

Chapter 75: FLOOD DAMAGE PREVENTION

[HISTORY: Adopted by the Township Committee of the Township of Sandyston 2-2-1984 as indicated in article histories. Amendments noted where applicable.]

GENERAL PROVISIONS

Building Construction — See Ch. 45

Zoning — See Ch. 150.

ARTICLE I General Provisions

§ 75-1. Statutory authorization.

The Legislature of the State of New Jersey has, in N.J.S.A. 40:55D-1 et seq. and 58:16A-1 et seq., delegated the responsibility to local government units to adopt regulations designed to promote the public health, safety and general welfare of its citizenry. Therefore, the Township Committee of the Township of Sandyston does ordain as follows.

§ 75-2. Findings of fact.

- A. The flood hazard areas of Sandyston Township are subject to periodic inundation which may result in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief and impairment of the tax base, all of which adversely affect the public health, safety and general welfare.
- B. These flood losses are caused by the cumulative effect of obstructions in areas of special flood hazard which increase flood heights and velocities and, when inadequately floodproofed, elevated or otherwise protected from flood damage, also contribute to the flood loss.

§ 75-3. Purpose.

It is the purpose of this chapter to promote the public health, safety and general welfare and to minimize public and private losses due to flood conditions in specific areas by provisions designed to:

- A. Protect human life and health.
- B. Minimize expenditure of public money for costly flood control projects.
- C. Minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public.
- D. Ensure that potential buyers are notified that property is in an area of special flood hazard.
- E. Ensure that those who occupy the areas of special flood hazard assume responsibility for their actions.

§ 75-4. Methods of reducing flood losses.

In order to accomplish its purpose, this chapter includes methods and provisions for:

- A. Restricting or prohibiting uses which are dangerous to health, safety and property due to water or erosion hazards or which result in damaging increases in erosion or in flood heights

or velocities;

- B. Requiring that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction.
- C. Controlling the alteration of natural floodplains, stream channels and natural protective barriers which help accommodate or channel flood waters.
- D. Controlling filling, grading, dredging and other development which may increase flood damage.
- E. Preventing or regulating the construction of flood barriers which will unnaturally divert floodwaters or which may increase flood hazards in other areas.

ARTICLE II Definitions

§ 75-5. Definitions and word usage.

- A. Unless specifically defined below, words or phrases used in this chapter shall be interpreted so as to give them the meaning they have in common usage and to give this chapter its most reasonable application.
- B. As used in this chapter, the following terms shall have the meanings indicated:

APPEAL — A request for a review of the Sandyston Township Construction Officer's interpretation of any provision of this chapter or a request for a variance. **[Added 10-1-1991 by Ord. No. 8-91]**

AREA OF SHALLOW FLOODING — A designated AO, AH or VO Zone on a community's Flood Insurance Rate Map (FIRM) with a one-percent or greater annual chance of flooding to an average depth of one to three feet where a clearly defined channel does not exist, where the path of flooding is unpredictable and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow. **[Added 10-1-1991 by Ord. No. 8-91]**

AREA OF SPECIAL FLOOD HAZARD — The land in the floodplain within a community subject to a one-percent or greater chance of flooding in any given year.

BASE FLOOD — The flood having a one-percent chance of being equaled or exceeded in any given year.

BASEMENT — Any area of the building having its floor subgrade (below ground level) on all sides. **[Added 5-7-1987 by Ord. No. 4-87]**

BREAKAWAY WALL — A wall that is part of the structural support of the building and is intended, through its design and construction, to collapse under specific lateral loading forces without causing damage to the elevated portion of the building or supporting foundation system. **[Added 10-1-1991 by Ord. No. 8-91]**

DEVELOPMENT — Any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations or storage of equipment or materials located within the area of special flood hazard. **[Amended 10-1-1991 by Ord. No. 8-91]**

ELEVATED BUILDING — A nonbasement building built, in the case of a building in an area of special flood hazard, to have the top of the elevated floor or, in the case of a building in a coastal high hazard area, to have the bottom of the lowest horizontal structural member of the elevated floor elevated above the ground level by means of piling, columns (post and piers) or shear walls parallel to the flow of the water and adequately anchored so as not to impair the structural integrity of the building during a flood up to the magnitude of the base flood. In an area of special flood hazard "elevated building" also includes a building elevated by means of fill or solid foundation perimeter walls with openings sufficient to facilitate the unimpeded movement of floodwaters. **[Added 10-1-1991 by Ord. No. 8-91]**

FLOOD OR FLOODING — A general and temporary condition of partial or complete inundation of normally dry land areas from:

- (1) The overflow of inland or tidal waters; and/or
- (2) The unusual and rapid accumulation or runoff of surface waters from any source.

