

TOWNSHIP OF FRANKLIN

O-6-22

ORDINANCE AMENDING CHAPTER 253 LAND MANAGEMENT

Chapter 253 Land Management

Article _____ Design, Performance and Evaluation Standards

§ 253 ____ Lot grading and drainage.

Added _____ by Ord. No. O- _____

A.

Applicability. The requirements set forth herein shall apply to the development of all lots within the Township of Franklin for residential purposes. For developments where an overall grading plan has already been reviewed and approved by either the Planning Board or the Zoning Board of Adjustment, the review and approval of an individual lot grading plan prior to the issuance of a building is required. For the purposes of this ordinance, the term “development” shall mean the construction, reconstruction or relocation of any residential structure; the enlargement of a residential structure resulting in a land disturbance of 500 square feet or more. At the discretion of the Zoning Officer, the Engineer may be called upon to perform a site inspection to waive the within requirements with regard to the construction of a single-family detached dwelling not related to a development. The Engineer shall have the authority to waive the within requirements, provided, in his opinion, it will not have an adverse effect on adjacent lots. The determination of the waiver shall be performed at the sole expense of the Engineer.

B.

The developer of a tract of land in the Township of Franklin shall provide the following items for each lot proposed to be developed:

(1)

Completed lot grading application, copies of which may be obtained from the Township of Franklin Zoning Office;

(2)

Appropriate fee(s), as required below in Subsection I of this section;

(3)

Completed lot grading checklist, included below in Subsection J of this section; and

(4)

Five copies of a lot grading plan, signed and sealed by an engineer licensed by the State of New Jersey, and containing all information listed in the lot grading checklist.

(5)

Lot grading applications related to a development, the applicant shall deposit a performance escrow in the amount of \$2,000 per lot up to 25 lots within the subdivision or at the time of the zoning permit for said lot. Under the circumstances wherein a subdivision is larger than 100 lots, the applicant shall be required to post \$2,000 per lot for 25% of those lots contained therein. In addition, the applicant shall deposit an inspection escrow in the amount of \$650 per dwelling unit. The performance and inspection escrow fees contained within this section shall be deposited in full at the time that the performance bond is accepted by the municipality. Subsection H, Fees, shall not apply to developments.

C.

Nothing contained herein shall prohibit the Engineer from requiring a new overall grading plan for review and approval. The developer shall be entitled to administrative review, if the plan meets the performance standards contained herein, provided that the proposed changes do not violate or create a conflict with the prior approvals granted by the approving authority. If in the opinion of the Engineer the revised grading plan substantially deviates from the prior approval, the applicant shall be required to seek the approval of the applicable board.

D.

Foundation location plan.

(1)

The State of New Jersey, through the Uniform Construction Code, requires that a foundation location survey be submitted to the Township Construction Official as soon as possible after

the installation of the foundation wall. Further, the final verification of such a prior approval rests with the Construction Official. This plan shall be prepared by a land surveyor licensed by the State of New Jersey and show all building corners of the foundation. To confirm that the top of block elevation conforms to the approved plan, the permittee shall also submit a foundation location plan to the Engineer for review. The foundation location plan shall contain the top of block elevation.

(2)

Nothing in this section shall prohibit a permittee from commencing with framing prior to the submission of the foundation location plan to the Engineer but will instead be a matter to be resolved by the contractor prior to the issuance of the certificate of occupancy. However, since the permittee shall demonstrate conformance to the performance standards listed below in Subsection **F** prior to the issuance of the certificate of occupancy, it is recommended that the foundation location plan be submitted to the Engineer as soon after the installation of the foundation walls as possible.

E.

Final survey (as-built plan). A certificate of occupancy shall not be issued until the permittee submits an accurate final survey (as-built plan) to the Engineer for approval. The final survey (as-built plan) shall be prepared by a New Jersey licensed professional land surveyor. The purpose of the final survey (as-built plan) is to ensure that the lot grading is in substantial conformance to the approved plan and that the lot will adequately drain and have no adverse impact on adjoining properties. The final survey (as-built plan) shall be reviewed by the Engineer and determined to comply with the above standards.

F.

Performance standards.

