

**ORDINANCE 3-2022**

**OF THE BOROUGH OF WOODBURY HEIGHTS  
IN THE COUNTY OF GLOUCESTER, STATE OF NEW JERSEY**

**AN ORDINANCE ACCEPTING AND ADOPTING GRADING  
PLANS IN THE BOROUGH OF WOODBURY HEIGHTS**

**WHEREAS**, the Mayor and Council of the Borough of Woodbury Heights have determined that certain amendments to Article 70.49 entitled “Individual Grading Plan” are necessary; and

**WHEREAS**, in all other respects Article 70-49.13 shall remain in full force and effect.

**NOW, THEREFORE, BE IT ORDAINED**, by the Mayor and Council of the Borough of Woodbury Heights, in the County of Gloucester and State of New Jersey, and it is hereby enacted and ordained by the authority of same to revise articles of the Code of Woodbury Heights as follows:

**§ 70-49.13 Definitions**

*Add the following:*

G. Individual Grading plans shall adhere to §70-49.35

**§70-49.35 Individual Grading Plan**

A. Review and approval of grading plan required.

1. A building permit shall not be issued until a grading plan has been reviewed and approved by the Borough Engineer in accordance with the provisions of this chapter.

B. Applicability.

1. The requirements set forth herein shall apply for the development of all lots within the Borough of Woodbury Heights, whether for individual or commercial purposes, or when there is an application for development before a development review Board of the Borough. Expressly excluded from the requirements set forth herein is the

construction of proposed additions and/or buildings, having at grade or floor level, a total of six-hundred (600) square feet or less.

C. Grading plan requirements.

1. The developer of a tract of land in the Borough must provide a grading plan for each lot proposed to be developed. The grading plans shall contain all the information required below in the grading plan checklist, which shall be made available to all applicants in the form that follows. The developer must submit a completed grading plan checklist with the application for development.

D. Grading plan checklist.

The following shall be the grading plan checklist. The applicant must complete this checklist and supply the required information.

GRADING PLAN CHECKLIST

- ( ) 1. Title block indicating the address of the site, lot and block numbers, name and address of the applicant and the title "grading plan".
- ( ) 2. The plan must be signed and sealed (embossed) by a professional land surveyor, and Professional Engineer or Architect licensed in the State of New Jersey.
- ( ) 3. The plan must be legibly drawn at a minimum scale of one-inch equals thirty (30) feet, indicate a north arrow and refer to the vertical datum on NJ State Plane system.
- ( ) 4. The plan must indicate all property lines, easements, deed restrictions and required setback lines. All property lines must indicate bearing and dimensions, and the width of all easements must be shown on the plans.

- ( ) 5. The distances between all existing and proposed structures and adjoining property lines must be indicated on the plan.
- ( ) 6. The plan must indicate the right of way and cart way widths of all adjoining streets as well as the location of all existing and proposed curbs, sidewalks and driveway aprons along the entire frontage of the subject property.
- ( ) 7. The plan must indicate existing and proposed contours at one (1) foot intervals over the entire lot areas to be disturbed and fifty (50) feet beyond the limit of grading. Spot elevations and inverts should also be provided at all inlets, catch basins, outfalls, culverts, and other hydraulic structures.
- ( ) 8. The plan must indicate existing and proposed spot elevations at all building and property corners.
- ( ) 9. The plan must indicate existing topography fifty (50) feet beyond all property lines and spot elevations for all adjacent building corners.
- ( ) 10. The plan must also indicate the location and dimensions for all structures and site improvements including, but not limited to, the following:  
buildings, sheds, decks, swimming pools, fences, fence type, drainage facilities, and information relating to any detention or retention facilities relating to this paragraph.
- ( ) 11. The plan must indicate all flood hazard, wetlands, and wetland buffer lines and floodplains.

Additional Requirements for Grading Plans for New Structures and Additions.

