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Stormwater Management Plan

For

Borough of Hightstown
Mercer County, New Jersey

February 9, 2005

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Our File No.: H1533

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Introduction

This Municipal Stormwater Management Plan (MSWMP) documents the strategy for the Borough of Hightstown ("the Borough") to address stormwater-related impacts. The creation of this plan is required by N.J.A.C. 7:14A-25 Municipal Stormwater Regulations. This plan contains all the required elements described in N.J.A.C. 7:8 Stormwater Management Rules. The plan addresses groundwater recharge, stormwater quantity, and stormwater quality impacts by incorporating stormwater design and performance standards for new major development, defined as projects that individually or collectively result in:

1. The disturbance of one or more acres of land since February 2, 2004;

2. The creation of one-quarter acre or more of “regulated impervious surface” since February 2, 2004;

3. The creation of one-quarter acre or more of “regulated motor vehicle surface” since March 2, 2021; or

4. A combination of 2 and 3 above that totals an area of one-quarter acre or more. The same surface shall not be counted twice when determining if the combination area equals one-quarter acre or more.

Major development includes all developments that are part of a common plan of development or sale (for example, phased residential development) that collectively or individually meet any one or more of paragraphs 1, 2, 3, or 4 above. Projects undertaken by any government agency that otherwise meet the definition of “major development,” but which do not require approval under the Municipal Land Use Law, N.J.S.A. 40:55D-1 et seq., are also considered “major development.”

These standards are intended to minimize the adverse impact of stormwater runoff on water quality and water quantity and the loss of groundwater recharge that provides baseflow in receiving water bodies. The plan describes long-term operation and maintenance measures for existing and future stormwater facilities.

This plan also addresses the review and update of existing ordinances, the Borough Master Plan, and other planning documents to allow for project designs that include low impact development techniques. In addition, the plan includes a mitigation strategy for when a variance or exemption of the design and performance standards is sought. As part of the mitigation section of the stormwater plan, specific stormwater management measures are identified to lessen the impact of existing development.

A "build-out" analysis is included in this plan. It was prepared in 2022 and addresses

the increases in densities that may occur as a result of Affordable Housing sites. In addition to the Analysis, the Borough has also approved a site plan development known as the "Rug Mill" site where 343 apartments and 43 townhouse units are proposed in the area bounded by Bank Street, North Academy Street and North Main Street. See Appendix # 1. The Borough may see an additional 318 units based on development potential and another 64 affordable units as noted in the 2022 Build Out Analysis.

The plan addresses the review and update of existing ordinances and the Borough Master Plan to allow for project designs that include low impact development techniques. The plan includes a mitigation strategy for when a variance or exemption of the design and performance standards is sought. As part of the mitigation section of the stormwater plan, specific stormwater management measures are identified to lessen the impact of existing development.

MSWMP Goals

The goals of this MSWMP are to:

- Reduce flood damage, including damage to life and property;
- Minimize, to the extent practical, any increase in stormwater runoff from any new development;
- Reduce soil erosion from any development or construction project;
- Assure the adequacy of existing and proposed culverts and bridges, and other in- stream structures;
- Maintain groundwater recharge;
- Prevent, to the greatest extent feasible, an increase in nonpoint pollution;
- Maintain the integrity of stream channels for their biological functions, as well as for drainage;
- Protect the Peddie Lake as a unique and beautiful feature of the Borough;
- Minimize pollutants in stormwater runoff from new and existing development to restore, enhance, and maintain the chemical, physical, and biological integrity of the waters of the state, to protect public health, to safeguard fish and aquatic life and scenic and ecological values, and to enhance the domestic, municipal, recreational, industrial, and other uses of water;

- Protect public safety through the proper design and operation of stormwater basins.

Several goals included in the 2024 Borough Master Plan and the Re-examination Report are relevant to this Stormwater Management Plan and consistent with its goals. The 2024 Master Plan states the following:

Goal # 2, Objective #12

Preserve, protect, and enhance Peddie Lake, its environs and open space corridors as valuable natural resources within the central downtown business district.

Goal #5, Objective #1

Improve and maintain the natural resources of Peddie Lake, the Rocky Brook corridor and Timber Run.

Goal #5, Objective #2

Redevelop and maintain the abandoned railroad right-of-way; redesigning it and integrating it into the natural open space system and pedestrian/bicycle network of the Borough, including connections to the broader Mercer County Trails network.

Goal #5, Objective #3

Provide controlled public access to the Borough' s natural resources, balancing the public's opportunities to enjoy resources with necessary safeguards to protect and preserve the resources for future generations.

Goal #11, Objective #1
Maintain compliance with evolving state regulations on stormwater management and continuously assess where local regulations should be more strict in order to protect the Borough from flooding and pollution.

Goal #11, Objective #2
Reduce non-point source pollution.

Goal #11, Objective #3
Manage increases in impervious coverage on private and public land through passive stormwater management techniques, such as rain barrels, underground dry wells, natural vegetation and pervious materials

The anticipated adoption of this report along with the 2024 Stormwater Pollution Prevention Plan dated May 1, 2024, the environmental resource inventory, and the new stormwater management ordinance 23-17 will provide a strong and supportive

stormwater management standard throughout the Borough.

To achieve these goals, this plan outlines specific stormwater design and performance standards for new development. Additionally, the plan proposes stormwater management controls to address impacts from existing development. Preventive and corrective maintenance strategies are included in the plan to ensure long-term effectiveness of stormwater management facilities. The plan also outlines safety standards for stormwater infrastructure to be implemented to protect public safety.

