

# Stream Corridor Protection Ordinance Moorestown Township, Burlington County

[Amended 1-29-1997 by Ord. No. 1805-97]

A. Setbacks from streams and ponds. All buildings or structures in a floodplain shall be subject to the setback from stream requirements and all other requirements of Chapter 83, Flood Damage Prevention, as amended and supplemented. In addition, no building, paved area or leaching field from an individual sewage disposal system shall be located within 50 feet of the top of the bank of any stream or pond shown on the most recent United States Geological Survey topographic maps of Moorestown or from any other stream having a continual flow.

B. [Added 9-28-1998 by Ord. No. 1867-98; amended 2-28-2000 by Ord. No. 1914-00] Buffer strip from streams. There shall be a buffer strip from streams consisting of the area in the stream corridor. This buffer strip shall be in addition to, and shall not limit nor be limited by, the setback from streams and ponds provided for in §180-94A. The landward edge of this buffer strip shall be delineated by monuments as defined by §158-28. No septic systems shall be in the portion of the buffer strip which is within the one-hundred-year floodplain.

(1) There shall be no disturbance within the buffer strip (other than that permitted by Subsection B(3) and (4) of this subsection), including but not limited to grading and the placement of buildings or structures. Further, no buildings or structures shall be enlarged, altered and/or moved within the buffer strip.

(2) The land area within this buffer strip shall not be subtracted from the gross buildable area of the lot.

**\*\*Note:** The previous sections, 180-90.F through 180-94.B(2), have been amended as per a supplement dated 12-1-2000

(3) The buffer shall provide for the preservation and enhancement of natural vegetation or plantings approved by the Zoning Officer. No live vegetation may be removed and no desnagging shall occur

**\*\*Note:** The previous subsection has been amended as per a supplement dated 5- 20-2000.

(4) Where a lot owner removes live vegetation from the buffer strip, in violation of this section or otherwise, the Zoning Officer shall require native vegetation of reasonable diameter in size to be planted so as to create a buffer strip area which is in compliance with this section. A

vegetative recommendation can be made by the Environmental Advisory Committee or Soil Conservation Service, if requested by the Zoning Officer. This provision shall be in addition to any and all penalties provided by law.

- (5) The applicant or landowner shall have the option of creating a conservation easement in a form acceptable to the township to be dedicated to the township for the purpose of preserving the buffer strip. The township shall have the right to either accept or reject any such conservation easement.