

From: [Donahue, Patricia](#)
To: [Kamal Saleh](#); [Edith Merkel \(clerk@ourclark.com\)](#); [Joseph Bodek](#); [Imassey@boroughofroselle.com](#); [acasais@rosellepark.net](#); [Linda Donnelly](#); [Cathy Cameron](#); [Lisette Sanchez](#); [m.slowik@winfield-nj.org](#); [Angela Lazzari](#); [Maureen Lawshe](#); [Cathy Cameron](#); [n.prater@winfield.com](#)
Cc: [Prunty, Kathleen](#); [Lenahan, Kathy](#); [Ryan J. Cooper](#); [Jonathan Drill](#); [Patterson, Lavona](#); [Bryan Flynn](#); [Brian Andrews](#); [Powell, Lorie](#); [Brian Andrews](#); [Carl O'Brien](#); [Kathleen Nemeth](#); [Nicholas, Ruth](#); [Greer Patras](#); [Graham Petto](#); [Justin Cutroneo](#); [michael.ash@carlinward.com](#); [Patty Kozlowski](#); [Gina Black](#); [Ty Apgar](#); [Mary Tappen](#); [Gina Black](#); [mollykellett20@gmail.com](#); [Patterson, Lavona](#); [Ashley Kurbanoglu \[Deputy Clerk\]](#); [Patty Kozlowski](#); [Terrence Curran](#); [Paul A. Gallo](#); [Nicholas Verderano](#); [Ty Apgar](#); [Kevin Boyer](#); [Mary Tappen](#); [Nicholas Verderano](#); [Gary Junkroft](#); [Thomas Slattery](#); [Paul A. Gallo](#); [Kevin Boyer](#)
Subject: Township of Cranford - Introduced Ordinances No. 2024-13 and 2024-15
Date: Wednesday, May 22, 2024 11:07:08 AM
Attachments: [Ord No 2024-13 and 15 Intro to UC Planning Bd and Surround.pdf](#)
[O-2024-13-Stormwater Management and Salt Storage - Recorded Vote.pdf](#)
[O-2024-15-Tree Removal and Replacement \(2\) - Recorded Vote.pdf](#)

Re: Township of Cranford – Introduced Ordinance No.’s 2024-13 and 2024-15

-
Hello Mr. Saleh and Clerk Colleagues,

- Please find attached notice of Township of Cranford introduced ordinances:
 1. Ord. No. 2024-13, pertaining to Stormwater Management and Privately-owned Salt Storage;
 2. Ord. No. 2024-15, pertaining to Tree Removal and replacement.
- We will mail a hard copy of the attached to Mr. Saleh but will be relying on the automatic email read and delivery receipts to serve as proof that your office received notice of this ordinance adoption.

With best regards,

Patricia Donahue
Municipal Clerk
Township of Cranford
8 Springfield Avenue
Cranford, NJ 07016

p-donahue@cranfordnj.org

908-709-7210



Township of Cranford

8 Springfield Avenue • Cranford, New Jersey 07016-2199

(908) 709-7200 • Fax (908) 276-7664

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Sent via Email to Surrounding Community Municipal Clerks

Sent via Email and Certified Mail, RRR only to the Union County Planning Board

May 22, 2024

TO: Union County Planning Board
Township of Clark
Borough of Garwood
City of Linden
Borough of Kenilworth
Borough of Roselle
Borough of Roselle Park
Township of Springfield
Town of Westfield
Township of Winfield

FROM: Patricia Donahue, RMC
Municipal Clerk

Re: **Township of Cranford Introduced Ordinances**

Ordinance No. 2024-13:

AN ORDINANCE TO AMEND THE CODE OF THE TOWNSHIP OF CRANFORD, CHAPTER 364 AND CHAPTER 365, PERTAINING TO STORM WATER MANAGEMENT, AND CREATING CHAPTER 362, ARTICLE V, TO ESTABLISH NJDEP-MANDATED REGULATION FOR PRIVATELY OWNED SALT STORAGE

Ordinance No. 2024-13 (attached) was introduced and approved on the first reading by the Township Committee of the Township of Cranford at a meeting held on Tuesday, May 7, 2024. Public Hearing and proposed final reading are scheduled for Tuesday, June 11, 2024 at 7:30 p.m. at the Township Committee's Official Meeting in Cranford's Municipal Building, Council Chambers, 8 Springfield Avenue, Cranford, New Jersey, 07016.

Ordinance No. 2024-15:

AN ORDINANCE TO AMEND THE CODE OF THE TOWNSHIP OF CRANFORD BY CREATING CHAPTER 397 TO ESTABLISH NJDEP-MANDATED REGULATION OF TREE REMOVAL AND AMENDING CHAPTER 255, ARTICLE IV, OF THE CODE

Ordinance No. 2024-15 (attached) was introduced and approved on the first reading by the Township Committee of the Township of Cranford at a meeting held on Tuesday, May 21, 2024. Public Hearing and proposed final reading are scheduled for Tuesday, June 25, 2024 at 8:00 p.m. at the Township Committee's Official Meeting in Cranford's Municipal Building, Council Chambers, 8 Springfield Avenue, Cranford, New Jersey, 07016.

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Sent via Email:

Cc: Township Committee
Township Administrator
Township Attorney
Zoning Officer
Land Use Administrator
Planning Board Chair
Planning Board Attorney
Tax Assessor
Construction Code Official
Township Engineer
Municipal Court Administrator
Township Consulting Zoning professionals

**TOWNSHIP OF CRANFORD
CRANFORD, NEW JERSEY**

ORDINANCE NO. 2024-15

**AN ORDINANCE TO AMEND THE CODE OF THE TOWNSHIP OF CRANFORD BY
CREATING CHAPTER 397 TO ESTABLISH NJDEP-MANDATED REGULATION OF
TREE REMOVAL AND AMENDING CHAPTER 255, ARTICLE IV, OF THE CODE**

BE IT ORDAINED by the Township Committee of the Township of Cranford as follows:

Section 1. Chapter 397 of the Township Code shall be created as follows:

397-1. Purpose:

An ordinance to establish requirements for tree removal and replacement in the Township of Cranford to reduce soil erosion and pollutant runoff, promote infiltration of rainwater into the soil, and protect the environment, public health, safety, and welfare.

