

**TOWNSHIP OF TEWKSBURY
ORDINANCE NO. 03-2015**

AN ORDINANCE OF THE TOWNSHIP OF TEWKSBURY, COUNTY OF HUNTERDON, STATE OF NEW JERSEY TO AMEND AND SUPPLEMENT THE TOWNSHIP OF TEWKSBURY DEVELOPMENT REGULATIONS ORDINANCE, SPECIFICALLY ARTICLE VII, "ZONING PROVISIONS" TO ADD "SOLAR OR PHOTOVOLTAIC ENERGY FACILITIES AND STRUCTURES" AS A NEW CATEGORY IN THE PERMITTED ACCESSORY USES FOR THE HL HIGHLANDS DISTRICT AND TO AMEND "ADDITIONAL ACCESSORY USE PROVISIONS" TO CLARIFY THE SPACING REQUIREMENTS FOR ROOF MOUNTED SOLAR PANELS

WHEREAS, the Tewksbury Township Committee has established provisions pertaining to the installation of solar or photovoltaic energy facilities and structures as permitted accessory structures in certain zone districts within the Township; and

WHEREAS, the Township Committee wishes to extend solar or photovoltaic energy facilities and structures as permitted accessory structures in the HL Highlands District in accordance with the standards established in this Chapter for said use; and

WHEREAS, the Township Committee finds it appropriate to amend the spacing requirements of roof-mounted solar panels based upon advice of the Township Fire Marshall.

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Tewksbury that of the Development Regulations Ordinance of the Township of Tewksbury shall be revised and amended to supplement Article VII, "Zoning Provisions" to add "Solar and Photovoltaic Energy Systems" as a new category under the Permitted Accessory Uses for the "HL" Highlands District (§709)

Section 1

Purpose Statement: The purpose of this Ordinance is to amend and supplement the Development Regulations Ordinance to regulate solar or photovoltaic energy facilities and structures as permitted accessory structures in the "HL" Highlands District and to provide detailed spacing requirements for roof-mounted solar panels.

Section 2

Article VII, § 700 "Zoning Provisions," is hereby amended and supplemented, as follows:

§ 709, "HL" Highlands District, Subsection C Permitted Accessory Uses, is hereby amended and supplemented by adding the following new subsection, as follows:

13. Solar and Photovoltaic Energy Systems in accordance with standards set forth in § 726 C, as established herein.

a. Roof mounted solar or photovoltaic energy systems.

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adopted

b. Ground-mounted solar or photovoltaic energy systems.

Section 3

Article VII, § 726 “Additional Accessory Use Provisions” is hereby amended and supplemented, as follows:

Subsection C.7(a)(i)(a) shall be revised to read as follows:

(a) At least four (4) feet of clear area on each side of the ridgeline and four (4) feet on both sides of the roof leading to the ridgeline shall remain clear of any solar or photovoltaic panels. Roofs with cross gable/valley shall provide four (4) feet clearance of any panels, to allow firefighters access to the roof, which shall be provided as at least two (2) feet clear of panels on either side of the center of all valleys.

Section 4

Severability. The various parts, sections and clauses of this Ordinance are hereby declared to be severable. If any part, sentence, paragraph, section or clause is adjusted unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby.

Section 5

Any ordinances or parts thereof in conflict with the provisions of this Ordinance are hereby repealed as to their inconsistencies only.

Section 6

This Ordinance shall take effect immediately upon final adoption, publication, and publication of a notice for final adoption and the filing of same with the Hunterdon County Planning Board.

William J. Voyce
Mayor

Attest:

Roberta A. Brassard
Municipal Clerk