

## Upper Pittsgrove Township Development Regulations Ordinance

management plan adopted by the New Jersey Department of Agriculture or Cook College for sludge application to farmland, if such exist).

- G. **Monitoring Wells.** Monitoring wells shall be installed to the depth and at the locations recommended by the Township Engineer to measure any adverse impact on the aquifers used for drinking water wells on surrounding properties, for as long as sludge is land applied on the property and for twenty (20) years after cessation of such application. The owner of the subject land shall retain, at his expense, a State-approved laboratory to take samples quarter-annually from the monitoring wells, analyze it in accordance with drinking water quality standards established by the New Jersey Departments of Health and/or Environmental Protection and submit quarter-annual reports of its findings to the Township. In the event that monitoring wells are required by the New Jersey Department of Environmental Protection with quarter-annual sampling and analysis for a permit it issues for sludge application on the same land, such wells sampling and analysis program can satisfy this requirement.
- H. **Land Restoration.** Any land to which sludge is applied shall be noted on the tax map by the assessor and prior to the subdivision thereof or construction of a residential dwelling hereon, the soil must be sampled as set forth in the subdivision regulations, to assure it will not have detrimental effect upon future occupants of the land.
- I. **Crop Production.** The applicant shall submit and shall comply with a nutrient plan for the land on which the sludge is to be applied, which shall set forth the extent of the application of sludge, the chemical analysis of the sludge to be applied, each crop to be raised, how it will be harvested and its proposed nutrient utilization. Sludge application cannot exceed the quantity necessary to maximize crop yield.
- J. The Zoning Officer shall monitor the lands to which sludge is applied to ascertain whether or not the crop and sludge application plan and the conditional approval are being complied with and the crops are being grown and harvested in accordance with the best agricultural management practices. This monitoring may include inspections by entry onto the property but only upon twenty-four (24) hour advance notice to the landowner.

### 12.5 (Reserved)

### 12.6 Keeping of Animals and Livestock, and Land Use Activities Involving Animals

The provisions of this section shall not be applicable to a farm (as defined in Section 3.3) or commercial farming operation. The keeping of animals and/or livestock and the use and operation of pig, livestock, or poultry farms, apiaries, pet or pet grooming shops, commercial stables and riding academies, kennels and/or animal hospitals shall be in accordance with the following conditions:

- A. For purposes of this ordinance, animals and livestock shall be separated into the following classifications:
  - 1. Class I animals: Horses, ponies, donkeys and other animals belonging to the biological order of perissodactyla, and llamas, alpacas or similar South American pack animals
  - 2. Class II animals: cow, cattle, pigs, goats, sheep, ostriches, emus or similar large birds raised for meat or feathers, or other animals commonly referred to as "livestock."

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3. Class III animals: (a) Any feathered vertebrate animal, including but not limited to chickens, geese, ducks, turkeys, hens, pheasants or other animals commonly referred to "barnyard fowl."
4. Class IV animals: common household pets such as dogs, cats, pet birds such as parakeets, parrots, songbirds or exotic birds, guinea pigs, or other animals except ferrets or pigs, kept as pets and reasonably expected to be sold in a shopping center-type pet store.
5. Class V animals: fur bearing animals including fox, mink, or animals bred for their fur including rabbits (except in the case of one (1) or two (2) being kept as domestic pets), monkeys, snakes or other wild or undomesticated animals which by State or Federal law require a license to be kept in captivity.

B. The keeping of animals and/or livestock shall be permitted as per the Schedule of District Regulations, provided the following conditions are met:

