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cc: Admin Plan

Township of Roxbury

1715 Route 46
Ledgewood, New Jersey 07852
www.roxburynj.us
fax 973-448-2111

INFORMATION	973-448-2000
CONSTRUCTION/BLDG	973-448-2009
COURT	973-448-2034
ENGINEER	973-448-2018
FIRE OFFICIAL	973-448-2012
HEALTH	973-448-2028
MANAGER	973-448-2002
MAYOR & COUNCIL	973-448-2001
POLICE	973-448-2100
PLANNING/ZONING	973-448-2008

PUBLIC WORKS	973-448-2069
RECREATION	973-448-2015
TAX ASSESSOR	973-448-2021
TAX COLLECTOR	973-448-2022
TECHNOLOGY	973-448-2099
TOWNSHIP CLERK	973-448-2001
FINANCE DEPT.	973-448-2006
WASTEWATER TREATMENT PLANT	973-584-5360
WATER PLANT	973-398-2818

January 20, 2012

TO: Morris County Planning Board
 Township of Jefferson
 Township of Chester
 Township of Mt. Olive
 Borough of Hopatcong
 Borough of Wharton
 Borough of Mt. Arlington
 Borough of Netcong
 Township of Randolph
 Township of Mine Hill

JAN 23 2012

RE: Re-examination Report of the Master Plan and Development Regulations for Renewable Energy Facilities and Systems

PLEASE TAKE NOTICE that the Roxbury Township Planning Board Meeting scheduled for February 1, 2012 has been rescheduled for Wednesday, February 15, 2012 at 7:30 p.m. in the Municipal Building, 1715 Rt. 46, Ledgewood, N.J.

A periodic Re-examination Report of the Master Plan and Development Regulations for Renewable Energy Facilities & Systems has been prepared and will be considered for adoption by the Planning Board at which time members of the public will have an opportunity to comment on the Report.

A copy of the Re-examination Report of the Master Plan and Development Regulations for Renewable Energy Facilities and Systems is available for review in the Office of the Secretary of the Planning Board during regular business hours 8:00 a.m. – 4:30 p.m. Monday thru Friday at the Municipal Building.

FOR THE PLANNING BOARD
TOWNSHIP OF ROXBURY
Dolores Tardive, Secretary

cc: Mayor and Council

ROXBURY TOWNSHIP

Reexamination Report of the Master Plan and Development Regulations for Renewable Energy Facilities and Systems

January 18, 2012

In April 2005 the Roxbury Township Planning Board adopted a Periodic Reexamination Report of the Master Plan and Development Regulations, and in 2009 followed with a Land Use Plan Update. Renewable energy (solar and wind), was not a critical issue for the Township and therefore was not included in the 2005 Reexamination Report or 2009 Land Use Plan Update.

In 2011 the Municipal Land Use Law N.J.S.A. 40:55D-89 was amended to extend the period for a Reexamination Report from six (6) to ten (10) years. Consequently the Planning Board must conduct a comprehensive reexamination of its Master Plan and Development Regulations by April 2015. As a result of recent legislation promoting renewable energy, it is prudent at this time for Planning Board to reexamine its Master Plan and Development Regulations in this matter.

New Jersey's renewable portfolio standards require each supplier/provider as defined at N.J.A.C. 14:8-1.2, that sells electricity to retail customers in New Jersey to provide a percentage of their retail electricity sales from renewable energy sources, 7.4% as of June 1, 2010 and increasing to 22.5% by June 1, 2021. Hence the State is promoting solar and wind energy as a means to satisfy this standard and the Municipal Land Use Law (N.J.S.A. 40:55D-2.n) provides the intent to promote utilization of renewable energy resources.

Recent renewable energy legislation created the following standards:

- Municipal Land Use Law (N.J.S.A. 40:55D-4) defines wind, solar or photovoltaic energy facility or structure as an inherently beneficial use.
- Municipal Land Use Law (N.J.S.A. 40:55D-66.11) provides that a renewable energy facility on a parcel or parcels of land comprising 20 or more contiguous acres that are owned by the same entity shall be a permitted use within every industrial district of the municipality.
- Municipal Land Use Law (N.J.S.A. 40:55D-95) exempts solar panels from being included in any calculation of impervious surface or impervious cover.
- S-2126 allows a solar or wind energy facility as a permitted use on landfills and closed resource extraction operations.

The above legislation encourages the development of alternative energy facilities, in particular solar, photovoltaic and wind energy facilities which can potentially consume large amounts of land, impact adjoining properties and run counter to the goals and objectives of the Township's Master Plan. It is acknowledged that the Township's Land Development Ordinance does not specifically address renewable energy such as solar, photovoltaic and wind facilities or systems.

In light of recent legislation and the current trend for the development of renewable energy generating systems, the Planning Board has determined that there exists a need to regulate the use, placement and design of solar, photovoltaic and wind energy facilities/systems throughout the Township, and recommends that the Governing Body enact such regulations.