

HILLSBOROUGH TOWNSHIP COMMITTEE WORK MEETING

October 25, 2000

The Township Committee of the Township of Hillsborough met in a work meeting on the above date at 7:00 P.M. Those in attendance were as follows: Mayor Joseph Tricarico, Deputy Mayor Christine Jensen, Second Deputy Mayor John Gelardi, Committeewoman Sonya Martin, Committeeman Robert Mack, and Township Clerk Gail W. McKane.

Following the Roll Call and Salute to the Flag, Mayor Joe Tricarico stated this meeting is being held within the provisions of the Open Public Meetings Act and that notice of this work meeting was given to the Township Clerk, posted on the bulletin board at the Municipal Complex and written notices sent to the Messenger Gazette, Hillsborough Beacon and the Courier News. All notices were given at least 48 hours in advance, and to the extent known, the items on the agenda.

REPORTS:

Cultural & Arts

Valerie Chaucer-Levine, Chair, Cultural and Arts Commission, made a presentation to the Township Committee outlining the many benefits a strong cultural program offers a community; what currently exists in Hillsborough; the Commission's accomplishments; the purpose, content and findings of the recent survey and goals and needs for 2001.

Ms. Chaucer-Levine commented that Hillsborough was fortunate to have a Playhouse in the Township as well as many private music and dance studios. She stated that the cultural and arts survey was distributed in the Spring 2000 newsletter. Ms. Chaucer-Levine read some of those responses to the Township Committee to indicate that citizens of Hillsborough desired a Cultural and Arts Center. She advised that 342 survey results were tabulated, and 98% of the surveys felt that the Township had more cultural and artistic opportunities. Ms. Chaucer-Levine explained that the following responses are listed in order according to the responses received from the survey:

- 1) adult evening classes
- 2) adult day classes
- 3) summer programs for children
- 4) after school programs for children

She added that the surveys also indicated that there was a strong desire for an outdoor concert facility.

Ms. Chaucer-Levine next read from the ordinance establishing the Cultural and Arts Commission and stressed that this Commission should have its own budget for programming purposes. She noted that the Cultural and Arts Commission submitted a sample budget for next year, which included equipment and a facility to hold various programs, as well as staff support for planning and grant writing.

Deputy Mayor Jensen agreed that it is critical for a community to balance cultural activities with other recreational offerings. She commented that the Recreation Department funds its budget through user fees.

Ms. Chaucer-Levine agreed that should be the goal for the Cultural and Arts Commission, however, it would take time to get to that point.

Deputy Mayor Jensen asked if Ms. Chaucer-Levine knew how surrounding communities organized cultural and arts facilities.

Ms. Chaucer-Levine replied that Franklin Township has a community theater and cultural center and Hunterdon County has the museum in Clinton Township.

Second Deputy Mayor Gelardi thought that the Cultural and Arts Commission should include local businesses in their fund raising efforts.

Ms. Chaucer-Levine stated that was to be pursued next year. She advised that the Cultural and Arts Commission plans to form a sub-committee to seek out corporate sponsorships. This year, Ms. Chaucer-Levine commented that she discovered that sponsors want to fund programs, not just operating expenditures.

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Mayor Tricarico remarked that some of the equipment costs proposed in the draft Cultural and Arts budget could probably be funded through the general Township budget. He noted that the \$2,500 concert budget is not too large, and he suggested including it in the 2001 budget.

Committeewoman Martin stated that she would share this report with the Joint Facilities Commission and the Open Space Utilization Committee to see where cultural programs could be held.

Proposed Cross-Access Drive between New Amwell Mini-Mall and Hillsborough Township Park & Ride

Township Engineer Frank Scarantino was present to discuss this matter with the Township Committee. He explained that the New Amwell Mini Mall on Amwell Road near the Route 206 intersection has requested a cross-access drive with the Hillsborough Township Park & Ride. Township Engineer Scarantino noted that several years ago a cross access was recommended to the developer; however, it was not pursued. He explained that now that the Post Office has been built and a traffic light installed at the exit to the Park & Ride it makes more sense to have cross access to alleviate traffic exiting onto Amwell Road from the mini-mall's parking lot.

Second Deputy Mayor Gelardi stated that this was a great idea, but wanted the issue of speeding through the parking lots addressed.