FLOOD HAZARD BOUNDARY MAP (FHBM) — The official map issued by the Federal Insurance Administration, where the areas of special flood hazard have been designated as Zone A.

FLOOD INSURANCE STUDY (FIS) — The official report provided in which the Federal Insurance Administration has provided flood profiles as well as the Flood Boundary and Floodway Map and the water surface elevation of the base flood. **[Added 10-1-1991 by Ord. No. 8-91]**

FLOODPLAIN MANAGEMENT REGULATIONS — Zoning ordinances, subdivision regulations, building codes, health regulations, special purpose ordinances (such as a floodplain ordinance, grading ordinance and erosion control ordinance) and other applications of police power. The term describes such state or local regulations, in any combination thereof, which provide standards for the purpose of flood damage prevention and reduction. **[Added 10-1-1991 by Ord. No. 8-91]**

FLOODWAY — The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than 0.2 foot. **[Added 10-1-1991 by Ord. No. 8-91]**

HISTORIC STRUCTURE **[Added 10-1-1991 by Ord. No. 8-91]** — **Any structure that is:**

- (1) Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
- (2) Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district preliminarily determined by the Secretary to qualify as a registered historic district;
- (3) Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior; or
- (4) Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either:
 - (a) By an approved state program as determined by the Secretary of the Interior; or
 - (b) Directly by the Secretary of the Interior in states without approved programs.

LOWEST FLOOR — The lowest floor of the lowest enclosed area, including basement. An unfinished or flood-resistant enclosure, usable solely for the parking of vehicles, building access or storage in an area other than a basement, is not considered a building's "lowest floor," provided that such enclosure is not built so to render the structure in violation of other applicable nonelevation design requirements. **[Added 5-7-1987 by Ord. No. 4-87]**

MANUFACTURED HOME — A structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when connected to the required utilities. For floodplain management purposes, the term "manufactured home" also includes park trailers, travel trailers and other similar vehicles placed on a site for greater than 180 consecutive days. For insurance purposes, the term "manufactured home" does not include park trailers, travel trailers and other similar vehicles. **[Added 5-7-1987 by Ord. No. 4-87]**

MANUFACTURED HOME PARK OR SUBDIVISION — A parcel (or contiguous parcels) of

land divided into two or more manufactured home lots for rent or sale. **[Added 5-7-1987 by Ord. No. 4-87]**

MOBILE HOME **[Repealed 5-7-1987 by Ord. No. 4-87]**

NEW CONSTRUCTION — Structures for which the start of construction commenced on or after the effective date of a floodplain regulation adopted by a community, and includes any subsequent improvements to such structures. **[Added 10-1-1991 by Ord. No. 8-91]**

NEW MANUFACTURED HOME PARK OR SUBDIVISION — A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets and either final site grading or the pouring of concrete pads) is completed on or after the effective date of the floodplain management regulations adopted by the municipality. **[Added 10-1-1991 by Ord. No. 8-91]**

RECREATIONAL VEHICLE — A vehicle which is built on a single chassis, 400 square feet or less when measured at the longest horizontal projections, designed to be self-propelled or permanently towable by a light-duty truck and designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel or seasonal use. **[Added 10-1-1991 by Ord. No. 8-91]**