Stormwater Discussion

Land development can dramatically alter the hydrologic cycle (See Figure 1) of a site and, ultimately, an entire watershed. Prior to development, native vegetation can either directly intercept precipitation or draw that portion that has infiltrated into the ground and return it to the atmosphere through evapotranspiration. Development can remove this beneficial vegetation and replace it with lawn or impervious cover, reducing the site's evapotranspiration and infiltration rates. Clearing and grading a site can remove depressions that store rainfall. Construction activities may also compact the soil and diminish its infiltration ability, resulting in increased volumes and rates of stormwater runoff from the site. Impervious areas that are connected to each other through gutters, channels, and storm sewers can transport runoff more quickly than natural areas. This shortening of the transport or travel time quickens the rainfall-runoff response of the drainage area, causing flow in downstream waterways to peak faster and higher than natural conditions. These increases can create new and aggravate existing downstream flooding and erosion problems and increase the quantity of sediment in the channel , including across jurisdictional lines.

Filtration of runoff and removal of pollutants by surface and channel vegetation is eliminated by storm sewers that discharge runoff directly into a stream. Increases in impervious areas can also decrease opportunities for infiltration which, in turn, reduces stream base flow and groundwater recharge. Reduced base flows and increased peak flows produce greater fluctuations between normal and storm flow rates, which can increase channel erosion. Reduced base flows can also negatively impact the hydrology of adjacent wetlands and the health of biological communities that depend on base flows. Finally, erosion and sedimentation can destroy habitat from which some species cannot adapt.

In addition to increases in runoff peaks, volumes, and loss of groundwater recharge, land development often results in the accumulation of pollutants on the land surface that runoff can mobilize and transport to streams. New impervious surfaces and cleared areas created by development can accumulate a variety of pollutants from the atmosphere, fertilizers, animal wastes, and leakage and wear from vehicles. Pollutants can include metals, suspended solids, hydrocarbons, pathogens, and nutrients.

In addition to increased pollutant loading, land development can adversely affect water quality and stream biota in more subtle ways. For example, stormwater falling on impervious surfaces or stored in detention or retention basins can become heated and raise the temperature of the downstream waterway, adversely affecting cold water fish species such as trout. Development can remove trees along stream banks that normally provide shading, stabilization, and leaf litter that falls into streams and becomes food for the aquatic community.

Background

The Borough encompasses a 1.2 square mile area in Mercer County, New Jersey. The population of the Borough has increased from 5126 in 1990, to 5,855 in 2023 (estimated U.S. Census Bureau). Development within the Borough prior to 1990 resulted in changes in the landscape and increased stormwater runoff volumes and pollutant loads to the waterways of the municipality. Figure 6 illustrates the waterways in the Borough. Figure 2 depicts the Borough boundary on the USGS quadrangle maps.

The New Jersey Department of Environmental Protection (NJDEP) has established an Ambient Biomonitoring Network (AMNET) to document the health of the state's waterways. There are over 800 AMNET sites throughout the state of New Jersey. These sites are sampled for benthic macroinvertebrates by NJDEP on a five-year cycle. Streams are classified as excellent, good, fair, or poor based on the AMNET data. The information gathered contributes to state water quality management and pollution mitigation efforts.

Hightstown contains three stream bodies within its boundaries; the Rocky Brook, the Peddie Lake and the Timber Run which is tributary to the Peddie Lake. These three stream bodies essentially bisect the Borough. The Peddie Lake and Timber Run, as well as a portion of the Rocky Brook, are surrounded by dense development. The most northerly section of the Rocky Brook is largely bordered by associated wetlands. This plan will help to ensure that Rocky Brook, Peddie Lake, and Timber Run are protected and maintained as important natural features.

In addition to the AMNET data, the NJDEP and other regulatory agencies collect water quality chemical data on the streams in the state. This data shows that the Rocky Brook in the Borough contains arsenic, chromium, lead, zinc, and benthic macroinvertebrates, and has been placed in the fair assessment category. The designation of "Fair" is directly related to the sampling of benthic macroinvertebrates. Sampling (AN0381) at Peddie Lake has indicated that Peddie Lake is maintaining fair water quality. Hightstown Borough is in Watershed Management Area 10 that is part of the Raritan River basin. Rocky Brook is part of an area of 271 square miles that the Millstone River drains. Rocky Brook, however, is not a major tributary to the Millstone River. The major tributaries include Stony Brook, Cranbury Brook, Bear Brook, Ten Mile

River, Six Mile River, and Bedens Brook. The largest impoundment in this area is Carnegie Lake. Peddie Lake is one of many smaller lakes in the watershed.

The Borough Environmental Commission has a working relationship with the Stony Brook - Millstone Watershed Association to assist the Borough with water quality and water quantity management issues. The Watershed Association has prepared a document titled, "Characterization and Assessment of the Rocky Brook Watershed" (2003). This document discusses Rocky Brook and its condition in the Hightstown area.
In 2012, the Hightstown Environmental Commission, in collaboration with the Delaware Valley Regional Planning Commission, prepared an Environmental Resource Inventory (ERI) for the Borough. June of 2012, the Planning Board adopted the ERI as an appendix to the Borough's Master Plan.

The ERI provides valuable information on natural and biological resources in addition to key statistics regarding the built environment. It illustrates how fully developed the community is while highlighting the fragility of the last remaining natural resources. The Rocky Brook corridor, including Peddie Lake, bisects the Borough and passes through downtown. In 2011, this stream corridor flooded downtown Hightstown, causing considerable damage, from which the Borough continues to recover today. That event illustrated how the Borough's environmental resources can be both valuable assets that enhance the quality of life and a powerful force that warrants respect and consideration. To strike an appropriate balance between permitted development and acknowledging the carrying capacity of the Borough's natural resources, the Borough Council adopted a new stormwater control ordinance. This ordinance addresses and manages the cumulative impact of development projects that can, over time, have significant consequences as it becomes increasingly difficult to mitigate the effects of intensified development in a fully developed community like Hightstown.

