

cc: Admin Plan

(c)

**Township of Chester**

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June 23, 2009

Municipal Clerk:

Washington Township  
Mount Olive Township  
Randolph Township  
Roxbury Township  
Mendham Township

Chester Borough  
Tewksbury Township  
Peapack Gladstone Township  
Bedminster Township  
Morris County Planning Board  
Chester Township Planning Board

NOTICE OF PENDING ORDINANCE

2009-10

An Ordinance to Amend Chapter 113, "Land Use", Part 9, "Outdoor Lighting", Article 58, "Design and Performance Standards", Section 113-401, "Design Standards" and Section 113-403, "Outdoor Recreation and Sports Lighting" of the Code of Chester Township pertaining to outdoor lighting regulations

The Ordinances herewith were introduced and passed upon first reading at a meeting of the Township Council of the Township of Chester, in the County of Morris, State of New Jersey, held on **June 16, 2009**. It will be further considered for final passage after a public hearing thereon, at a meeting of said Township Council to be held in the Township of Chester Municipal Building in said Township on **July 21, 2009** at 7:30 pm and during the week prior to and up to and including the date of such meeting, copies of said Ordinance will be made available at the Clerk's Office in said Township of Chester Municipal Building to the members of the general public who shall request the same.

Carol Isemann  
Township Clerk/Administrator

**CHESTER TOWNSHIP**

2009-10

An Ordinance to Amend Chapter 113, "Land Use", Part 9, "Outdoor Lighting", Article 58, "Design and Performance Standards", Section 113-401, "Design standards" and Section 113-403, "Outdoor recreation and sports lighting" of the Code of Chester Township pertaining to outdoor lighting regulations.

WHEREAS, the Planning Board has determined that in order to preserve the rural character and public values of Chester Township, it is necessary to amend sections of Chapter 113, "Land Use" to include new and revised lighting standards that address outdoor artificial illuminating devices and limit the emission of undesirable light into the night sky, glare to on-coming traffic, intrusion of light onto adjacent properties, and light pollution in general, which may have a detrimental effect on the welfare and safety of the community and wildlife as well as the ambiance and rural character of the Township; and

WHEREAS, the Township Council desires to address these determinations by amending outdoor lighting standards and by adding regulations.

NOW THEREFORE, BE IT ORDAINED by the Township Council of Chester Township, County of Morris, and State of New Jersey that Article 58 is amended as follows:

SECTION ONE. Article 58, Section 113-401 of the Land Use Code is hereby amended to substitute "residential" for "one- and two-family", restrict light trespass onto adjacent properties and add limits to the hours of operation for residential outdoor lighting.

§113-401. Design Standards.

- A. All outdoor lighting fixtures serving residential dwellings shall comply with the requirements specified in this section:
  - (1) [no change]
    - (a) Light distributions generated by light fixtures shall be confined to the property on which they are installed. The maximum vertical illumination, when measured from any point on an adjacent property line at a height of five feet and facing the light fixture(s) shall be no greater than 0.1 vertical foot-candles.
    - (b) Through (d) [no change]
    - (e) Accent lighting used to enhance the architectural features, materials color, style of buildings, landscaping, or art shall be located, aimed and shielded so that light is directed only on

those features. Such fixtures shall be aimed or shielded to minimize light spill into the dark sky or cause glare or direct light beyond the façade onto a neighboring property or streets.

(2) [no change]

(3) Any developer constructing new residential dwellings in the Township shall provide owner of the home with a copy of Section 113-401.A., which addresses residential lighting standards.

(4) [no change]

B. All outdoor lighting fixtures other than those serving residential dwellings shall comply with the requirements specified in this section:

(1) though (2) [no change]

C. through F. [no change]

G. Hours of operation.

(1) In business, office and/or research and industrial areas, circuits shall be arranged so that at least 50% of all lighting or alternate luminaries shall be turned off after business hours.

(2) All outdoor lighting fixtures serving residential dwellings except those used for security purposes shall be turned off from 11 P.M. till dawn.

H. through J. [no change]

SECTION TWO. Article 58, Section 113-403 of the Land Use Code is hereby amended to change the formatting of the Section and to allow for additional mounting height of fixtures used to illuminate outdoor recreational activities.

§113-403. Outdoor recreational and sports lighting.

A. Outdoor lighting fixtures for purposes of lighting field game areas, courts or swimming pools shall be shielded from public view as observed from outside of the playing field or in the case of residential uses as observed from adjacent residential properties or adjoining public streets. Such light shall have directional and glare control devices, when necessary, to comply with this requirement. The maximum illumination at any point on an adjoining residential property line shall not exceed 0.1 vertical foot-candles or 0.2 vertical foot-candles on a property zoned for commercial or industrial use.

- B. Pole mounted lighting fixtures used to illuminate outdoor recreational activities may exceed 16 feet in height subject to the following regulations:
- (1) The mounting height of the light fixture shall not exceed 24 feet (base plus pole) in height.
  - (2) All fixtures used for such lighting shall be fully shielded with fifteen (15) degree cutoff.
  - (3) When the mounting height of the light fixture exceeds 16 feet, a landscaped screen shall be installed along all property lines that are adjacent to the recreational activity for the purpose of screening light glare from adjoining residential uses.
    - (a) The required screen shall be comprised of evergreen and deciduous plant material to form a year-round visual barrier. Evergreen trees shall be a minimum of 8' high and deciduous trees shall have a diameter of at least 2.5" at time of installation. The quantity of natural screening existing on the property shall be taken into consideration.
    - (b) A landscape plan shall be provided showing the location of each plant and any existing trees that are to be retained as part of the screen. Planting details and a detailed plant list which provides the common and botanical name, quantity of each variety to be installed, size at planting and root condition for all new plants.
    - (c) The landscape plan shall be subject to the approval of the Township Planner or Engineer.
- C. Outdoor recreation and sports lighting shall comply in all other respects with the applicable design standards set forth in § 113-401.

SECTION TWO. All ordinances or part of ordinances inconsistent with this ordinance 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 upon its passage and publication according to law.