START OF CONSTRUCTION — For other than new construction or substantial improvements under the Coastal Barrier Resources Act (P.L. No. 97-348), includes substantial improvements and means the date the building permit was issued, provided that the actual start of construction, repair, reconstruction, rehabilitation, addition, placement or other improvement was within 180 days of the permit date. The "actual start" means either the first placement of permanent construction of a structure on a site, such as the pouring of a slab or footings, the installation of piles, the construction of columns or any work beyond the stage of excavation, or the placement of a manufactured home on a foundation. "Permanent construction" does not include land preparation, such as clearing, grading and filling, nor does it include the installation of streets and/or walkways, nor does it include excavation for a basement, footings or piers or foundations or the erection of temporary accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the "actual start of construction" means the first alteration of any wall, ceiling, floor or other structural part of a building, whether or not that alteration effects the external dimensions of the building. **[Added 5-7-1987 by Ord. No. 4-87; amended 10-1-1991 by Ord. No. 8-91]**

STRUCTURE — A walled and roofed building, a mobile home or a gas or liquid storage tank that is principally above ground.

SUBSTANTIAL DAMAGE — Damage of any origin sustained by a structure whereby the cost of restoring the structure to its before-damaged condition would equal or exceed 50% of the market value of the structure before the damage occurred. **[Added 10-1-1991 by Ord. No. 8-91]**

SUBSTANTIAL IMPROVEMENT — Any repair, reconstruction, rehabilitation, addition or other improvement of a structure, the cost of which equals or exceeds 50% of the market value of the structure either before the start of construction of the improvement or, if the structure has been damaged and is being restored, before the damage occurred. This term includes structures which have incurred substantial damage, regardless of the actual repair work performed. The term does not, however, include either: **[Amended 10-1-1991 by Ord. No. 8-91]**

- (1) Any project for improvement of a structure to correct existing violations of state or local health, sanitary or safety code specifications which have been identified by the local code enforcement officer and which are the minimum necessary to assure safe living conditions; or

- (2) Any alterations of an historic structure, provided that the alteration will not preclude the structure's continued designation as an historic structure.

VARIANCE — A grant of relief from the requirements of this chapter which permits construction in a manner that would otherwise be prohibited by this chapter. **[Added 10-1-1991 by Ord. No. 8-91]**

ARTICLE III Applicability; Penalties; Interpretation.

§ 75-6. Territorial applicability.

This chapter shall apply to all areas of special flood hazards within the jurisdiction of Sandyston Township in the County of Sussex and State of New Jersey.

§ 75-7. Basis for establishing areas of special flood hazard.

[Amended 10-1-1991 by Ord. No. 8-91]

The areas of special flood hazard identified by the Federal Insurance Administration in a scientific and engineering report entitled the "Flood Insurance Study for the Township of Sandyston," dated December 17, 1991, with accompanying Flood Insurance Rate Maps and Flood Boundary and Floodway Maps, is hereby adopted by reference and declared to be a part of this chapter. The Flood Insurance Study is on file at the Municipal Office, Layton, New Jersey.

§ 75-8. Violations and penalties.

[Amended 10-2-1986]

No structure or land shall hereafter be constructed, located or used without full compliance with the terms of this chapter and any other applicable regulations. Any person who violates this chapter or fails to comply with any of its requirements (including violations or conditions and safeguards established in connection with conditions) shall, upon conviction thereof, be fined not more than \$1,000 or imprisoned for not more than 90 days, or both, for each violation; provided, however, that any offense which constitutes a violation of the New Jersey Flood Hazard and Control Act, N.J.S.A. 58:16A-50 et seq., shall be punishable by the fines imposed by N.J.S.A. 58:16A-63 which provides a maximum fine of \$2,500, to be collected by the New Jersey Department of Environmental Protection in an action commenced pursuant to such statute. Nothing herein contained shall prevent the Township of Sandyston from taking such other lawful action as is necessary to prevent or remedy any violation. Violations, which upon conviction shall result in a fine of not more than \$1,000 or imprisonment for not more than 90 days, or both, for each violation, may be heard in the Municipal Court.

§ 75-9. Abrogation and greater restrictions.

This chapter is not intended to repeal, abrogate or impair any existing easements, covenants or deed restrictions. However, where this chapter and another ordinance, easement, covenant or deed restriction conflict or overlap, whichever imposes the more stringent restrictions shall prevail.

§ 75-10. Interpretation.

In the interpretation and application of this chapter, all provisions shall be:

- A. Considered as minimum requirements.
- B. Liberally construed in favor of the governing body.
- C. Deemed neither to limit nor repeal any other powers granted under state statutes.

