

PASSAIC COUNTY
BOARD OF CHOSEN FREEHOLDERS

SUBDIVISION RESOLUTION

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I. DEFINITIONS FOR SUBDIVISION RESOLUTION

Adverse Drainage Condition - The absence of drainage facilities or drainage easements in a drainageway leading to, along or through a County Road or County drainage structure, either within or exterior to a proposed subdivision, including facilities of such location, size, design, construction or condition which will not provide adequately for storm drainage; or which will cause either flooding, erosion, silting or other damaging effect to a County Road or County drainage structure; or threatens to damage private property as a result of storm drainage from, along or through a County Road or County drainage structure.

Agricultural Purposes - Farming and related pursuits not including the erection, enlargement, occupancy or use of any building designed for or suitable for residential occupancy.

Bridge - A structure having a clear span in excess of twenty (20) feet designed to convey vehicles and/or pedestrians over a water course, railroad or highway.

County Master Plan or "Master Plan" - Means a composite of the Master Plan for the physical development of the County, with the accompanying maps, plats, charts and descriptive and explanatory matter adopted by the County Planning Board pursuant to Revised Statute 40:27-2.

Culvert - A structure designed to convey a water course under a road or pedestrian walk not incorporated in a closed drainage system, having a clear span of twenty (20) feet or less.

Drainage Right-of-Way or Drainage Easement - Means the land required for the installation or maintenance of storm water sewers or drainage ditches, or required along a natural stream or water course for preserving the channel and providing for the flow therein to safeguard the public against flood damage in accordance with Chapter One of Title 58 of the Revised Statutes 40:55-12.

Easement for Drainages Purposes - An easement to the County for the purpose of installation of storm water drainage facilities, including construction, reconstruction and repair and maintenance of those facilities.

Final Plat - The final map of all or a portion of a subdivision meeting all of the standards and regulations of this resolution and meeting all of the conditions established by the County Planning Board in granting Preliminary Approval to the subdivision.

Lot - A parcel or portion of land legally separated from other parcels or portions by description as on a subdivision or record of survey map or by metes and bounds for the purpose of sale, lease or separate use.

Maintenance Bond - Any security that is acceptable to the County Counsel to assure the maintenance of approved installations by developers for a period of two (2) years after release of subdivider's performance guarantee with respect to such improvements.

New Building Lot - Any lot being created by a subdivision upon which a building or structure could be erected under the provisions of the Municipal Zoning Ordinance in the municipality in which said lot is located.

Official County Map - Means the map, with changes and additions thereto, adopted and established, from time-to- time, by resolution of the Board of Chosen Freeholders of the County pursuant to Revised Statutes 40:27- 5.

Owner - Any individual, firm, association, syndicate, co- partnership or corporation having sufficient proprietary interest in the land sought to be subdivided to commence and maintain proceedings to subdivide the same under a Municipal Subdivision Ordinance and this resolution.

Performance Guarantee - Means any security approved by the County Counsel which may be accepted in lieu of a requirement that certain improvements be made before the County Planning Board grants Final Approval to a subdivision.

Preliminary Plat - The preliminary map indicating the proposed layout of the subdivision showing or being accompanied by all of the information required under Plat Details of Preliminary Plats.

Sight Easements at Intersections - A triangular shaped area established in accordance with the requirements of this resolution, in which nothing shall be erected, placed, planted or allowed to grow in such a manner as to obstruct vision between a height of two (2) feet and ten (10) feet above the centerline grade of either street.

Sketch Plat - The sketch map of a subdivision of sufficient accuracy to be used for the purpose of discussion and meeting the requirements for Plat Details under this resolution.

Soil Erosion and Sediment Control Plan - A portion of the preliminary plat dealing with designed facilities, temporary and permanent, for the control of soil erosion on a developing site. Such plan may include siltation basins, diversion berms, interceptors and other control structures for the purpose of limiting the deposit of eroded soil in streams and man-made drainage systems.

Street - Means any street, avenue, boulevard, road, lane, parkway or freeway which is an existing State, County or Municipal roadway, or a street or way showing upon a plat heretofore approved pursuant to law and includes land between the street lines, whether improved or unimproved, and may comprise pavement, shoulders, gutters, sidewalks, parking areas and other areas with the street lines.

Subdivider - Any individual, firm, association, syndicate, co-partnership, corporation, trust or any other legal entity commencing proceedings under the provisions of a Municipal Subdivision Ordinance and this resolution to effect a subdivision of land for himself or for another.

Subdivision - The division of a lot, tract or parcel of land into two (2) or more lots, sites or other divisions of land for the purpose, whether immediate or future, of sale or building development; except that the following divisions shall not be considered subdivisions, provided however that no new streets or roads are involved: divisions of land for agricultural purposes where the

resulting parcels are three (3) acres or larger in size; Divisions of land by testamentary or intestate provisions; or division of property upon court order. "Subdivision" also includes resubdivision, and where appropriate to the context, relates to the process of subdividing or to the lands or territory divided.

Subdivision Application - Means the application for approval of a subdivision pursuant to the "Municipal Planning Act" (1953) (P.L. 1953, C. 433) (C. 53 -1) et seq. as amended and supplemented or an application for approval of a planned unit development pursuant to the "Municipal Planned Unit Development Act" (1967) (P.L. 1967, C. 61) (C. 40:55-54 et seq.), as amended and supplemented.

Water Course - Any natural swale, stream, brook or river which is the natural course of storm or running water through which water flows ordinarily and frequently but not necessarily continuously. This definition includes water courses which have been artificially realigned or improved.

Deed for County Road Purposes - A grant or dedication to the County for the purpose of installation of utilities, construction, reconstruction, widening or improving a County road and the construction, reconstruction or alteration of facilities related to the safety, convenience or carrying capacity of the County road including drainage facilities and traffic control devices.

Flood Plain - That area of land adjacent to a brook, stream, river or other waterway that becomes covered by water when the flow of the waterway overtops its banks.

Stream Encroachment Line - A line delineated by either the New Jersey Division of Water Resources or the County Engineering Department, pursuant to the determination of jurisdiction, in the floodplain of a brook, stream or river within which no filling, grading or other alteration to the natural water course may be made.

Development Review Committee - A committee established by resolution by the Passaic County Planning Board consisting of at least five members, including the County Engineer and Planning Director, appointed by the chairman to review and approve subdivisions and site plans in behalf of the Passaic County Planning Board in administering the provisions of this resolution.

