

**QUINTON TOWNSHIP**

**ORDINANCE NO. 2021-06**

**AN ORDINANCE AMENDING THE QUINTON TOWNSHIP CODE REQUIREMENTS FOR SOLAR ENERGY SYSTEMS AS ACCESSORY USES AND STRUCTURES IN ALL ZONING DISTRICTS**

**WHEREAS**, the Quinton Township Committee has deemed it appropriate to revise and clarify the requirements for solar energy systems as accessory uses and structures in all Quinton Township zoning districts;

**NOW THEREFORE BE IT ORDAINED**, by the Township Committee of the Township of Quinton, in the County of Salem, State of New Jersey, as follows:

1. Subsection J. (“Solar energy systems”) of Quinton Township Code Chapter 170 (“Land Use”), Part 2, Article V, Section 170-38 (“Accessory structures and uses”), is hereby deleted and replaced with the following new Subsection 170-38.J.:

J. Solar energy systems.

(1) Solar energy systems shall be accessory uses to the permitted principal and other accessory uses on a lot and shall not involve the production of power for off-premises consumption nor shall such a use constitute the principal use of any lot. This prohibition shall not be interpreted to preclude the sale of excess power from a solar energy system back to the public electric utility provider. For systems intended for uses other than the ones stated, or for any commercial projects, site plan approval is required.

(2) Either rooftop and building-mounted solar collectors or ground-mounted arrays and freestanding solar collectors, or both, are permitted to be installed on a lot.

(3) Rooftop and building-mounted solar collectors are permitted in all zoning districts, subject to the following requirements:

(a) Installation of rooftop and building-mounted solar collectors shall require a zoning permit from the Zoning Officer and a building permit from the Construction Office prior to installation.

(b) Solar panels shall not be installed so as to be located above the highest point of the roof surface or structure. In no event shall the placement of solar panels or any part of the solar energy system result in a total height greater than what is permitted for a principal building in the zoning district which the lot is located.

(c) No part of the solar panels or solar energy system shall extend beyond the edge of the roof.

(d) All zoning permit application requirements spelled out in Subsection J(9) must be met.

(4) Ground-mounted arrays and freestanding solar collectors are permitted as accessory structures in all zoning districts subject to the following requirements:

(a) Installation of ground-mounted arrays and freestanding solar collectors, and all related equipment and components such as, but not limited to, fences, containers, enclosures, mounting panels, meters, and batteries, shall require a zoning permit from the Zoning Officer and a building permit from the Construction Office prior to installation.

(b) Ground-mounted arrays and freestanding collectors, and all related equipment and components such as, but not limited to, fences, containers, enclosures, mounting panels, meters, and batteries, must comply with all yard setback requirements for accessory structures in the zoning district in which the lot is located.

(c) Ground-mounted arrays any related equipment and components such as, but not limited to, fences, containers, enclosures, mounting panels, meters, and batteries, shall not be located between the principal building and any street that abuts the lot.

(d) The number of solar collectors at the lot shall be sufficient to serve, and not unreasonably exceed, the electricity needed for structures and uses lawfully permitted on the lot.

(e) Ground-mounted arrays shall not exceed 10 feet in height, when oriented at maximum tilt. Related equipment and components shall not exceed the height of the ground-mounted arrays.

(f) Ground-mounted arrays shall be excluded from the calculation of the lot (impervious) coverage if mounted on a lawn or a vegetated area, but related equipment and components shall not be so excluded.

(g) A plot plan survey must be submitted to show the location of the proposed ground-mounted array and freestanding solar collectors and all related equipment and components such as, but not limited to, fences, containers, enclosures, mounting panels, meters, and batteries.

(h) All zoning permit application requirements spelled out in Subsection J(9) must be met.

(5) Applications for a solar energy system shall include information demonstrating compliance with the provisions of this section.

(6) Solar energy systems shall not be used for the display of signage or advertising.

(7) Where site plan approval is required elsewhere in this chapter for a development or activity, the site plan review shall include review of the adequacy, location, arrangement, size, design, buffering, screening, visual attributes, and general site compatibility of solar collectors.

(8) The solar energy systems shall remain painted or finished in the color or finish that was originally applied by the manufacturer. The exterior surface of any visible components shall be a nonreflective, neutral color like white, grey or another nonobtrusive color. Finishes shall be matte or nonreflective.

(9) The application for a zoning permit shall include all of the following documents and information which the Zoning Officer may submit to the Planning Board for a courtesy review. The information must demonstrate compliance with the provisions of this section.

(a) A zoning permit shall be required for the installation of a solar energy system.

(b) Structural engineering information and data for rooftop and ground-mounted arrays from a licensed New Jersey engineer must be submitted.

(c) The zoning permit application shall be accompanied by a plot plan survey which includes the following:

[1] Lot lines and dimensions.

[2] Location, dimension, and types of existing major structures on the lot.

[3] Location, dimension, and type of the proposed solar energy system.

[4] Orientation of the solar energy system.

[5] The right-of-way of any public road that abut the lot.

[6] Overhead utility lines and easements.

(d) Fee. The application for a zoning permit for a solar energy system must be accompanied by the zoning permit fee.

(e) Expiration. A permit issued pursuant to this subsection shall expire if:

[1] The solar energy system is not installed and functioning within 24 months from the date the permit is issued; or

[2] The energy system is out of service or otherwise unused for a continuous twelve-month period.

2. The Quinton Township Clerk is directed to give notice of this Ordinance pursuant to *N.J.S.A. 40:55D-15* to the Clerks of all municipalities adjoining Quinton Township and to the Salem County Planning Board at least ten (10) days prior to the dated scheduled for hearing on the adoption of this Ordinance.
3. If any section, paragraph, subsection, clause or provision of this Ordinance shall be adjudged invalid by a court of competent jurisdiction, such adjudication shall apply only to the section, paragraph subsection, clause or provision so adjudged, and the remainder of the Ordinance shall be deemed valid and effective.
4. Any article, section, paragraph, subsection, clause, or other provision of the Quinton Township Code that is inconsistent with the provisions of this Ordinance is hereby repealed to the extent of such inconsistency.
5. This Ordinance shall, following adoption and publication in accordance with the laws of the State of New Jersey, take effect immediately upon its filing with the Salem County Planning Board pursuant to *N.J.S.A. 40:55D-16*.

**NOTICE**

Notice is hereby given that the foregoing proposed Ordinance No. 2021-06 was introduced and passed on first reading by the Township Committee of the Township of Quinton, County of Salem, State of New Jersey, at a regular meeting held on April 6, 2021. A second reading and public hearing on the foregoing Ordinance will be conducted by the Township Committee at a regular meeting to be held on May 4, 2021 at 7:00p.m., at the Quinton Township Municipal Building, 885 Quinton Road (Route 49), Quinton, New Jersey 08072, after which the Ordinance will be considered for final passage.

ATTEST:

\_\_\_\_\_  
Marty R. Uzdancovics, Township Clerk

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Marjorie Sperry, Mayor

**CERTIFICATION**

I hereby certify the above to be a true copy of an Ordinance introduced and passed by the Quinton Township Committee on second reading following a public hearing at a regular meeting held on May 4, 2021.

\_\_\_\_\_  
Marty R. Uzdancovics, Township Clerk

DATE: \_\_\_\_\_