

**ORDINANCE NO. 07-01**

**AN ORDINANCE AMENDING CHAPTER 145 “LAND USE”  
OF THE CODE OF THE TOWNSHIP OF PILESGROVE**

**BE IT ORDAINED** by the Township Committee of the Township of Pilesgrove in the County of Salem and State of New Jersey, pursuant to the authority conferred by Chapter 291, Laws of New Jersey 1975, “Municipal Land Use Law” that Chapter 145 “Land Use” of the “Code of the Township of Pilesgrove” is hereby amended as follows:

**Amend § 145-8 to include the following new definition:**

**NEIGHBORHOOD SHOPPING CENTER means a commercial center that is planned, developed, owned, and managed as a single unit on a single lot in the NC zoning district that is designed to serve the needs of local residents; that is comprised of at least five tenants all of which would be permitted individual uses in the district and all of which have a gross floor area of less than 20,000 square feet.**

**Amend §145-9 as follows:**

**§145-9. Zoning districts identified.**

For the purpose of this chapter, the Township of Pilesgrove is hereby divided into **fifteen** ~~fourteen~~ districts as follows:

<b>Symbol</b>	<b>Name of District</b>
PPE	Public/Park/Education
CONS	Conservation
AR1	Agricultural Retention
AR2	Agricultural Retention
RR	Restricted Residential
SR	Single-Family Residential
VN	Village Neighborhood
<b><u>PRD-1</u></b>	<b><u>Planned Residential Development 1</u></b>
NC	Neighborhood Commercial
HC1	Highway Commercial 1
HC2	Highway Commercial 2
HC3	Highway Commercial 3
PLI	Planned Light Industrial
JCOAH	Judicially Ordered COAH
AH-1	Affordable Housing No. 1

**Amend § 145-10 as follows:**

**§ 145-10. Optional planned development alternatives.**

In addition to the permitted uses within each of the designated zoning districts, three types of planned developments are permitted in accordance with the requirements of this chapter on certain lands as follows:

<u>Development Option</u>	<u>Where Permitted</u>
Agricultural Retention Clusters	Within the AR District
<del>Age Restricted Residential Cluster</del>	<del>Where indicated on the Zoning Map within the SR District adjacent to the Marlton Recreation Area</del>
<b><u>Planned Unit Residential Development</u></b>	<b><u>Within PRD-1 District in accordance with Kings Road LLC Settlement Agreement</u></b>
Planned Industrial Development	Within the PLI District

**Amend § 145-11 as follows:**

**§ 145-11. Zoning Map<sup>2</sup>**

- A. The boundaries of the zoning districts and the areas designated for the optional development alternatives are established on the map entitled “Zoning Map of the Township of Pilesgrove,” dated **January 30, 2007** ~~June 1, 2005~~.

**Amend § 145-20 as follows:**

**§ 145-20. NC: Neighborhood Commercial**

- A. The intent of the Neighborhood Commercial zoning district is to provide for a location for retail and service uses that are oriented to local residents rather than the traveling public. **All permitted uses and structures shall not exceed 20,000 square feet in gross floor area except for Neighborhood Shopping Centers.**
- B. Principal structures and permitted uses on the land and in buildings shall be as follows:
- (1) Retail sales of goods **including pharmacies (with or without drive-up windows).**
  - (2) Retail sales of personal services and minor appliance or office machinery repair, excluding commercial dry-cleaning establishments and nonportable appliances, equipment or machine services or any type of service which requires truck, van or trailer pickup or delivery of the equipment or item to be serviced. **Dry cleaning establishments that**

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<sup>2</sup> Editor’s Note: The Zoning Map is on file in the Clerk’s office.

**accept and deliver products to be cleaned but do not have dry cleaning equipment or chemicals onsite are permitted.**

- (3) Delicatessens, bakeries, candy stores, food markets and grocery stores provided that no other activities associated with other permitted principal uses are conducted on the site;
- (4) Banks, including drive-in facilities.
- (5) Offices and office buildings.
- (6) Restaurants, bars, nightclubs and taverns, excluding **fast food establishments or any other establishments with** drive-in facilities ~~and delivery service.~~
- (7) Child-care centers.
- (8) Detached single-family dwelling units existing prior to March 1, 1993, in accordance with the SR District requirements
- (9) Service stations and public garages as conditional uses under N.J.S.A. 40:55D-67. (See § 145-39.K. for standards.)
- (10) **Neighborhood Shopping Centers, as defined in § 145-8.**
- (11) **Major Commercial Uses as conditional uses pursuant to §145-39N.**
- (12) **Wireless Telecommunication Facilities as conditional uses, in addition to the principal use and structure on a lot, pursuant to § 145-39M.**
- (13) **Public utility uses as conditional uses, in addition to the principal use and structure on a lot, pursuant to § 145-39.H.**

C. Accessory uses permitted shall be as follows:

- (1) Off-street loading and parking and private garages, either attached or detached. (See Subsection F hereinbelow and § 145-30 **and Traditional Neighborhood Design (TND) standards in § 145-41.2**)
- (2) Storage buildings not exceeding 15 feet in height and 200 square feet in area.
- (3) Fences and walls. (See § 145-25 **and TND standards § 145-41.2.**)
- (4) Signs. (See Subsection H hereinbelow and § 145-34.)
- ~~(5) Usual recreational facilities customarily associated with residential dwelling units, including private residential swimming pools. (See §145-36 for standards.)~~
- ~~(6) Home occupations accessory to detached single family dwelling units. (See § 145-8 for definition and § 145-19H for standards.)~~

- (5) ~~(7)~~ Satellite dish antennae as conditional uses under N.J.S.A. 40:55D-67. (See § 145-39.J for standards.)
- (6) ~~(8)~~ Temporary construction or sales trailers and temporary signs that are shown on the Sales Map prepared pursuant to §145-58B(e) and approved by the Planning Board. The temporary signs may advertise one sign not exceeding 20 square feet, advertising the prime contractor, subcontractor(s), architect, financing institution and similar data. The temporary construction trailers, sales trailers, and construction signage shall only be permitted for the time specified on the approved Sales Map. ~~for the period of construction beginning with the issuance of a construction permit and concluding with the issuance of a certificate of occupancy or one year, whichever is less, provided that said trailer(s) and sign are on the site where the construction is taking place and are not on any existing or proposed street or easement and are set back at least 30 feet from all street and lot lines. There shall be at least one working telephone in the trailer.~~
- ~~(9) Residential agriculture accessory to detached single family dwelling units. (See § 145-8 for definition.)~~

D. Maximum building height. No principal building or structure shall exceed 35 feet in height and 2.5 stories except as allowed in § 145-39 of this chapter.