397-2. Definitions:

For the purpose of this ordinance, the following terms, phrases, words, and their derivations shall have the meanings stated herein unless their use in the text of this ordinance clearly demonstrates a different meaning. When consistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The use of the word “shall” means the requirement is always mandatory and not merely directory.

- A. “Applicant” means any “person”, as defined below, who applies for approval to remove trees regulated under this ordinance.
- B. “Critical Root Radius (CRR)” – means the zone around the base of a tree where the majority of the root system is found. This zone is calculated by multiplying the diameter at breast height (DBH) of the tree by 1.5 feet. For example: a tree with a 6” DBH would have a CRR = 6”x1.5’ = 9’.
- C. “Diameter at Breast Height (DBH)” means the diameter of the trunk of a mature tree generally measured at a point four and a half feet above ground level from the uphill side of the tree. For species of trees where the main trunk divides below the 4 ½ foot height, the DBH shall be measured at the highest point before any division.
- D. “Hazard Tree” means a tree or limbs thereof that meet one or more of the criteria below. Trees that do not meet any of the criteria below and are proposed to be removed solely for development purposes are not hazard trees.

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1. Has an infectious disease or insect infestation;
2. Is dead or dying;
3. Obstructs the view of traffic signs or the free passage of pedestrians or vehicles, where pruning attempts have not been effective;
4. Is causing obvious damage to structures (such as building foundations, sidewalks, etc.); or
5. Is determined to be a threat to public health, safety, and/or welfare by a certified arborist or Licensed Tree Expert (LTE).

E. “Person” means any individual, resident, corporation, utility, company, partnership, firm, or association.

F. “Planting strip” means the part of a street right-of-way between the public right-of-way and the portion of the street reserved for vehicular traffic or between the abutting property line and the curb or traveled portion of the street, exclusive of any sidewalk.

G. “Resident” means an individual who resides on the residential property or contractor hired by the individual who resides on the residential property where a tree(s) regulated by this ordinance is removed or proposed to be removed.

H. “Street Tree” means a tree planted in the sidewalk, planting strip, and/or in the public right-of-way adjacent to (or specified distance from) the portion of the street reserved for vehicular traffic. This also includes trees planted in planting strips within the roadway right-of-way, i.e., islands, medians, pedestrian refuges.

I. “Tree” means a woody perennial plant, typically having a single stem or trunk growing to a considerable height and bearing lateral branches at some distance from the ground.

J. “Tree Caliper” means the diameter of the trunk of a young tree, measured six (6) inches from the soil line. For young trees whose caliper exceeds four (4) inches, the measurement is taken twelve (12) inches above the soil line.

K. “Tree removal” means to kill or to cause irreparable damage that leads to the decline and/or death of a tree. This includes, but is not limited to, excessive pruning, application of substances that are toxic to the tree, over-mulching or improper mulching, and improper grading and/or soil compaction within the critical root radius around the base of the tree that leads to the decline and/or death of a tree. Removal does not include responsible pruning and maintenance of a tree, or the application of treatments intended to manage invasive species.

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397-3. Regulated Activities:

A. Application Process:

1. Any person planning to remove a street tree, as defined as Tree removal, with DBH of 2.5” or more or any non-street tree with DBH of 6” or more on their property shall submit a Tree Removal Application to the Township of Cranford Building Department. No tree shall be removed until municipal officials have reviewed and approved the removal.
2. Nothing in this Chapter shall alter the requirements for tree replacement for development applications as provided in § 255-26(N).

B. Tree Replacement Requirements

1. Any person who removes one or more street tree(s) with a DBH of 2.5” or more, unless exempt under Section 397-4, shall be subject to the requirements of the Tree Replacement Requirements Table below.
2. Any person, who removes one or more tree(s), as defined as Tree removal, with a DBH of 6” or more per acre, unless otherwise detailed under 397-4, shall be subject to the requirements of the Tree Replacement Requirements Table. The species type and diversity of replacement trees shall be in accordance with Appendix A.
3. Replacement tree(s) shall:
 - a. Be replaced in kind with a tree that has an equal or greater DBH than tree removed or meet the Tree Replacement Criteria in the table below;
 - b. Be planted within twelve (12) months of the date of removal of the original tree(s) or at an alternative date specified by the municipality;
 - c. Be monitored by the applicant for a period of two (2) years to ensure their survival and shall be replaced as needed within twelve (12) months; and
 - d. Shall not be planted in temporary containers or pots, as these do not count towards tree replacement requirements.

4. Tree Replacement Requirements Table:

<u>Category</u>	<u>Tree Removed (DBH)</u>	<u>Tree Replacement Criteria (See Appendix A)</u>	<u>Application Fee</u>
<u>1</u>	<u>DBH of 2.5” (for street trees) or 6” (for non-street trees) to 12.99”</u>	<u>Replant 1 tree with a minimum tree caliper of 1.5” for each tree removed</u>	<u>\$75.00 plus \$20.00 per tree</u>

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<u>2</u>	<u>DBH of 13” to 22.99”</u>	<u>Replant 2 trees with minimum tree calipers of 1.5” for each tree removed</u>	<u>plus \$20.00 per tree</u>
<u>3</u>	<u>DBH of 23” to 32.99”</u>	<u>Replant 3 trees with minimum tree calipers of 1.5” for each tree removed</u>	<u>plus \$20.00 per tree</u>
<u>4</u>	<u>DBH of 33” or greater</u>	<u>Replant 4 trees with minimum tree calipers of 1.5” for each tree removed</u>	<u>plus \$20.00 per tree</u>

C. Replacement Alternatives:

1. If the municipality determines that some or all required replacement trees cannot be planted on the property where the tree removal activity occurred, then the applicant shall do one of the following:
 - a. Plant replacement trees in a separate area(s) approved by the municipality.
 - b. Pay a fee of \$300.00 per tree removed. This fee shall be placed into the Tree Planting and Preservation Fund.