Major Subdivision - Any subdivision not classified as minor subdivision by the municipality. Condominium and planned developments for which a map is filed shall be considered major subdivisions for County purposes.

New Submission - A proposed subdivision or resubdivision of property which has not previously been reviewed in that category (minor subdivision, sketch, preliminary or final plat) by the County. Any application on which there has been no action by the County for a year or more or on which the last action was a denial shall be considered a new submission.

Complete Subdivision Application - A complete application for Passaic County Subdivision review shall consist of two Passaic County Development Review Application forms, two sets of folded plans not to exceed 9 inches by 14 inches, a PDF digital file of the plans on standard compact disc media, a digital file of the plans in a format that meets or exceeds the Highlands digital submission standards for any application within the Highlands Preservation Area, and any required fee from Section VII. Any revised plans submitted in response to a County Planning review shall include a cover letter indicating how each of the conditions was addressed.

Certificate of Completeness - A certificate issued by the Passaic County Planning Board on receipt of a complete subdivision application for review. The statutory review period shall not begin until a certificate of completeness has been issued.

Certificate of Exemption - A certificate issued by the Passaic County Planning Board for subdivisions which are exempt under Section II A (3).

II. PROCEDURES

A. General Regulations

All subdivision of land within Passaic County shall be submitted to the County Planning Board for review.

All subdivision of land within Passaic County that affects County roads or drainage facilities as set forth herein shall be submitted to the County Planning Board for review and approval.

A subdivision of land within Passaic County that has been classified as a minor subdivision or is exempt from municipal approval pursuant to 40:55-1. 14 and does not abut or affect County roads or drainage facilities shall be deemed to have been reviewed by the County Planning Board upon receipt of a copy of the sketch plat of said subdivision and shall not require response from the County Planning Board to the municipal agency, however the County Planning Board reserves the right to issue comments thereon.

A complete subdivision application shall be submitted to the Passaic County Planning Board by the applicant. Incomplete applications shall be returned, if possible, to the applicant with a checklist of missing items.

The action taken by the County Planning Board on all subdivisions shall be duly set forth in writing with a copy of said report to be submitted to the Local Planning Board or Board of Adjustment and the applicant. Said report shall set forth all conditions required for County approval and if disapproved, all reasons for said disapproval. For projects located within the Preservation Area of the New Jersey Highlands Region approval shall be withheld unless one of the following has been received:

- a) A certified resolution issued by the municipal land use board having jurisdiction in the matter indicating that the project has received approval from the local board and is authorized to proceed.
- b) A formal notice of public hearing, provided to the County in accordance with the requirements of the New Jersey Municipal Land Use Law indicating that the proposed project is the subject of an application for development which has been filed with and is scheduled for consideration by the municipal land use board having jurisdiction in the matter.
- c) A Highlands Applicability Determination issued by the NJDEP indicating that the proposed project is exempt from the requirements of the Highlands Act.
- d) A Highlands Preservation Area Approval issued by the NJDEP.
- e) A Highlands Regional Master Plan Consistency Determination issued by the New Jersey.
- f) Highlands Council indicating that the proposed project is consistent with the Highlands Regional Master Plan.

All final County reports on applications for development that include property located in the Preservation Area of the Highlands Region, shall include the following language "The Highlands Council may review, within 15 days of receipt of County Planning Board approval, rejection or approval with conditions, any application for development in the Preservation Area that involves the ultimate disturbance of two acres or more of land or a cumulative increase in impervious surface by one acre or more. Upon determination to exercise such authority, the Highlands Council shall transmit, by certified mail, written notice thereof to the person who submitted the application to the County Planning Board."

The County Planning Board may designate its Development Review Committee with the full authority to approve or disapprove all subdivision applications.

The statutory review period shall not begin until a complete subdivision application has been received and a certificate of completeness has been issued.

B. Submission of Sketch Plat

Within thirty (30) days of receipt of a complete sketch plan application the County Planning Board shall undertake planning and engineering staff review of the subdivision and offer comments relating to County standards and requirements or suggestions for modification or changes to be incorporated in the preliminary plat.

The County Planning Board does not require submissions of sketch plats where same are not required by local ordinance.

C. Submission of Preliminary Plat

A complete preliminary plat application shall be submitted to the County Planning Board for all preliminary plats.

A copy of the preliminary plat shall be forwarded to the County Engineer by the County Planning Board for an engineering evaluation of the subdivision in accordance with the standards and criteria established in this resolution. The County Planning Board shall not act on a preliminary plat until the report from the County Engineer's office is received, containing recommendations for County requirements and the amount of performance guarantees, maintenance bonds, payments in lieu of County Road improvements, and proportionate share of future installation of drainage facilities.

Within thirty (30) days of the receipt of a complete preliminary plat application by the County Planning Board, one of the following actions shall be taken:

- a) Review the subdivision and offer any constructive comments for municipal consideration relating to planning matters.
- b) Review and approve or conditionally approve the subdivision if it abuts a County Road or creates an adverse drainage condition.
- c) Deny or withhold approval of the subdivision if it fails to meet requirements pertaining to County
- d) Road or County drainage facilities as set forth and limited hereinafter in this resolution.

i. **Improvements or Guarantees Prior to Final Approval**

Before consideration of a final subdivision plat, the subdivider will have installed the improvements specified in granting approval for the preliminary plat by the County Planning Board, or the posting of adequate performance guarantees, to assure the installation of the required improvements. The subdivider shall also submit any required payments in lieu of improvements to the County Road or proportionate share for the future installation of County drainage facilities. All payments in lieu of improvements shall be in the form of Certified Checks. Any monies or guarantees received by the County shall not duplicate bonds or other guarantees required by Municipalities for Municipal purposes.

D. Submission of Final Plat

A complete final plat application shall be submitted to the County Planning Board for review.

Within thirty (30) days of the receipt of a complete final plat application by the County Planning Board, one of the following actions shall be taken:

- a) Approve the subdivision if all preliminary plat conditions and requirements have been met and the map does not contain substantial revisions affecting County Requirements.

- b) If substantial revisions are incorporated on the final plat which affect County requirements, a revised preliminary plat shall be submitted to the County Planning Board for processing as a new preliminary plat.
- c) Deny or withhold approval of the subdivision if it fails to meet requirements pertaining to County
- d) Road or County drainage facilities as set forth and limited hereinafter in this resolution.