The New Jersey Integrated Water Quality Monitoring and Assessment Report (305(b) and 303(d)) (Integrated List) is required by the federal Clean Water Act to be prepared biennially and is a valuable source of water quality information. This combined report presents the extent to which New Jersey waters are attaining water quality standards and identifies waters that are impaired. Rocky Brook is not listed on the 2022 303(d) and Sublist 4 report. To date no TMDL's have been established for Rocky Brook.

The bridges at Peddie Lake and Rocky Brook are owned by the County and State. The culvert under Maxwell Avenue on Timber Run is owned by the County. These structures and some of the smaller culverts were designed for different hydrologic conditions (i.e., less impervious area) than presently exist in the Borough. As imperviousness increases in the Borough and outside the Borough, the peak and volumes of stream flows also increase. The increased amount of water may result in stream bank erosion, which results in unstable areas at roadway crossings, and degraded stream habitats.

Increased imperviousness decreases groundwater recharge, decreasing base flows in streams during dry weather periods. Lower base flows can have a negative impact on instream habitat during the summer months. A map of the groundwater recharge areas is shown in Figure 3. Wellhead protection areas, also required as part of the MSWMP, are shown in Figure 5.

The Borough has a significant amount of developed land. The existing Land Use Map is shown in Figure 4 and the Zoning Map (2020) in Figure 7. A portion of the Hightstown USGS Quadrangle is provided in Figure 2.

Groundwater recharge rates for native soils in this area are generally between 1 and 15 inches annually. The average annual groundwater recharge rates are shown graphically in Figure 3.

According to the NJDEP, "A Well Head Protection Area (WHPA) in New Jersey is a map area calculated around a Public Community Water Supply (PCWS) well in New Jersey that delineates the horizontal extent of ground water captured by a well pumping at a specific rate over a two-, five-, and twelve-year period for unconfined wells. The confined wells have a fifty-foot radius delineated around each well serving as the well head protection area to be controlled by the water purveyor in accordance with Safe Drinking Water Regulations (see NJAC 7:10-11.7(b)1)." WHPA delineations are conducted in response to the Safe Drinking Water Act Amendments of 1986 and 1996 as part of the Source Water Area Protection Program (SWAP). The delineations are the first step in defining the sources of water to a public supply well. Within these areas, potential contamination will be assessed, and appropriate monitoring will be undertaken as subsequent phases of the NJDEP SWAP, as shown in Figure 5, a portion of the Borough is in a Tier 3 well head protection area. This area is in the central portion of the Borough at the Borough's Water Treatment Plant.

In addition to the three (3) streams, there are several wetland areas. These wetland areas, shown in Figure 6, provide flood storage, nonpoint pollutant removal and habitat for flora and fauna.

Design and Performance Standards

The Borough has adopted the design and performance standards for stormwater management measures as presented in NJ.A.C. 7:8-5 to minimize the adverse impact of stormwater runoff on water quality and water quantity in receiving water bodies. The design and performance standards include the language for maintenance of stormwater management measures consistent with the stormwater management rules at N.J.A.C. 7:8-5.8 Maintenance Requirements, and language for safety standards consistent with NJ.A.C. 7:8-6 Safety Standards for Stormwater Management Basins.

During and after construction, Borough inspectors will observe the construction of the project to ensure that the stormwater management measures are constructed and function as designed.

Plan Consistency

The Borough is not within a Regional Stormwater Management Planning Area and no TMDLs have been developed for waters within the Borough to date; therefore, this plan does not need to be consistent with any regional stormwater management plans (RSWMPs) nor any TMDLs. If any RSWMPs or TMDLs are developed in the future, this Municipal Stormwater Management Plan will be updated to be consistent.

The Municipal Stormwater Management Plan is consistent with the Residential Site Improvement Standards (RSIS) a N.J.A.C. 5:21. The Borough will utilize the most current update of the RSIS in the stormwater review of residential areas. This Municipal Stormwater Management Plan will be updated to be consistent with any future updates of the RSIS. The Municipal Stormwater Management Plan is consistent with the Borough's 2024 Master Plan and the 2024 Reexamination Report as it reflects the goals and objectives of the Master Plan.

The Borough' s Stormwater Management Ordinance requires all new development and redevelopment plans to comply with New Jersey' s Soil Erosion and Sediment Control Standards. During construction, Borough inspectors will observe on-site soil erosion and sediment control measures and report any inconsistencies to the local Soil Conservation District. Additionally, the Borough will copy the Mercer County Soil Conservation District on key correspondence.

Nonstructural Stormwater Management Strategies

The Master Plan of the Borough of Hightstown as amended in 2014, was reviewed in its entirety for consistency with non-structural stormwater management strategies. The Master Plan is currently under reexamination.

The Zoning and Land Use Ordinances of the Borough Code were reviewed regarding consistency with nonstructural stormwater management strategies. The following changes to Chapter 25 of stormwater control and Chapter 24, of flood damage prevention were made since the 2014 Stormwater Management Report:

1. Ordinance No. 2023-17,
   AN ORDINANCE FURTHER AMENDING AND SUPPLEMENTING CHAPTER 25, ENTITLED “STORMWATER CONTROL,” OF “THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF HIGHTSTOWN.”

   The full ordinance is provided at the end of this section.

2. Ordinance No. 2023-01 Flood Damage Prevention,
   AN ORDINANCE ESTABLISHING NEW FLOODPLAIN MANAGEMENT REGULATIONS FOR THE BOROUGH OF HIGHTSTOWN, AND AMENDING AND SUPPLEMENTING "THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF HIGHTSTOWN" IN ORDER TO REPEAL THE EXISTING PROVISIONS OF CHAPTER 24, ENTITLED "FLOOD DAMAGE PREVENTION," IN THEIR ENTIRETY, AND TO ESTABLISH A NEW CHAPTER 24 THEREOF CONCERNING "FLOOD DAMAGE PREVENTION."

   The full ordinance is provided at the end of this section.