1. Not more than one (1) Class I animal shall be kept on a lot of at least two (2) acres in size, provided that said animal is kept enclosed in a pen or corral containing not less than five thousand (5,000) square feet in area. Each additional Class I animals shall require an additional acre in lot area and an additional two thousand (2,000) square feet of pen or corral space area. At a minimum, box stalls of one hundred (100) square feet and/or straight stalls of five by eight (5 x 8) feet per animal within a barn or stable shall be provided. No animals shall be housed or manure stored outdoors closer than one hundred (100) feet to any adjacent street or property line.
2. In any residential district on a lot of at least one (1) acre in size, not more than two (2) Class II animals (except pigs) or twelve (12) Class III animals may be kept, except in the case of cattle, wherein the lot size shall be no less than three (3) acres. The keeping of pigs shall be prohibited in all zoning districts. All Class II or Class III animals shall be kept enclosed in a pen, corral or other suitable enclosure with appropriate animal housing provided. No animal shall be housed however, or manure stored outdoors closer than one hundred (100) feet to any adjacent street or property line.
3. The keeping of Class IV animals shall be permitted in all zoning districts, provided that the breeding and sale of such animals may be determined a commercial use by the Zoning Officer based upon the number of animals involved within a reasonable time period and the use of the property and structures thereon for such activity. When so determined a commercial activity, the property owner shall be subject to the requirements of this ordinance for such commercial activity, including site plan review. Animal runs as defined and controlled as set forth in subsection C2 shall be applicable whenever proposed for all properties except a bona fide farm.
4. All fencing in connection with the enclosure of animals shall be installed no less than ten (10) feet from all adjacent property lines and at least fifty (50) feet from the nearest dwelling, excluding the dwelling of the animals' owner(s). In the case of electrified fencing, the provisions of Section 12-1C.5 shall be met.
5. The above referenced limitations on various classes of animals shall not be applicable to any bona fide farm as defined by this Ordinance, except that the keeping, breeding or sale of all Class V animals shall be prohibited in all zone districts within the Township of Upper Pittsgrove, provided however, that if best management practices have been

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promulgated by the N.J. Department of Agriculture for any Class V animals, any person proposing to undertake such activity under said best management practices shall be required to seek a use variance including site plan review to assure that said best management practices are adhered to and public health, safety and welfare are adequately provided for in connection with such activity.

6. An apiary shall be permitted on any lot of at least two (2) acres in size, provided that hives or housing for the bees shall be located no less than one hundred (100) feet from the nearest dwelling, except the hives' owner(s). All hives or bee housing shall be located at least twenty-five (25) feet from any property line if the adjoining property is not vacant land.

- C. Kennels, animal shelters, small animal grooming operations involving no more than two (2) employees undertaking the animal grooming, animal hospitals, or any structure or property wherein animals may be boarded for a fee are permitted as provided for in the Schedules of District Regulations are subject to the conditions in Section 13.8.

**12-7 Off-street Loading Requirements** Off-street loading and maneuvering spaces shall be provided for the loading and unloading of vehicles on the lot on which is located a use for which the loading space is required. Design standards for such off-street loading and maneuvering spaces are set forth in Section 7.3F. The requirements pertaining to provision of off-street loading and maneuvering spaces are set forth as follows:

- A. A minimum of one (1) off-street loading space per nonresidential use shall be provided, except that, where more than one (1) use shall be located in one (1) building or where multiple uses are designed as part of a self-contained complex, the number of loading spaces shall be based on the cumulative number of square feet within the building or complex and shall be dispersed throughout the site to best serve the individual users.
- B. There shall be at least one (1) central point for trash/garbage pickup in multi-family and non-residential uses which shall be separate from parking and loading areas by locating such facility either within a building or outside of a building in a totally enclosed metal container(s), obscured from view from parking areas, streets and adjacent residential uses or zoning districts by a fence, wall, landscaping or combination of the three. If located within the building, the doorway(s) may serve both the loading and trash/garbage collections functions. If a container is used for trash/garbage collection functions and is located outside the building, it may be located adjacent to or within the general loading area(s), provided that the container(s) do not interfere with or restrict in any manner loading and unloading functions.
- C. The minimum number of off-site loading spaces required per specific use shall be:
  1. Funeral home: one (1) space per two thousand five hundred (2,500) square feet of floor area. Dimensions of a loading space for this use may be reduced to thirty-three by twelve (33 x 12) feet.
  2. Hospitals: one (1) space per ten thousand (10,000) square feet of gross floor area.
  3. Retail stores, excluding commercial home occupations: one (1) space per four thousand (4,000) square feet of gross floor area.
  4. Office uses: one (1) space per twenty thousand (20,000) square feet of gross floor area.