Township Engineer Scarantino suggested a "speed hump". He explained that a speed hump is a larger ramp and eliminates 'bottoming out' which has caused liability issues in the past.

Mayor Tricarico agreed with the cross-access proposal, however, he did not want the Park & Ride to be further abused as a used car lot.

The consensus of the Township Committee was to move forward with the cross-access proposal.

Tree Preservation Ordinance

Deputy Mayor Jensen reported that the subcommittee formed to examine ways to prevent old growth flora from disappearing in the Township has developed an ordinance to preserve trees that are in danger due to future development. She stated that the Environmental Commission, Township Engineer Frank Scarantino and Township Planner Cheryl Bergailo have done significant work in developing this proposed ordinance.

Township Engineer Scarantino reported that the intent of the ordinance was to hone in on undeveloped properties where the Township has in the past experienced unapproved or unauthorized clear cutting in anticipation of development. He explained that this proposed ordinance addressed those properties and clearly exempts single family and two-family residential lots that can not be further subdivided. Township Engineer Scarantino noted, however, that if a residential property removes a tree that was required as a result of a planting plan by the original developer, that tree must be relocated or replaced.

Mayor Tricarico asked if the only trees a homeowner would be required to replace would be trees shown on the landscape plan.

Township Engineer Frank Scarantino replied yes, which is typically known as a "street tree."

Mayor Tricarico asked if he had a home that had twenty trees in the back yard and he wanted to install a swimming pool, how would this ordinance affect that situation.

Township Engineer Scarantino reiterated that residential homeowners were exempt from this ordinance. He explained that this ordinance protects the rights of single family homeowners. Township Engineer Scarantino pointed out that this ordinance provides a penalty of up to

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\$1,000 per day for an infraction, but also provides the means to obtain an injunction to prevent the further cutting of trees.

The consensus of the Township Committee was to proceed with the introduction of this Ordinance at the next Regular Session of the Township Committee.

ORDINANCE 2000-38

AN ORDINANCE TO AMEND THE DEVELOPMENT REGULATIONS OF THE TOWNSHIP OF HILLSBOROUGH TO REGULATE THE REMOVAL AND PRESERVATION OF TREES

WHEREAS, the Township Committee of the Township of Hillsborough is concerned about the indiscriminate removal of mature trees and the destruction of forested areas; and

WHEREAS, the preservation of mature trees and forested areas is a key strategy in the management of environmental resources, particularly watershed management, air quality and ambient heating and cooling; and

WHEREAS, the preservation of mature trees and forested areas is critical to maintaining a high quality of life and rural environment in Hillsborough Township;

WHEREAS, the pre-application removal of trees in the Township has had substantial negative impacts on visual quality and other indicators;

NOW, THEREFORE, BE IT ORDAINED, by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey, that Chapter 77, Development Regulations, of the Township Code is hereby amended to establish a new Article, Article XI, Tree Preservation, as follows:

ARTICLE XI

TREE PRESERVATION

SECTION 77-160. PURPOSE.

It shall be the purpose of this Article to preserve and protect the environment, aesthetics and rural character of the Township of Hillsborough by restricting and otherwise controlling the removal of mature trees throughout all land within the Township.

SECTION 77-161. DEFINITIONS

TREE shall mean any flowering, ornamental or nursery stock tree with a caliper measurement of 3 inches or greater, any deciduous or coniferous tree of 6-inch caliper or greater or any coniferous tree 8 feet or greater in height.

CALIPER shall mean the diameter of a trunk as measured at a height of four feet above grade.

CRITICAL FOOTPRINT AREA shall mean an area of new home construction that includes the portions of a private residential lot reserved for driveways and the actual building foot print plus an additional 20 feet beyond the perimeter of the building footprint.

SECTION 77-162. APPLICABILITY

- A. The following activities shall be regulated by this Article:
 - 1. Removal of more than 3 trees per calendar year on properties that can be subdivided, multi-family parcels and unimproved lots.
 - 2. Removal of any tree on an improved non-residential lot.
 - 3. Cropping or trimming of trees or other activities that will adversely affect the lifespan of the tree.