397-4. Exemptions:

All persons shall comply with the tree replacement standard outlined above, except in the cases detailed below. Proper justification shall be provided, in writing, to the municipality by all persons claiming an exemption. Proper justification may include written statements, reports, or testimony from a licensed tree expert or licensed tree care operator as defined in N.J.S.A. 45:15C-11:

- A. Residents who remove less than one tree per acre that fall into category 1, 2, or 3 of the Tree Replacement Requirements Table within a five-year period, not including those otherwise exempted under this section.
- B. Tree farms in active operation, nurseries, fruit orchards, and garden centers;
- C. Properties used for the practice of silviculture under an approved forest stewardship or woodland management plan that is active and on file with the municipality;
- D. Any trees removed as part of a municipal or state decommissioning plan. This exemption only includes trees planted as part of the construction and predetermined to be removed in the decommissioning plan.
- E. Any trees removed pursuant to a New Jersey Department of Environmental Protection (NJDEP) or U.S. Environmental Protection Agency (EPA) approved environmental clean-up, or NJDEP approved habitat enhancement plan;

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- F. Approved game management practices, as recommended by the State of New Jersey Department of Environmental Protection, Division of Fish, Game and Wildlife;
- G. Hazard Trees may be removed with no fee or replacement requirement.

397-5. Enforcement:

This ordinance shall be enforced by the Cranford Building Department.

397-6. Violations and Penalties:

Any person(s) who is found to be in violation of the provisions of this ordinance shall be subject to a fine of \$300 or the amount of the required replacement tree(s) and cost of planting, whichever is greater.

397-7 Severability:

Each section, subsection, sentence, clause, and phrase of this Ordinance is declared to be an independent section, subsection, sentence, clause, and phrase, and finding or holding of any such portion of this Ordinance to be unconstitutional, void, or ineffective for any cause or reason shall not affect any other portion of this Ordinance.

397-8 Effective Date:

This Ordinance shall be in full force and effect from and after its adoption and any publication as may be required by law.

Appendix A

Approved list of Replacement tree Species and Planting Standards for Township of Cranford

<u>SPECIES/COMMON NAME VARIETIES</u>	<u>DESCRIPTION</u>	<u>NATIVE and/or NATIVE CULTIVAR</u>	<u>FALL DIGGING HAZARD</u>
<u>Acer freemanii x (Autumn Fantasy, Armstrong, Armstrong Gold)</u>	<u>Upward Branching Structure</u>	<u>X</u>	<u>-</u>
<u>Acer rubrum (Brandywine, Red Sunset, Redpointe)</u>	<u>Sturdy Branching resists storm damage</u>	<u>X</u>	<u>Y</u>

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<u>SPECIES/COMMON NAME</u> <u>VARIETIES</u>	<u>DESCRIPTION</u>	<u>NATIVE</u> <u>and/or</u> <u>NATIVE</u> <u>CULTIVAR</u>	<u>FALL</u> <u>DIGGING</u> <u>HAZARD</u>
<u>Acer saccharum (Fall Fiesta, Green Mountain, Legacy, Sugar Maple)</u>	<u>Dense Shade, Excellent Fall Color</u>	<u>X</u>	-
<u>Amalanchier grandiflora ‘Robin Hill’ (Service Berry)</u>	<u>Light Pink</u>	<u>X</u>	-
<u>Amalanchier laevis ‘Spring Flurry’</u>	<u>Reddish Leaves, Bright White Flowers</u>	<u>X</u>	-
<u>Betula nigra (Duraheat, Heritage, Little King)</u>	<u>Compact</u>	<u>X</u>	<u>Y</u>
<u>Nyssa sylvatica (Black Gum)</u>	<u>Crimson Fall Color</u>	<u>X</u>	-
<u>Carpinus caroliniana ‘Native Flame’</u>	<u>Red/Orange Fall Color</u>	<u>X</u>	-
<u>Carpinus caroliniana (American Hornbeam, Musclewood)</u>	<u>Great Understory Tree</u>	<u>X</u>	-
<u>Carpinus caroliniana ‘Ball of Fire’</u>	<u>Reddish Fall Color</u>	<u>X</u>	<u>Y</u>
<u>Carpinus caroliniana ‘Palisade’</u>	<u>Upright Oval Growth, Yellow to Orange Fall Color</u>	<u>X</u>	<u>Y</u>
<u>Carpinus caroliniana ‘Rising Fire’</u>	<u>Orange Fall Color</u>	<u>X</u>	<u>Y</u>
<u>Celtis occidentalis (Hackberry, Prairie Pride, Windy City)</u>	<u>Dark Green Foliage</u>	<u>X</u>	<u>Y</u>
<u>Cercis canadensis 'Summers Tower' or 'Cotton Candy' (American Redbud)</u>	<u>Lavender Pink or Pink Flowers</u>	<u>X</u>	-
<u>Cercis canadensis var. texensis 'Oklahoma'</u>	<u>Smaller, Glossy, Tougher Leaves; Heat</u>	<u>X</u>	-
<u>Cladrastis lutea (American Yellowwood)</u>	<u>Showy White Flowers in Spring, Yellow/ Orange Fall Color</u>	<u>X</u>	<u>Y</u>
<u>Cornus rutgerensis 'Stellar Pink'</u>	<u>Light Pink</u>	<u>X</u>	<u>Y</u>

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<u>SPECIES/COMMON NAME VARIETIES</u>	<u>DESCRIPTION</u>	<u>NATIVE and/or NATIVE CULTIVAR</u>	<u>FALL DIGGING HAZARD</u>
<u>Cornus 'Venus'</u>	<u>Large, Pure White Flowers</u>	<u>X</u>	<u>Y</u>
<u>Cornus rutgerensis 'Constellation'</u>	<u>White</u>	<u>X</u>	<u>Y</u>
<u>Cornus rutgerensis 'Celestial'</u>	<u>White</u>	<u>X</u>	<u>Y</u>
<u>Ginkgo biloba [Ginkgo] (Autumn Gold, Goldspire)</u>	<u>Excellent Summer Foliage, Autumn Gold Foliage</u>	-	-
<u>Gymnocladus dioica 'Espresso' (Kentucky Coffee Tree)</u>	<u>Hardy</u>	<u>X</u>	-
<u>Celtis Occidentalis (Hackberry)</u>	<u>Interesting Bark Pattern</u>	<u>X</u>	-
<u>Ilex opaca (Recommend 'Jersey Knight' & 'Jersey Princess', American Holly also acceptable)</u>	<u>Dark Foliage, Excellent Fruit Set, Evergreen</u>	<u>X</u>	-
<u>Liquidambar styraciflua 'Slender Silhouette' (Fastigiata Sweetgum)</u>	<u>Narrow, Great Fall Color</u>	<u>X</u>	-
<u>Littleleaf Lindens</u>	<u>Beautiful Heart-Shaped Leaves, a Favorite Pollinator Species</u>	<u>X</u>	-
<u>Magnolia virginiana (Emerald Tower, Green Mile, Green Shadow, Northern Belle, Sweetbay Magnolia)</u>	<u>Semi-Evergreen, Fragrant Summer Flowers</u>	<u>X</u>	-
<u>Malus 'Brandywine' (Crabapple)</u>	<u>Grows to 30' in height</u>	-	-
<u>Malus 'Redpointe' (Crabapple)</u>	<u>Pest and Disease Resistant</u>		
<u>Malus 'Royal Raindrops' (Flowering Crabapple)</u>	<u>Vibrant Pink to Red Flowers</u>		
<u>Malus 'Showtime' (Flowering Crabapple)</u>	<u>Fuchsia Red Flowers, Fiery Orange Fall Color</u>		
<u>Nyssa sylvatica cultivar 'Green Gables' (Black Gum)</u>	<u>Tolerates Wet Sites</u>	<u>X</u>	<u>Y</u>