E. Area, yard and other bulk requirements shall be as follows:

	<u>Retail and Other Individual Uses</u>	<u>Neighborhood Shopping centers</u>
Principal building (minimum)		
Lot area (acres)	1	<u>5</u>
Lot frontage (feet)	150	<u>300</u>
Lot width (feet)	150	<u>300</u>
Lot depth (feet)	175	<u>175</u>
Side yard, each (feet)	25	<u>25</u>
Front yard (feet)	60	<u>75</u>
Rear yard (feet)	50	<u>50</u>
Accessory building, minimum (feet)		
Distance to side line	20	<u>20</u>
Distance to rear line	20	<u>20</u>
Distance to other building	20	<u>20</u>
Maximum		
<u>Gross Floor area</u>	<u>20,000 s.f.</u>	
FAR	0.15	<u>0.15</u>
Lot coverage	55%	<u>55%</u>

**Note: All of the above standards must be satisfied exclusive of lands within the Conservation Zoning District.**

F. General requirements.

- (1) One building may contain more than one use, provided that the total floor area ratio and lot coverage of the combined uses does not exceed the maximums specified for the district and, further, provided that each individual permitted use occupies a minimum gross floor area of no less than 500 square feet and a maximum gross floor area of no more than 20,000 square feet.
- (2) Display or storage.

- (a) Unless otherwise specifically approved by the Board as part of a site plan application, no merchandise, product, equipment or similar material or objects shall be displayed or stored outside.
  - (b) Where merchandise, products, equipment or similar material or objects are approved by the Board to be displayed or stored outside, the materials shall be suitably screened to be obscured from view from adjacent residential uses and must be situated within the property lines of the principal use.
  - (3) All areas not utilized for buildings, parking, loading, access aisles and driveways or pedestrian walkways shall be suitably landscaped with shrubs, ground cover, seeding or plantings and maintained in good condition.
  - (4) All buildings shall be compatibly designed, whether constructed all at one time or in stages over a period of time. All building walls facing any street or residential district line shall be suitably finished for aesthetic purposes and shall be compatible in design and scale to the surrounding residential areas. ~~All buildings shall have a gable, hip, gambrel or mansard roof (or other dual-pitched, single-ridge roof).~~ **All commercial and non-residential buildings in the NC district shall conform to the TND standards in § 145-41.2.**
  - (5) The minimum setback area shall include a planted buffer of 10 feet in width along any common property line with a residential district or use.
  - (6) At least the first 15 feet adjacent to any street line and 10 feet adjacent to any property line shall not be used for parking and shall be planted and maintained in lawn area or ground cover and landscaped with evergreen shrubbery.
- G. Minimum off-street parking. Each individual use shall provide parking spaces according to the following minimum provisions. Where a permitted use of land includes different specific activities with different specific parking requirements, the total number of required parking spaces shall be obtained by individually computing the parking requirements for each different activity and adding the resulting numbers together, **except in the case of a Neighborhood Shopping Center.**
- (1) Retail and service activities shall provide parking at the ratio of one parking space per 200 square feet of gross floor area or part thereof.
  - (2) Banks and offices shall provide parking at the ratio of one parking space per 250 square feet of gross floor area or part thereof. Additionally, drive-in banks shall provide room for at least eight automobiles per drive-in window for queuing purposes.
  - (3) Restaurants, bars, nightclubs and taverns shall provide one parking space for every three seats but in all cases a sufficient number of spaces to prevent any parking along public rights-of-way or private driveways, fire lanes and aisles.
  - (4) Child-care centers shall provide parking at a ratio of one parking space per employee plus one additional parking space for every eight children. Adequate spaces shall be provided for the loading and unloading of children, which shall take place on-site and not in the public right-of-way.
  - (5) Parking areas for individual use shall be designed to be interconnected with adjacent properties and shall utilize common entrance(s) and exit(s) where feasible, to minimize access points to the street.

- (6) See § 145-30 for additional standards.
- (7) **Neighborhood Shopping Centers shall provide parking at the ratio of 5.0 parking spaces per 1000 square feet of gross floor area or part thereof. Neighborhood Shopping Centers shall be designed with cross easements or other agreements as may be necessary to allow any use within, or adjacent to, the shopping center to use a common parking area**

H. Minimum off-street loading.

- (1) Each principal use shall provide for off-street loading and unloading with adequate ingress and egress from streets and with adequate space for maneuvering and shall provide such area at the side or rear of the building. Each space shall be at least 15 feet by 40 feet, and a minimum of one space shall be provided for each building. Additional spaces may be necessary and required dependent upon the specific activity. There shall be no loading or unloading from the street.
- (2) There shall be at least one **solid waste** ~~trash and garbage~~ pickup location per building **or per Neighborhood Shopping Center**, including provision for recyclable materials collection ~~provided by each building~~, which shall be separated from the parking spaces by either a location within the building or in a pickup location outside the building, which shall be a steel-like, totally enclosed container located in a manner to be obscured from view from parking areas, streets and adjacent residential uses or zoning districts by a fence, wall, planting or combination of all three. If located within the building, the doorway may serve both the loading and trash/garbage functions; and if located outside the building, it may be located adjacent to or within the general loading area(s), provided that the container in no way interferes with or restricts loading and unloading functions.

I. Permitted signs.

- (1) **All commercial signs shall conform to the TND signage standards in § 145-41.2.** ~~Each principal commercial building may have one major sign, either freestanding or attached, not exceeding 10% of the front façade of the principal building or 50 square feet, whichever is smaller. Freestanding signs shall be set back at least 25 feet from all street and property lines. Where a principal use occupying at least 750 square feet of segregated area has direct access from the outside, a sign not exceeding eight square feet in area identifying the name of the activity shall also be permitted. Such additional sign(s) shall be either attached flat against the building at the entrance to the activity or suspended in perpendicular fashion from a roof over a common walkway. Suspended signs shall be no closer than eight feet at their lowest point to the finished grade below.~~
- (3) See § 145-34 for additional standards.
- (4) **One freestanding project identification sign may be provided for a Neighborhood Shopping Center, as defined herein, that is approved to encompass more than 30,000 square feet. The freestanding sign shall conform to the TND signage standards in § 145-41.2 and shall be a double-sided monument sign not exceeding 12 feet in height, or 48 square feet in display area per side.**

**Modify Paragraph § 145-39H as follows:**

H. Public Utility Uses

- (1) For purposes of this chapter, the term “public utility uses” shall include such uses as telephone dial centers, power substations, and other utilities serving the public such **as water and sewage conveyance, treatment, and storage** facilities, but shall exclude dumps or sanitary landfills.
- (2) The proposed installation in a specific location must be necessary for the convenient and efficient operation of public utility uses involved and for the satisfactory provision of service by the utility to the neighborhood or area in which the use is located. The application for conditional use and site plan approval shall include a statement setting forth the need and purpose of the installation.
- (3) The design of any building in connection with such facilities must not adversely affect the safe, comfortable enjoyment of property rights in the surrounding area.
- (4) Adequate fences, screening devices and other safety devices must be provided as may be required. Fences, when used to enclose public utility facilities, such as electrical substations, shall be built in accordance with the applicable requirements of the **Board of Public Utilities** ~~New Jersey Board of Public Utility Commissioners~~ and **the Uniform Construction Code (UCC)**. ~~National Electrical Code in effect at the time of the construction.~~
- (5) The maximum building coverage shall be 35% and the maximum lot coverage shall be 50%. Landscaping, including shrubs, trees and lawns shall be provided and maintained.
- (6) Off-street parking shall be provided as determined by the Planning Board during site plan review.
- (7) **The maximum building or structure height shall be 100 feet for a water storage tank provided that the standpipe has been designed to blend into the rural landscape. The architectural design of the tank shall be reviewed and approved by the Township during site plan review based on this standard.**