- B. Exemptions. The following activities are exempt from the provisions of this Article:

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1. Removal of trees on developed single- and two-family residential lots that cannot be subdivided, other than removal of trees that were planted as part of an approved subdivision or municipal street tree planting program. Such trees shall be replaced in a like number in the same location or elsewhere on the property.
2. Clearing of trees required in connection with new home construction that are located within the critical footprint area.
3. Routine maintenance, such as trimming, that will not adversely affect the lifespan of the tree.
4. Removal of trees of any size shown to be dead or diseased or that are otherwise damaged and a threat to the health, safety and welfare of the public.
5. Selective thinning in conjunction with a management plan approved by the State Forester.

SECTION 77-163. BOARD APPROVAL REQUIRED

- A. Planning Board or Board of Adjustment, as the case may be, approval for tree removal shall be required except where otherwise exempted herein. In deciding whether to approve an application for tree removal, the Planning Board or Board of Adjustment, as the case may be, shall consider the following factors:
1. Whether the removal of trees is justified and is related to an aesthetic and economic improvement of the land that is in the best interests of the citizens and property owners of the Township of Hillsborough.
 2. Whether the design of improvements maximizes tree preservation.
 3. Whether the applicant has attempted to preserve stands of trees and existing understory in logical locations.
 4. Whether appropriate measures will be taken to protect remaining trees during the construction period.
 5. Whether the mitigation or tree replacement plan is satisfactory.
- B. Mitigation Required. Mitigation for tree removal shall be required in accordance with Section 77-164, Mitigation Required, below. However, in no case shall more than 20 percent of all trees on any lot(s) be removed.
- C. Tree Preservation Plan Submission Requirements. In addition to the Standard Development Application form, the following information shall be required for approval for tree removal:
1. A rider explaining why each tree is to be removed.
 2. A Tree Preservation Plan that depicts:
 - a) The location, species and caliper of all trees to be removed on a surveyed drawing.
 - b) The location, species and caliper of each tree within the drip line of each tree to be removed.
 - c) The quality, quantity and limits of vegetation on the remainder of the site and within 200 feet of the property line.
 - d) The location of existing and proposed structures including parking areas, detention basins and other stormwater facilities.
 - e) Existing contours and proposed grading.
 - f) Proposed preservation methods of trees to remain
 - g) The location of replacement trees, including a replacement schedule indicating species, quantities and size in accordance with Section 77-164, Mitigation Required, below.
- D. Variance Required. Deviation from the requirements of this Article shall require variance approval in accordance with NJS 40:55D:70(c).

SECTION 77-164. MITIGATION REQUIRED

Replacement trees are required for the removal of any tree as regulated herein.

- A. Number of Replacement Trees. Replacement shall be required in accordance with the following schedule, and are exclusive of the shade trees required as per Section 77-73:

| Caliper of Removed Tree | Number of Replacement Trees |
|--------------------------------|------------------------------------|
|--------------------------------|------------------------------------|

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| | |
|-----------------|---|
| 6 to 12 inches | 2 |
| 13 to 24 inches | 3 |
| 25+ inches | 4 |

- B. Replacement Species. Trees shall be replaced with the same species. In the case where the species is known to be disease-prone or is otherwise not ecologically or aesthetically appropriate, other species shall be permitted.
- C. Planting Standards. All replacement trees shall be nursery grown, certified and guaranteed and shall have a minimum caliper of 2.5 inches, or the industry standard equivalent for the species if ornamental. All trees shall be balled and burlapped and planted as per Township of Hillsborough standards.
- D. Off-Site Contributions. If all required replacement trees cannot be provided on the subject lot(s), an off-site contribution to the Township of Hillsborough Parks Department of a like number of trees or cash equivalent to be placed in a fund to be used for the purchase of replacement trees by the Township of Hillsborough for use on public property, shall be considered by the Planning Board or Board of Adjustment, as the case may be.

SECTION 77-165. PENALTY AND ENFORCEMENT

Violation of the provisions of this Article shall be considered a Class C Violation for each tree illegally removed, and for each day the offense continues without mitigation and application to the Planning Board or Board of Adjustment, as the case may be.

Architectural Design Standards

Second Deputy Mayor Gelardi reported that he, like Deputy Mayor Jensen, was a member of a subcommittee, which was charged with developing architectural standards to be applied to new development in the commercial corridors of the Township.