Land Use/Build-Out Analysis

A land use/build out analysis was prepared for the Borough in 2022. The Borough has significantly less than one square mile of developable land. The Borough is nearing full build out as the entire land area of the Borough is just 1.2 square miles.
Figure 4 illustrates the existing land use in the Borough based on 1995/97 GIS information from NJDEP.

The densities shown on Figure 4 are supplemented by the approved "Rug Mill" site with 343 apartments and 43 townhouses and units projected in the 2022 Build Out Analysis. The 2022 Build Out Analysis, based on development potential, projects an additional 318 units (64 affordable). See Appendix # 1.

Figure 3 illustrates the constrained lands within the Borough.
Figure 6 illustrates the HUC14s within the Borough.
Figure 7 illustrates the Borough zoning map.

Mitigation Plans

Applicants for development will be expected to mitigate the impacts of development on stormwater at their own site or other sites within the subject watershed that it controls. No variances and exemptions from the standards shall be granted unless it is technically infeasible to meet the requirements.

It is more practical for any new development to provide on-site stormwater facilities rather than implementing a municipal system that would disrupt the existing built environment.

If it is technically infeasible to meet the requirements, the mitigation project must be implemented in the same drainage area as the proposed development. The project must provide additional groundwater recharge benefits, or protection from stormwater runoff quality and quantity from previously developed property that does not currently

meet the design and performance standards outlined in the Municipal Stormwater Management Plan. The developer must ensure the long-term maintenance of the project including the maintenance requirements under Chapters 8 through 11 of the NJDEP Stormwater BMP Manual (Revised March 2021).

Mitigation Plan

This mitigation plan is provided for a proposed development that is granted a variance or exemption from the stormwater management design and performance standards. Presented is a hierarchy of options.

Mitigation Project Criteria

1. The mitigation project must be implemented in the same drainage area as the proposed development. The project must provide additional groundwater recharge benefits, or protection from stormwater runoff quality and quantity from previously developed property that does not currently meet the design and performance standards outlined in the Municipal Stormwater Plan. The developer must ensure the long-term maintenance of the project, including the maintenance requirements under Chapters 8 through 11 of the NJDEP Stormwater BMP Manual (Revised March 2021).

    a. The applicant can select one of the following ways to compensate for the deficit from the performance standards resulting from the proposed project. The mitigation project must be coordinated with the Borough Council, Borough Engineer, and Environmental Commission to determine the most appropriate project.

    Water Quality and Water Quantity:

    - Stream cleaning and restoration of the Timber Run at the headwaters of Peddie Lake.
    - Stream cleaning and removal of accumulated sediment downstream of the Peddie Lake Dam spillway adjacent to Rocky Brook Park.
    - Stream cleaning and removal of overgrown vegetation in the Rocky Brook downstream of Bank Street.

2. If a suitable site cannot be located in the same drainage area as the proposed development, as discussed in Option 1, the mitigation project may provide mitigation that is not equivalent to the impacts for which the variance or exemption is sought, but that addresses the same issue. Water Quality:

- Establish a vegetated buffer along sections of Peddie Lake, as determined by the Borough Council, as a geese and wildlife control measure.

APPENDICES

Appendix 1: Build Out Analysis - 2022

Block	Lot	Street Address	Owner of Record	Gross Acreage	Developable Acreage	Total Potential New Units	Minimum Set-Aside @ 20%	Number of Feasible Affordable Units	Notes From 11/23/21 Subcommittee Meeting, 12/13/21 Planning Board Meeting
11	17.01, 17.02, 19.01	Broad and Monmouth Streets	Various; two owned by Hights Realty	2.15	2.15	25.80	5.16	5	Rezoning; density 12 du/a.
24	4	107 Manlove Ave.	Townhouse Apartments/ Nassau Apartments	3.74	3.74				Rezoning or redevelopment plan. No affordable units from this site, but could be incentivized for redevelopment in conjunction with other lots from Block 24
24	6	115 Manlove Ave.	Comisky	2.26	2.26	31.64	6.33	6	Rezoning or redevelopment plan; density 14 du/a.
24	7	265 Franklin St.	Reddy Gade	0.34	0.34	4.76	0.95	1	Rezoning or redevelopment plan; density 14 du/a. Retail/ commercial along Franklin Street.
24	15	Franklin Street	Jay Ashkar Realty LLC	0.4	0.4	5.60	1.12	1	Rezoning or redevelopment plan; density 14 du/a. Vacant U-shaped lot around lot 7. Retail/ commercial along Franklin Street.
24	17	315 Franklin St.	Comisky	0.5	0.5	7.00	1.40	1	Rezoning or redevelopment plan; density 14 du/a. Front of Comisky nursery. If combined with above property, could generate 8 affordable units. Retail/ commercial along Franklin Street.
24	9	Empire Antiques/278 Monmouth St.	Eugene D. Pascucci	4.18	4.18	58.52	11.70	12	Rezoning or redevelopment plan; density 14 du/a. Retail/ commercial along Franklin Street.
28	51,52,53	105 Main St.	Wachovia Bank c/o Thomson Reuters	1.33	1.33	54.00	10.80	11	Developer interested in producing 54 apartments above retail on this property. In redevelopment zone so affordable set-aside to be negotiated in redevelopment agreement. Tentatively calculated at 20%. Units must be provided on-site.
34	4.02	207 Grant Ave.	George Pratt	0.23	0.23	1.00		1	Land being donated to Habitat for Humanity; assume single unit
40	20	216-222 Academy St.	Ordonez Realty LLC	0.28	0.278	3.34	0.67	1	Existing approvals require one affordable unit. Possible two-up, two-down fourplex, one or more affordable. Habitat?
55	74	Westerlea Apartments/25 Westerlea Ave.	SJP	8.4	8.4	44.88	8.98	9	Overlay zoning w/20% set-aside; new density 18.2 du/acre.
61.01	25	Tornquist Garage/319 Mercer St.	Tornquist Garage, Inc.	1.5	1.5	21.00	4.20	4	Rezoning; density 14 du/a. Cemetery may wish to sell small adjacent parcel; would require subdivision; may yield one more affordable unit
61.01	44,45	Lucas Electric/Mercer Street	Hights Realty (same as two of the Broad and Monmouth Street lots)	5.0	5.0	60.00	12.00	12	Rezoning; density 12 du/a. Contamination on lot 45 may impede development; Phase I study may be required.
27	38	132 Maxwell Ave.	Suburban NJ Surplus Property LLC	0.59	0.5923				Even 6 du/a (minimum for set-aside) too dense for this site, but could build a duplex where one or both are affordable if Borough wanted to incentivize. Habitat?
40	16	200-202 Academy St.	Bank of America	0.13	0.13				Density 12 du/a. Sold to HUD/HMFA 8/10/20; to BoA 1/21/21. Sold since then? Habitat?
			Potential and Affordable Total New Units			317.54		64	

