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October 31, 2022

NJ Department of Environmental Protection  
Mail Code 401-04B  
401 East State Street  
P.O. Box 420  
Trenton, NJ 08625-0420

RE: Expression of Interest in NJDEP Stormwater Utility Feasibility Study Grant

Sent via e-mail to: [stormwaterutility@dep.nj.gov](mailto:stormwaterutility@dep.nj.gov)

To Whom It May Concern:

I am writing on behalf of the municipality of Pennington Borough, in response to NJDEP's Request for Expression of Interest for No-Cost Stormwater Utility Consulting and Guidance. Please consider this our official application for the grant.

The municipality of Pennington Borough, comprises 0.96 square miles and is located in Mercer County. Pennington is a developed community with over 90% of its land already developed. The 2020 United States Census counted 2,553 people, with 1,010 households in the borough. Pennington is a Municipal Separate Storm Sewer (MS4) municipality.

Our municipal stormwater system, although aging, is still up to the task of managing historic levels of rainfall. However, it is not able to adequately manage the stormwater that results from recent increases in rainfall amount and localized changes in impervious cover. For example, during Hurricane Ida the intersection of Route 31 and Delaware Avenue was flooded, making this significant travel corridor impassable and threatening neighboring businesses. This intersection is in both Pennington Borough and Hopewell Township. Route 31 is a State Road and Delaware Ave is the responsibility of Mercer County. Finding a way to address this type of flooding is going to require financial resources, creative thinking, and governmental cooperation.

Pennington Borough is in the beginning stages of reviewing the need for a stormwater utility. Our Environmental Commission has been tasked by Borough Council to explore the issue. To date we have worked with the Watershed Institute to do an impervious cover analysis. The findings of this analysis (provided in Attachment 2 of this letter) emphasized the pervasiveness of stormwater issues in our Borough. Several conceptual designs were also prepared as part of the Watershed Institute study to address areas with a significant amount of impervious cover. These designs recommend features to remove and/or convert impervious surfaces to pervious surfaces, or otherwise disconnect drainage areas from the local waterways by creating bioretention systems or other Green Infrastructure/Best Management Practices.

The extent and frequency of flooding has increased risks to public safety and burden to homeowners. In addition, the possibility of developing the site of a closed landfill may pose new challenges. Pennington may require costly infrastructure improvements to better manage our stormwater runoff and address the above-mentioned issues. We are keenly interested in investigating whether creating a stormwater utility would help to alleviate some of these challenges.

The primary contacts for this Stormwater Utility feasibility study will be Kit Chandler, President of Pennington Borough Council, and Rick Smith, Director of Pennington Public Works. Their contact information can be found in Attachment 1 along with contact information for our Mayor and selected members of our Borough Environmental Commission and Borough Planning Board who have been engaged in stormwater discussions for quite some time.

We feel very strongly that Pennington Borough is an ideal candidate for a stormwater utility feasibility study, due to its capable and proactive leadership, and its creative approach to addressing stormwater issues thus far. We believe that a stormwater utility feasibility study will lay the foundation for long-term investments in expanding and maintaining stormwater infrastructure, and will provide a road map for solving current and future stormwater issues. We would wholeheartedly welcome the opportunity to work with NJDEP consultants on a stormwater utility feasibility study that will have significant benefits for all Pennington Borough residents as well as residents of surrounding Mercer County communities.

Thank you for your consideration of our application.

Sincerely,

A handwritten signature in black ink, appearing to read "Jim Davy", with a stylized flourish extending from the end.

James Davy  
Mayor  
Pennington Borough

**Attachment 1: Pennington Borough Contact information**

Kit Chandler, President, Pennington Borough Council - Liaison

cchandler@penningtonboro.org

Rick Smith, Director, Pennington Public Works

RSmith@penningtonboro.org

Brian Friedlich, Chair, Pennington Environmental Commission

Brian.friedlich@gmail.com

Joann Held, Member, Pennington Environmental Commission

JoannHeld@comcast.net

Andrew Jackson, Member, Pennington Planning Board

andy.jackson@verizon.net

The Address for each of these contacts is:

30 North Main Street

Pennington, NJ 08534

## Attachment 2

### **Impervious Cover Assessment and Reduction Action Plan For Pennington Borough, Mercer County, New Jersey Prepared by the Watershed Institute, December 30, 2020**

#### **FINDINGS & RECOMMENDATIONS**

1. Impervious surfaces cover approximately 29.3 percent of Pennington's land area. This is well above the 10% threshold above which a subwatershed is considered to be impaired for water quality.
2. The municipality has two subwatersheds which have impervious cover (IC) ranging from 26.7-29.9 % IC; the recommendation of this report is that restorations efforts should be focused throughout the Borough due to the overall high percentages of IC. We recommend limitations on development and incorporation of Green Infrastructure throughout the municipality to limit future increases in IC.
3. Stormwater runoff volume from the municipality IC is over 232 million gallons of stormwater annually.
4. Using Geographical Information Systems, we identified 24 sites where actions could be taken to mitigate stormwater runoff. For 11 of those sites, we conducted more detailed on-site stormwater assessments and prepared Green Infrastructure conceptual designs. Those 11 projects have a total stormwater mitigation potential of more than 12.9 million gallons of runoff.
5. While Pennington has some regulations in place for Tree Protection, Stream Corridor Protection, and Stormwater Management Rules, the creation of new and updating / strengthening of current ordinances for all three of these categories are recommended to help with mitigation and resiliency for both surface water pollution, flooding events, and habitat degradation.