

SHAMONG TOWNSHIP

ORDINANCE 2020-04

**AMENDING CHAPTER 110-38.5-4
OF THE TOWNSHIP CODE
GOVERNING “ACCESSORY USE – SOLAR ENERGY”**

WHEREAS, the Township Code, at Chapter 110-38.5-4 governs “Accessory Use – Solar Energy”; and

WHEREAS, the provisions governing ground-mount system for accessory use in residential areas currently require all such applications to come before the Township Planning Board; and

WHEREAS, upon review and recommendation from the Zoning Officer, Administrator and Professionals, the Township desires to amend these provisions to ensure parameters are met in residential applications without the need for all applications to appear before the Board for site plan approval; and

WHEREAS, the Township Committee desires to amend its Code to effectuate this amendment.

NOW, THEREFORE, BE IT HEREBY ORDAINED that Chapter 110 is hereby amended as follows:

Section One.

§110-38.5-4. Accessory Use – Solar Energy.

Solar and Alternative Energy Systems shall be permitted as an accessory use within the zoning districts of the Township of Shamong in accordance with the following:

B. Ground-Mounted Solar Systems.

Ground-Mounted Solar Systems shall be permitted as an accessory use in all zoning districts within the Township, subject to the following conditions:

1. Any non-residential owner or operator shall be required to apply for site plan approval before the Land Development Board. A Certificate of Filing from the Pinelands Commission shall be required prior to approval or installation of any accessory ground-mounted solar system that is not located on an existing structure or impervious surface. Any

residential owner shall not be required to apply to the Land Development Board unless a variance is needed from the following provisions. Non-residential owners or operators must also meet these provisions or seek a variance from same:

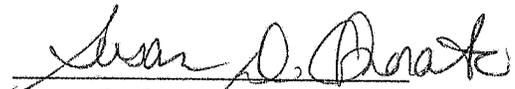
2. Minimum Lot Size: 1 Acre
3. Minimum Front Yard: 50 foot setback, but no closer to the front property line than the rear building line of the principal structure.
4. Minimum Side Yard: 30 foot setback.
5. Minimum Rear Yard: 50 foot setback.
6. Maximum Height: 12 foot.
7. All Ground-Mounted Solar Systems shall provide a minimum 15-foot landscaped buffer around the perimeter of the system.
8. Tree removal shall be minimized and any removal shall be mitigated.
9. All bulk requirements of the applicable zone shall apply unless specifically set forth above.
10. The area of solar facility panels shall not count in the calculation of maximum lot coverage or maximum impervious, unless the area under or associated with the panels, including footings, consists of an impervious material.
11. All installations shall comply with stormwater and soil disturbance rules and regulations.
12. If the proposed facility exceeds a 1:5 ratio for the size of the facility to the size of the lot, or if the facility exceeds 10 acres in size, the facility shall be considered a principal use, and shall be governed by principal use restrictions and conditions set forth elsewhere in this Chapter.

Section Two: All Ordinances and provisions thereof inconsistent with the provisions of this Ordinance shall be and are hereby repealed to the extent of such inconsistency

Section Three: If any section, paragraph, subdivision, clause or provision of this ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provision and the remainder of this ordinance shall be deemed valid and effective.

Section Four: This ordinance shall take effect immediately upon final passage and publication according to law.

I, Susan D. Onorato, Township Clerk of the Township of Shamong, County of Burlington, State of New Jersey, do hereby certify that this ordinance was passed on first reading at a meeting of the Township Committee held on May 5, 2020, and will be further considered for adoption following a public hearing to be held on June 2, 2020, at 7:30 p.m. at the Shamong Municipal Building/ via Zoom Platform.


Susan D. Onorato, RMC

SHAMONG TOWNSHIP

ORDINANCE 2020-04

**AMENDING CHAPTER 110-38.5-4
OF THE TOWNSHIP CODE
GOVERNING "ACCESSORY USE – SOLAR ENERGY"**

Notice is hereby given that the Ordinance entitled above was adopted following second reading and public hearing at the regular meeting of the Township Committee of the Township of Shamong, Burlington County, State of NJ on June 2, 2020 at 7:30 PM, held via Zoom meeting platform.


Susan D. Onorato, RMC
Municipal Clerk