- ( ) 12. The plan must indicate the first-floor and basement elevations for all proposed structures. Spot elevations for all building corners must be indicated. If a basement is planned, soil boring(s) will be necessary to provide information relating to soil types, and the depth to seasonal high-water table, and such other information as may be necessary for construction in accordance with the NJ Uniform Construction code. All basement and crawl space, shall be a minimum of 1 foot above seasonal high with table elevation.
- ( ) 13. The plan must indicate the location of all proposed utility services, including vents and cleanouts.

E. Grading standards.

The grading plan must conform to the following standards.

1. All grading shall be done in such a way as to not result in any adverse effects to adjacent properties. The plan shall not increase the amount of water, which drains onto adjoining lots. For properties where a drainage problem already exists, the drainage plan shall reduce the impact on adjoining tracts to the greatest extent possible by causing the surface water to drain to nearby streets, into approved drainage facilities or into other accepted devices. All lots shall be graded to direct surface water runoff away from structures and toward the frontage road and/or a defined drainage paths, stone water system.
2. All lots where fill material is deposited shall have clean fill and/or topsoil deposited, which shall be graded to allow positive drainage away from all buildings and complete surface draining of the lot into local storm sewer systems

or natural drainage courses. No regrading of a lot shall be permitted which would create or aggravate water stagnation or a drainage problem on the site or on adjacent properties; or which will result in any top soil or subsoil removal from the site or from the Borough; or which will violate the provisions of the soil erosion and sediment control soil removal and redistribution, and flood hazard provisions of this ordinance. Grading shall be limited to areas shown on an approved grading plan, site plan or subdivision. Any topsoil disturbed during approved excavation and grading operations shall be redistributed throughout the site.

3. Lawn areas shall be sloped away from the buildings and structures at a minimum of 5% for the first ten (10) feet from a foundation wall. A minimum slope of 1.5% should be maintained in all other lawn areas. A minimum slope of 2% shall be maintained for all swales. Swales are normally placed at the edge of both lots so that water will flow from the back of the house to the curb. Water also may be directed to flow on neighboring lots where easements are applicable to the curb or to the source where the water will be discharged.

4. All slopes shall be no greater than 3:1.

5. Driveway grades shall not exceed 10%.

6. No grading shall occur within five (5) feet of a property line unless necessary to direct drainage off the site and into acceptable drainage facilities in accordance with these standards. When an applicant proposes to grade over an adjoining property line, written permission/agreement from the adjoining property owner must be obtained and a waiver from the minimum requirements must be

obtained from the Borough Engineer. Where an applicant proposes to grade over an adjoining property line, written permission in the form of an agreement for easement shall be recorded in the Gloucester County Clerk's Office, from the adjoining property or developer, and a copy shall be filed with the Construction Office of the Borough of Woodbury Heights, and the Planning or Zoning Board of the Borough of Woodbury Heights where a subdivision or a variance shall have been approved. The document between the parties must be notarized in order to file and record. (The office of the County Clerk acts as a registrar of deeds and all other recorded documents, and the right to grade on an adjoining property becomes an easement or right against the adjoining property).

7. The top of any excavation of slope shall be no closer than five (5) feet to an adjoining property and shall not direct water runoff to the adjoining property unless an agreement shall have been provided and recorded as indicated under Section 5(E).

8. If a retaining wall is proposed, construction details must be provided. In cases where a retaining wall is higher than 30 inches, calculations prepared by a licensed professional engineer must be submitted certifying the stability of the structure.

9. A grading plan is also required for all projects with subdivisions and site plan approval, prior to receiving a building permit. The plan shall show all existing and proposed contours at one-foot contour intervals. Either the footing or top-of-foundation elevations shall be shown consistent with the grading plan for the site and for each building, or the plan shall include a General Note that top-of-

foundation and other required elevations shall be provided as part of the request for Construction Permit with the elevations being consistent with the approved development plan and other design requirements such as, but not limited to, driveway slopes.

