

ORDINANCE 2025-04
INTRODUCTION DATE: 02-03-2025
ADOPTION DATE: 04-07-2025

AN ORDINANCE AMENDING THE ZONING ORDINANCES OF THE BOROUGH OF ROOSEVELT AT ARTICLE VI: “SUPPLEMENTARY REGULATIONS” TO STRENGTHEN THE BOROUGH’S STORMWATER MANAGEMENT REGULATIONS PER THE RECOMMENDATION OF THE BOROUGH’S PLANNING BOARD

WHEREAS, within its Zoning Ordinances at Sections 6.160-6.171, the Borough of Roosevelt (the “Borough”) has adopted municipal stormwater management regulations, which are compliant with the state-wide Stormwater Management Rules, N.J.A.C. 7:8, *et seq.*, promulgated by the New Jersey Department of Environmental Protection (“NJDEP”); and

WHEREAS, per the recommendation of the Borough’s Planning Board, the Borough now amends its local stormwater management regulations to require greater volume control for major developments, which is more restrictive than the NJDEP’s state-wide Stormwater Management Rules and permitted by law;

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Roosevelt that Section 6.164 of Article VI: “Supplementary Regulations” of the Borough Zoning Ordinances is hereby amended as follows (~~stricken text~~ indicates deletions, underlined text indicates additions):

6.160 STORMWATER MANAGEMENT.

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6.164. Stormwater Management Requirements for Major Development.

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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 Section 6.165, 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 projected 2-year storm, as defined and determined pursuant to Section 6.165(D) hereinbelow, is infiltrated.~~

2. The design engineer shall, using the assumptions and factors for stormwater runoff and groundwater recharge calculations at Section 6.165, demonstrate through hydrologic and hydraulic analysis that the increase of stormwater runoff volume from pre-construction to post-construction for the projected 25-year storm, as defined and determined pursuant to Section 6.165(D) hereinbelow, 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 approved pursuant to the Administrative Requirements for the Remediation of Contaminated Sites rules, N.J.A.C. 7:26C or Department landfill closure plan and areas; 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.

BE IT FURTHER ORDAINED that should any section, paragraph, sentence, clause, or phase of this ordinance be declared unconstitutional or invalid for any reason, the remaining portion of this ordinance shall not be affected thereby and shall remain in full force and effect, and to that end the provisions of this ordinance are hereby declared to be severable; and

BE IT FURTHER ORDAINED that, after introduction, the Borough Clerk is hereby directed to submit a copy of the within Ordinance to the Planning/Zoning Board of the Borough of Roosevelt for its review in accordance with N.J.S.A. 40:55D-26 and N.J.S.A. 40:55D-64. The Planning Board is directed to make and transmit to the Borough’s Mayor & Council, within 35 days after referral, a report including identification of any provisions in the proposed ordinance which are inconsistent with the master plan and recommendations concerning any inconsistencies and any other matter as the Board deems appropriate; and

BE IT FURTHER ORDAINED that, after adoption of this Ordinance, the Borough Clerk is hereby directed to submit a copy of the within Ordinance to the Planning Board of the County of Monmouth for its review and approval in accordance with N.J.S.A. 40:55D-97.

BE IT FURTHER ORDAINED that this Ordinance shall take effect upon its (1) adoption; (2) publication in accordance with the laws of the State of New Jersey; and (3) approval by the Monmouth County Planning Board pursuant to N.J.S.A. 40:55D-97.

BE IT FURTHER ORDAINED that all ordinances or parts of ordinances inconsistent with this amending ordinance are hereby repealed to the extent of their inconsistencies only.