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<u>SPECIES/COMMON NAME VARIETIES</u>	<u>DESCRIPTION</u>	<u>NATIVE and/or NATIVE CULTIVAR</u>	<u>FALL DIGGING HAZARD</u>
<u>Ostrya virginiana ‘Autumn Treasure’ (American Hop-Hornbeam)</u>	<u>Shade/Sun/Drought-Tolerant, Brilliant Fall Color</u>	<u>X</u>	<u>Y</u>
<u>Parrotia subaequalis (Persian Ironwood)</u>	<u>Crimson Red Fall Color, Tolerant of Heat and Cold, Pest Resistant</u>	-	-
<u>Picea abies (Norway/European Spruce)</u>	<u>Tolerant Evergreen</u>	-	-
<u>Prunus ‘First Blush’ (Flowering Cherry)</u>	<u>Oval Shape, Pink Flowers, Orange Fall Color</u>	-	<u>Y</u>
<u>Prunus ‘Royal Burgundy’ (Flowering Cherry)</u>	<u>Vase Shaped, Prefers Well- Drained Soils</u>	-	<u>Y</u>
<u>Prunus sargentii ‘Pink Flair’ (Flowering Cherry)</u>	<u>Narrow, Upright Form</u>	-	<u>Y</u>
<u>Prunus sargentii ‘Pink Myst’ (Flowering Cherry)</u>	<u>Dark Pink Flowers, Orange/Red Fall Color</u>		
<u>Prunus serrulata ‘Kwanzan’ (Flowering Cherry)</u>	<u>Double Blossom, the Tree that made Washington DC famous</u>	-	<u>Y</u>
<u>Quercus alba (White Oak)</u>	<u>Incredible Longevity</u>	<u>X</u>	<u>Y</u>
<u>Quercus bicolor (Swamp White Oak)</u>	<u>A Low-Maintenance Shade Tree</u>	<u>X</u>	<u>Y</u>
<u>Quercus warei ‘Kindred Spirit’</u>	<u>Columnar Form</u>	-	<u>Y</u>
<u>Quercus x warei ‘Regal Prince’</u>	<u>Columnar, Resistant to Powdery Mildew</u>	-	<u>Y</u>
<u>Taxodium distichum (Bald Cypress, Emerald Shadow, Green Whisper, Shawnee Brave)</u>	<u>Deciduous Conifer</u>	<u>X</u>	-
<u>Thuja plicata ‘Green Giant’</u>	<u>Evergreen</u>	-	<u>Y</u>

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<u>SPECIES/COMMON NAME VARIETIES</u>	<u>DESCRIPTION</u>	<u>NATIVE and/or NATIVE CULTIVAR</u>	<u>FALL DIGGING HAZARD</u>
<u>Tilia cordata (Little Leaf Linden)</u>	<u>Dark Green Glossy Foliage</u>	<u>X</u>	-
<u>Tilia cordata ‘Greenspire’</u>	<u>Pyramidal Shape</u>	<u>X</u>	-
<u>Ulmus ‘Accolade’</u>	<u>Resistant to DED</u>	-	<u>Y</u>

Section 2. Chapter 255, Article IV, of the Township Code shall be amended as follows:

§ 255-26. Design standards: specific.

...

N. Tree replacement.

(1) The following terms shall have the following meanings as used in this subsection:

PROTECTED TREE

Any woody perennial plant with a trunk exceeding 18 inches in diameter (56.52 inches in circumference) measured at a point 4.0 feet above the ground level on the downhill side of such tree.

TREE

Any woody perennial plant with a main stem or trunk exceeding five inches in diameter (16 inches in circumference) measured at a point 4.0 feet above the ground level on the downhill side of such tree.

(2) A tree replacement plan shall be submitted with each application for development in which trees are proposed to be removed or have been removed as provided in § 255-24D (19). On-site replacement trees shall be provided for all trees removed, in accordance with the following table:

<u>Category</u>	<u>Tree Removed (DBH)</u>	<u>Tree Replacement Criteria (See Appendix A)</u>	<u>Application Fee</u>
<u>1</u>	<u>DBH of 2.5” (for street trees) or 6” (for non-street trees) to 12.99”</u>	<u>Replant 1 tree with a minimum tree caliper of 1.5” for each tree removed</u>	<u>\$75.00 plus \$20.00 per tree</u>

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<u>2</u>	<u>DBH of 13" to 22.99"</u>	<u>Replant 2 trees with minimum tree calipers of 1.5" for each tree removed</u>	<u>plus \$20.00 per tree</u>
<u>3</u>	<u>DBH of 23" to 32.99"</u>	<u>Replant 3 trees with minimum tree calipers of 1.5" for each tree removed</u>	<u>plus \$20.00 per tree</u>
<u>4</u>	<u>DBH of 33" or greater</u>	<u>Replant 4 trees with minimum tree calipers of 1.5" for each tree removed</u>	<u>plus \$20.00 per tree</u>

(3) If the site cannot accommodate the number of trees hereby required as replacement, the developer shall be required to contribute to a special fund, to be known as the "Tree Planting and Preservation Fund," in the sum of ~~\$300~~ \$500 per tree; provided, however, that if a tree to be removed is a protected tree, the amount of the contribution shall be determined by the Superintendent of Public Works. Such determination shall be based upon the value of the tree, calculated by the methodology adopted in the Township of Cranford's Community Forestry Management Plan. The Tree Planting and Preservation Fund shall be used by the Township for the planting of trees in the Township with the goal of replacing trees removed. The fund shall be administered by the Shade Tree Commission ~~Township Treasurer and Township Administrator~~ with advice from the Superintendent of Public Works.