The action taken on the final plat shall be recorded on the tracing and cloth copy duplicate to be filed in the County Registrar of Deed's Office. When they are presented at the County Planning Board office, the County Planning Director shall sign the plat or in his absence, an alternate representative designated by the County Planning Board.

i. Release of Performance Guarantee

The County Engineer's office shall inspect all completed improvements required by the County Planning Board for which a performance guarantee has been posted and certify that the improvements have been satisfactorily constructed in conformance with the standards and specifications of this Resolution and the terms and conditions of the performance guarantee that any required maintenance bond has been posted. The inspection shall take place within 15 days after notification that the improvements have been completed.

The County Engineer's Office shall forward a copy of their certification to the County Planning Board at its next regular meeting for transmittal to the Board of Chosen Freeholders with a request for the release of the bond.

The Board of Chosen Freeholders at their next regular meeting after receipt of the request for release of the bond from the County Planning Board shall by resolution release the performance bond.

ii. Release of Maintenance Bond

The County Engineer's Office shall inspect all County facilities covered by a maintenance bond ninety (90) days prior to the expiration date of the bond and certify that the facilities are in satisfactory condition.

A copy of the certification shall be forwarded to the County Planning Board at its next regular meeting for transmittal to the Board of Chosen Freeholders with a request for release of the maintenance bond.

The Board of Chosen Freeholders at their next regular meeting after receipt of the request for release of the bond from the County Planning Board shall by resolution release the maintenance bond.

E. Other Regulations

In cases of unusual circumstances in connection with any subdivision, the County Planning Board may request approval from the Municipal approving authority and the applicant for a thirty (30) day extension of time to take action on the subdivision and an approved extension of time granted to the County Planning Board shall extend the time within which the Municipal approval authority is required to act.

Should the County Planning Board fail to act within thirty (30) days on any subdivision and fail to receive an approved extension of time, the Director of the County Planning Board shall attest on the plat the failure of the County Planning Board to act within the required time period, indicating authorization for Municipal approval and recording with the County Recording Officer.

F. Appeals

Any applicant aggrieved by the action of the Development Review Committee of the Passaic County Planning Board in regard to a subdivision approval may file an appeal in writing to the Passaic County Planning Board. Said appeal must be filed within ten days after the date of the correspondence and by certified mail.

The Passaic County Planning Board to which an appeal is taken shall consider such an appeal at a regular or special public meeting with 45 days from the date of its filing.

Any person aggrieved by the action of the Passaic County Planning Board in regard to subdivision approval may file an appeal in writing to the Board of Chosen Freeholders. Said appeal must be filed within ten days after the date of the correspondence and by certified mail. The Board of Chosen Freeholders to which an appeal is taken shall consider such an appeal at a regular or special public meeting within 45 days from the date of its filing.

Notice of said hearings shall be made by certified mail at least ten days prior to the hearing and to such of the following officials as deemed appropriate for each specific case: the municipal clerk, municipal planning board, board of adjustment, building inspector, zoning officer and the County Planning Board. The Board to which the appeal is taken shall render a decision within 30 days from the date of the hearing.

Any and all monies received by the County to insure performance and to meet the requirements established for subdivisions under this resolution shall be paid to the County Treasurer who shall provide a suitable depository therefor. Such funds shall be used only for County Roads or County drainage facilities for which they are deposited unless such projects are not initiated for a period of ten (10) years from the time of posting of such funds, at which time said funds shall be transferred to the General Fund of the County provided that no assessment of benefits for such facilities as a local improvement shall thereafter be levied against the owners of the lands upon which the developer's prior contribution has been base.

The applicant for a subdivision and his agents shall assume full liability during the construction and until the release of his performance and maintenance guarantee for any improvements required by the County Planning Board.

III. PLAT DETAILS

A. Sketch Plat - Minimum plat details required for review by County Planning Board.

- 1.** A key map showing the entire subdivision and its relation to surrounding areas.
- 2.** The sketch plat shall be based on tax map information or some other similarly accurate base at a scale not less than 100 feet to the inch to enable the entire tract to be shown on one sheet and shall show or include the following information.
 - a)** The location of that portion which is to be subdivided in relation to the entire tract.
 - b)** All existing structures with the portion to be subdivided and within 200 feet thereof.
 - c)** The names of all adjoining property owners as disclosed by the most recent Municipal tax records.
 - d)** The municipal tax map sheet, block and lot numbers.
 - e)** All existing and proposed streets or roads within or adjoining the proposed subdivision with the right-of-way widths clearly indicated.
 - f)** All proposed lot lines and lot lines to be eliminated by the proposed subdivision shall be clearly indicated.
 - g)** The location, size and direction of flow of all streams, brooks, drainage structures and drainage ditches in the area to be subdivided or within 200 feet of the subdivision.
 - h)** The location and width of all existing and proposed utility easements in the area to be subdivided.
 - i)** North arrow.
 - j)** Scale of the plat.
 - k)** Acreage of the entire tract and the area being subdivided.
 - l)** Zoning classification of area being subdivided.
 - m)** The number of new lots created.
 - n)** Name and address of owner, subdivider and person preparing plat

B. Preliminary Plat - Minimum plat details required for acceptance. All preliminary plats and accompanying drawings shall be of a size to conform with the specifications of the Map Filing Act.

1. A key map showing the entire subdivision and the proposed street pattern in the area to be subdivided and the relationship of the tract to the surrounding area.
2. The name of the subdivision, the Municipal tax map sheet, block and lot number, date, reference meridian and scale.
3. The subdivision shall have clearly indicated on it the following information:
 - a) Name and address of the subdivider and owner.
 - b) Name and address of the person who prepared the map.
 - c) Acreages of the entire tract and the area being subdivided to the nearest tenth of an acre.
 - d) Zoning classification of the area being subdivided.
4. The location of existing and proposed property lines, with proposed lot dimensions and size in square feet, building setback lines from streets, existing buildings and structures with an indication of whether they will be retained or removed and the location and extent of wooded areas.
5. The number of new lots created.
6. The plat shall show or be accompanied by profiles and cross-sections of proposed streets within the subdivision and existing streets and highways abutting the subdivision. The typical cross-section of streets shall clearly indicate the type and width of pavement and location of curb, location of sidewalks and shade tree planting strips. At intersections, any existing or proposed sight triangles and the radius of curb lines shall be clearly indicated.
7. Contours, existing and proposed shall be provided at two (2) foot intervals for all slopes of a 10% grade or less and at five (5) foot intervals for all slopes greater than a 10% grade. All contour lines shall be referenced to the New Jersey Geodetic Code Survey Datum.

