part of the weight of a vehicle or load so drawn.

“Semi-trailer” means every vehicle with or without motive power, other than a pole trailer, designed or carrying persons or property and for being drawn by a motor vehicle and so constructed that some part of its weight and out of its load rests upon or is carried by another vehicle.

“Trailer” means every vehicle with or without motive power, other than a pole trailer, designed for carrying persons or property and for being drawn by a motor vehicle and so constructed that no part of its weight rests upon the towing of vehicle.

“Truck” means every motor vehicle designed, used or maintained primarily for the transportation of property.

“Truck tractor” means every motor vehicle designed and used primarily for drawing other vehicles and not so constructed as to carry a load other than a part of the weight of vehicle and load so drawn.

“Vehicle” means every device in, or upon or by which a person or property is or may be transported upon a highway, excepting devices moved by human power or used exclusively upon stationary rails or tracks or motorized bicycles.

Section 2. Prohibited Parking.

No person shall park any commercial vehicle, non-commercial truck with more than four (4) wheels except pickup style trucks commonly described as “dualies”, road tractor, trailer, truck tractor or recreational vehicle on any street within the Town of Dover between the hours of 9:00 p.m. through 8:00 a.m.

Section 3. There shall be posted an appropriate sign on each street entering the Town of Dover, at or near the Town’s municipal boundary line giving notice of the terms of this Ordinance.

Section 4. This Ordinance shall be enforced by the Police Department of the Town of Dover.

Section 5. Penalty.

A person convicted of a violation of this Ordinance may be liable to a penalty of: imprisonment in the county jail or in any place provided by the municipality for the retention of prisoners, or any term not exceeding 90 days; or by a fine not exceeding \$1,250.00; or by a period of community service not exceeding 90 days.

Section 6. All ordinances or parts of ordinances contrary to or inconsistent with this ordinance are hereby repealed to the extent of such inconsistencies.

Section 7. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

Section 8. This ordinance shall take effect in accordance with law.

Alderman Visioli has moved the foregoing ordinance be adopted and duly seconded by Alderman Romaine

Ayes: Alderman Romaine, Fahy, Burbridge, , Delaney, Poolas, Visioli and Mayor Dodd.

Noes: Ryan

Abstain: none

Absent: Newman

UNFINISHED OR NEW BUSINESS:

Mayor Dodd Administrator contact JCPL to address lights that are out. He also requested step up patrol in parks. Alderman Burbridge questioned it would benefit the Town to have an independent audit of the Water Dept. in light of the feasibility study.

PUBLIC PORTION:

Bill Cook – 91 Princeton Ave. The State as of this point has not approved any of the courses for the Board of Adjustment. He disagrees with Alderman Burbridge that these courses should be attended. He feels that until the courses have been approved it would not be prudent for members to attend.

Jon Sperry – N. Essex St. Parking situation on Morris St and Rt. 15 remains to be a problem. He has brought this up for several years. Litter in this town is atrocious the rules on the books should be strictly enforced.

Robin Foster – 90 Penn Ave. Gave an update on the Dogs of Dover Committee and the progress being made for the rededication ceremony to be held on Sept. 9. A silent Auction is being held on April 30 as a fund raiser. All donations are greatly appreciated.

Thanked the Mayor for appointing him as this committee along with Alderman Poolas, Alderman Delaney, Mike Picciallo and his wife Connie Sibona-Foster.

Danilo Arias – First St. owns taxi company – had questions regarding cabs that were tabled. The Mayor will review his question regarding cars that were licensed and not able to be driven at this time.

This portion of meeting was closed to public

ADJOURN

At 8:23 to go into Executive Session for a personnel resolution.

Alderman Romaine moved that the board go into executive session, 2nd Alderman Visioli

ROLL CALL Present – Alderman Romaine, Fahy, Burbridge, Delaney, Poolas, Ryan, Visioli, Mayor Dodd

Absent: Alderman Newman

Meeting Re-Opened at 8:43

Motion made by Alderman Romaine to adjourn regular meeting at 8:43 PM 2nd Alderman Poolas

Voice Vote: All in favor