FIGURES

Figure 1: Groundwater Recharge in the Hydrologic Cycle

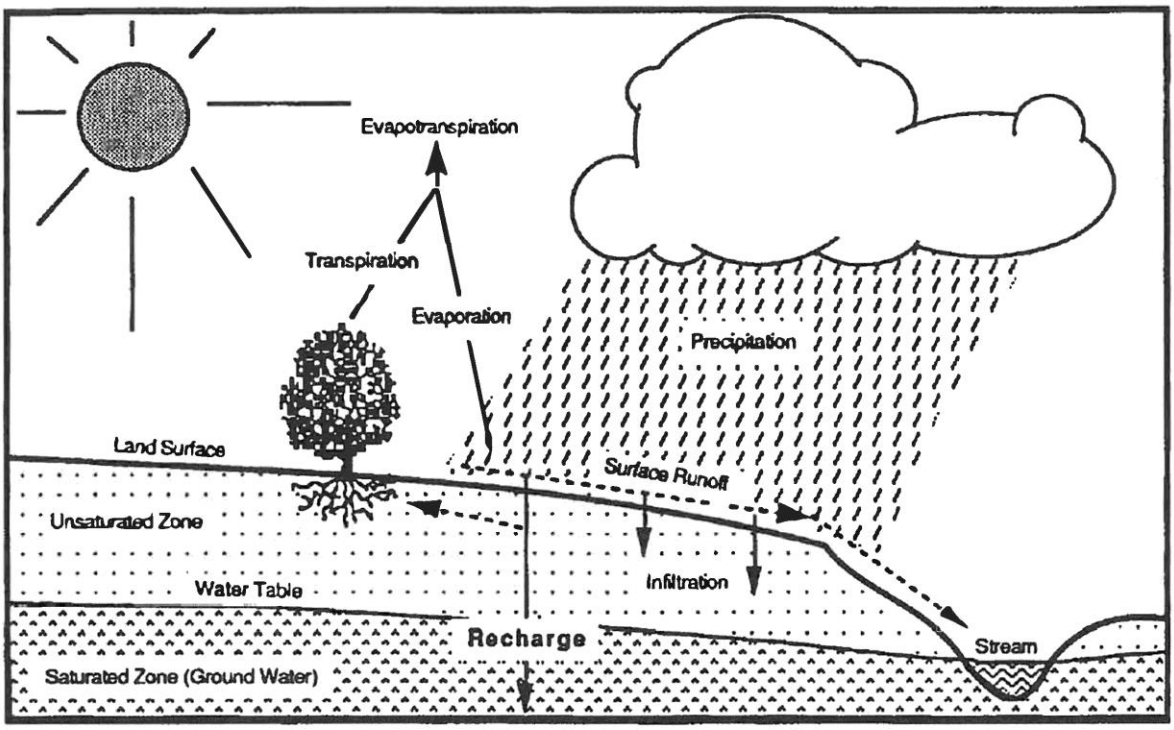

Figure 2: Borough Boundary on USGS Quadrangles

