

Deletions shown by ~~deletion~~; additions shown by underline.

**BOROUGH OF NORTH PLAINFIELD
COUNTY OF SOMERSET
STATE OF NEW JERSEY**

ORDINANCE NO. 24-17

AN ORDINANCE TO AMEND, REVISE AND SUPPLEMENT CHAPTER 22 OF THE BOROUGH CODE, ENTITLED “LAND DEVELOPMENT”, MORE SPECIFICALLY ARTICLE VIII, ENTITLED “ZONING BOARD OF ADJUSTMENT”, AND MORE PARTICULARLY SECTION 22-101.2.f, ENTITLED “STORMWATER CONTROL,” MOST NOTABLY BY AMENDING, REVISING AND SUPPLEMENTING SUBSECTION 1.C, ENTITLED “APPLICABILITY,” AND SUBSECTION 7, ENTITLED “MAINTENANCE AND REPAIR.”

WHEREAS, the New Jersey Department of Environmental Protection has offered a “streamlined” stormwater management ordinance which the Borough of North Plainfield adopted in 2024; and,

WHEREAS, such ordinances are subject to review by the Somerset County Planning Board, as they are part of the zoning ordinances of the Borough Code; and,

WHEREAS, certain changes were requested by the Somerset County Planning Board after their review.

NOW, THEREFORE, BE IT ORDAINED by the Borough Council of the Borough of North Plainfield, County of Somerset, State of New Jersey that the Borough Code of the Borough of North Plainfield be amended, revised and supplemented as to Chapter 22, entitled “Land Development, more specifically Article VIII, entitled “Zoning Board of Adjustment,” and more particularly § 22-101.2.f.1.C and F, entitled “Stormwater Control,” as follows:

Section 1. C - Applicability is hereby amended as follows:

C. Applicability.

1. This ordinance shall be applicable to the following major developments:
 - i. Non-residential major developments and redevelopment projects; and
 - ii. Aspects of residential major developments and redevelopment projects that are not pre-empted by the Residential Site Improvement Standards at N.J.A.C. 5:21 et seq.
2. This ordinance shall also be applicable to all major developments undertaken by the Borough of North Plainfield.

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3. Applicability of this ordinance to major developments shall comply with last amended N.J.A.C. 7:8-1.6, incorporated herein by reference.
 - (1) ~~This ordinance shall be applicable to all site plans and subdivisions for developments that require either preliminary or final site plan or subdivision review:~~
 - (2) ~~This shall also be applicable to all major developments undertaken by the Borough of North Plainfield.~~
 - (3) ~~Applicability of this ordinance to major developments shall comply with last amended N.J.A.C. 7:8-1.6, incorporated herein by reference.~~
 - (4) ~~This ordinance is applicable to developments that do not otherwise meet the NJDEP's definition of Major Development.~~

Section 7, Maintenance and Repair is hereby amended as follows:

7. Maintenance and Repair.

- (a) Applicability. Projects subject to review as in § 22-101.2.f.1.C. of this ordinance shall comply with the requirements of ~~the BMP Manual Appendix D, Section X-B~~ 7.B. of this Ordinance regarding general maintenance and ~~Section X-C 7.C. of this Ordinance~~ regarding performance and maintenance guarantees.

Section 7.b - Inspection, oversight and owner responsibilities is hereby amended as follows:

- (b) Inspection, oversight and owner responsibilities.
 - (1) All developments that contain stormwater management devices within the Borough are subject to the stormwater maintenance permit and periodic inspection in accordance with § 22-101.3 of the Borough Code ~~and N.J.A.C. 7:8-5.8.~~
 - (4) ~~Nothing in this section shall preclude the Borough from requiring the posting of a performance or maintenance guaranty in accordance with N.J.S.A. 40:55D-53.~~

Section 7.b.4 is revised as Section 7.c and is hereby amended as follows:

- (c) Nothing in this subsection 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.

NOW, THEREFORE, BE IT FURTHER ORDAINED that this Ordinance shall take effect, after final passage, twenty (20) days following action or inaction by the Mayor as provided by law or an override of a mayoral veto by the Council, whichever is applicable and publication in accordance with law, unless a resolution is adopted, pursuant to *N.J.S.A. 40:69A-181(b)*, declaring an emergency and providing that this Ordinance shall take effect at an earlier date.

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INTRODUCED:

PASSED:

PUBLISHED:

ADOPTED:

ROLL CALL:

AYES:

NAYS:

ABSTAIN:

ABSENT:

APPROVED BY THE MAYOR:

Yes _____ No _____

The above is a true copy of the Ordinance adopted by the Borough of North Plainfield on _____, 2024

ATTEST:

BOROUGH OF NORTH PLAINFIELD

Michele Irby Garry
Acting Borough Clerk
Borough of North Plainfield

Frank A. "Skip" Stabile, Jr., Council President

Date signed: _____, 2024

Date signed: _____, 2024

Lawrence LaRonde, Mayor

Date signed: _____, 2024

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