- 8.** All existing water courses shall be shown and accompanied by the following information or data:
- a)** When a brook or stream is proposed for alteration, improvement or relocation or when a drainage structure is proposed on a running stream, with a drainage area of one-half square mile or greater, evidence of submission of the improvement to the New Jersey Division of Water Policy and Supply shall accompany the subdivision.
 - b)** Cross-sections of water courses at an appropriate scale showing extent of flood plain, (if defined), top of bank, normal water level and bottom elevations at the following locations:
 - i.** At any point where a water course crosses a boundary of the subdivision.
 - ii.** At Fifty (50) foot intervals for a distance of Three Hundred (300) feet upstream and downstream of any proposed culvert or bridge within or adjacent to the subdivision.
 - iii.** Immediately upstream and downstream of any point of juncture of two or more water courses.
 - iv.** At a maximum of 500 foot intervals along all water courses which run through or adjacent to the subdivision.
 - c)** A soil erosion and sediment control plan shall be submitted as part of the preliminary plan. It shall be designed in accordance with the standards and specifications of the Northeast New Jersey Soil Conservation District.
 - d)** The boundaries of the flood plains of all water courses within or adjacent to the subdivision (if defined).
 - e)** Profile of stream bed Three Hundred (300) feet upstream and downstream from proposed property limits of developments.

9. The total acreage in the drainage basin of any water course running through or adjacent to a subdivision in the area upstream of the subdivision.
10. The total acreage in the drainage basin to the nearest downstream drainage structure and the acreage in the subdivision which drains to the structure.
11. The location and extent of drainage and conservation easements and stream encroachment lines.
12. The location, extent and water level elevation of all existing or proposed lakes or ponds within 300 feet of the boundary of the subdivision.
13. The preliminary plat shall show or be accompanied by plans and computations for any storm drainage systems including the following:
 - a) All existing or proposed storm sewer lines within or adjacent to the subdivision showing size and profiles of the lines, direction of flow and the location of each manhole and inlet.
 - b) The location and extent of any proposed dry wells, ground water recharge basins, retention basins or other water conservation devices.
14. The preliminary plat shall show or be accompanied by plans showing existing and proposed sanitary sewerage facilities serving the subdivision including the following:
 - a) Location, size and slope of all sanitary sewer lines, pumping stations, and connections to existing facilities.
 - b) Location of any proposed sanitary sewage treatment plants.
15. The preliminary plat shall show or be accompanied by plans showing the size and location of all water mains.
16. Identification of lands to be dedicated or reserved for public use.
17. The location of any other underground utilities and the easements to accommodate them shall be clearly indicated on the plan.

Note: After Preliminary Approval and prior to consideration of the final plat, detailed plans and specifications for all proposed improvements, culverts and

bridges which come under County jurisdiction or improvements to existing County culverts or bridges shall be submitted to the County Planning Board for review and approval by the County Engineer's Office. The plans shall also be accompanied by the permit of the Division of Water Policy and Supply indicating their approval of the proposed facility.

C. Final Plat - Minimum plat details required for acceptance of a final plat by the County Planning Board.

Plat must be drawn in conformance with the provisions of the Map Filing Act and contain all the requirements for drainage easements, encroachment lines, sight triangles at intersections and new or additional rights- of-way or easements for County Roads, established by the County Planning Board for the Preliminary Plat.

IV. DESIGN STANDARDS

A. General

The design of any subdivision shall conform to the proposals and standards contained in the adopted County Master Plan or Official Map for County Roads and drainage facilities and the standards and requirements contained in this resolution.

B. Streets

The right- of-way requirements for existing and proposed County roads shall conform with the classification of County Roads contained in the adopted County Master Plan or Official Map and the improvements as defined by the Office of the County Engineer.

Where subdivisions abut County Roads and marginal roads or reverse frontage are provided, the improvements to the County Road shall be limited to the following:

- a) Drainage facilities made necessary by the construction of the subdivision.
- b) Uniform grading of the additional right-of-way or easement for County Road purposes with a minimum slope of one-quarter ($1/4$) inch to the foot toward the pavement of the County Road. Top soil shall be uniformly distributed over the graded area and the area seeded.
- c) Curbs for a distance of two hundred (200) feet from the curb return each side of any new road connecting with a County Road located a minimum of twenty (20) feet off the center line of the existing pavement. In addition to the two hundred (200) feet of curb each side of the intersection, a transition of the curb to one (1) foot off the existing pavement shall be provided. The transition shall be a uniform rate of ten (10) feet of curb for each foot of offset from the existing pavement.
- d) The area between the existing pavement and new curb shall be improved in accordance with the specifications as set forth by the Office of the County Engineer.

No subdivision with frontage on a County Road will be approved if access to the County Road is provided by a private street, which is not constructed to meet minimum municipal and applicable County standards.

Subdivisions that adjoin or include existing County Roads that do not conform to widths as shown on the adopted County Master Plan or Official Map shall dedicate additional width along either one or both sides of said road. If the subdivision is along one side only, one-half ($1/2$) of the required extra width shall be dedicated, measured from the existing center line of the right-of-way.

Where by reason or special or unusual conditions or to conform to the adopted Master Plan or Official Map, said total additional right-of-way is to be secured

from just one side of an existing road, only one-half (1/2) of the additional right-of-way may be required to be dedicated and the remaining area proposed for right-of-way shall be reserved for future acquisition and all building setbacks shall be measured from the limits of the reserved area.

Where a County road has alignment through a proposed subdivision, then the additional property needed to comply with the master plan shall be dedicated to the County of Passaic whether or not it is the intention of the developer to develop one side of the County Road.

When subdivisions result in lots abutting County Roads which are classified as Suburban and/or Rural Collectors or Arterial Roads, one of the following shall be required:

- a) A marginal service road where a subdivision has more than one thousand (1,000) feet of frontage or ten lots or more on one side of a County Road, or
- b) The frontage shall be reversed so that the lots contiguous to such Suburban and/or Rural Collectors or Arterial Roads will front on an internal street with no direct access to the County Road.

