

WEST ORANGE TOWNSHIP PLANNING BOARD

RESOLUTION RECOMMENDING THE DRAFTING OF AMENDMENTS TO SUBSECTIONS 25-4 AND 25-8.11 OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF WEST ORANGE ENTITLED “LAND USE REGULATIONS”

WHEREAS, the West Orange Township Planning Board (the “Board”), having retained Phillips, Preiss, Grygiel, Leheny, Hughes LLC, planning and real estate consultants to assist with the preparation of the Township’s 2019 Master Plan Reexamination, pursuant to N.J.S.A. 40:55D-89, incorporated the input of the Township's residents and business community, through public meetings and with a majority of a quorum of the Board present at the Board’s January 8, 2020 regular meeting officially voted in favor of adoption of a re-examination report which recommended specific Plan Element Amendments; and

WHEREAS, the aforementioned duly adopted re-examination report includes recommendations for amending the Township’s Land Use Regulations (Ch.25) so as to encourage the use and development of environmentally sustainable infrastructure and building design; and

WHEREAS, per discussion at the Board’s May 6, 2020 regular meeting, a memorandum dated June 23, 2020 was prepared by the Board’s Planning Consultant which featured drafts of amendments to the Township’s Land Use Regulations (Ch.25); and

WHEREAS, the June 23, 2020 memorandum drafts would amend subsection 25-4 and subsection 25-8.11 of the Revised General Ordinances of the Township of West Orange, respectively; and

WHEREAS, the draft amendment to subsection 25-4 (Exhibit A) would add and define the following terms: “cool roof”, “solar energy system”, “solar energy system-ground mounted” and “solar parking canopy”; and

WHEREAS, the draft amendment to subsection 25-8.11 (Exhibit B) would add and regulate the permitting of cool roofs in all zone districts; and

WHEREAS, a quorum of the Board discussed and reviewed the merits of the draft amendments at a regular meeting of the Board on August 5, 2020 and voted in favor of recommending that the Township Council consider drafting such amendments; and

WHEREAS, pursuant to N.J.S.A. 40:55D-64 and N.J.S.A. 40:55D-26a, the Board acknowledges its ongoing duty to, upon referral from the Township Council, identify any provisions in the proposed draft amendments which are inconsistent with the Master Plan and make recommendations concerning any inconsistencies and any other matters as the Board deems appropriate;

NOW, THEREFORE, BE IT RESOLVED the Planning Board recommends that the draft amendments, a copy of which are attached hereto as Exhibit A, and Exhibit B, be considered for drafting by the Township Council, the final copy of the result of such consideration which shall be transmitted to the Planning Board for the Board to determine, pursuant to N.J.S.A. 40:55D-26a, whether the proposed zoning amendments are substantially consistent with the land use plan

element and the housing plan element of the Master Plan, or designed to effectuate such plan element.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Planning Board hereby directs the Acting Secretary of the Board to forward this Resolution and attached exhibits to the Township Clerk for Township Council consideration.

**ROLL CALL VOTE ON ACTION TAKEN BY THE BOARD AT REGULAR MEETING-
August 5, 2020**

Board Member	Motion	Second	Aye	Nay	Abstain	Absent
Bagoff (Vice-Chair)		X	X			
Johnson (1 st Alt.)			X			
Smeraldo			X			
Klein						X
McCartney			X			
Trenk			X			
Wegner						X
Weston (Chair)	X		X			
Williams						X
Wilkes			X			

**ROLL CALL VOTE ON ADOPTION OF RESOLUTION AT REGULAR MEETING-
September 2, 2020**

Board Member	Motion	Second	Aye	Nay	Abstain	Absent
Bagoff (Vice-Chair)						
Johnson (1 st Alt.)						
Smeraldo						
Klein						
McCartney						
Trenk						
Wegner						
Weston (Chair)						
Williams						
Wilkes						

CERTIFICATION

I hereby CERTIFY that the foregoing is a true copy of a Resolution adopted by the West Orange Township Planning Board at a publicly noticed meeting held on September 2, 2020, at which a quorum was present.

Sean McCauley
Acting Secretary

EXHIBIT A

AMEND THE FOLLOWING SECTION:

(deletions are shown in ~~striketrough~~, additions are underlined):

25-4 DEFINITIONS.

b. *Specific Definitions.*

Cool roof shall mean a roof or portion thereof that provides solar reflectivity at the minimum level or greater specified by this Chapter. A cool roof shall utilize a material that has a solar reflectivity of 40 percent or greater as certified by the Cool Roof Rating Council on at least 75 percent of its surface area.

Solar energy system shall mean an energy system that consists of one or more solar collection devices, solar energy related “balance of system” equipment, and other associated infrastructure with the primary intention of generating electricity, storing electricity, or otherwise converting solar energy to a different form of energy.

Solar energy system, ground-mounted shall mean a solar energy system that is directly installed on solar racking systems, which are attached to an anchor in the ground and wired to connect to an adjacent home or building. Ground-mounted systems may be appropriate when insufficient space, structural and shading issues or other restrictions prohibit rooftop solar.

Solar parking canopy shall mean a solar energy system that is suspended over an area designated for another use, such as parking.

EXHIBIT B

AMEND THE FOLLOWING SECTION:

(deletions are shown in ~~strike through~~, additions are underlined):

25-8.11 ~~Green~~ Roofs.

a. Cool roofs shall be permitted in all zone districts and are encouraged wherever possible and particularly so on buildings with roof surface area of 1,000 square feet or greater. A maintenance plan shall be provided to ensure continued effectiveness of the roof surface.

b. Green roofs shall be permitted in all zone districts. Green roofs shall be installed in accordance with the following criteria:

a1. A green roof shall consist of four layers: a waterproof membrane, a layer of insulation, a drainage layer, and the growing medium (substrate). Additionally, a protective layer of PVC or other suitable material may be placed beneath the growing medium to protect against roots penetrating the waterproofing layer.

b2. The growing medium shall be at a minimum, a thin, lightweight medium suitable for planting ~~wildflowers or grasses~~green roof vegetation; for example, a mix of expanded shale and/or sand with 10 percent humus. More intensive applications are encouraged if the structure is designed appropriately for the use.

e3. Plantings on green roofs shall be shallow-rooted, drought-tolerant species that thrive in thin, nutrient-poor soils and will not require irrigation; for example, mosses ~~and~~ grasses and sedum.

~~d4.~~ Green roofs shall be subject to approval by the Township Engineer and shall be subject to periodic inspection.

5. A maintenance plan shall be provided to ensure continued effectiveness of the roof surface.