**Add following paragraphs to § 145-39**

**M. Wireless Telecommunication Facilities**

- (1) **“Wireless telecommunications facilities” are facilities for the provision of wireless communications services, including, but not limited to, antennas, antenna support structure, telecommunications towers, and related facilities other than wireless telecommunications equipment facilities.**
- (2) **“Wireless telecommunications equipment facilities” are accessory facilities serving and subordinate in area, extent and purpose to, and on the same lot as, a telecommunication tower or antenna location. Such facilities include, but are not limited to, transmission equipment, storage sheds, storage buildings, driveways and parking areas, and security fencing.**

- (3) As part of site plan review, each wireless telecommunications facility applicant must confirm to the Board's satisfaction that the proposed location does not result in an unacceptable degree of visual impact upon adjacent residential properties.
- (4) Each wireless telecommunications facility must include a tower of 150 feet in height with the capacity to be extended to 180 feet for additional collocation opportunities.
- (5) Each wireless telecommunications facility applicant must submit its "five-year plan" for service and/or additional wireless telecommunications facilities within the Township as a condition of any site plan approval.
- (6) Each wireless telecommunications facility owner/operator must register with the Township in January of each year by submitting a letter to the Township Clerk, copied to the Township Engineer, Board Secretary, and Zoning Officer, that confirms the names and addresses of all service providers using the site, the nature of their services, and the number of collocation opportunities remaining at the facility. The registration information will be used in connection with (1) the Board's review of future wireless telecommunications facility development applications, (2) any Township planning and legislative efforts with respect to wireless telecommunications, and (3) enforcement of the conditions of this approval and other Township regulations. If the applicant fails to register the facility as required herein within 30 days following the Township's issuance of written notice of such failure, or if the facility is not used for the provision of wireless telecommunications service for any period of six months or more, then the facility will automatically be deemed abandoned (as of the thirty-first day following issuance of written notice of failure to register or, in the event of abandonment due to non-use, as of the 181st day following the date of last use), whereupon all of the applicant's development approvals will automatically expire.
- (7) Each wireless telecommunications facility owner/operator must provide reasonable collocation opportunities at the facility for other wireless telecommunications providers.
- (8) All wireless telecommunications facility towers must remain unlighted. If other laws, such as but not limited to FAA regulations, require lighting at any wireless telecommunications facility, such facility will automatically be deemed prohibited.
- (9) If a wireless telecommunications facility is abandoned, deemed prohibited, or if its approvals expire for any reason, the applicant/owner must remove the facility completely from the property within six months following the date of abandonment, prohibition or expiration, and restore the property to its pre-existing condition. Failure to remove the facility and restore the property as required herein will constitute zoning violation(s) for prohibited uses/structures that will subject the applicant/owner to fines and penalties as specified by ordinance.
- (10) No wireless telecommunications facility may be constructed within two thousand (2,000) feet of any other wireless telecommunications facility.

**N. Major Commercial Uses.**

**A Major Commercial Use is an individual commercial establishment or tenant that exceeds 20,000 square foot in gross floor area that may be approved as a conditional use in accordance with the following standards:**

- (1) The individual commercial establishment or tenant is a component of a Neighborhood Shopping Center that contains a diversity of physically attached commercial uses, including at least four additional individual commercial establishments or tenants on the first floor.**
- (2) The proposed site layout will adequately accommodate the Major Commercial Use without impacting site or pedestrian circulation, landscaping buffers, and natural resource protection areas.**
- (3) The building façade and mass will be broken up by the architectural design and will conform to the TND standards.**

**Add new § 145-41.1**

**§ 145-41.1 Planned Residential Development (PRD-1)**

**A. Purpose. The intent of the PRD-1 zoning district is to permit planned unit residential development where water and sewer infrastructure is available or will be provided by the Developer in accordance with public policy. The PRD-1 zoning district is an overlay zoning district near an established village that has been established to help resolve *Mt. Laurel litigation* (the “Litigation”) captioned as *Kings Road L.L.C. v. Township of Pilesgrove et. al.* Docket No. SLM-L-284-02 P.W. and such zoning shall only apply if the Developer/Applicant fully complies with the Settlement Agreement of Litigation in that matter. The provisions of this Section are site specific and project specific. A summary of the complete Settlement Agreement is attached hereto and made a part of this Zoning Ordinance.**

**B. Principal buildings and structures, and permitted uses on the land and in buildings, shall be as follows:**

- (1) Detached single-family homes.**
- (2) Public parks, playgrounds, conservation areas, and public purpose uses.**
- (3) Community buildings and neighborhood open space areas designed for the use of residents within the planned residential development.**
- (4) Public utilities, in addition to the principal use and structure on a lot, as conditional uses under N.J.S.A. 40:55D-67. (See § 145-39.H. for standards.)**
- (5) Temporary construction or sales trailers and temporary signs that are shown on the approved Sales Map pursuant to §145-58B(e). The temporary signage may advertise the prime contractor, subcontractor(s), architect, financing institution and similar data. The temporary construction trailers, sales trailers, and construction signage shall only be permitted for the time specified on the approved Sales Map.**

C. Accessory uses and structures permitted shall be as follows:

- (1) Private residential swimming pools ( see §145-36), private tennis courts, and other usual recreational facilities customarily associated with residential dwelling units.
- (2) Off-street parking and private garages.
- (3) Fences and walls approved by the Planning Board in conformance with § 145-25 and the TND standards in § 145-41.2.
- (4) Signs. [See Subsection H hereinbelow and § 145-34.]

D. Maximum building height. No principal building or structure shall exceed 35 feet in height and 2.5 stories except as allowed in § 145-40.B. of this chapter.

E. Bulk Regulations.

- (1) Tract Size. The minimum tract size of any planned unit residential development within the PRD-1 and NC zones shall be 80 acres. An applicant shall have at least 80 acres of contiguous or non-contiguous lands under their control to utilize this planned unit residential development option.
- (2) The area, yard, and other bulk requirements shall be as follows:

<u>Standard</u>	<u>Design Criteria</u>
<u>Minimum Lot size</u>	<u>8,400 square feet</u>
<u>Minimum Lot Width</u>	<u>60 feet</u>
<u>Minimum Lot depth</u>	<u>140 feet</u>
<u>Minimum Front yard setback</u>	<u>15 feet</u>
<u>Minimum Side yard setback</u>	<u>5 feet minimum; 15 feet aggregate</u>
<u>Minimum Rear yard setback</u>	<u>25 feet</u>
<u>Minimum Accessory building setback</u>	<u>5 feet</u>
<u>Maximum Building coverage</u>	<u>25%</u>
<u>Maximum Lot coverage</u>	<u>40%</u>

- (3) All bulk standards must be satisfied exclusive of lands within the Conservation Zoning District.
- (4) Yard Intrusions. Design elements, as described below, may extend into the minimum required yard area, provided that in all cases the first floor and second floor design elements may intrude not more than three (3) feet into the minimum required yard area and provided, further, that the extensions will only be allowed when privacy walls, screening or fencing are incorporated as part of the overall design of the dwelling unit or where the subject yard area abuts land that is deed restricted against residential development along the entire length of the subject lot line. These yard intrusion standards will be reviewed initially as part of the Planning Board's review of the TND development, and thereafter, during zoning permit review by the Zoning Officer in consultation with the Township's Professional Planner and/or consulting Architect.

