

DRAFT

**ENVIRONMENTAL ASSESSMENT ORDINANCE
for
Dennis Township
Cape May County, New Jersey**

Purpose

The impact on the environment associated with development projects necessitates a comprehensive analysis of the variety of problems that may result and the measures that can be taken to minimize the adverse impacts. It is recognized that the level of detail required for the variety of development applications will vary depending on the size of the project, the site conditions, the location of the project and the information already in the possession of the Township. Some flexibility is needed in preparing the Environmental Assessment Report. The Environmental Assessment Report requirements pertaining to different types of development application are listed below:

Requirements

1. All agricultural operations conducted in accordance with a plan approved by the Soil Conservation District and all silviculture operations conducted in accordance with a plan prepared by a professional forester are specifically exempt from the Environmental Assessment requirements.
2. Any variance applications to the Zoning Board of Adjustment not involving a site plan or subdivision application shall not require an Environmental Assessment unless specifically requested by the Board. The Zoning Board of Adjustment shall inform the applicant regarding any information that may be required.
3. All subdivision applications and/or site plan applications shall be accompanied by a complete Environmental Assessment Report including the Environmental Assessment Checklist and required documentation which shall be submitted as a prerequisite to a complete application.
4. Amended subdivision or site plan applications shall be accompanied by a supplemental Environmental Assessment Report which assesses the environmental impacts associated with any modifications to the original plan.
5. Any development application or amended development application located in the Coastal Zone and for which an Environmental Impact Statement has been prepared and submitted to the NJDEP as part of a CAFRA application shall not be bound by the provisions of this section provided that a copy of the Environmental Impact Statement submitted as part of the CAFRA application also accompanies any development application to the Township Planning Board or Board of Adjustment.

Submission Format

When an Environmental Assessment is required, the applicant shall retain one (1) or more competent professionals to perform the necessary work. The qualifications and background of the professionals shall be provided, and the method of investigation shall be described.

All applicable material on file in the Township pertinent to evaluation of regional impacts shall also be considered including the Township Master Plan and accompanying natural resources mapping, the New Jersey Department of Environmental Protection (NJDEP) data and other information as available. All Environmental Assessments shall consist of written and graphic materials which clearly present the required information in a report format utilizing the adopted Environmental Assessment Checklist with accompanying documentation as required.

Environmental Assessment Report Submission

The Environmental Assessment Report including appropriate references shall be submitted to the Board. Five (5) copies of the Environmental Assessment Report and one (1) digital copy on cd-rom shall be submitted with development application prior to the determination of a complete application.

Environmental Assessment Waiver

Notwithstanding the foregoing, the appropriate Board may, at the request of an applicant, waive the requirement for an Environmental Assessment Report if the appropriate Board finds that sufficient evidence is submitted to support a conclusion that the proposed development will have a negligible environmental impact.

Portions of such requirement may likewise be waived upon a finding that the complete report need not be prepared in order to evaluate adequately the environmental impact of a particular project.

Notwithstanding, any site development affecting wetlands and C-1 waters shall not be granted a waiver from these requirements.

Environmental Assessment Checklist

(SEE ATTACHED CHECKLIST DOCUMENT WHICH WILL BE ADOPTED WITH THESE ORDINANCE AMENDMENTS)

ENVIRONMENTAL ASSESSMENT CHECKLIST

BLOCK _____ LOT (S) _____

PROJECT NAME _____

PROJECT DESCRIPTION

IS THE PROPOSED PROJECT IN CONFORMITY WITH:	YES	NO	NA	COMMENTS
Township Master Plan				
Township Zoning Ordinance				
County Comprehensive Plan				
Master Plans of adjacent municipalities (if within 200 feet)				

EXISTING CONDITION

<i>PROVIDE INFORMATION TO ASSESS CURRENT SITE CONDITIONS</i>	YES	NO	NA	COMMENTS (ATTACH ADDITIONAL SHEETS AS REQUIRED)
Geology. Describe and assess the geologic formations, confining layers, etc., including surficial deposits and effects on the proposed project.				
Soils. The site location should be outlined on a copy of the Cape May County Soil Survey. A minimum of one (1) soil boring per three (3) acres shall be performed to a depth of six (6) feet in the area of any disturbance. The location of the soil borings shall be included on a plan of the site. Soil profile characteristics shall be described using the standards set forth in N.J.A.C. 7:9A-5.2(g) and 5.3, and any subsequent amendment thereto.				

