

## **Stream Corridor Protection**

### **Holmdel Township (1994)**

*Disclaimer: This ordinance is an example of an approach that has worked in one municipality. It should be modified to reflect local environmental conditions, current regulations, and state-of-the-art knowledge in the environmental field.*

#### §30-116.7 Stream Corridors.

a The purpose of this subsection is to protect property from flooding, to reduce land development impacts on stream water quality and flows, to protect existing natural drainage features, to protect other's rights within the same watershed from adverse effects of improper stream corridor development ; and, to provide recreation and wildlife migration corridors.

b Stream corridors shall mean the stream channel and the land on either side of the stream channel which is within the one hundred (100) year floodplain, or is a sloping area of fifteen (15%) percent or greater that is contiguous to the stream channel or one hundred (100) year floodplain. Stream channels shall mean permanent or intermittent watercourses shown on U S. G. S. quadrangle maps, the Monmouth County Soil Survey or such other source as the Planning Board may deem appropriate.

c Stream corridor buffers with a width of fifty (50) feet shall be required around all stream channels, one hundred (100) year floodplains, and contiguous slopes of fifteen (15%) percent or greater, except for the Hop Brook/Ramanessin Brook and its tributaries, where the buffer shall have a width of one hundred fifty (150) feet around all stream channels, one hundred (100) year floodplains, and contiguous slopes of fifteen (15%) percent or greater No septic system shall be located within any stream corridor, or within one hundred (100) feet of a stream bank.

d The following information shall be supplied for any development within a stream corridor and buffer. Such information shall be in addition to information required for site plan or subdivision review.

1. Delineation of stream corridors and buffers as defined above.
- 2 Detailed hydrologic engineering studies indicating the effects on drainage, streams, and adjacent properties as well as the property in question, including the necessary data to determine whether the boundaries of the stream corridor and buffer would be affected if the application were granted.
3. A plan indicating the disposition of any fill materials proposed to be deposited by the grading or regrading of land.

4. A demonstration of how suitable techniques, including erosion and soil stabilization measures, sediment traps and nutrient control by vegetation filters or other mechanisms, will be incorporated to protect the stream.

e An approved application for development on a lot which contains a stream corridor or buffer or portion of a stream corridor or buffer shall provide a conservation easement for the continued protection of the stream corridor and buffer. The conservation easement shall encompass the entire stream corridor and buffer. Conservation easements shall be perpetual, shall name the Township of Holmdel as beneficiary, shall prohibit erection of any structures, shall be in conformance with Section 30-58, and shall be confirmed by deed and by plat filed with the County Recording Officer in compliance with the Map Filing Law. The Township Committee shall notify the Environmental Commission before vacating or modifying a conservation easement established on a stream corridor. Where the lands proposed for development include a portion of the stream corridor, a condition of any major subdivision or major site plan approval shall be the revegetation of any portions of the required stream corridor buffer which were disturbed by prior land uses, such as agriculture. The vegetation plan shall utilize native tree and plant species and shall be approved by the Township Engineer (1976 Code §78-71 4, Ord. No 3-82 ; Ord. No.94-22).