- (a) First floor design elements. Chimneys, window elements, eaves, entranceway elements and similar architectural and foundation projections, provided that the total length of such extensions is limited to 25% of the linear distance of the foundation wall.
- (b) Second floor design elements. Chimneys, eaves, bays, cantilevers and windows.
- (5) Decks. Decks may be permitted provided that such decks are located in rear yard areas only, are setback a minimum of five feet from all property lines, and do not occupy more than 25% of any rear yard area within which a deck is located. Decks shall be off the first floor of a dwelling unit and shall be no more than two feet higher than the mean elevation along the building foundation below measured to the top of the deck platform. Decks will only be allowed when privacy walls, screening, or fencing are incorporated as part of the overall design of the dwelling unit or where the subject yard area abuts land that is deed restricted against residential development. These deck standards will be reviewed initially as part of the Planning Board's review of the TND development, and thereafter, during zoning permit review by the zoning officer in consultation with the Township's Professional Planner and/or consulting Architect.

F. General requirements.

- (1) The PRD-1 overlay zoning shall only apply to land developments that have been included within proposed public water and sewer franchise areas. Preliminary site plan or subdivision approval for such land developments shall be conditioned upon inclusion of the franchise area and related facilities within the Lower Delaware Water Quality Management Plan and the modification of the State Development and Redevelopment Plan to allow for the development of planned infrastructure. Final site plan or subdivision approval shall be conditioned upon the issuance of all the permits and approvals necessary to construct, own, and operate the water and sewer infrastructure for the franchise area.
- (2) All principal and accessory structures within the planned residential development shall be designed in strict accordance with the Traditional Neighborhood Development Standards specified in § 145-41.2.
- (3) All dwelling units shall be connected to approved functioning water and sanitary sewer systems prior to the issuance of a certificate of occupancy.
- (4) All utility pipes, wires and other conduits shall be installed underground.
- (5) All portions of the tract not utilized by buildings or paved surfaces shall be landscaped, utilizing combinations such as landscaped fencing, shrubbery, lawn area, ground cover, rock formations, contours, existing foliage and the planting of conifers and/or deciduous trees to lessen the visual impact of the structures and paved area.
- (6) Architectural elevations shall be submitted to the Board for review and approval during review of the development application, and also with the zoning and building permit application for each building and structure, to confirm that all TND requirements in § 145-41.2 have been satisfied.
- (7) No outside area or equipment shall be provided for the hanging of laundry or the outside airing of laundry in any manner.

G. Minimum off-street parking.

- (1) Detached single family homes shall provide two parking spaces per unit including garages and drives leading to the garage space. Turnaround areas shall be provided on each lot to enable vehicles to exit the driveways facing traffic, except for attached front loaded garages.
- (2) See § 145-30 for additional standards.

H. Permitted signs.

- (1) Dwelling units shall be permitted information and direction signs pursuant to § 145-34A(5).
- (2) A planned unit residential development may have one externally illuminated double-sided entrance sign along each collector road which the tract in question abuts, provided that there exists at least 200 feet of unbroken frontage. Such signs shall not exceed 10 feet in height, shall be set back from the street rights-of-way and driveways at least 20 feet and from any property line at least 25 feet. Such signs shall be within 50 feet of the entrance to the development except when such location would conflict with a sight triangle easement established by a governmental body having jurisdiction, in which case such signs shall be located just beyond the limits of such sight triangle easement. Such signs shall have display areas not exceeding 25 square feet per side, and shall be used to display the development's name. Such signs are not permitted in developments having less than 200 feet of unbroken frontage along any collector road.
- (3) See § 145-34 for additional standards.

I. Common open space requirements.

- (1) A minimum of 50% of the total tract of land shall be specifically set aside for conservation, open space, and recreational purposes. Lands utilized for street rights-of-way shall not be included as part of the minimum required open space. This open space standard shall be satisfied exclusive of lands within the Conservation zoning district (wetlands).
- (2) The required open space shall be appropriately landscaped and provide for adequate ancillary recreational facilities as deemed desirable during site plan review. A minimum distance of 30 feet between any active recreation facility and any property line or residential building shall be provided. The owners of the dwelling units shall have the right to access and use all common open space within the development subject to homeowners association requirements.
- (3) The Neighborhood Open Space shall include facilities necessary to meet recreational needs such as tot lots, gazebos, informal play fields, and play equipment. The neighborhood open space shall not be used for competitive athletic fields.
- (4) The developer shall provide for and establish a locally constituted Homeowners Association for the ownership and maintenance of the common open space, stormwater management facilities, and any other improvements not accepted by the Township of an individual lot. Homeowners Associations or other open space organizations shall be governed by the provisions of § 145-43 of this chapter.

(5) See § 145-42 and 145-43 of this chapter for additional provisions.

J. Full compliance with the Settlement Agreement of Litigation, Kings Road, L.L.C. v. Township of Pilesgrove et. al., Docket No. SLM-L-284-02 P.W. (Mount Laurel), shall be an essential and non-severable condition of approval to develop in the PRD-1 Zone.

Add new § 145-41.2

§ 145-41.2 Traditional Neighborhood Design Standards (TND)

A. Architectural Standards. The older structures in Pilesgrove Township and Woodstown Borough provide a rich resource of traditional architecture. The following TND design standards have been developed to replicate the characteristics of that architecture but original or properly restored examples should be referred to whenever possible for architectural details. For consistency within the TND development, the styles have generally been limited to Colonial, Federal, and Greek Revival architectural styles. The Township Planning Board will approve the proposed building elevations for compliance with these TND standards at the time of subdivision and site plan approval. All zoning permit applications for construction, modification, or renovation of buildings and/or signage that are subject to these TND standards will be referred to the Township's Professional Planner and/or consulting architect for a consistency determination. No building permits may be issued for the zoning districts in which these standards apply until the architectural plans have been determined to be consistent with these TND standards and the elevations approved by the Planning Board at the time of subdivision and/or site plan approval.

(1) Streetscape Uniformity. Design Principle: The proposed development shall create a streetscape that is consistent with the character of traditional neighborhoods by the proper use of lighting fixtures, trees, sidewalks, building facades, fences, and materials.