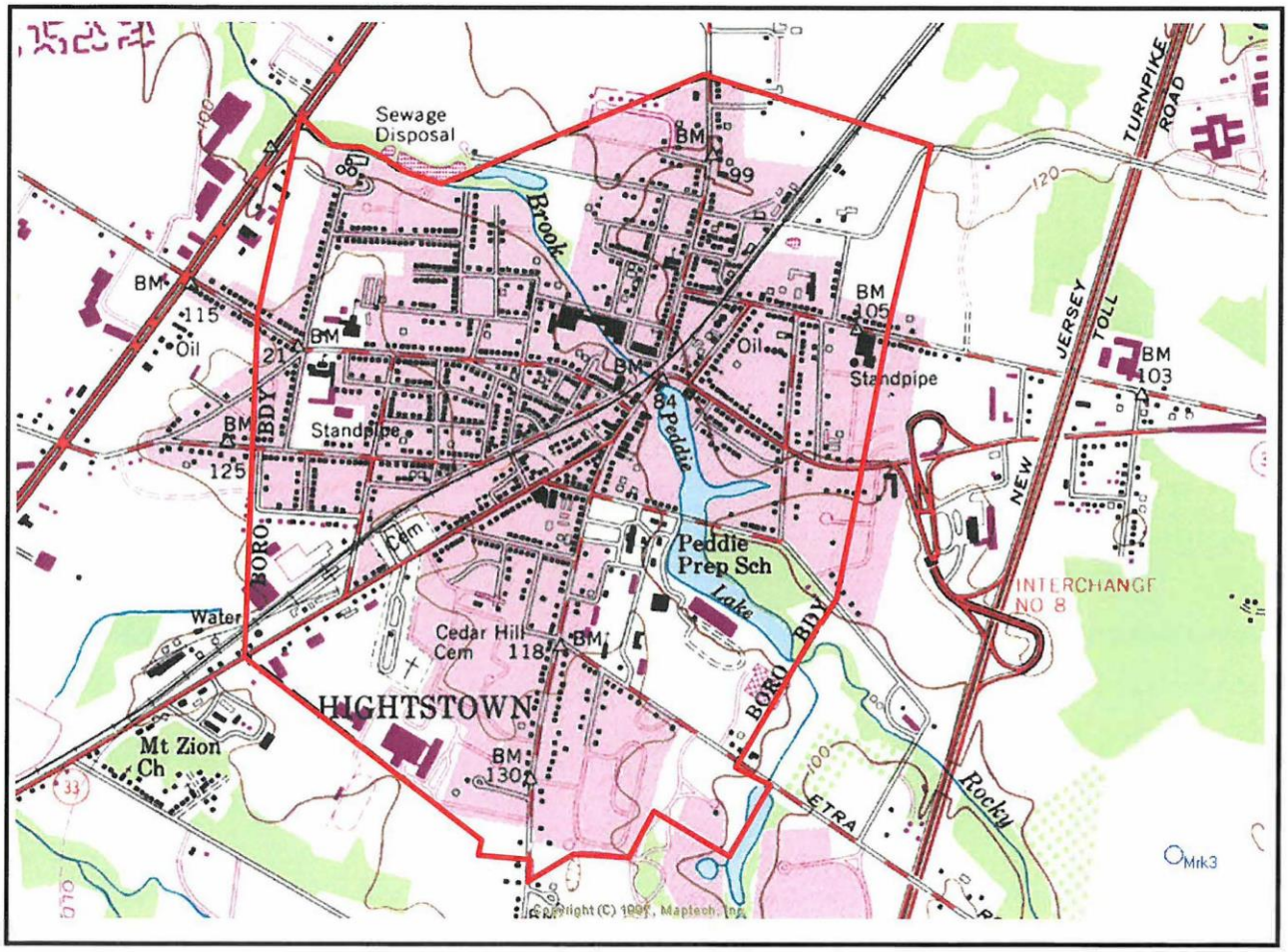

Figure 3: Groundwater Recharge Areas in the Borough

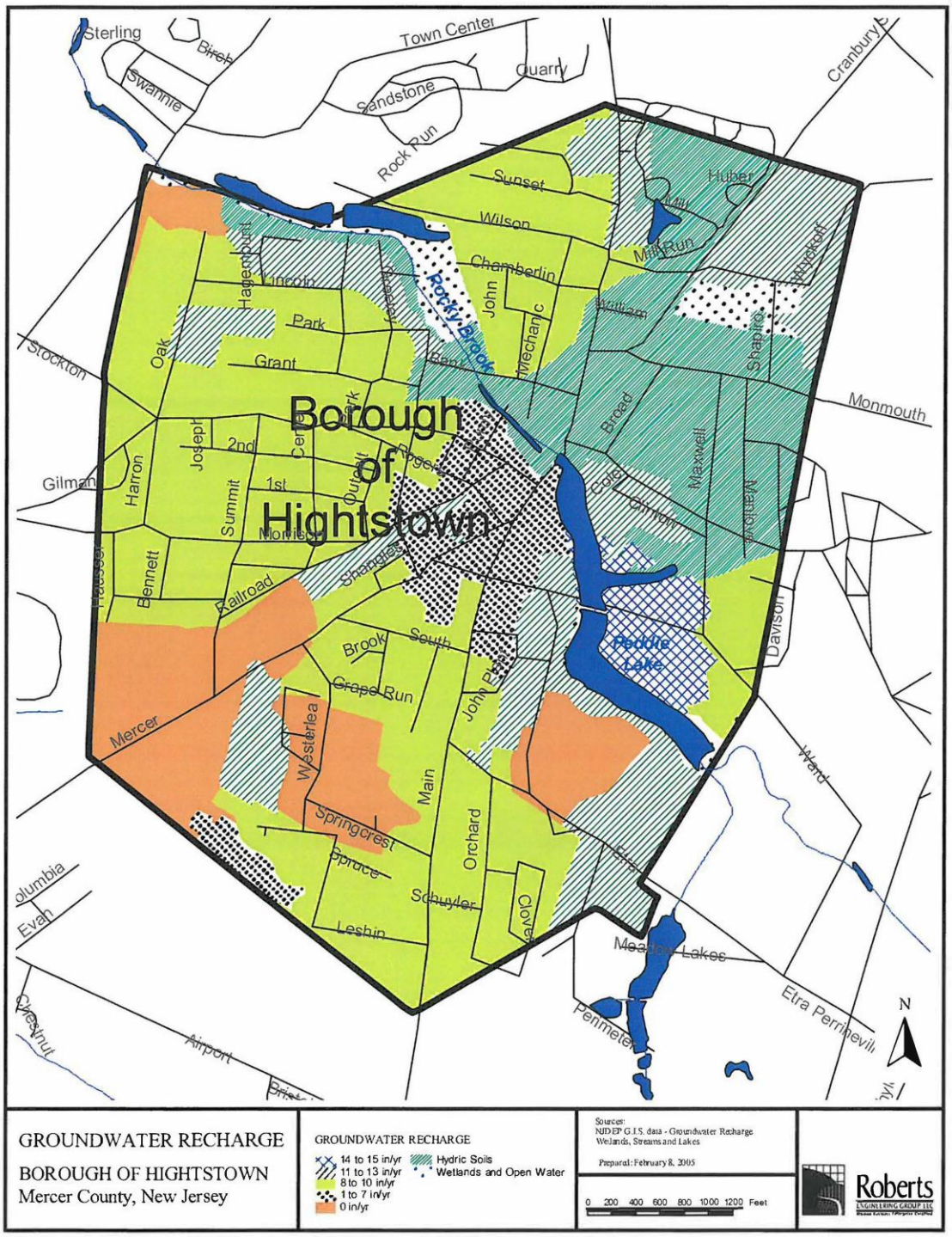