(1)

All grading shall be done in a manner that will result in a no adverse impact to adjacent properties. Adjacent properties with natural swales and/or wetlands must be evaluated to ensure that adequate capacity is available to accept the runoff from the site being developed and graded. Whenever possible, the land shall be graded in one of the following three methods:

(a)

The rear yard shall drain overland to the street through side yard swales on either side of the house, located on the common property lines with adjoining lots, and the front yard shall drain directly to the street;

(b)

The rear yard shall drain and be collected in a system of interior yard inlets and piping designed in accordance with accepted standards, connected to the development's overall stormwater drainage system, and the front yard shall drain directly to the street; or

(c)

The rear yard shall drain overland onto adjoining properties only as permitted by right, i.e., no net increase in rate of runoff or manner of flow or via an acceptable easement. The rear yard shall be graded to drain as required in Subsection **F (1)** above. The front yard shall drain directly to the street.

(2)

No more than three lots in a row shall be allowed to drain through a swale unless protected by an acceptable easement. The permittee shall confirm to the Engineer that any approved easement has been properly conveyed and recorded and that it is not subject or subordinate to any other interest that could extinguish it or otherwise diminish its effectiveness.

(3)

The minimum slope for swales, lawns and disturbed areas shall be 2%, 3% for rear yard swales, and for smooth, hard surfaces, i.e., driveways, 1%

(4)

Slopes shall not be steeper than three horizontals to one vertical.

(5)

No grading shall occur within five feet of a property line unless necessary to direct drainage off or onto the property, and then into acceptable drainage facilities. All drainage directed off the property shall conform to the requirements listed in Subsection **F (1)** above.

(6)

The maximum grade for driveways shall be 10%.

(7)

The top of block elevation shall be a minimum of six inches above the highest adjacent grade and shall be provided on all grading plans. The notation of the finished floor alone is not acceptable.

(8)

Grading within 10 feet of the dwelling shall be in accordance with local building codes.

(9)

Retaining walls over three feet in height must be designed and then reviewed and approved by the Engineer.

(10)

Topsoil moved during the course of construction shall be redistributed so as to provide at least five inches of spread cover to all seeded and planted areas of the development and shall be stabilized by seeding or planting. Topsoil shall be reasonably free of stone and contain no stones larger than two inches in any dimension. In the event that the quantity of topsoil at the site is insufficient to provide five inches of cover for all seeded and planted areas, the permittee shall provide and distribute a sufficient quantity of topsoil to provide such cover. The composition of any borrowed topsoil shall be in accordance with New Jersey Department of Transportation (NJDOT) standards and suitable for use in a residential setting.

11. All conditions and requirements herein shall be consistent with the Pinelands Stormwater Management Standards as set forth in the Pinelands Comprehensive Management Plan and any standard adopted thereto.

G.

Fees. Fees shall be as set forth in Chapter _____ Fees.

Chapter _____. Fees

§ _____ Lot grading fees (Chapter _____).

A.

Application fee: \$50.00

B. Grading plan review fee: \$1000.00

Grading plan review is inclusive of the following:

- 1. Grading plan review
- 2. Foundation location plan review
- 3. Final inspection

ATTEST:

TOWNSHIP OF FRANKLIN

Barbara Freijomil, Clerk

John Bruno, Mayor

CERTIFICATION

I, Barbara Freijomil, Clerk of the Township of Franklin, County of Gloucester, do here certify that the foregoing Ordinance was introduced at the Regular Meeting of the Township of Franklin held on March 8, 2022 and thereafter duly advertised in the legal newspaper of the Township at least seven (7) days prior to it being considered for final passage and adoption at a subsequent meeting to be held on April 12, 2022 at which time any person interested therein will be given an opportunity to be heard.

Barbara Freijomil, Municipal Clerk

Introduced March 8, 2022

Name	Motion	Second	Yes	No	Abstain	Absent
Doyle						
Deegan						
Petsch-Wilson						
Flaim						
Bruno						

Adopted April 12, 2022

Name	Motion	Second	Yes	No	Abstain	Absent
Doyle						
Deegan						
Petsch-Wilson						
Flaim						

Bruno						
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