- (a) The street edge shall be defined by adherence to a uniform setback along the building line for each block. A minimum of 80% of all residential building facades shall be located along the building setback line.
- (b) The streetscape may be reinforced by hedges or picket fences that define the front yards. All proposed fences shall conform to fence styles approved by the Planning Board and to the height limitations specified in the Land Development Ordinance. All streets shall have uniformly spaced street trees located between the sidewalk and the curb.
- (c) Street lighting fixtures and standards shall be one of the traditional streetlights used by the Conectiv utility.

(2) Architectural Diversity. Design Principle: The design of the principal dwelling unit shall reflect the traditional architecture of Salem County with particular emphasis on Colonial, Federal, and Greek Revival architectural styles as exemplified by the following principles:

- (a) To ensure architectural diversity, a minimum of four (4) basic house designs shall be provided for the proposed planned residential development. Each basic house design shall be different in physical configuration and architectural style. At least three (3) different elevations shall be provided for each basic

house design for a total of 12 different elevations. The elevations shall be approved by the Planning Board before the Zoning Ordinance amendment is adopted.

- (b) No two (2) houses in the same development quadrant shall be identical in terms of street massing, footprint, roof line, color and fenestration. A quadrant is defined as the dwellings fronting on one of the four green squares shown on the concept plan.

(3) Garages. Design Principle: Garages shall be designed as accessory structures to emphasize the prominence of the main residential structure.

- (a) Each single family detached unit shall have a single detached or attached two bay garage located in the rear of the house or a garage attached to, but setback from, the front facade. If an attached front loaded garage is provided, the garage shall be setback 2/3rds the depth of the house or 25 feet, whichever is greater. No other garages, sheds or barns shall be permitted on the residential lot.
- (b) Garages shall be aligned either parallel with, or perpendicular to, the alignment of the principal building.
- (c) The architectural design of the garage including physical proportions, roof pitch, exterior materials, exterior color, window and doors design shall be coordinated and compatible with the principal dwelling unit.
- (d) Detached garages may be entered from the front, side or rear of the property. Attached garages located in the rear of the house may be entered from the side or rear.
- (e) Dwellings with two car attached side entry garages or detached garages will be provided on a minimum of 60% of the radial lots and on a minimum of 10% of the conventional (non-radial lots). The remaining lots will have any of the three garage configurations based on the preferences of the buyers.

(4) Residential Architecture. Design Principle. The design of the principal dwelling unit shall reflect the traditional architecture of Salem County with particular emphasis on Colonial, Federal, and Greek Revival architectural styles as exemplified by the following principles:

- (a) Fenestration. The fenestration of the residential dwelling shall be compatible with its architectural style, materials, and details.
- [1] To the extent possible, upper story windows shall be vertically aligned with the location of windows and doors on the ground floor.
- [2] Windows on the elevations facing a street or sidewalk shall be no closer than two feet to the corner of the building.
- [3] Windows on corner houses shall be required on both the first and second story of both elevations facing the public right-of-way.

- [4] Glass shall be clear and free of color. Stained glass windows shall only be permitted if approved by the Township's Planner (and/or consulting architect) as compatible with the structure's architectural style.
- [5] Windows shall typically be square or vertical in proportion. Windows may be circular, semi-circular, hexagonal or octagonal in shape but only one such window may be placed on each façade and only if it is compatible with the structure's architectural style.
- [6] Windows shall either be wood or vinyl coated wood and shall be true divided lites or have exterior permanent exterior grilles.

(b) Shutters

- [1] Shutters shall be provided on all windows that face a public street except if they are not appropriate for the architectural style.
- [2] Shutters shall be shaped, sized, and proportioned to the window that they serve. Shutters shall be constructed of wood, vinyl, or a plastic composite material. The vinyl or composite shutters shall be comparable to wood shutters in physical appearance.
- [3] Paneled or louvered shutters may be provided. If paneled shutters are provided, the panels shall be compatible with the panels in the exterior doors. The color of the shutters shall match the exterior doors.

(c) Doors

- [1] [1] Doors (including garage doors) shall be constructed of wood, fiberglass, vinyl or a plastic composite material and shall have glass or raised panels or both. Vinyl or composite garage doors shall be comparable to wood shutters in physical appearance.
- [2] Doors may be the sliding patio design when not visible from public streets.

(d) Exterior Walls

- [1] Siding materials shall be cut cedar shingles, wood clapboard (4 inch exposure), wood beaded siding (7 inch exposure); vinyl siding, cement fiber clapboards (i.e., Hardiplank) brick, or stone. Vinyl siding shall only be used when the siding abuts a cornerboard. Corner boards shall be provided on all non-masonry structures.
- [2] Brick colors shall be red and shall reflect the color of traditional architecture in the Salem County area. Brick or stone used only on the front façade of non-corner lots should return onto the side facade a minimum of 12 inches.
- [3] Exposed foundation walls shall show a finish of brick, local fieldstone, finished poured concrete or patterned brick-form poured concrete. House foundation walls of finished poured concrete which face a street shall be exposed no more than 18 inches above the ground.

- [4] If stone or precast concrete lintels are used, they shall extend horizontally beyond the window opening a dimension equal to the height of the lintel itself. Brick soldier lintels shall extend a minimum of one brick beyond the opening.
- [5] Exterior building walls of wood, vinyl or hardboard shall have all openings trimmed in material two inches to four inches nominal width and corners trimmed in material of four inches to eight inches nominal width. Trim shall protrude from the siding surface to create a shadow line. Doors may have wider trim.
- [6] Exterior building walls constructed of more than one material shall only change material along a horizontal line, unless the change occurs at a corner. Additionally, the heavier material shall always go beneath the lighter material.
- [7] Front and side facades of any building on a corner lot shall be made of the same materials and shall be similarly detailed.

(e) Roofs

- [1] The slope of the roof shall reflect the architectural style.
- [2] Roofs shall be simply and symmetrically pitched and only in the configuration of gables and hips. The pitch of the roof shall be between 7 to 12 and 14 to 12. The pitch of roofs over gables which face the front of residential building shall be between 9 to 12 and 14 to 12.
- [3] Roofs of residential buildings may be built of steel standing seam, copper, cedar shakes, natural slate, artificial slate, or architectural grade asphalt shingles.
- [4] Cross gables and dormers should be used to distinguish one building from its neighbor. Dormers shall be symmetrically hipped, gabled, shed, pedimental, barrel or eyebrow and shall have proportions dictated by the architectural style.
- [5] Skylights, solar panels, vent stacks and other roof protrusions shall not be placed on a roof facing a street nor shall they be visibly obtrusive from nearby streets. Skylights shall be flat in profile.
- [6] Flat roofs are permitted in residential buildings only when they are capable of being occupied and accessible from an interior room and they must be edged by a railing or parapet. The railing pattern is subject to the approval of the Planning Board. Garages may have flat roofs that are not accessible if edged by a well-detailed parapet wall.
- [7] Gutters, when provided, shall be built of wood, copper, steel or aluminum. Gutters shall be half-round in profile on overhangs and ogee where there is no overhang. Downspouts shall be round. Splash blocks shall be stone, brick, gravel or concrete.