10. All lots where fill material is deposited shall have clean fill and/or topsoil deposited, which shall be graded to allow positive drainage away from all buildings and complete surface draining of the lot into local storm sewer systems or natural drainage courses. No regrading of a lot shall be permitted which would create or aggravate water stagnation or a drainage problem on the site or on adjacent properties; or which will result in any topsoil or subsoil removal from the site or from the Borough; or which will violate the provisions of the soil erosion and sediment control, soil removal and redistribution, and flood plain provisions of this ordinance. Grading shall be limited to areas shown on an approved site plan or subdivision. Any topsoil disturbed during approved excavation and grading operations shall be redistributed throughout the site.

Section F. Approval procedures.

1. The Borough's Planning and Zoning Boards are designated to receive, review and determine subdivision/site plans, for purposes of establishing drainage and other issues relating to applications for development. Grading is a part of a subdivision or site plan application. In the event any grading plan submitted under this chapter has not been approved by the Planning or Zoning Boards, an application for grading plan must be submitted to the Borough Engineer,

wherever jurisdiction shall lie, shall be submitted for purposes of a final determination.

2. Prior to commencing the framing of the building, and upon completion of the foundation wall or on-grade slab, the lot grading plan shall be submitted to the Construction Official and Borough Engineer, revised as may be necessary, showing “as built” elevation and horizontal locations of the top of foundation walls or on grade slab, as appropriate, and the elevations of either the top of the concrete curb or edge of street pavement where there is no curb.

3. Following completion of all grading and drainage work, the applicant must submit to the Borough Engineer and Construction Office two copies of an as-built survey, prepared by a New Jersey licensed surveyor, with final grades, and request a final inspection fourteen (14) days prior to any certificate of occupancy. If any discrepancy exists between the grading plan and actual construction, the developer will be required to perform any necessary site work to correct the deficiency. All as-built site work must be done in conformity with the approved grading plans. Any significant deviations may be approved only by the relevant approving agency.

4. Following completion of all work and receipt of the as built grading plan, the Borough Engineer shall conduct the final inspection and notify the Construction Official, in writing, whether the final construction is in compliance with the approved grading plan and that a certificate of occupancy may be issued. The Construction Official shall issue the certificate of occupancy only if all conditions for the approved grading plan have been satisfied.



5. All individual curb/sidewalk waiver requests for grading plans not part of subdivision or site plans approved by the Planning Zoning Board, must be processed with the Borough Council and the Borough Engineer.

6. All grading work shall be completed within two-hundred ten (210) calendar days from the issuance of the building permit. The grading permit and building permit shall be issued simultaneously. The two-hundred ten (210) days shall be counted from the issuance of the building permit.

(a) For lots separately handled for grading permits, an individual plan shall be filed for each lot.

(b) Unless all lots are intended to be completed at one time, individual lot permits shall be issued for each individual construction permit.

#### Individual Grading Plan review fees.

The person to whom this chapter applies must pay the following fees to the Borough for application, review and inspection of the site.

1. Application fee: \$50.

2. An escrow fee in the amount of \$450 shall be paid at the time of submission of a grading plan (per lot). These fees are flat fees and constitutes by this chapter the actual fee charged to the Borough of Woodbury Heights by its Engineer.

3. Inspection Escrow. An escrow of \$500 per lot shall be submitted by the applicant to be utilized for the payment of the Borough Engineer's inspection of the site in accordance with this chapter.

4. Sidewalk/Curb Waiver Request fee. A flat fee of \$200 shall be paid to the Borough for the Borough Engineer to evaluate an Applicant's request to waiver from construction of sidewalk and/or curb. A report/letter will be issued to Borough Council recommending or denying of said construction.

5. Sidewalk/Curb Inspection fees. A flat fee of \$500 per individual grading plan for parcels not included within a major subdivision shall be submitted by the applicant to be utilized for the payment of the Borough Engineer's inspection of the concrete sidewalk and/or concrete curb construction. The fee shall be determined by the Borough Engineer during the grading plan review process. The inspection shall cover the placement of forms, depth of forms, pouring of concrete and soil quality in accordance with the Borough Regulations and approved grading plan. The escrow includes re-inspection of the construction of the concrete sidewalk and/or curb in the event the initial inspection shall reveal errors/omissions and construction not in accordance with the filed plan and Borough Regulations.