Figure 4: Borough's Existing Land Use Map

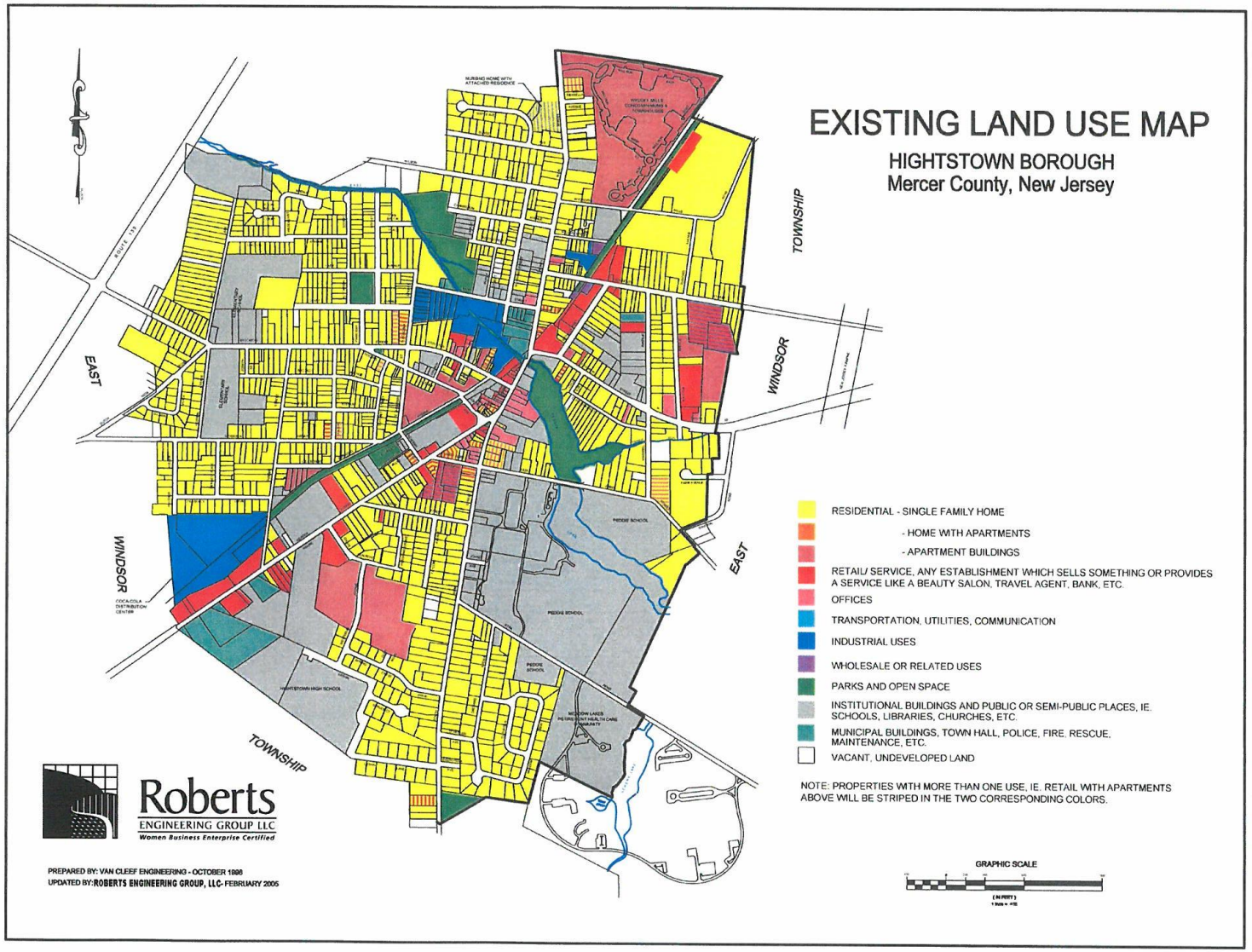

Figure 5: Well Head Protection Areas

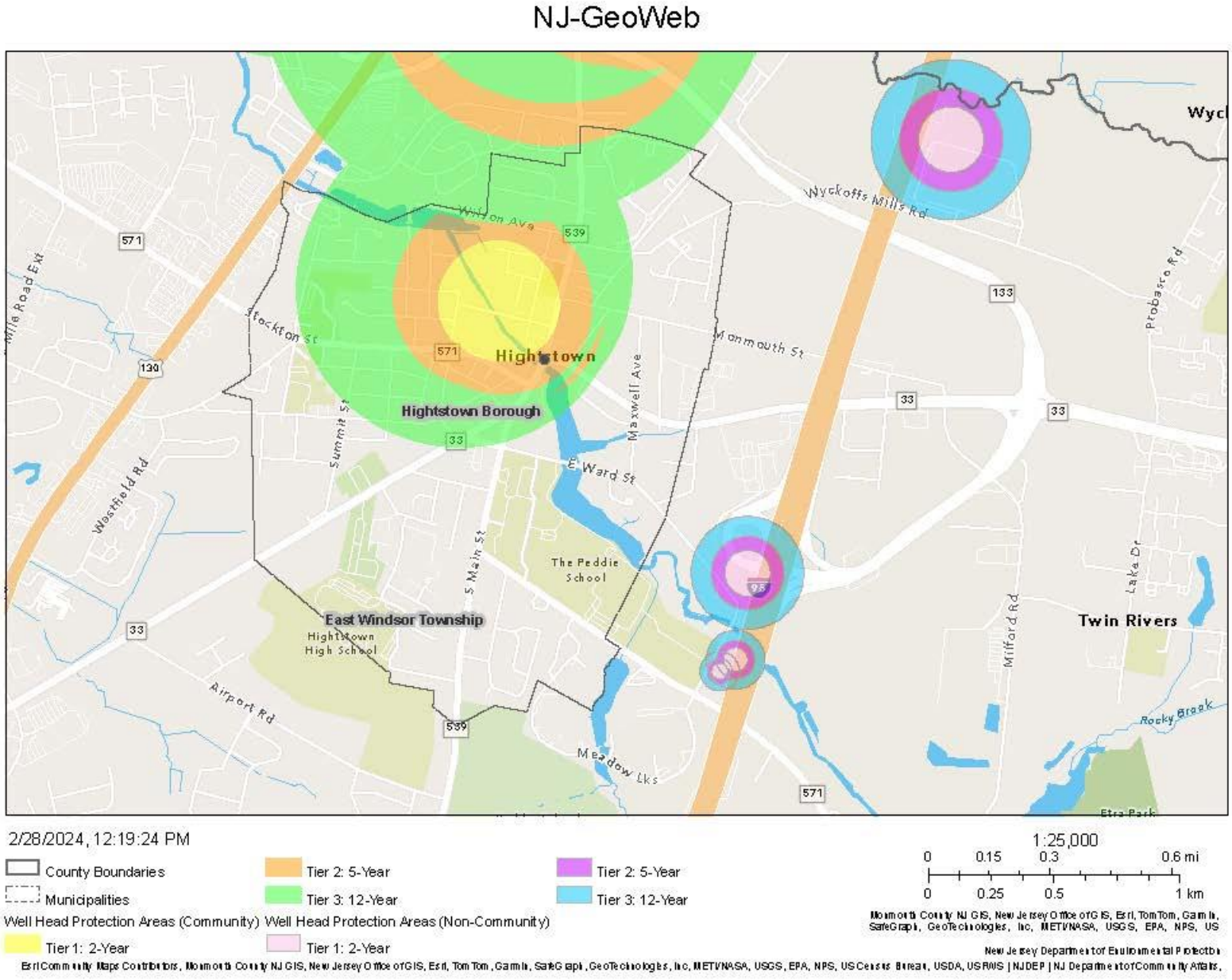