(f) Trim/Eaves and Other Decorative Building Elements

- [1] All dwelling units shall be trimmed with gable and eave boards all around. Trim ornament may be elaborated by any of the following: Plain or Decorated Frieze; Overhanging Eaves; Boxed Cornice; Denticulated Cornice; or Ornate Italianate Bracketed Cornice. The trim ornament shall be appropriate for the architectural style and may be limited to the front facade.
- [2] Roofs shall overhang a gable end a minimum of twelve (12) inches.
- [3] All windows shall have lintel with sill and side trim. All doors shall be trimmed with decorative lintel and side edge. All non-masonry structures shall have corner boards.
- [4] Decorative elements such as pergolas, cupolas, and belvederes are encouraged as elements to give architectural emphasis to prominent structures.
- [5] Roof vents or facades shall be of a size, shape, color and material which is in proportion to and compatible with the façade.

(g) Porches, Porticoes, Stoops

- [1] All residential units shall have either a porch, covered portico, or decorated entrance on the street façade of the building.
- [2] Front porches shall be located on the façade facing the sidewalk, and may be wrapped around the side wall of a dwelling. The minimum porch and covered portico size shall be six (6) feet deep from the front wall of the dwelling and ten (10) feet long; however, smaller covered porticos may be permitted on narrow houses if approved by the Planning Board.
- [3] Porch superstructures shall be faced with wood, rusticated or rough faced stone, stucco or brick unless an alternative material is approved by the Planning Board. Porches may include chamfered posts or more complex styles with elaborate spindle work, frieze and spandrel carving. Porte cocheres are an optional extension of the porch. Porch roofs shall be supported by posts, piers or columns. Posts, columns and balustrades shall be built of wood unless an alternative material, such as PVC or composite materials, is expressly approved by the Planning Board. Posts shall be a minimum of five (5) by five (5) inches (nominal). Balusters shall have a minimum nominal diameter of two (2) inches and shall not be separated by more than four (4) inches. Columns and pilasters shall be of classic proportions and correct entablature in the Tuscan or Doric order. Stone piers shall be rough faced. Railings shall be wood, steel or wrought iron unless an alternative material is approved by the Planning Board. All porch railing components shall be painted and shall not be face-nailed.
- [4] Porch openings shall be vertical in proportion.

- [5] Porches may be enclosed with screens. The screen framing shall be architecturally compatible with the style of the porch.
- [6] Durable hardwoods, such as Ipě, or an approved equivalent, concrete, masonry, or suitable synthetic wood products which appear to be traditional wood flooring are to be used for porch and covered portico flooring. Pressure-treated wood flooring is prohibited on porches.
- [7] Covered porticoes are small decorated roofs on front columns over a raised stoop. These features can range from a simple shed roof to an ornate Italianate portico.
- [8] Railings and banisters should be painted decorative wood, steel or wrought iron unless an alternative material is expressly approved by the Planning Board, with architectural emphasis on the corners and newel posts. Steps should be a minimum of 36 inches wide. The facing of stoops and steps with masonry, brick, slate, or stone is preferred but not required.

(h) Chimneys

- [1] Chimney enclosures shall be brick, stucco or stone. Chimneys two stories or more above grade and not within four inches of an exterior wall may be simulated brick subject to the approval of the Planning Board.
- [2] Chimneys shall be located at gable ends or centrally.
- [3] All chimney foundations shall extend to the ground.

(i) Decks

- [1] Decks shall be located in rear yards and designed at a scale to be compatible with the home and with the lot.
- [2] The space below decks and porches which is visible from nearby public property and/or rights-of-way shall be skirted by wood or vinyl lattice with not greater than 1½ inch spaces between the boards.
- [3] Decks may be built of durable hardwoods, concrete, masonry or suitable synthetic wood products which appear to be traditional wood flooring. Decks may only be built of pressure-treated wood if they are painted or stained.

(j) Model homes

- [1] In order to effectively market the TND homes, the Developer shall provide a minimum of two model homes with different configurations and garage arrangements.
- [2] At least one of the model homes shall be positioned on a radial lot with an attached garage in the rear of the house accessed from the side and

at least one model home shall have a detached garage in the rear of a conventional (non-radial) lot accessed from the front.

- [3] At their option, the Developer may also provide a model home with a front loaded attached garage that is setback from the front façade in accordance with Paragraph A(3) of these TND standards.

(5) Commercial/Civic/Institutional Architecture. Design Principle. The design of the commercial and non-residential structures shall reflect the traditional commercial architecture of Salem County with particular emphasis on Colonial, Federal, and Greek Revival architectural styles as exemplified by the following principles:

(a) Fenestration.

- [1] Storefront (ground floor) windows shall be between twenty-six (26) inches and thirty-six (36) inches off the ground and shall be architecturally compatible with the style, materials, colors and details of the building and in proportion with the facade treatment.
- [2] Storefront windows shall consist of divided lights that are in proportion to the building style. Divided lights shall be a minimum 2 over 2.
- [3] Windows shall either be wood or vinyl coated wood and shall be true divided lites or exterior clad. Casement windows are permitted. Aluminum-framed plate glass "Storefronts" are prohibited.
- [4] The outer glazing of all windows shall be setback a minimum of three (3) inches from the outer plane of the exterior wall. At minimum, there shall be a decorated lintel, face frame, and drip mold over the doors and windows.
- [5] Primary display windows shall occupy a maximum of 50% of the ground floor elevation. Transom windows are recommended above ground floor display windows and awnings. All display windows shall be adequately illuminated at night.
- [6] Primary façade windows on the second floor shall exhibit a vertical emphasis, in harmony with the overall façade composition. Second floor windows shall be operable double-hung divided lights and shall be a minimum of two (2) feet from the corner of the building. To the extent possible, upper story windows shall be vertically aligned with the location of windows and doors on the ground level.
- [7] Solid metal security gates or solid roll-down metal windows shall not be permitted. Link or grill type security devices shall be permitted only if installed from the inside, within the window or door frames. Security grilles shall be recessed and concealed during normal business hours. Models which provide a sense of transparency are encouraged.
- [8] Fixed or retractable awnings are permitted at ground floor level, and on upper levels where appropriate, if they complement the architectural style of a building; do not conceal architectural features, do not impair

façade composition; and are designed as an integral part of the façade. Awnings shall be made of canvas or other waterproof fabric subject to the approval of the Planning Board. Metal or aluminum awnings are prohibited. In a building with multiple storefronts, compatible awnings should be used as a means of unifying the structure.

- [9] Glass shall be clear and free of color. Stained glass windows shall only be permitted with the approval of the Planning Board.

(b) Exterior Walls.