Surface waters. Identify and describe all surface water features on the subject site including downstream receiving water bodies. The applicant should incorporate best management practices and best available technology to minimize impacts associated with stormwater runoff into surface water bodies.				
Subsurface water. Describe subsurface water conditions on the site in terms of aquifers present, depth to ground water and water supply capabilities. If the area for development is proposed as "water supply wells," provide the name of the aquifer to be utilized. In addition, provide information on existing wells within five hundred (500) feet of the site, from existing sources such as the NJDEP and/or the Cape May County Health Department relative to depth, capacity, water quality and recharge capabilities.				
Topography and existing development features. Provide topographic contours and any existing features that are not considered to be part of the natural environment on the site and a minimum of one hundred (100) feet surrounding the site.				
Wetlands and State open waters. Freshwater wetlands, transition areas and State open waters must be delineated and certified pursuant to the Freshwater Wetlands Protection Act Rules (N.J.A.C. 7:7A) outside of the Pinelands Management area, and pursuant to the Pinelands Protection Act Rules within the Pinelands Management area. The delineation report and plan shall be submitted as part of the Environmental Assessment Report and the preliminary application.				
Floodplains. Floodplains shall be identified and included on the site plan. The New Jersey Department of Environmental Protection, Bureau of Flood Plain Management, must approve construction within the one hundred (100) year floodplain.				

Vegetation. Describe the existing vegetation on the site. A map shall be prepared showing the location of major vegetative groupings such as woodlands, open fields and wetlands. Where woodlands are delineated, the forest types shall be indicated. The dominant vegetation on the site shall be listed by genus and species.				
Wildlife. Prepare an inventory of all wildlife species, which may utilize the subject site, including terrestrial and aquatic vertebrates and avian species. This inventory shall identify all such species, which were encountered through onsite investigations. All habitats on-site, which are unique to the Township or the Cape May County region, shall be identified. All habitats, which are critical in the maintenance of wildlife, shall also be identified.				
Endangered or threatened species. Identify any endangered or threatened species (plant or animal) protected by the State or Federal government which may utilize any portion of the site. The NJDEP Landscape Project Endangered Species Habitat Ranks 3, 4, and 5 files and the NJDEP Natural Heritage Program Priority Sites files shall be inventoried for the property. A description of the type of habitat utilized by any species identified within the limits described above shall be provided, as well as the identification of such habitat, which is found on-site.				
Air quality. Provide the most recent quantitative air quality data from the nearest State sampling station.				
Noise. Describe the existing noise conditions at the site including sources.				

Cultural, historical and archaeological resources. Identify, describe and map any identified cultural, historical or archaeological resources. The Township Historical Society and the Office of New Jersey Heritage shall be contacted for the most recent resource records.				

Land Use Describe existing land uses and zoning on and within five hundred (500) feet of the site.
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CONSTRUCTION IMPACTS <i>Provide an assessment of both the adverse and positive impacts during and after construction for the following concerns:</i>	Impacts Anticipated			Description of conditions and/or source documentation <i>(Attach additional pages if required).</i> A = Adverse Impact B = Beneficial Impact
	NONE	MINOR	MAJOR	
Soil erosion and sedimentation resulting from surface runoff.				
Flooding and flood plain disruption.				
Degradation of surface water quality.				
Ground water pollution.				
Reduction of ground water capabilities.				
Sewage disposal.				
Solid waste disposal.				
Vegetation destruction and disruption of vegetative communities.				
Disruption of wildlife habitats particularly protected species.				

Destruction or degradation of scenic and historic features.				
Air quality degradation.				
Noise levels.				
Energy utilization.				
Wetland impacts.				
<p>ENVIRONMENTAL PERFORMANCE CONTROLS. Provide a description of steps to be taken to minimize adverse environmental impacts during construction and operation, both at the project site and in the surrounding region.</p>				
<p>COMMITMENT OF RESOURCES. Provide a statement concerning any irreversible and irretrievable commitment of resources which would be involved in the proposed project and a statement concerning steps which could be taken which might avoid some or all of the adverse environmental effects including the no-action alternate.</p>				

UNAVOIDABLE IMPACTS.

Provide a listing and evaluation of adverse environmental impacts which cannot be avoided, with particular emphasis upon air or water pollution, increase in noise, damage to natural resources, displacement of people and businesses, displacement of existing farms, increase in sedimentation and siltation. Describe increases in municipal services and consequences to municipal tax structures. Off-site impacts shall also be set forth and evaluated.

OTHER REQUIRED APPROVALS.

Provide an inclusive listing of all licenses, permits and approvals required by Federal, State, County or municipal law. The status or copies of these permits and approvals shall also be included.

REFERENCES *(ATTACH TO REPORT)*

Name of Preparer: _____

Signature of Preparer: _____

Title of Preparer: _____

Date: _____