§ 75-11. Warning and disclaimer of liability.

The degree of flood protection required by this chapter is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur on rare occasions. Flood heights may be increased by man-made or natural causes. This chapter does not imply that land outside the areas of special flood hazard, or uses permitted within such areas, will be free from flooding or flood damages. This chapter shall not create liability on the part of Sandyston Township or any officer or employee thereof for any flood damages that result from reliance on this chapter or any administrative decision lawfully made thereunder.

ARTICLE IV Administration

§ 75-12. Development permit required.

A development permit shall be obtained before construction or development begins on any lot or property which lies wholly or partially within any area of special flood hazard established in accordance with this chapter. Application for a development permit shall be made on site plan forms furnished by the Planning Board. The development permit application shall include plans prepared in accordance with the site plan requirements as established in Chapter 137, Subdivision and Site Plan Review, together with any other reasonable information deemed necessary by the reviewing authority, including but not limited to:

- A. The elevation in relation to mean sea level of the lowest floor (including basement) of all structures. Foundations shall be located at least one foot above the base flood elevation.
- B. A description of the extent to which any watercourse will be altered or relocated as a result of proposed development.
- C. The elevation in relation to mean sea level to which any structure has been floodproofed.
[Added 10-1-1991 by Ord. No. 8-91]
- D. Certification by a registered professional engineer or architect that the floodproofing methods for any nonresidential structure meet the floodproofing criteria in § 75-16B. **[Added 10-1-1991 by Ord. No. 8-91]**

§ 75-13. Designation of local administrator.

The Sandyston Township Construction Official is hereby appointed to administer and implement this chapter by granting or denying development permit applications in accordance with its provisions.

§ 75-14. Duties and responsibilities of local administrator.

The duties and responsibilities of the Construction Official shall include, but not be limited to:

- A. Permit review. The Construction Official shall:
 - (1) Review all development permits to determine that the permit requirements of this chapter

have been satisfied.

- (2) Review all development permits to determine that all necessary permits have been obtained from those federal, state and local governmental agencies from which prior approval is required.
- (3) Review all development permits to determine if the proposed development is located in the floodway and assure that the encroachment provisions of § 75-16D are met.

[Amended 10-1-1991 by Ord. No. 8-91]

- A.1. Use of other base flood and floodway data. When base flood elevation and floodway data have not been provided in accordance with § 75-7, Basis for establishing areas of special flood hazard, the Sandyston Township Construction Official shall obtain, review and reasonably utilize any base flood elevation and floodway data available from a federal, state or other source in order to administer § 75-16A, Specific standards, Residential construction, and § 75-16B, Specific standards, Nonresidential construction. [Added 10-1-1991 by Ord. No. 8-91]

B. Information to be obtained and maintained. The Construction Official shall:

- (1) Obtain and record the actual elevation in relation to mean sea level of the lowest habitable floor (including basement) of all new or substantially improved structures, and whether or not the structure contains a basement.
- (2) For all new or substantially improved flood proofed structures:
 - (a) Obtain and record the actual elevation in relation to mean sea level to which the structure has been floodproofed.
 - (b) Maintain the floodproofing certificates required.
- (3) Maintain for public inspection all records pertaining to the provisions of this chapter.

C. Alteration of watercourses. The Construction Official shall:

- (1) Notify adjacent communities and the New Jersey Department of Environmental Protection prior to any alteration or relocation of a watercourse and submit evidence of such notification to the Federal Insurance Administration.
- (2) Require that maintenance is provided within the altered or relocated portion of said watercourse so that the floodcarrying capacity is not diminished.

D. Interpretation of FHBM boundaries. The Construction Official shall make interpretations, where needed, as to the exact location of the boundaries of the areas of special flood hazards.

E. Data to be obtained and reviewed. When base flood elevation and floodway data has not been provided in accordance with § 75-7. Basis for establishing areas of special flood hazard, the local administrator shall obtain, review and reasonably utilize any base flood elevation and floodway data available from a federal, state or other source, in order to administer § 75-16, Specific standards. [Added 5-7-1987 by Ord. No. 4-87]

ARTICLE V Variances [Added 10-1-1991 by Ord. No. 8-91]

§ 75-14.1. Appeals Board.