- [1] All elevations shall exhibit a classical organization that is appropriate for the architectural style. The characteristics of classicism include symmetry, repetition of elements, expressions of hierarchy and tripartite composition (base, middle, top).
- [2] The architectural treatment of the front facade, with regard to its major features and materials, shall be continued around all sides of a building that are readily visible from public rights-of-way or common open space. The design of all sides of a building shall be consistent with regard to style, materials, colors and details. No solid, blank, windowless walls or service areas shall be visible to the public from common or public areas. Where the construction of a blank or substantially blank wall is necessary, the facades shall be articulated by the provision of false windows, articulated masonry, or, recessed or projecting display window cases. Enhanced plantings areas may also be appropriate in certain cases.
- [3] Building elevations that are visible to the public shall have an articulated base course and cornice. The base course shall align with either the kick plate or sill level of the first story. A cornice that terminates or caps the top of a building wall may project horizontally from the vertical building wall plane and may be ornamented with moldings, brackets, and other details. The middle section of a building may be horizontally divided at the floor, lintel, or sill levels with belt or string courses.
- [4] Exterior building walls constructed of more than one material shall only change material along a horizontal line, unless the change occurs at a corner. Additionally, the heavier material shall always go beneath the lighter material.
- [5] Front and side facades of any building at the corner of a grouping shall be made of the same materials and shall be similarly detailed. For the purpose of this subsection, corner buildings are those at the intersection of streets, access drives, and pedestrian paths.
- [6] The façade of all primary commercial structures and at least 75% of all commercial facades that face public streets or parking areas shall have a brick finish. Brick colors shall be red and shall reflect the color of traditional architecture in the Salem County area. Brick mortar joints

shall be struck and shall not exceed one half (½) inch. Brick shall be laid in English or Flemish bond.

- [7] Siding materials shall be cut cedar shingles, wood clapboard (4 inch exposure), wood beaded siding (7 inch exposure); vinyl “cedar shake” siding, cement fiber clapboards (i.e., Hardiplank) brick, or stone. Vinyl siding shall only be used when the siding is commercial grade and when it abuts a cornerboard. Corner boards shall be provided on all non-masonry structures. Exposed foundation walls shall show a finish of brick, local fieldstone, finished poured concrete or patterned brick-form poured concrete. Exterior building walls of wood, vinyl or hardboard shall have all openings trimmed in material two inches to four inches nominal width and corners trimmed in material of four inches to eight inches nominal width. Trim shall protrude from the siding surface to create a shadow line. Doors may have wider trim.
- [8] Fire escapes shall not be mounted to the exterior façade of any building. On buildings requiring a second means of egress pursuant to the local building codes, internal stairs or other routes of egress shall be used.

(c) Roofs

- [1] The slope of the roof shall reflect the architectural style.
- [2] Roofs shall be simply and symmetrically pitched and only in the configuration of gables and hips. The pitch of the roof shall be between 9 to 12 and 14 to 12. Mansard or gambrel roofs are prohibited. Principal and secondary roof eaves of pitched roofs shall project at least one (1) foot beyond the building facade or a supporting column.
- [3] Roofs shall be constructed of steel standing seam, artificial slate, or architectural-grade asphalt shingles. If asphalt shingles are used, a single color dimensional asphalt shingle shall be approved for all commercial buildings within the same complex.
- [4] Cross gables and dormers should be used to distinguish one building from its neighbor. Dormers shall be symmetrically hipped, gabled, shed, pedimental, barrel or eyebrow and shall have proportions dictated by the architectural style. The architectural features shall be used to give various plans distinctive architectural quality.
- [5] Skylights, solar panels, vent stacks and other roof protrusions shall not be placed on a roof facing a street nor shall they be visibly obtrusive from nearby streets. Skylights shall be flat in profile.
- [6] Gutters, when provided, shall be built of wood, copper, steel or aluminum. Gutters shall be half-round in profile on overhangs and ogee where there is no overhang. Downspouts shall be round. Splash blocks shall be stone, brick, gravel or concrete.

(d) Signs. All signs for commercial uses shall comply with the following sign regulations and receive approval from the Planning Board for aesthetic consistency with the surrounding uses.

- [1] Facade-mounted or painted signs are permitted, provided that the following standards are met:
- [a] The sign shall be affixed to the front façade of the building and shall not project outward from the wall to which it is attached more than six (6) inches.
  - [b] The area of the signboards shall not exceed five percent (5%) of the ground floor front façade area or thirty two (32) square feet, whichever is less.
  - [c] No part of a sign shall be higher than fifteen (15) feet above the front sidewalk elevation, nor shall it extend above the base of the second floor windowsill, parapet, eave, or building façade.
  - [d] A maximum of one (1) sign per business is permitted.
  - [e] Applied letters may substitute for wall-mounted signs, if constructed of painted wood, painted, cast metal, bronze, brass, or black anodized aluminum. Applied plastic letters shall not be permitted.
  - [f] One wall-mounted sign, not exceeding six (6) square feet in area, shall be permitted on any side or rear entrance which is open to the public. Such wall signs may only be lighted during the operating hours of the business.
  - [g] A commercial use located in a corner building is permitted one wall mounted sign for each street frontage.
  - [h] A commercial use with a service entrance and/or a drive thru may identify it with one (1) sign not exceeding two (2) square feet.
- [2] Projecting signs, containing graphic or icon signs, are permitted mounted perpendicular to the building wall, according to the following standards:
- [a] The signboard shall not exceed an area of six (6) square feet.
  - [b] The distance from the ground to the lower edge of the signboard shall be ten (10) feet or greater.
  - [c] The height of the top edge of the signboard shall not exceed the height of the wall from which the sign projects, if attached to a single story building, or the height of the sill or bottom of any second story window, if attached to a multi-story building.
  - [d] The distance from the building wall to the signboard shall not exceed twelve (12) inches.
  - [e] The width of the signboard shall not exceed four (4) feet.

- [f] The height of the lettering or numbers, shall not exceed eight (8) inches.
- [g] A maximum of one (1) projecting sign per business is permitted.
- [3] Wall-mounted, building directory signs identifying the occupants of a commercial building, including upper story business uses, are permitted provided the following standards are met:
  - [a] The sign is located next to the entrance.
  - [b] The sign shall project outward from the wall to which it is attached no more than six (6) inches.
  - [c] The sign shall not extend above the parapet, eave, or building façade.
  - [d] The area of the signboard shall be limited to a maximum of one (1) square foot per tenant.
  - [e] The height of the lettering, numbers, or graphics shall not exceed four (4) inches.
  - [f] Freestanding signs are prohibited except that one sign identifying the commercial center is permitted provided that it does not exceed 12 feet in height and 48 square feet in area.

(e) Heating and Air Conditioning.

- [1] All air conditioning units, HVAC systems, exhaust pipes or stacks, elevator housing, satellite dishes and other telecommunications receiving devices on civic, institutional, religious and commercial buildings shall be screened from view from public property or rights-of-way and from adjacent properties by using walls, fencing, roof elements, penthouse-type screening devices and/or plantings.
- [2] No exhaust pipes or stacks shall be located on the front-facing roofs.
- [3] No exhaust of any kind shall be discharged less than two stories above a public sidewalk.

(f) Recycling and Trash Storage Areas. All recycling and trash storage areas shall be screened from public view at the ground level using masonry or wooden walls, plantings, or a combination thereof. The height of such wall/enclosure must be one and a half (1.5) feet higher than the container walls.