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Introduced: May 21, 2024
Adopted:

Approved:

Brian Andrews
Chairman, Township Committee

Attest:

Patricia Donahue, RMC
Municipal Clerk

RECORDED VOTE

INTRODUCED

ADOPTED

Brian Andrews
Terrence Curran
Paul A. Gallo
Kathleen Miller Prunty
Gina Black

Aye
Aye
Aye
Aye
Aye

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**TOWNSHIP OF CRANFORD
CRANFORD, NEW JERSEY**

ORDINANCE NO. 2024-13

**AN ORDINANCE TO AMEND THE CODE OF THE TOWNSHIP OF CRANFORD,
CHAPTER 364 AND CHAPTER 365, PERTAINING TO STORM WATER
MANAGEMENT, AND CREATING CHAPTER 362, ARTICLE V, TO ESTABLISH
NJDEP-MANDATED REGULATION FOR PRIVATELY OWNED SALT STORAGE**

WHEREAS, On September 5, 2023 The Township of Cranford adopted ordinance 2023-09 regarding Chapter 225 - Floodplain Management Regulation.

WHEREAS, the floodplain management regulation ordinance required the regulations in the Townships Stormwater Management Ordinances to be amended; and

WHEREAS, the New Jersey Department of Environmental Protection has promulgated rules to manage stormwater runoff to reduce flooding and pollutions; and

WHEREAS, on July 2023, the New Jersey Department of Environmental Protection published amendments to New Jersey’s stormwater management rules; and

WHEREAS, as part of MS4 Tier A permit stormwater requirements, the New Jersey Department of Environmental Protection also requires municipalities to adopt NJDEP-mandated regulations for privately owned salt storage; and

WHEREAS, the NJDEP’s amendments to the stormwater management rules are effective May 7, 2024;

WHEREAS, the Township Committee of the Township of Cranford recognizes the need to amend sections of Chapter 362, Storm Sewer System, Chapter 364, Stormwater Management for Minor Developments, and sections of Chapter 365 Stormwater Management for Major Developments, to update the Township Code to incorporate the flood plain management and related regulations which affect the stormwater management rules

NOW THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Cranford, County of Union, State of New Jersey as follows:

SECTION 1. The Township Code of the Township of Cranford, Part II, § 364-2 “Definitions” is hereby amended to include the following:

“Public roadway or railroad” means a pathway for use by motor vehicles or trains that is intended for public use and is constructed by, or on behalf of, a public transportation entity. A public roadway or railroad does not include a roadway or railroad constructed as part of a

private development, regardless of whether the roadway or railroad is ultimately to be dedicated to and/or maintained by a governmental entity.

“Public transportation entity” means a Federal, State, county, or municipal government, an independent State authority, or a statutorily authorized public-private partnership program pursuant to P.L. 2018, c. 90 (N.J.S.A. 40A:11-52 et seq.), that performs a public roadway or railroad project that includes new construction, expansion, reconstruction, or improvement of a public roadway or railroad.

SECTION 2. The Township Code of the Township of Cranford, Part II, § 365-1C “Applicability” is amended to include the following:

3. An application required by ordinance pursuant to C.1 above that has been submitted prior to May 7th, 2024, shall be subject to the stormwater management requirements in effect on May 6th, 2024.
4. An application required by ordinance for approval pursuant to (b)1 above that has been submitted on or after March 2, 2021, but prior to May 7th, 2024, shall be subject to the stormwater management requirements in effect on May 6th, 2024.
5. Notwithstanding any rule to the contrary, a major development for any public roadway or railroad project conducted by a public transportation entity that has determined a preferred alternative or reached an equivalent milestone before July 17, 2023, shall be subject to the stormwater management requirements in effect prior to July 17, 2023.

SECTION 3. The Township Code of the Township of Cranford, Part II, § 365-2 “Definitions” is hereby amended to include the following:

“Public roadway or railroad” means a pathway for use by motor vehicles or trains that is intended for public use and is constructed by, or on behalf of, a public transportation entity. A public roadway or railroad does not include a roadway or railroad constructed as part of a private development, regardless of whether the roadway or railroad is ultimately to be dedicated to and/or maintained by a governmental entity.

“Public transportation entity” means a Federal, State, county, or municipal government, an independent State authority, or a statutorily authorized public-private partnership program pursuant to P.L. 2018, c. 90 (N.J.S.A. 40A:11-52 et seq.), that performs a public roadway or railroad project that includes new construction, expansion, reconstruction, or improvement of a public roadway or railroad.

SECTION 4. The Township Code of the Township of Cranford, Part II, § 365-4 E “Stormwater Management Requirements for Major Development” is hereby amended as follows:

- E. Tables 1 through 3 below summarize the ability of stormwater best management practices identified and described in the New Jersey Stormwater Best Management Practices Manual to satisfy the green infrastructure, groundwater recharge, stormwater runoff quality and stormwater runoff quantity standards specified in Section 365-4. O, P, Q and R. When

designed in accordance with the most current version of the New Jersey Stormwater Best Management Practices Manual, the stormwater management measures found at N.J.A.C. 7:8-5.2 (f) Tables 5-1, 5-2 and 5-3 and listed below in Tables 1, 2 and 3 are presumed to be capable of providing stormwater controls for the design and performance standards as outlined in the tables below. Upon amendments of the New Jersey Stormwater Best Management Practices to reflect additions or deletions of BMPs meeting these standards, or changes in the presumed performance of BMPs designed in accordance with the New Jersey Stormwater BMP Manual, the Department shall publish in the New Jersey Registers a notice of administrative change revising the applicable table. The most current version of the BMP Manual can be found on the Department's website at: https://njstormwater.org/bmp_manual2.htm

<https://dep.nj.gov/stormwater/bmp-manual/>.