- A. The Zoning Board of Adjustment, as established by the Township of Sandyston, shall hear and decide appeals and requests for variances from the requirements of this chapter.
- B. The Zoning Board of Adjustment shall hear and decide appeals when it is alleged that there is an error in any requirement, decision or determination made by the Sandyston Township Construction Official in the enforcement or administration of this chapter.

- C. Those aggrieved by the decision of the Zoning Board of Adjustment, or any taxpayer, may appeal such decision to the Superior Court of New Jersey.
- D. In passing upon such applications, the Zoning Board of Adjustment shall consider all technical evaluations, all relevant factors, standards specified in other sections of this chapter and:
 - (1) The danger that materials may be swept onto other lands to the injury of others.
 - (2) The danger to life and property due to flooding or erosion damage.
 - (3) The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner.
 - (4) The importance of the services provided by the proposed facility to the community.
 - (5) The necessity to the facility of a waterfront location, where applicable.
 - (6) The availability of alternative locations for the proposed use which are not subject to flooding or erosion damage.
 - (7) The compatibility of the proposed use with existing and anticipated development.
 - (8) The relationship of the proposed use to the Comprehensive Plan and floodplain management program of that area.
 - (9) The safety of access to the property in times of flood for ordinary and emergency vehicles.
 - (10) The expected heights, velocity, duration, rate of rise and sediment transport of the floodwaters and the effects of wave action, if applicable, expected at the site.
 - (11) The costs of providing governmental services during and after flood conditions, including maintenance and repair of public utilities and facilities such as sewer, gas, electrical and water systems and streets and bridges.
- E. Upon consideration of the factors of Subsection D and the purposes of this chapter, the Zoning Board of Adjustment may attach such conditions to the granting of variances as it deems necessary to further the purposes of this chapter.
- F. The Zoning Board of Adjustment shall maintain the records of all appeal actions, including technical information, and report any variances to the Federal Insurance Administration upon request.

§ 75-14.2. Conditions for variances.

- A. Generally, variances may be issued for new construction and substantial improvements to be erected on a lot of 1/2 acre or less in size contiguous to and surrounded by lots with existing structures constructed below the base flood level, provided that the items in § 75-14.1D(1) through (11) have been fully considered. As the lot size increases beyond the 1/2 acre, the technical justification required for issuing the variance increases.
- B. Variances may be issued for the repair or rehabilitation of historic structures upon a determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as a historic structure and the variance is the minimum necessary to preserve the historic character and design of the structure.
- C. Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result.
- D. Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.
- E. Variances shall only be issued upon:
 - (1) A showing of good and sufficient cause;

- (2) A determination that the failure to grant the variance would result in exceptional hardship to the applicant; and
 - (3) A determination that the granting of a variance will not result in increased flood heights, additional threats to public safety or extraordinary public expense, create nuisances, cause fraud on or victimization of the public as identified in § 75-14.1D or conflict with existing local laws or ordinances.
- F. Any applicant to whom a variance is granted shall be given written notice that the structure will be permitted to be built with a lowest floor elevation below the base flood elevation and that the cost of flood insurance will be commensurate with the increased risk resulting from the reduced lowest floor elevation.

ARTICLE VI Provisions for Flood Hazard Reductions

§ 75-15. General standards.

In all areas of special flood hazard, the following standards are required:

A. Anchoring. **[Amended 5-7-1987 by Ord. No. 4-87]**

- (1) All new construction and substantial improvements shall be anchored to prevent flotation, collapse or lateral movement of the structure.
- (2) All manufactured homes shall be anchored to resist flotation, collapse or lateral movement. Methods of anchoring may include, but are not to be limited to, use of over-the-top or frame ties to ground anchors. This requirement is in addition to applicable state and local anchoring requirements for resisting wind forces.

B. Construction materials and methods.

- (1) All new construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage.
- (2) All new construction and substantial improvements shall be constructed using methods and practices that minimize flood damage.