Paul Drake, a member of the Planning Board and Architectural Design Standards Subcommittee, presented an overview of the subcommittee's work. He stated that he, Second Deputy Mayor Gelardi, Lynn Winters Mineo, Marian Fenwick Freeman, Township Engineer Scarantino and Township Planner Cheryl Bergailo all helped move this forward. Mr. Drake provided a format for a draft ordinance to regulate architectural standards along the Route 206 corridor.

Mr. Drake explained that aesthetics and function were examined in formulating ideas, and the recommendations include many ideas that were incorporated in the Community Vision Survey. He stated that the Architectural Standards Subcommittee envisioned having suggestions placed on the web site so that the public could see the design standards for commercial development.

Mr. Drake outlined the boundaries of the area that the architectural standards would apply, which extended along Route 206 and parts of Amwell Road. He noted that these standards apply to commercial, office and retail construction within 300 feet of the roadway. Mr. Drake also gave a brief explanation of what types of architecture would be regulated and how they could be implemented.

Mayor Tricarico commented that presently Hillsborough has no architectural standards. He inquired about the enforcement mechanism should these standards be adopted.

Mr. Drake answered that this ordinance gave the Township leverage in setting standards as to how the new development should look.

Deputy Mayor Jensen asked if the Planning Board has seen this ordinance and it's opinion.

Mr. Drake replied that the standards would be reviewed by the full Planning Board at the next meeting.

Committeewoman Martin commented on the significant progress of both the Tree Preservation ordinance and the Architectural Standards ordinance given the brief amount of time.

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Mayor Tricarico thanked the members for their work in preparing this information.

The consensus of the Township Committee was to proceed with the development of an ordinance to enact these architectural standards, based upon recommendations from the Planning Board.

**ARTICLE VIA
ARCHITECTURAL AND SITE DESIGN OVERLAY ZONE**

SECTION 77-89A. INTRODUCTION.

Hillsborough Township supports the goals, strategies and policies of the State Development and Redevelopment Plan (the State Plan). The physical design of our communities and their environs—the way in which space is physically organized—is key to State Plan implementation and critical to the full achievement of its objectives.

A well-designed environment is an asset to a community. It enriches its users, and creates real estate value; it can also play an important role in the quality of life assessments which we all make on a daily basis. It also influences the locational choices and investment decisions of residents and employers. On the other hand, a poorly designed physical environment will not achieve these purposes, and can reinforce feelings of disenfranchisement and lead to disinvestment and community fragmentation.

The purpose of creating the Architectural and Site Design (ASD) Overlay Zone is to define in a reasonable, predictable fashion, the vision of the community of Hillsborough through architectural and site design standards in order to promote a cohesive, well-designed environment. This document contains the narrative description as well as illustrative and photographic standards for the community “vision” that are representative of the desired architectural vernacular and site design components for new construction and redevelopment within the two primary corridors within our community. New development and redevelopment along Route 206 and portions of Amwell Road will be subject to the ASD standards.

The vision of the community has been determined to the extent possible through a Community Vision Survey that was performed in the summer of 1998. This survey received a national award for excellence by the American Planning Association. The survey indicated that 90 percent of the respondents found Route 206 to be “uninviting” and 83 percent found that the drive along Route 206 through Hillsborough was “nondescript.” Ninety-three percent of the respondents supported the creation of a multi-use center with plenty of trees, improved sidewalks, streets that “calm traffic” and pedestrian/bike paths that connect surrounding neighborhoods with community attributes.

In terms of architectural style, respondents preferred buildings, which evoked traditional forms and had a pedestrian orientation. Popular commercial images included building mass with a smaller, more intimate scale. Respondents also preferred shop fronts with projecting signs, awnings and alcoves that added character and helped soften the auto-orientation of the street, creating an interesting, pedestrian-friendly space.

“Pedestrians are the catalyst which makes the essential qualities of communities meaningful. Without the pedestrian, a community’s common ground – its parks, sidewalks, squares, and plazas – become useless obstructions to the car. Pedestrians are the lost measure of a community, they set the scale for both center and edge of our neighborhoods. Without the pedestrian, an area’s focus can be easily lost.” (Calthorpe, 19__).