SECTION 5. The Township Code of the Township of Cranford, Part II, § 365-4 P2.ii “Groundwater Recharge Standards” is hereby amended as follows:

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 365-5, either:
 - i. 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
 - ii. 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 365-5.D of this ordinance, is infiltrated..

SECTION 6. The Township Code of the Township of Cranford, Part II, § 365-4 P4.i “Groundwater Recharge Standards” is hereby amended as follows

4. The following types of stormwater shall not be recharged:
 - i. Stormwater from areas of high pollutant loading. High pollutant loading areas are areas in industrial and commercial developments where solvents and/or petroleum products are loaded/unloaded, stored, or applied, areas where pesticides are loaded/unloaded or stored; areas where hazardous materials are expected to be present in greater than “reportable quantities” as defined by the United States Environmental Protection Agency (EPA) at 40 CFR 302.4; areas where recharge would be inconsistent with Department approved remedial action work plan 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

SECTION 7. The Township Code of the Township of Cranford, Part II, § 365-4 R2.i, ii, & iii “Stormwater Runoff Quantity Standards” is hereby amended as follows:

2. In order to control stormwater runoff quantity impacts, the design engineer shall, using the assumptions and factors for stormwater runoff calculations at Section V, complete one of the following:
 - i. Demonstrate through hydrologic and hydraulic analysis that for stormwater leaving the site, post-construction runoff hydrographs for the current and projected 2-, 10-, and 100-year storm events, as defined and determined in Section 365-5.C and D, respectively, of this ordinance, do not exceed, at any point in time, the pre-construction runoff hydrographs for the same storm events;
 - ii. 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 current and projected 2-, 10-, and 100-year storm events, as defined and determined pursuant to Section 365-5.C and D, respectively, of this ordinance, 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;
 - iii. Design stormwater management measures so that the post-construction peak runoff rates for the current and projected 2-, 10-, and 100-year storm events, as defined and determined in Section 365-5.C and D, respectively, of this ordinance, 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; or
 - iv. In tidal flood hazard areas, stormwater runoff quantity analysis in accordance with 2.i, ii and iii above is required unless the design engineer demonstrates through hydrologic and hydraulic analysis that the increased volume, change in timing, or increased rate of the stormwater runoff, or any combination of the three will not result in additional flood damage below the point of discharge of the major development. No analysis is required if the stormwater is discharged directly into any ocean, bay, inlet, or the reach of any watercourse between its confluence with an ocean, bay, or inlet and downstream of the first water control structure.
3. The stormwater runoff quantity standards shall be applied at the site's boundary to each abutting lot, roadway, watercourse, or receiving storm sewer system.

SECTION 8. The Township Code of the Township of Cranford, Part II, § 365-5 “Calculation of Stormwater Runoff and Groundwater Recharge” is hereby amended as follows:

- A. Stormwater runoff shall be calculated in accordance with the following:
 1. The design engineer shall calculate runoff using ~~one of~~ the following methods:
 - i. The USDA Natural Resources Conservation Service (NRCS) methodology, including the NRCS Runoff Equation and Dimensionless Unit Hydrograph, as

described in Chapters 7, 9, 10, 15 and 16 Part 630, Hydrology National Engineering Handbook, incorporated herein by reference as amended and supplemented. This methodology is additionally described in *Technical Release 55 - Urban Hydrology for Small Watersheds* (TR-55), dated June 1986, incorporated herein by reference as amended and supplemented. Information regarding the methodology is available from the Natural Resources Conservation Service website at: https://www.nres.usda.gov/Internet/FSE_DOCUMENTS/stelprdb1044171.pdf <https://directives.sc.egov.usda.gov/viewerFS.aspx?hid=21422>; or

- ii. at United States Department of Agriculture Natural Resources Conservation Service, New Jersey State Office, 220 Davison Avenue, Somerset, New Jersey 08873; or
 - ~~iii. The Rational Method for peak flow and the Modified Rational Method for hydrograph computations. The rational and modified rational methods are described in "Appendix A-9 Modified Rational Method" in the Standards for Soil Erosion and Sediment Control in New Jersey, January 2014. This document is available from the State Soil Conservation Committee or any of the Soil Conservation Districts listed at N.J.A.C. 2:90-1.3(a)3. The location, address, and telephone number for each Soil Conservation District is available from the State Soil Conservation Committee, PO Box 330, Trenton, New Jersey 08625. The document is also available at: <http://www.nj.gov/agriculture/divisions/anr/pdf/2014NJSoilErosionControlStandardsComplete.pdf>.~~
1. For the purpose of calculating runoff coefficients curve numbers 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 curve number" applies to ~~both the NRCS methodology above at Section 365-5.A.1.i and the Rational and Modified Rational Methods at Section 365-5.A.1.ii.~~ A runoff coefficient curve number 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 has 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).
 2. 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.

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* or other methods may be employed.

3. 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:

The New Jersey Geological Survey Report GSR-32, A Method for Evaluating Groundwater-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 the New Jersey Geological Survey website at: <https://www.nj.gov/dep/njgs/pricelst/gsreport/gsr32.pdf>; or at New Jersey Geological and Water Survey, 29 Arctic Parkway, PO Box 420 Mail Code 29-01, Trenton, New Jersey 08625-0420.

C. The precipitation depths of the current two-, 10-, and 100-year storm events shall be determined by multiplying the values determined in accordance with items 1 and 2 below:

1. The applicant shall utilize the National Oceanographic and Atmospheric Administration (NOAA), National Weather Service’s Atlas 14 Point Precipitation Frequency Estimates: NJ, in accordance with the location(s) of the drainage area(s) of the site. This data is available at:

https://hdsc.nws.noaa.gov/hdsc/pfds/pfds_map_cont.html?bkmrk=nj; and

2. The applicant shall utilize Table 5: Current Precipitation Adjustment Factors below, which sets forth the applicable multiplier for the drainage area(s) of the site, in accordance with the county or counties where the drainage area(s) of the site is located. Where the major development lies in more than one county, the precipitation values shall be adjusted according to the percentage of the drainage area in each county. Alternately, separate rainfall totals can be developed for each county using the values in the table below.

