

TOWNSHIP OF WALL

ORDINANCE NO. 10- 2015

AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL AMENDING AND SUPPLEMENTING CHAPTER 140, ARTICLE XXVII OF THE TOWNSHIP CODE REGARDING ABOVE GROUND UTILITY INSTALLATIONS

WHEREAS, the Township of Wall requires that all above ground utility installations comply with the policies and procedures set forth in Chapter 140, Section 140-212; and

WHEREAS, the Director of Engineering and Planning has recommended that the Township amend and supplement certain provisions of its Code, which detailed policies and procedures for all above ground utility installations; and

WHEREAS, the Township Committee has determined that it would be appropriate, proper and in the best interests of the residents of the Township of Wall to amend and supplement certain provisions in Chapter 140, Article XXVII, Section 140-212 of the Township Code.

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Wall as follows:

Section 1. Chapter 140, Article XXVII, of the Township Code shall be amended and supplemented as follows:

Section 140-212 Buffers, landscaping and screening.

A. Buffers. Buffers shall be established to buffer potential land use conflicts.

- (1) Buffers shall be open and unobstructed from the ground upward except for walks, bikeways and landscape screening in the form of walls, fences, earthwork and plantings.
- (2) Buffers shall be established as follows.
 - (a) At the time of construction, enlargement, alteration or increase of the capacity or change in use of any building, structure or property in the Township, there shall be provided buffers, landscaping and screening in accordance with the requirements of this section.
 - (b) Where any lot or property in an office, industrial, research, retail, commercial, recreational or airport zone district or any lot or property developed for office, industrial, research, retail, commercial, recreational or airport use abuts or is in a residential zone, a landscaped buffer of at least 75 feet in width shall be

permanently established and maintained along the property lines(s) abutting the residential zone. Where such a property abuts a residential use in a nonresidential zone, a buffer of at least 25 feet in width shall be permanently established and maintained along the property line(s) abutting the residential use as long as it exists.

[Amended 2-9-2000 by Ord. No. 2-2000; 6-11-2003 by Ord. No. 16-2003; 4-8-2009 by Ord. No. 4-2009]

- (c) On any lot or property proposed for residential development of two or more lots or two or more residential units which abuts a property zoned or used for commercial, retail, recreational, office, industrial, medical, manufacturing or airport use, a landscaped buffer strip of at least 25 feet in width shall be permanently maintained along the property line abutting such use or zone.

[Amended 4-8-2009 by Ord. No. 4-2009]

- (d) Parking areas in residential zones. In any residential zone, all parking areas, exclusive of the ingress and egress drive, having a capacity of more than four vehicles shall be screened from adjacent properties by a buffer strip of at least five feet in width.

- (e) Requirements of buffer areas.

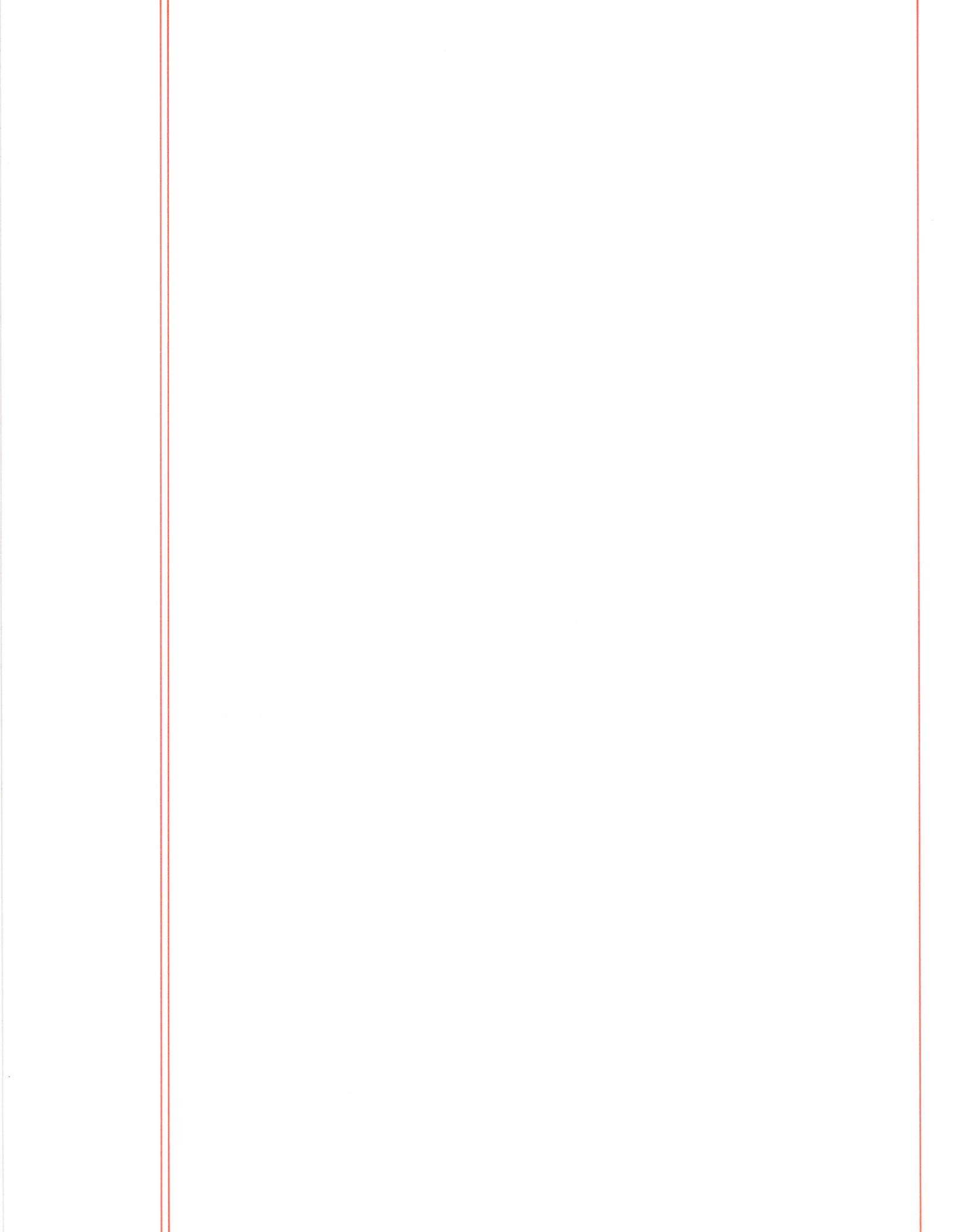
[Amended 4-8-2009 by Ord. No. 4-2009]