Where a subdivision involves lands with frontage on a Suburban and/or Rural Collectors or Arterial Roads in the County system, which due to its size, shape or other peculiar or unusual circumstances makes the provision of a marginal road or reverse frontage impractical or unnecessary, the lot or lots in said subdivision shall have driveways so laid out that it is possible to turn passenger vehicles on the lot and it is not necessary to back any passenger vehicle into the County Road.

C. Road Intersections

Angle at Intersections

Streets or roads connecting with any road in the County Road System shall be at right angles wherever possible, and the intersections of less than sixty (60) degrees (measured at the center line of the streets) shall not be permitted.

Spacing

Only one new street connecting with the County Road system will be permitted for a subdivision except those subdivisions with frontage on a County Road in excess of 1,000 feet. In those cases, streets shall not connect with the same side of a Suburban and/or Rural Collector or Arterial Roads at intervals of less than eight hundred (800) feet. In the spacing of streets consideration will be given to the location of existing intersections both sides of the development. Streets which connect with the County Road System from opposite sides of a County Road shall not be offset. If conditions require the streets to be offset, they shall be separated by at least one hundred and fifty (150) feet between their center lines.

Grading

The minimum practical grades shall be maintained on streets connecting with County Roads on the approaches to the intersection. When any access road in a development intersects with a County Road, the maximum grade on the road for a distance of 50 feet from the right-of-way line shall not be more than 2%.

Extra Widths

Where any road classified as a Suburban and/or Rural Collector or Arterial Road in the adopted County Master Plan or Official Map intersects a Suburban and/or Rural Collector or Arterial Road in the County Road System the right-of-way requirement shall be increased by twenty (20) feet on both sides for a distance of two hundred and fifty (250) feet from the intersection of the center lines.

The radii of the curbs at intersections where either road or both roads are in the County Road System shall meet the requirements as set by the County Engineer but in no case shall the radii be less than fifty (50) feet. The radii of right-of-way lines at intersections shall be concentric with the curb radius.

Pavement for Widening of County Roads

The construction of any pavement required for the widening of County Roads between the existing pavement edge and the proposed curb line shall consist of 6" approved subbase material, 5" Bituminous Stabilized Base Course and 3 " FABC-2 Surface Course; all in compliance with the requirements of " Standard Specifications for Roads and Bridges of the County of Passaic."

D. Sidewalks

Each subdivision subject to County approval shall provide a sidewalk within the County road right-of -way if such is required by any zoning, subdivision, site planning or other ordinance of the municipality in which the land development is to be located.

E. Drainage

Each subdivision submitted to the County Planning Board shall be reviewed by the County Engineer to establish requirements to prevent an adverse drainage condition relating to a County road or a County drainage facility. In order to facilitate the review of the proposed drainage system, the design calculations shall accompany the subdivision. Drainage systems under the control of the municipality shall be designed in accordance with municipal standards.

1. Acceptable Methods of Drainage Runoff Computations

For the purpose of sizing culverts and bridges on open streams a 100-year storm frequency will be used. For all other drainage facilities a 25-year storm frequency will be used unless otherwise directed by the County Engineer.

2. Drainage areas of up to One Square Mile

For peak discharges of uniform drainage areas of up to one square mile the Rational Method, as modified concerning rainfall intensity, runoff coefficients and time of concentration, shall be used in which

Q = CIA where;

Q = peak flow in cubic feet per second

C = runoff factor

I = intensity of rain fall in inches per hour

A = watershed area in acres

Rainfall Intensity (I)

Time concentration, TC, shall be defined as the flow time from the most remote point in the drainage basin to the point in question. The time of concentration, TC, may be taken from the accompanying nomograph chart "Nomograph for the Calculation of "To" " which was prepared by the New Jersey Highway Authority-Garden State Parkway, revised December 20, 1971.

Note: TC and To are the same, the Overland Flow Time. Rainfall intensity may be taken from the accompanying chart, "Rainfall Intensity Duration Curves for Northern New Jersey" or by use of the formula:

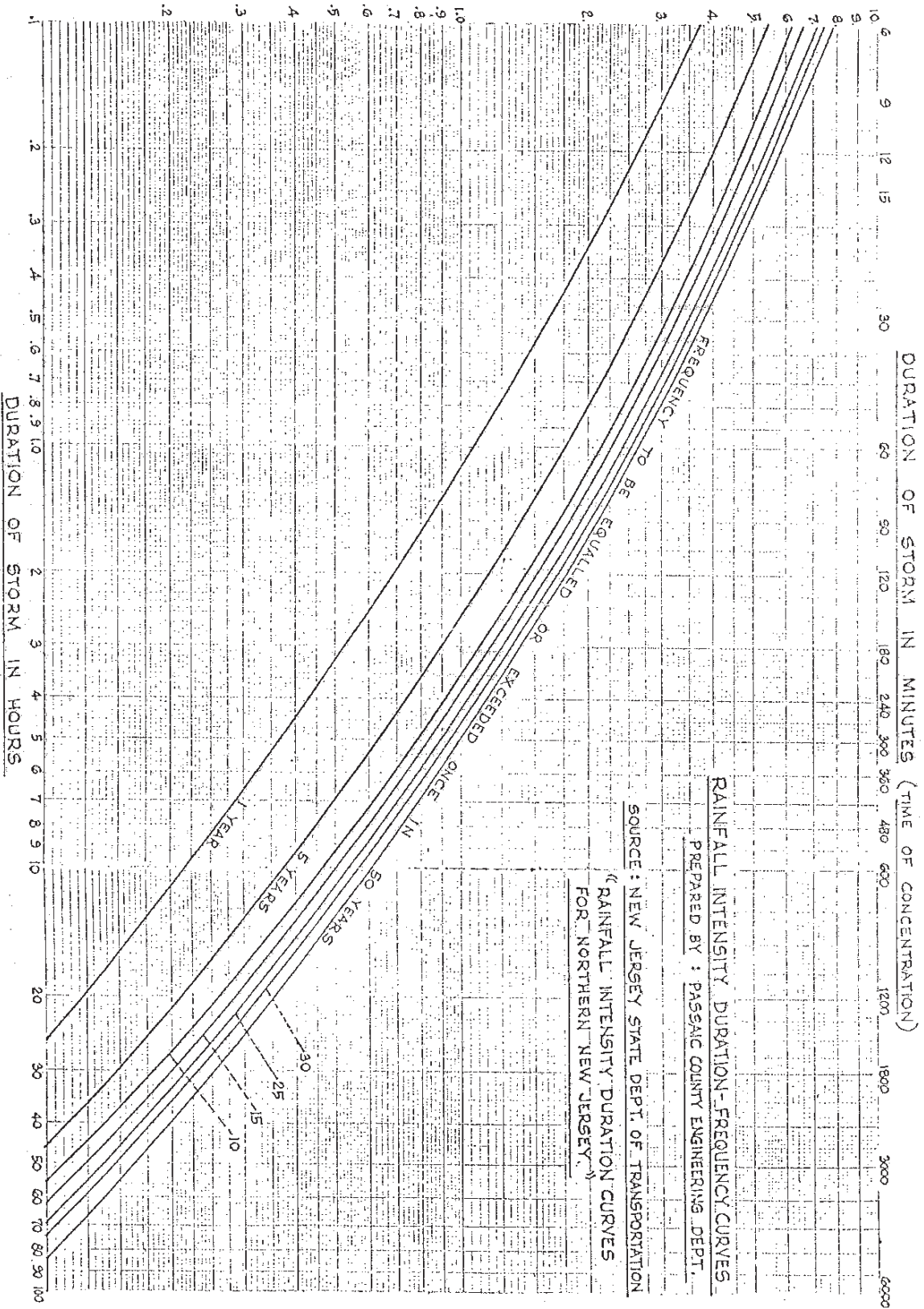
$$I = \frac{55.75}{(TC + 13)^{0.736}}$$

3. Runoff Determination

In setting the value of the runoff coefficient "C" consideration will be given to the physical features of the drainage basin and the County Planning Board's estimate of future development. Due consideration will be given to municipal zoning ordinances by the County Planning Board in estimating the future density of development of the drainage basin. In general, the value of the runoff coefficient "C" will be as follows:

<u>Classification</u>	<u>Coefficient of Runoff</u>
Single Family (120,000 square feet and above)	0.35
Single Family (40,000 to 119,000 square feet)	0.40
Single Family (20,000 to 39,000 square feet)	0.45
Single Family (10,000 to 19,999 square feet)	0.50
Single Family (less than 10,000 square feet)	0.60
Multi Family	0.70
Commercial, Office Building and Research Laboratories	0.80
Industrial - Urban	0.90
Industrial Parks	0.80
Conservation (forest)	0.30
Resort Area	0.40
Park Land, Cemeteries	0.40
University District	0.60
Paved Parking Lots	0.90
Roadways	0.90

RAINFALL INTENSITY IN INCHES PER HOUR



RAINFALL INTENSITY DURATION-FREQUENCY CURVES
 PREPARED BY : PASSAIC COUNTY ENGINEERING DEPT.
 SOURCE : NEW JERSEY STATE DEPT. OF TRANSPORTATION
 ("RAINFALL INTENSITY DURATION CURVES FOR NORTHERN NEW JERSEY")

4. Drainage Areas of More Than One Square Mile

For peak discharges of uniform drainage areas of one or more square miles either of the following runoff drainage computation methods may be used:

- a) Special Report 38 Entitled "Magnitude and Frequency of Floods in New Jersey with Effects of Urbanization." The drainage calculations shall be done in conformance with the directions in the report and as modified in section 3.1-2(a) of the Technical Manual for Stream Encroachment as prepared by the New Jersey Department of Environmental Protection, Bureau of Flood Management, dated August 1984 and as amended.

- b) Soil Conservation Service Technical Release Number 55 (Urban Hydrology for Small Watersheds), United States Department of Agriculture. This method may be used for drainage areas from one to five square miles inclusive. Use of this method for drainage areas in excess of five square miles must receive prior, written, approval from the County Engineer. The drainage calculations shall be done in accordance with the directions in the Manual using a Type III Storm Analysis for New Jersey and as modified in section 3.1-2(c) of the Technical Manual for Stream Encroachment as prepared by the New Jersey Department of Environmental Protection, Bureau of Flood Plain Management, dated August 1984 and as amended.

5. Pipe Line and Open Channel Hydraulics

All Storm sewers shall serve two major functions:

1. To carry the maximum discharge for which it is designed.
2. To transport suspended solids in such a manner that deposits in the sewer are kept to a minimum.

Design Formula

- i. Sewers shall be designed using the Manning Formula for flow in pipes.
- ii. Pipes shall be considered "flowing full" at maximum capacity.

- iii. Minimum design velocity at "flowing full" condition shall be three (3) feet per second.
- iv. Friction factor "n" shall be 0.015 for circular cross-section, non-porous concrete pipe. Other cross-sections or pipe materials shall have commensurate friction factors as may be approved by the Engineer.

6. Line Transitions

In pipe sizes less than forty-eight (48) inches in diameter, all transitions in slope, horizontal direction, junctions and change in pipe sizes shall be confined to manholes, catch basins, or other accessible structures designed for one or more of these purposes. In forty-eight (48) inch pipe lines and larger, vertical and horizontal deflections may be accomplished using one hundred (100) foot radius curves, or greater.

7. Open Channel Flow (Ditches)

1. Permissible Design Velocities (feet per second)

Excavation Material	Velocity
Fine sand to firm loam	2.5 to 3.5
Stiff clay to hardpan	3.75 to 6.00
Concrete lined ditch	15

Velocity shall be controlled by use of check dams or ditch banks shall be protected by use of sod, rip-rap, or paving, as design velocity dictates.

2. Discharge Flow Manning Formula

3. Value of "n" - Manning Formula

- .015 - Best concrete lined ditch
- .025 - Best unlined ditch
- .03 to .15 - Fair to poor natural streams and water courses

8. Layout of Storm Sewer Systems

- a) Inlet spacing's shall not exceed three hundred fifty (350) feet maximum for both manholes and drop inlets or a design inlet flow of 6.0 cfs, whichever condition shall be more stringent.
- b) Access manholes shall be spaced at five hundred (500) foot intervals (maximum) through rights-of-way and at sewer junctions where there are no catch basins.
- c) "Dish" street intersections are not permissible. Sufficient catch basins shall be installed at each street intersection to avoid gutter overflow and at low points in the street grade.
- d) Pipe used shall be circular reinforced concrete pipe Class III Wall B unless directed by County Engineer and laid with not less than two (2) feet depth of cover over top of pipe wherever possible.
- e) Any main line in any storm drainage construction on a County highway shall have a minimum diameter of 18 inches.
- f) All curb face heights shall be 8" unless directed otherwise by the Engineer.
- g) Ends of pipe starting or terminating in an open ditch shall have suitable headwalls, these headwalls to be designed in compliance with Standard Design Practices.
- h) All construction work and materials to be used in connection with storm drain system constructed on County Highways shall not only comply with the N.J. State Standard Specifications for Road and Bridge Construction 1961 but any A. S.T.M. Standards which are applicable. The developer will be required to furnish certification of approval of all materials used from some approved testing laboratory.