Pedestrianism is an important organizing principle in the ASD Overlay Zone. Like general road design criteria, to induce pedestrian travel the designer needs to be able to satisfy the safety, convenience, comfort and attractiveness of the pedestrian trip. Likewise, scale is another important principle within the ASD standards. Scale relates the built form to the human frame. This is done through the use of modular elements such as doors and windows, through façade treatment and modulations and through design details. The ASD Overlay Zone standards will enable Hillsborough Township to encourage creative and innovative mixed and multiple-use plans along the corridor of Route 206 and Amwell Road, which defines and impacts the identity of the Township.

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SECTION 77-89B. PURPOSE AND GOALS OF ARTICLE.

A. Purpose. The purpose of creating the Architectural and Site Design Regulations (ASD) Overlay Zone is to define in a reasonable, predictable fashion, the vision of the community of Hillsborough through architectural and site design standards.

The ASD Overlay Zone seeks to establish the foundation of a more defined community identity for Hillsborough Township. This will be accomplished through the integration of creative design components, which will enhance the desirable visual and functional forms of development. This will also foster economic prosperity of the various non-residential zones throughout the community. The extensive nearby residential neighborhoods will also benefit since buildings will be constructed to the human scale and walking to these businesses will be a safe and pleasurable experience and a convenient alternative to the automobile.

Goals. The goals of the ASD Overlay Zone include, but are not limited to the following:

1. To develop architectural and site design standards, which are reasonable and predictable, and provide for the creation of functional pedestrian-oriented development within the Township with street trees, street furniture, shared parking, restrictions on large parking lots, and architectural styles and themes which reflect the best and most attractive features of scale, details, massing and ornamentation characteristics of traditional building design as determined by the residents of Hillsborough Township through the Community Vision Survey.
2. To promote a desirable visual environment through creative development techniques and good civic design and arrangements.
3. To encourage a pedestrian/bicycle circulation system that is safe and links existing and proposed neighborhoods with the major elements and community attributes of the Township in order to reduce vehicular trips.
4. To improve the image of Hillsborough Township as viewed from Route 206 and Amwell Road as being “uninviting” and “nondescript” to one of being enticing and visionary as we seek to transform the two primary corridors through our community.
5. To coordinate public and private investments to better define the identity of Hillsborough Township in accordance with our vision and to support the eventual Main Street environment and a Town Center in accordance with the Master Plan of the Township and the State Development and Redevelopment Plan.

SECTION 77-89C. ZONING MAP AMENDED

The Zoning Map of the Township of Hillsborough is hereby amended to establish the Architectural and Site Design (ASD) Overlay Zone.

SECTION 77-89D. DEFINITIONS

ARCHITECTURAL RHYTHM: Rhythm is created through the number and spacing of windows of the façade, the relationship of block structures to the streetline, the solid and negative forms made by the solids of the buildings and the spaces between them. The combined effect of these rhythms can enliven the visual experience of the street.

PROPORTION, SCALE and MASSING: It is important that both new construction and additions to existing buildings are compatible with the basic tenants of our architectural fabric. Proportion is the relationship of width to height of the building and the relationship of its sum parts. Scale is the relationship of size and components parts of one building to the next. It also relates buildings to our human abilities of comprehension and keeps the component parts in the same context. Scale relates the community and its parts to the people within it and their abilities to comprehend their surroundings – to feel “in place” in the environment. Massing is the volume created by the building. “Through the skillful design of building scale and masses, we can create successful urban spaces of almost any shape. The essentials of a successful urban space are its proportions, its floor and walls, and the activity which enlivens it.” (Spreiregen, 1965).

ROOF LINE: is an important architectural component of a building since it completes the building's façade and defines the vertical edge along the street. Cornice and pediments are often used to create an attractive termination of the façade at the roof line.

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SITE ORIENTATION: The relationship of the building to the street. The placement of buildings along a street has a profound impact on the definition of that street. We experience most places from the street, from the public viewshed. The first impression, positive or negative, that a visitor has of a community is from the public viewshed. Since the streetscape plays such an important role in the image of a community, the orientation of building is considered to be a major element in the design of positive streets.