C. Utilities.

- (1) All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of floodwaters into the system.
- (2) New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of floodwaters into the systems and discharge from the systems into floodwaters.
- (3) On-site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding.
- (4) Electrical, heating, ventilation, plumbing and air-conditioning equipment and other service facilities shall be designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding. **[Added 5-7-1987 by Ord. No. 4-87]**

D. Subdivision proposals.

- (1) All subdivision, site plan or any other land use proposals shall be consistent with the need to minimize flood damage.
- (2) All subdivision, site plan or any other land use proposals shall have public utilities and facilities, such as sewer, gas, electrical and water systems, located and constructed to minimize flood damage.

- (3) All subdivision, site plan or any other land use proposals shall have adequate drainage provided to reduce exposure to flood damage.
- (4) Base flood elevation data shall be provided for subdivision proposals and other proposed development which contain at least 50 lots or five acres, whichever is less. **[Amended 10-1-1991 by Ord. No. 8-91]**
- E. Any proposed development shall be analyzed to determine effects on flood-carrying capacity of the area of special flood hazard as set forth in § 75-14A(3). Encroachments, including fill, new construction, substantial improvements and other development, shall be prohibited in any floodway unless a technical evaluation demonstrates that the encroachments will not result in any increase in the flood levels during the occurrence of the base flood discharge. **[Added 5-7-1987 by Ord. No. 4-87]**
- F. Enclosure openings. For all new construction and substantial improvements, fully enclosed areas below the lowest floor that are usable solely for parking of vehicles, building access or storage in an area other than a basement and which are subject to flooding shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must either be certified by a registered professional engineer or architect or must meet or exceed the following minimum criteria: **[Added 10-1-1991 by Ord. No. 8-91]**
 - (1) A minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding shall be provided.
 - (2) The bottom of all openings shall be no higher than one foot above grade.
 - (3) Openings may be equipped with screens, louvers or other covering or devices, provided that they permit the automatic entry and exit of floodwaters.

§ 75-16. Specific standards.

[Amended 5-7-1987 by Ord. No. 4-1987; 10-1-1991 by Ord. No. 8-91]

In all areas of special flood hazard where base flood elevation data have been provided as set forth in § 75-7, Basis for establishing areas of special flood hazard, or in § 75-14A.1, Use of other base flood and floodway data, the following standards are required:

- A. Residential construction. New construction and the substantial improvement of any residential structure shall have the lowest floor (including basement) elevated at least one foot above the base flood elevation.
- B. Nonresidential construction shall:
 - (1) Be floodproofed so that below the base flood level the structure is watertight, with walls substantially impermeable to the passage of water.
 - (2) Have structural components capable of resisting hydrostatic and hydrodynamic loads and effects of buoyancy.
 - (3) Be certified by a registered professional engineer or architect that the design and methods of construction are in accordance with accepted standards of practice for meeting the applicable provisions of this subsection. Such certification shall be provided to the official as set forth in § 75-14A.1.
- C. Manufactured homes.
 - (1) Manufactured homes shall be anchored in accordance with § 75-15A(2).

- (2) All manufactured homes to be placed or substantially improved within an area of special flood hazard shall be elevated on a permanent foundation such that the lowest floor is at or above the base flood elevation.

D. Encroachments. The cumulative effect of any proposed development, when combined with all other existing and anticipated development, shall not increase the water surface elevation of the base flood more than two-tenths (0.2) foot at any point.

ARTICLE VII Issuance of Permit

§ 75-17. Review of applications.

The Construction Official shall review all applications for development permits and grant or deny development permits in accordance with this chapter.

§ 75-18. Duties of Township Committee.

The Township Committee shall hear and decide requests for exceptions from any of the requirements of this chapter or any appeals from the decision of the Construction Official.

§ 75-19. Conditions.

The Construction Official or the Township Committee, under the exception or appeal procedures, may impose reasonable conditions in approving any development permit so long as the conditions are in accordance with the purpose and scope of this chapter.

§ 75-20. Time limits.

Any action on any application, exception or appeal must be made within 30 days of the date of filing of the application, exception or appeal. Failure to take action within 30 days shall be deemed a denial of issuance of a development permit.

§ 75-21. Additional approvals.

Any development permits issued shall be subject to any and all approvals required by the New Jersey Department of Environmental Protection pursuant to the Flood Hazard Area Control Act, N.J.S.A. 58:16A-50 et seq., or by Sandyston Township or the County of Sussex.