9. Detention and Retention Basins

The County Engineer, at his or her discretion, may require the applicant to provide detention and/or retention facilities if the County's system is inadequate or would be adversely affected by the increased storm runoff from the proposed development. Said facility shall be designed to acceptable engineering standards.

However, the County of Passaic will not be responsible for the construction or maintenance of any required facility. The applicant shall provide existing and future calculations based on the respective 25-year or 100-year storm as stipulated above. If the storm runoff is to be connected to any County facility, an analysis of the proposed drainage impact upon the County's system must be computed and addressed.

10. New Culverts and Bridges

The County may assume responsibility for the future maintenance of culverts or bridges on new public roads within developments when approved by the County before construction, subject to the following conditions:

- a) The drainage basin upstream of proposed bridge or culvert exceeds one-half (1/2) square mile (320 acres) in area, then the developer will make application to the Department of Environmental Protection for Stream Encroachment Permits.
- b) Application has been made and a permit issued by the N.J. Division of Water Policy and Supply for the proposed structure.
- c) The structure is designed to carry A.A. S.H.O. H20-44 loading.
- d) All bridges and culverts shall be constructed to the full width of the right-of-way and all roadway widths shall be 2 feet wider than a proposed roadway width on any street or highway where a bridge or culvert is to be constructed.
- e) Plans and specifications of proposed structure be submitted to and receive approval of the County Engineer, together with approval of the Department of Environmental Protection for water way opening. The developer shall submit boring logs for subsurface conditions and the holes bored shall not be less than 40 feet in depth unless there is absolute refusal during the boring operation.

- f) Notification of commencement of construction so that periodic inspections can be made by County.
- g) Final inspection by County Engineer and certification by Municipal Engineer that the construction is in accord with the approved plans and specifications, as approved by the County Engineer. All construction methods and materials used shall comply with the N.J. State Standard Specifications for Road and Bridge Construction 1961 for Roads and Bridges together with Specifications of A. S.T.M. where applicable. All materials used in the construction of any culvert or bridge shall be certified by an approved testing laboratory.

11. Existing County Bridges and Culverts on Roads to be Widened in Connection with Site Plans

- a) Where developer' s frontage includes both sides of stream and the existing structure has adequate waterway area and is not schedule for early replacement by reason of structural inadequacy, the developer shall widen culverts to full width of proposed right-of-way and bridges to width of future pavement plus ten (10) feet for sidewalks. Plans for proposed work shall have the approval of the N.J. Division of Water Policy and Supply and the County Engineer. The County Engineer upon approving plans will set the amount of bond to be posted to guarantee the satisfactory completion of the work.
- b) Prior to commencement of construction the developer will be required to obtain a permit from the Passaic County Bridge Department. All requirements of the permit will prevail except that no additional posting of bond will be required.
- c) In cases where developer's frontage includes only one side of a stream and the structure is scheduled for early replacement for hydraulic or structural reasons, or is of such construction that widening of the existing structure is impractical in the opinion

of the County Engineer, or has been widened in the past in accommodate the future pavement width the developer shall make a cash payment sufficient cover the cost of the improvement. This cost will be determined by the County Engineer using current competitive bid prices for the units involved.

12. Bridges and Culverts Downstream of Project

All projects, except residential subdivisions, of three or less lots involving no addition of pavement, situated in a drainage basin of less than one (1) square mile (640 acres) or involving more than 20% of the existing drainage basin, regardless of size, above an existing County Bridge or culvert will be considered to directly increase the hydraulic requirements of these structures.

When the County Planning Board finds that a project situated in a drainage basin as above defined, would create an adverse drainage condition to a County drainage structure, or that such project lies in a drainage basin for which drainage facilities have previously been installed or altered under the provisions of this resolution in order to correct a previously existing adverse drainage condition, the developer will be required to pay a proportion of the cost of correcting the condition.

The proportion of the cost of such facilities to be paid by a subdivider whose proposed subdivision would drain into such facility will be equal to the proportion that the acreage of the proposed subdivision bears to the acreage of the entire drainage area when fully developed, based upon a reasonable assumption of future density of development of the basin. The County Engineer shall in behalf of the Planning Board perform all calculations of storm runoff based on consideration of the physical features of the basin and the County Planning Board's estimate of future development in the drainage basin.

The cost of the drainage facility installation or alteration will be the estimated cost of installing the new facility as calculated by the County Engineer, plus 10% for contingencies. In cases where the payment is to be made toward the cost of facilities previously installed or the cost of the previously performed alterations, the actual cost of the work performed will be used in place of an estimated cost.

Regardless of any other provision in this resolution, the subdivider will not be financially responsible for any part of existing drainage facilities for which payment in full has previously been made for such part of such facilities to the County or other subdividers in the same drainage basin.

13. Drainage Systems on County Roads

Adequate drainage facilities shall be required relating to County roads where a subdivision would create an adverse drainage condition as a result of the construction of the development. The cost of this drainage system, if required, is to be the full obligation of the developer.

When a drainage system or any part thereof is proposed in connection with a subdivision which relates to a County Road and additional capacity is necessary to accommodate anticipated additional storm water runoff from the future development of other areas tributary to the drainage system the following procedure shall be followed.

- a) The capacity and design of the drainage system to accommodate storm water runoff from the development shall be determined by the subdivider's engineer and submitted for approval by the County Engineer. The hydraulic computation shall be calculated in accordance with the requirements as set forth in Item E (1) - General Basis for Calculations. This procedure is acceptable to the Office of the County Engineer. The County Engineer shall calculate the cost of the system.