Table 5: Current Precipitation Adjustment Factors

County	Current Precipitation Adjustment Factors		
	2-year Design Storm	10-year Design Storm	100-year Design Storm

<u>Atlantic</u>	<u>1.01</u>	<u>1.02</u>	<u>1.03</u>
<u>Bergen</u>	<u>1.01</u>	<u>1.03</u>	<u>1.06</u>
<u>Burlington</u>	<u>0.99</u>	<u>1.01</u>	<u>1.04</u>
<u>Camden</u>	<u>1.03</u>	<u>1.04</u>	<u>1.05</u>
<u>Cape May</u>	<u>1.03</u>	<u>1.03</u>	<u>1.04</u>
<u>Cumberland</u>	<u>1.03</u>	<u>1.03</u>	<u>1.01</u>
<u>Essex</u>	<u>1.01</u>	<u>1.03</u>	<u>1.06</u>
<u>Gloucester</u>	<u>1.05</u>	<u>1.06</u>	<u>1.06</u>
<u>Hudson</u>	<u>1.03</u>	<u>1.05</u>	<u>1.09</u>
<u>Hunterdon</u>	<u>1.02</u>	<u>1.05</u>	<u>1.13</u>
<u>Mercer</u>	<u>1.01</u>	<u>1.02</u>	<u>1.04</u>
<u>Middlesex</u>	<u>1.00</u>	<u>1.01</u>	<u>1.03</u>
<u>Monmouth</u>	<u>1.00</u>	<u>1.01</u>	<u>1.02</u>
<u>Morris</u>	<u>1.01</u>	<u>1.03</u>	<u>1.06</u>
<u>Ocean</u>	<u>1.00</u>	<u>1.01</u>	<u>1.03</u>
<u>Passaic</u>	<u>1.00</u>	<u>1.02</u>	<u>1.05</u>
<u>Salem</u>	<u>1.02</u>	<u>1.03</u>	<u>1.03</u>
<u>Somerset</u>	<u>1.00</u>	<u>1.03</u>	<u>1.09</u>
<u>Sussex</u>	<u>1.03</u>	<u>1.04</u>	<u>1.07</u>
<u>Union</u>	<u>1.01</u>	<u>1.03</u>	<u>1.06</u>
<u>Warren</u>	<u>1.02</u>	<u>1.07</u>	<u>1.15</u>

D. Table 6: Future Precipitation Change Factors provided below sets forth the change factors to be used in determining the projected two-, 10-, and 100-year storm events for use in this chapter, which are organized alphabetically by county. The precipitation depth of the projected two-, 10-, and 100-year storm events of a site shall be determined by multiplying the precipitation depth of the two-, 10-, and 100-year storm events determined from the National Weather Service’s Atlas 14 Point Precipitation Frequency Estimates pursuant to (c)1 above, by the change factor in the table below, in accordance with the county or counties where the drainage area(s) of the site is located. Where the major development and/or its drainage area lies in more than one county, the precipitation values shall be adjusted according to the percentage of the drainage area in each county. Alternately, separate rainfall totals can be developed for each county using the values in the table below.

Table 6: Future Precipitation Change Factors

County	<u>Future Precipitation Change Factors</u>		
	<u>2-year Design Storm</u>	<u>10-year Design Storm</u>	<u>10-year Design Storm</u>
<u>Atlantic</u>	<u>1.22</u>	<u>1.24</u>	<u>1.39</u>
<u>Bergen</u>	<u>1.20</u>	<u>1.23</u>	<u>1.37</u>
<u>Burlington</u>	<u>1.17</u>	<u>1.18</u>	<u>1.32</u>
<u>Camden</u>	<u>1.18</u>	<u>1.22</u>	<u>1.39</u>
<u>Cape May</u>	<u>1.21</u>	<u>1.24</u>	<u>1.32</u>
<u>Cumberland</u>	<u>1.20</u>	<u>1.21</u>	<u>1.39</u>
<u>Essex</u>	<u>1.19</u>	<u>1.22</u>	<u>1.33</u>
<u>Gloucester</u>	<u>1.19</u>	<u>1.23</u>	<u>1.41</u>
<u>Hudson</u>	<u>1.19</u>	<u>1.19</u>	<u>1.23</u>
<u>Hunterdon</u>	<u>1.19</u>	<u>1.23</u>	<u>1.42</u>
<u>Mercer</u>	<u>1.16</u>	<u>1.17</u>	<u>1.36</u>
<u>Middlesex</u>	<u>1.19</u>	<u>1.21</u>	<u>1.33</u>
<u>Monmouth</u>	<u>1.19</u>	<u>1.19</u>	<u>1.26</u>
<u>Morris</u>	<u>1.23</u>	<u>1.28</u>	<u>1.46</u>
<u>Ocean</u>	<u>1.18</u>	<u>1.19</u>	<u>1.24</u>
<u>Passaic</u>	<u>1.21</u>	<u>1.27</u>	<u>1.50</u>
<u>Salem</u>	<u>1.20</u>	<u>1.23</u>	<u>1.32</u>
<u>Somerset</u>	<u>1.19</u>	<u>1.24</u>	<u>1.48</u>
<u>Sussex</u>	<u>1.24</u>	<u>1.29</u>	<u>1.50</u>
<u>Union</u>	<u>1.20</u>	<u>1.23</u>	<u>1.35</u>
<u>Warren</u>	<u>1.20</u>	<u>1.25</u>	<u>1.37</u>

SECTION 9. The Township Code of the Township of Cranford, Part II, § 365-6 “Sources for Technical Guidance” is hereby amended as follows:

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

http://www.nj.gov/dep/stormwater/bmp_manual2.htm
<https://dep.nj.gov/stormwater/bmp-manual/>.

- Guidelines for stormwater management measures are contained in the New Jersey Stormwater Best Management Practices Manual, as amended and supplemented. Information is provided on stormwater management measures such as, but not limited to, those listed in Tables 1, 2, and 3.

2. Additional maintenance guidance is available on the Department’s website at:

https://www.njstormwater.org/maintenance_guidance.htm
<https://dep.nj.gov/stormwater/maintenance-guidance/>

- B. Submissions required for review by the Department should be mailed to:

~~The Division of Water Quality, New Jersey Department of Environmental Protection,
Mail Code 401-02B, PO Box 420, Trenton, New Jersey 08625-0420.~~

The Division of Watershed Protection and Restoration, New Jersey Department of
Environmental Protection, Mail Code 501-02A, PO Box 420, Trenton, New Jersey
08625-0420.