B. Site Design Standards

- (1) Curbing. Belgian Block curbing shall be provided along all residential streets. Curbing shall be installed in accordance with RSIS standards.

**(2) Street Lighting**

- (a) **Residential streets. Residential streets shall be illuminated with traditional street lighting of a type supplied by the local utility, shall be no higher than 15 feet in height, and shall conform to the illumination standards of the Township Land Use Ordinance. Residential street lights shall be no greater than one hundred eighty (180) feet apart and shall be located at all intersections. Illumination standards shall be consistent throughout the development. Street lights shall be placed within three feet of residential lot lines to prevent glare within residential dwellings. If it is necessary to place street lights in front of residential units, house side shields shall be provided.**
- (b) **Commercial District. All streets, parking areas, sidewalks, walkways, courtyards, community greens, and interior open spaces within the commercial district shall be illuminated with traditional street lights and lamp posts approved by the Planning Board. Street lights in the commercial areas shall be spaced no greater than sixty (60) feet on center.**
- (c) **Exterior Lights. Light fixtures attached to the exterior of a building shall be architecturally compatible with the style, materials, colors and details of the building. Incandescent lighting shall be the only type of light source used on the exterior of non-residential buildings, signs, parking areas, pedestrian walkways, and other areas of a site. The use of low pressure sodium, fluorescent, or mercury vapor lighting, either attached to buildings or to light the exterior of buildings shall be prohibited.**

**(3) Landscaping. The Developer shall provide for the effective buffering of all adjacent private lands and the landscaping of all common open space areas in accordance with the following:**

- (a) **A landscaped berm averaging five feet in height and 75 feet in width shall be provided to buffer the site from adjacent developed lands and farmlands except in those areas shown on the concept site plan.**
- (b) **The landscaped berm and buffer shall be designed with sufficient intensity to effectively screen the site development from offsite view. In the case of adjacent agricultural lands, the buffer shall be of sufficient intensity to act as a visual and dust screen in conjunction with topographic relief. In the areas of the site where a 75 foot wide buffer is not provided, the intensity of the landscaping shall be increased to provide be an effective screen from adjacent public roads and residences.**
- (c) **Effective screening/buffering shall be provided between residential and commercial uses.**

**(4) Pedestrian Network. Each TND community must include an integrated pedestrian network consisting of sidewalks, improved pedestrian paths, and unimproved trails to link all residential, commercial, open space, and conservation areas within the Property. The network shall include, but not be limited to, concrete sidewalks along the residential streets and commercial parking areas; paved pedestrian paths within passive open space areas; well marked pedestrian crossings including designated road crossings when a development straddles an existing municipal, county or state road;**

and unimproved trails or boardwalks within regulated wetland and wetland buffer areas.

- (5) Driveways. Driveways from single family residential properties which intersect streets shall be no wider than 12 feet at the property line, but may expand to match the width of the garage doors within 30 feet of driveway length directly in front of the garage. All driveways shall be a minimum of three feet from the property line.

### C. Architectural Conformance Process

- (1) Architectural Review. The Developer shall submit the proposed basic house designs and commercial building elevations to the Township Planning Board for review during the development review process. The Planning Board, in consultation with its planning or architectural consultant, shall determine whether the architectural and streetscape designs conform to these TND standards prior to the issuance of final development plan approval. If any differences are noted, the Developer shall be required to modify the architectural or streetscape design plans. House and building designs shall also be reviewed by the Township's planning or architectural consultant as part of each zoning and building permit application to confirm conformance with such previous approvals and other applicable TND requirements. The architectural consultant will also, as part of each zoning and building permit application, review any deviations from the previous approvals to confirm that the proposed deviations comply with all TND requirements.
- (2) Waivers. During the development review process, the Planning Board may grant waivers from these design standards on the basis of architectural merit, site conditions, and/or other extenuating or unusual circumstances in accordance with the following:
- (a) The Planning Board shall determine that the benefits of any design waiver shall outweigh the impact on the TND design policies.
  - (b) The proposed improvements must conform to the design intent even if the design details differ from these standards.
  - (c) Materials other than those specified may be used if they are comparable in quality and texture and do not detract from the intent of the design standards.

### D. General Requirements

- (1) Visual Obtrusions. The following visual obtrusions shall not be located in the front yard or side yard of any residential structures: clothes drying apparatus, ground supported solar panels, antennas, satellite dishes, garbage cans, bird baths or statuary, permanent grills, in-ground swimming pools, rock gardens and vegetable gardens, recreation and play equipment, doghouses and dog runs, and hot tubs/spas.
- (2) Flagpoles less than six feet long may be mounted at an angle to porch columns or posts, and building walls. Freestanding flagpoles are only permitted on common open space with the approval of the Homeowners Association.

**BE IT FURTHER ORDAINED that:**

**All Ordinances or parts of Ordinances inconsistent with or in conflict with this Ordinance are hereby repealed to the extent of such inconsistency**

**If the provisions of any section, subsection, paragraph, subdivision, or clause of this Ordinance shall be judged invalid by a court of competent jurisdiction, such order of judgment shall not affect or invalidate the remainder of any section, subsection, paragraph, subdivision, or clause of this Ordinance.**

**This Ordinance shall take effect upon all of the following events: (1) final passage and publication in the manner prescribed by law; (2) filing thereof with the Salem County Planning Board; (3) execution of a settlement agreement in the case entitled *Kings Road, L.L.C. v. Twp. of Pilesgrove et al.*, Docket No. SLM-L-284-02 P.W. (*Mount Laurel*); (4) adoption of a housing element and fair share plan by the Pilesgrove Township Planning Board incorporating a settlement with Kings Road LLC; and (5) approval by the Superior Court of New Jersey, Law Division of a settlement with Kings Road LLC and a housing element and fair share plan incorporating a settlement with Kings Road LLC.**

**NOTICE**

Notice is hereby given the foregoing proposed **Ordinance No. 07-01** was introduced and passed on first reading by the Township Committee of the Township of Pilesgrove, County of Salem, State of New Jersey, at a regular meeting held on **January 30, 2007**. A public hearing will be conducted by the Township Committee at a special meeting to be held on **March 12, 2007** at 7:00 PM, in the Pilesgrove Township Municipal Building, 1180 Route 40, Pilesgrove, New Jersey 08098, after which the Ordinance will be considered for final passage.

ATTEST:

\_\_\_\_\_  
Maureen R. Abdill, Township Clerk

\_\_\_\_\_  
Ernest A. Bickford, Mayor

**CERTIFICATION**

I hereby certify the above to be a true copy of **Ordinance No. 07-01** that was introduced and passed on second reading by the Pilesgrove Township Committee following a public hearing held on **March 12, 2007 at 7:00 p.m.**, at the Pilesgrove Township Municipal Building, 1180 Route 40, Pilesgrove, New Jersey 08098.

\_\_\_\_\_  
Maureen R. Abdill, Township Clerk

Date: \_\_\_\_\_