- b) The capacity of the enlarged system to provide for the subdivision and areas outside of the development tributary to the drainage system shall be determined by the County Engineer. The plans of the system shall be prepared by the subdivider's engineer and the estimated cost of the enlarged system calculated by the County Engineer.
- c) The subdivider shall make a payment to the County in lieu of the installation of the drainage system related to the County Road based on the system required by his subdivision.
- d) The County shall provide the additional funds required for the enlarged system and assume the responsibility for the construction of the drainage system.
- e) When subdivisions occur which are tributary to a drainage system which has been enlarged by the County, the developer shall make a payment to the County based on the proportion that the acreage in his subdivision is of the total acreage served by the system times the actual construction cost of the system.

14. Drainage Easements

In lieu of providing any required drainage easement exterior to the subdivision relating to County Road drainage, the County Planning Board may accept a cash contribution to cover the cost or part thereof of said drainage easement if the subdivider cannot secure it at a fair price.

V. STANDARDS AND CRITERIA FOR ADJUSTING OR WAIVING REQUIREMENTS

In cases where subdivisions fronting on County Roads include existing structures in a condition to permit use and occupancy, the County Planning Board is permitted to waive or adjust the right-of-way width requirement for the lot upon which such building or structure is located provided:

- a) Such lot created upon which said building or structure exists would be a non-conforming lot pursuant to zoning regulations of the municipality in which the subdivision is located because of inadequate setback, and
- b) The new right- of -way line required under the standards of the County Master Plan would be within ten (10) feet of such building or structure.

Any subdivision with less than three hundred (300) feet of frontage on a County Road which in the opinion of the County Engineer would result in a hazardous traffic condition because of the limited improvement to the County Road may make payment to the County of Passaic of an amount equivalent to the cost of improvements required under this resolution as calculated by the County Engineer and based on the standards and specifications for improvements contained in this resolution.

In cases where a County Road is scheduled for improvement under the Capital Improvements Budget and the improvement will result in a change in alignment or profile of the road which would destroy the improvements undertaken in connection with this subdivision, the developer may contribute monies in lieu of all or part of the improvements required under this resolution. The payments shall be calculated by the County Engineer and based on the standards and specifications for improvements contained in this resolution.

Upon determination by the Planning Board that there exist exceptional topographic conditions or other extraordinary and exceptional situation relating to the physical condition of the land being subdivided that make full compliance with the requirements of this Resolution physically impossible, the Planning Board may, by resolution, modify the above standards in their application to the land in question; provided that the findings of the Planning Board are noted in its minutes, and further, that such modification does not endanger the public health, safety or welfare.

VI. VALIDATION

A. Validity

If any section, subsection, paragraph, clause, phrase or provision of this resolution shall be adjudged invalid or held unconstitutional such adjudication shall not affect the validity of this resolution as a whole or any part or provision hereof other than the part so adjudged to be invalid or unconstitutional.

B. Repeal of Conflicting Resolutions

All resolutions or parts of resolutions which are inconsistent with the provisions of this resolution are hereby repealed to the extent of such inconsistency.

VII. FEE SCHEDULE

The following fees shall be charged for the subdivision of land within Passaic County through December 31, 2006:

Minor Subdivision - \$250.00 plus \$25.00 for each new buildable lot

Sketch Plat - No Charge

Preliminary Plat - \$300.00 for projects with no frontages on a County road plus \$25.00 for each new buildable lot

- \$600.00 for projects with any frontage on a County road plus \$100.00 for each new buildable lot

Final Plat - \$100.00 for each final plat submission

On January 1, 2007 and every three years thereafter, the fees charged for the subdivision of land within Passaic County shall be adjusted for inflation based on the Consumer Price Index for urban consumers in New Jersey. The adjustment for fees of \$50.00 or more shall be in increments of \$25.00. The adjustment for fees less than \$50.00 shall be in increments of \$1.00.

1. These fees shall be charged for new submissions, as defined in Section I (29), only. There shall be no charge for revised plans.
2. All fees must be paid by check or money order made payable to the County of Passaic. No cash will be accepted.

3. Checks returned by the bank must be made good by a certified check within five working days. Failure to make good such a check will result in denial of the application and revocation of the certificate of completeness.
4. There shall be no application fee charged for governmental and not-for-profit organizations. There will be a processing fee of \$100.00 charged for each application by a not-for-profit organization.
5. Separate application forms and fees shall be submitted for subdivisions and site plans on the same property even if they are being reviewed simultaneously.
6. Fees charged represent the cost to the County of doing the review and are not a guarantee of approval. There shall be no refund of fees if an application is subsequently denied, withdrawn or the scope of the project changed.
7. A renewal fee of \$150. 00 shall be charged for major subdivisions which have not received an unconditional Passaic County Planning Board approval within one year of the date of receipt of a complete application by the Passaic County Planning Department.

VIII. CORRIDOR ENHANCEMENT PROGRAM

A. Passaic County Corridor Enhancement Districts

For all major subdivisions located on a County road the applicant shall be required to make a contribution equal to \$20 per linear foot of frontage on the County Road to the Corridor Enhancement Fund for the District in which it is located. All funds received shall be used in conformance with the Corridor Enhancement Plan element of the Passaic County Master Plan for enhancements to the County right(s)-of -way and on properties fronting the County right(s)-of-way in that District or for area-wide planning. Each town in Passaic County shall be considered a separate District. For subdivisions in two districts, the contribution to each district shall be proportionate to the amount of frontage in each district.

B. Paterson-Hamburg Turnpike Transportation Improvement District

For all major subdivisions which come under Passaic County Planning Board jurisdiction, which are located on or within 1/4 mile of Paterson-Hamburg Turnpike and for which a traffic study is required, the applicant shall make a contribution proportionate to the percentage of traffic their project will contribute at each intersection to the Paterson-Hamburg Turnpike Transportation District Fund. The contribution shall be based on either the estimated cost of improvements for each intersection as reported to the Passaic County Planning Board by the Passaic County Planning Director on a yearly basis and published on the County website or the actual cost of improvement for any intersection for which there have been improvements in the five years preceding the date the application was received.

The Paterson-Hamburg Turnpike Transportation Improvement District covers all of Paterson-Hamburg Turnpike within the Township of Wayne and includes but is not limited to the intersections of Paterson-Hamburg Turnpike with Terhune Drive, Dawes Highway, Black Oak Ridge Road, Jackson Avenue, Alps Road, Berdan Avenue, Church Lane, Valley Road, Oldham Road and Ratzer Road/Pompton Road.