SECTION 10. The Township Code of the Township of Cranford, Part II, § 365-8C2ii “Requirements for Trash Racks, Overflow Grates and Escape Provisions” is hereby amended as follows:

- C. Requirements for Trash Racks, Overflow Grates and Escape Provisions

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:
 - ii. The overflow grate spacing shall be no ~~less~~ greater than two inches across the smallest dimension.

SECTION 11. The Township Code of the Township of Cranford, Chapter 362 Storm Sewer System, is hereby amended to create a new Article V, Privately Owned Salt Storage, which shall read as follows:

Article V: Privately-Owned Salt Storage

§362-24 Purposes; Definitions

A. Purpose:

The purpose of this ordinance is to prevent stored salt and other solid de-icing materials from being exposed to stormwater.

This ordinance establishes requirements for the storage of salt and other solid de-icing materials on properties not owned or operated by the municipality (privately-owned), including residences, in the Township of Cranford to protect the environment, public health, safety and welfare, and to prescribe penalties for failure to comply.

B. Definitions:

For the purpose of this ordinance, the following terms, phrases, words and their derivations shall have the meanings stated herein unless their use in the text of this Chapter clearly demonstrates a different meaning. When consistent with the context, words used in the present tense include the

future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word “shall” is always mandatory and not merely directory.

- A. “De-icing materials” means any granular or solid material such as melting salt or any other granular solid that assists in the melting of snow.
- B. “Impervious surface” means a surface that has been covered with a layer of material so that it is highly resistant to infiltration by water.
- C. “Storm drain inlet” means the point of entry into the storm sewer system.
- D. “Permanent structure” means a permanent building or permanent structure that is anchored to a permanent foundation with an impermeable floor, and that is completely roofed and walled (new structures require a door or other means of sealing the access way from wind driven rainfall).

A fabric frame structure is a permanent structure if it meets the following specifications:

- 1. Concrete blocks, jersey barriers or other similar material shall be placed around the interior of the structure to protect the side walls during loading and unloading of de-icing materials;
 - 2. The design shall prevent stormwater run-on and run through, and the fabric cannot leak;
 - 3. The structure shall be erected on an impermeable slab;
 - 4. The structure cannot be open sided; and
 - 5. The structure shall have a roll up door or other means of sealing the access way from wind driven rainfall.
- E. “Person” means any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.
 - F. “Resident” means a person who resides on a residential property where de-icing material is stored.

§362-25 Deicing Material Storage Requirements:

- A. Temporary outdoor storage of de-icing materials in accordance with the requirements below is allowed between October 15th and April 15th:
 - 1. Loose materials shall be placed on a flat, impervious surface in a manner that prevents stormwater run-through;

2. Loose materials shall be placed at least 50 feet from surface water bodies, storm drain inlets, ditches and/or other stormwater conveyance channels;
 3. Loose materials shall be maintained in a cone-shaped storage pile. If loading or unloading activities alter the cone-shape during daily activities, tracked materials shall be swept back into the storage pile, and the storage pile shall be reshaped into a cone after use;
 4. Loose materials shall be covered as follows:
 - a. The cover shall be waterproof, impermeable, and flexible;
 - b. The cover shall extend to the base of the pile(s);
 - c. The cover shall be free from holes or tears;
 - d. The cover shall be secured and weighed down around the perimeter to prevent removal by wind; and
 - e. Weight shall be placed on the cover(s) in such a way that minimizes the potential of exposure as materials shift and runoff flows down to the base of the pile.
 - (1) Sandbags lashed together with rope or cable and placed uniformly over the flexible cover, or poly-cord nets provide a suitable method. Items that can potentially hold water (e.g., old tires) shall not be used;
 5. Containers must be sealed when not in use; and
 6. The site shall be free of all de-icing materials between April 16th and October 14th.
- B. De-icing materials should be stored in a permanent structure if a suitable storage structure is available. For storage of loose de-icing materials in a permanent structure, such storage may be permanent, and thus not restricted to October 15 -April 15.
 - C. All such temporary and/or permanent structures must also comply with all other local ordinances, including building and zoning regulations.
 - D. The property owner, or owner of the de-icing materials if different, shall designate a person(s) responsible for operations at the site where these materials are stored outdoors, and who shall document that weekly inspections are conducted to ensure that the conditions of this ordinance are met. Inspection records shall be kept on site and made available to the municipality upon request.

1. Residents who operate businesses from their homes that utilize de-icing materials are required to perform weekly inspections.

§362-26 Exemptions:

Residents may store de-icing materials outside in a solid-walled, closed container that prevents precipitation from entering and exiting the container, and which prevents the de-icing materials from leaking or spilling out. Under these circumstances, weekly inspections are not necessary, but repair or replacement of damaged or inadequate containers shall occur within 2 weeks.

If containerized (in bags or buckets) de-icing materials are stored within a permanent structure, they are not subject to the storage and inspection requirements in Section III above. Piles of de-icing materials are not exempt, even if stored in a permanent structure.

This ordinance does not apply to facilities where the stormwater discharges from de-icing material storage activities are regulated under another NJPDES permit.

§362-27 Enforcement:

This article shall be enforced by the Police Department and the Township Engineer of the Township of Cranford.

§362-28 Violations and Penalties:

Any person(s) who is found to be in violation of the provisions of this ordinance shall have 72 hours to complete corrective action. Except where otherwise provided, any person who shall violate any of the provisions of this chapter shall, upon conviction, be punished as provided in Chapter 1, Article I, of this Code, and each violation of any of the provisions of this chapter and each day the same is violated shall be deemed and taken to be a separate and distinct offense.

SECTION 12. All ordinances or parts of ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

SECTION 13. Upon final passage and publication according to law, this ordinance shall become effective immediately.

Introduced: May 7, 2024

Adopted:

Approved:

Brian Andrews
Chair, Township Committee

Attest:

Patricia Donahue, RMC
Municipal Clerk

Recorded Vote

Brian Andrews
Terrence Curran
Paul A. Gallo
Kathleen Miller Prunty
Gina Black

Introduced

Aye
Aye
Aye
Aye
Aye

Adopted