6. Subsurface Storm water Disposal System, Inspection fee. A flat fee of \$475 per individual grading plan shall be submitted by the applicant to be utilized for the payment of the Borough Engineer's inspection of any Underground Storm water Chambers Management System. The fee shall be determined by the Borough's Engineer during the grading plan review process. The inspection shall cover construction of the Underground Storm water System for the purpose of the protection of water resources and areas where there is no storm water collection system to transport the runoff to other areas. The

inspection will verify that the Underground Storm water System is constructed per the approved plan. The Applicant must contact the Borough Engineer's office for inspection of the installation of the Underground Storm water Systems, during construction of same. 48hours notice is required. This escrow will not be required if deemed not necessary during the grading plan review.

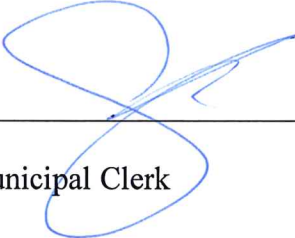
7. No certificate of occupancy shall be issued until the amended grading plan shall have been submitted and approved with the final as-built conditions.

8. All fees paid under this chapter shall be paid to the Treasurer of Woodbury Heights.

BE IT FURTHER ORDAINED that this Ordinance shall take effect immediately upon final passage and publication as required by law.

BOROUGH OF WOODBURY HEIGHTS

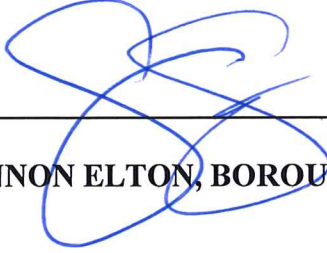
Attest:

  
\_\_\_\_\_  
Municipal Clerk

  
\_\_\_\_\_  
MAYOR

**CERTIFICATION**

The foregoing Ordinance was introduced at a Regular Meeting of Borough Council of the Borough of Woodbury Heights held on the 16th day of February, 2022, and will be considered for final passage and adoption at a Regular Meeting at which time any person interested therein will be given an opportunity to be heard. Said meeting to be held on 16th day of March, 2022, at the Borough Hall, 500 Elm Ave, Woodbury Heights, New Jersey.



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**SHANNON ELTON, BOROUGH CLERK**

## LOT GRADING PLAN & SITE INSPECTION REQUEST FORM

**To: Borough of Woodbury Heights**  
500 Elm Avenue  
Woodbury Heights, NJ 08097

**Date:** \_\_\_\_\_

**Block:** \_\_\_\_\_

**Lot:** \_\_\_\_\_

**Address:** \_\_\_\_\_

**Applicant:** \_\_\_\_\_

**Address:** \_\_\_\_\_

**Phone #** \_\_\_\_\_ **Fax #** \_\_\_\_\_ **E-Mail** \_\_\_\_\_

**Owner:** \_\_\_\_\_

**Address:** \_\_\_\_\_

**Phone #** \_\_\_\_\_ **Fax #** \_\_\_\_\_ **E-Mail** \_\_\_\_\_

\_\_\_\_\_ Grading Plan Application                      \$ 50.00 Application Fee                      Paid: \_\_\_\_\_

\_\_\_\_\_ Individual Grading Plan Review                      \$450.00 Application Fee                      Paid: \_\_\_\_\_

\_\_\_\_\_ Site Inspection with Grading As Built Plan                      \$500.00 Inspection Fee                      Paid: \_\_\_\_\_

\_\_\_\_\_ Sidewalk/Curb Waiver Request                      \$200.00 Inspection Fee                      Paid: \_\_\_\_\_

\_\_\_\_\_ Sidewalk/Curb Inspections                      \$750.00 Inspection Fee                      Paid: \_\_\_\_\_

\_\_\_\_\_ Subsurface Stormwater Disposal System Inspection If required                      \$475.00 Inspection Fee                      Paid: \_\_\_\_\_

**Rates Effective: October 20, 2021**