[1] Buffer areas shall consist of lawn area and massed evergreen and deciduous trees and shrubs planted in such a manner that will provide a continuous visual screen throughout the entire year within a period of two full growing seasons following the planting of the buffer. Evergreen coniferous trees shall have a minimum height of six feet when planted. Deciduous trees shall have a minimum caliper of 2 1/2 inches when planted. All plant material shall conform to the current American Standard for Nursery Stock sponsored by the American Association of Nurseryman, Inc.

[2] All nonpaved areas on properties used for any purpose other than farming shall be suitably landscaped with trees and other landscaping materials.

- (3) Use of buffer areas. Required buffers may be used for no other purpose than as a buffer. The only structures which may be erected within a buffer area are fences as elsewhere regulated in this chapter.[1]

[1]: Editor's Note: Former Subsection A(4), regarding buffers adjacent to existing residential uses in commercial, industrial and airport zones, which immediately followed this subsection, was repealed 4-8-2009 by Ord. No. 4-2009.



B. Aboveground utility installations. Buffers required.

- (1) All above ground utility installations, including but not limited to generators exceeding twenty-five (25) kilowatts, convertors, communication terminal house, air conditioning condensers exceeding five (5) tons (60,000 BTU) and fuel storage tanks, which are not roof-mounted, shall be thoroughly screened by a continuous evergreen buffer or solid fence in compliance with this chapter of a sufficient height and depth so as to effectively shield views of the installation year round. Utility installations shall also comply with the performance standards on noise established in this chapter.
- (2) All above ground utility installations must comply with the principal building setbacks of this chapter, except that air conditioning condensers not exceeding five (5) tons (60,000 BTU) and generators not exceeding twenty-five (25) kilowatts shall be permitted no closer than 7.5 feet from side and rear property lines in the R-7.5, R-10 and R-15 zone districts, and 10 feet from rear and side property lines in all other residential zone districts.
- (3) Those air conditioning condensers not exceeding five (5) tons (60,000 BTU) that exist at the time of adoption of this chapter shall be permitted to be replaced in the same location, provided that they do not extend any further into a nonconforming set back.

Section 2. All Ordinances, or parts thereof, inconsistent with the provisions of this Ordinance, be and the same are hereby repealed to the extent of such inconsistency.

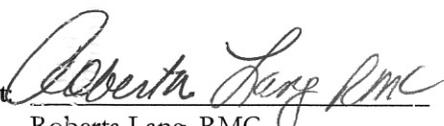
Section 3. The Mayor, Clerk, and such other Township officials are hereby authorized to take such ministerial actions as are necessary to effectuate the purposes of this Ordinance.

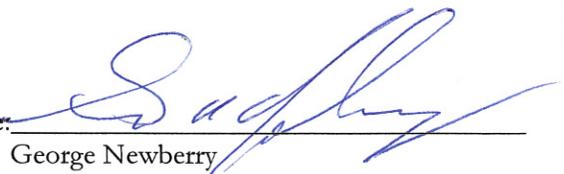
Section 4. Should any section, paragraph, clause or any other portion of this Ordinance be adjudged by a Court of competent jurisdiction to be invalid, such judgment shall not affect or impair the remainder of this Ordinance.

Section 5. This Ordinance shall take effect upon final passage and publication as provided by law.

Introduced on: April 22, 2015

Adopted: May 27, 2015

Attest: 
Roberta Lang, RMC
Township Clerk

Approve: 
George Newberry
Mayor