Figure 6: Hydrologic Features (HUC14s) Within the Borough

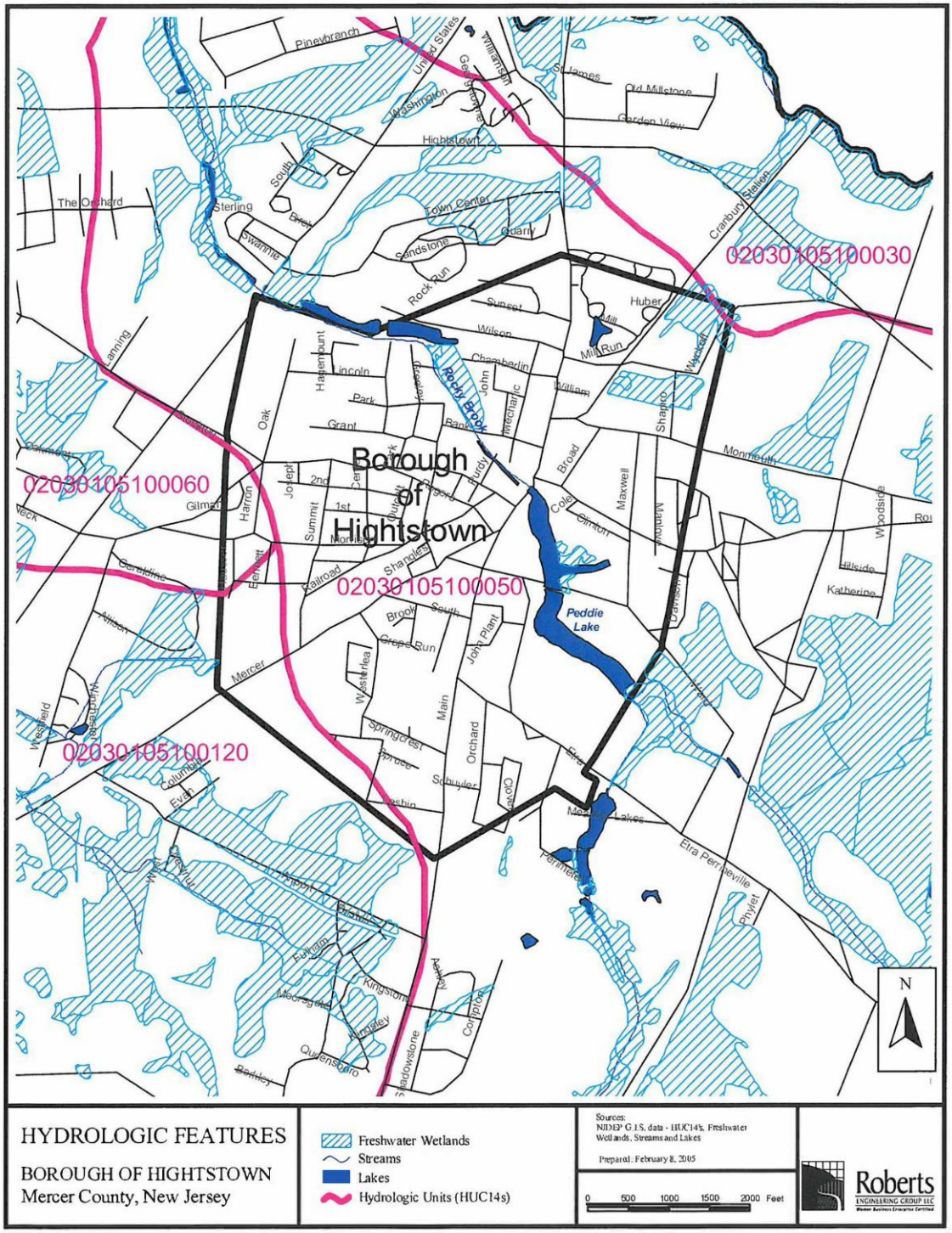

Figure 7: Zoning Map Within the Borough