VISUAL INTEREST: Visual interest derives from a combination of contrast and conformity, repetition and dissonance, solids and voids, light and shadow, restraint and extravagance. Visual interest can result from the skillful manipulation of volumes, colors, proportions and relationships; from the judicious use of elements of visual animation, such as flags, banners, and signs; as well as other techniques. Visual interest is not synonymous with visual clutter. Overhead utility lines, poles, auto-oriented signage and billboards can create visual clutter and should be avoided.

SECTION 77-89E. APPLICABILITY AND EXCEPTIONS

- A. Applicability. This Article is intended to provide supplemental design regulations for properties in the ASD Overlay Zone in addition to those already required in Chapter 77 and other Township ordinances. In the event of inconsistencies or contradictions with existing regulations, the regulations of this Article shall prevail.
- B. Exceptions to the ASD Overlay Zone. The following activities are exempt from the provisions of this Article:
 - 1. The construction or reconstruction of a single-or two-family dwelling on an individual lot that will be used exclusively as a residential use, including a home occupation as regulated by Section 77-54(C) and (D).
 - 2. Routine maintenance of existing features of any nonresidential building.
 - 3. Historic structures and structures with existing historic character that are aligned with the spirit and intent of this Article shall be maintained and upgraded consistently with the predominant architectural style of the structure. Such historic structures that are to be utilized for nonresidential use shall be subject to review by the Board.

SECTION 77-89F. BOARD APPROVAL REQUIRED

- A. Board approval for compliance with ASD Overlay Zone shall be required except where otherwise exempted herein. The consideration for approval or disapproval of any project in the ASD Overlay Zone shall be based and interpreted upon these regulations and any subsequent amendments. The standards herein shall be interpreted as the minimum required. The Board may apply more stringent standards based on specific and unique site characteristics and surrounding areas in order to advance the purpose and objectives of the ASD Overlay Zone and to protect the health, safety and welfare of Township residents and property owners.
- B. Architectural and Site Design Advisory Subcommittee.
 - 1. An ASD Advisory Subcommittee (Advisory Subcommittee) is hereby established, which is to serve in an advisory capacity to the Planning Board to foster predictability and consistency with the applicability of these regulations. The primary responsibility of the Advisory Subcommittee is to review the development proposals in the ASD Overlay Zone in light of the regulations herein and to forward its recommendations to the Planning Board.
 - 2. Membership on the Advisory Subcommittee shall be appointed annually at the annual reorganization meeting of the Township. It shall consist of the following seven people:
 - a) Three members of the Planning Board, as appointed by the Chairman.
 - b) One member of the Township Committee, appointed by the Mayor, who may or may not be a member of the Planning Board. If this member is a member of the Planning Board, then an additional member may be selected from c), d) or e), below.
 - c) One member of the Business and Economic Development Commission, Environmental Commission or Historic Preservation Commission, as appointed by the Mayor.
 - d) One member of the public who has specific training in architecture, landscape architecture, urban design or planning, as appointed by the Mayor.

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- e) One business or property owner in the Township that is located in the ASD Overlay Zone, as appointed by the Mayor.
- 3. All meetings of the Advisory Subcommittee shall be open to the public and noticed, and Roberts Rules of Order shall be adhered to.
- C. ASD Submission Requirements. In addition to the submission requirements of Article V, Development Review Procedures and Plat Details, and other Township requirements, applicants shall submit all of the items on the attached checklist (see Section 77-89G). Applicants are encouraged to present plans informally before the Advisory Subcommittee and/or the Planning Board.
- D. Procedure. Applications for development in the ASD Overlay Zone shall be forwarded by the municipal agent to the Advisory Committee for its review and recommendation. It shall be the responsibility of the Advisory Subcommittee to schedule review of applications before public hearings on the applications by the Board and to comment on applications in a timely matter. The lack of comment from the Advisory Subcommittee before the time of the public hearing shall be deemed a positive recommendation of the development application. Definitive approval or disapproval of development applications shall be the purview of the Board.
- E. Deviations from Regulations. Deviation from the requirements of this Article shall require design waiver approval. Design waivers shall be granted under the following conditions:
 - 1. The proposed design substantially complies with the standards herein and does not impair the intent and purpose of the regulations.
 - 2. The proposed design can be considered a betterment or an upgrade of those required.
 - 3. Deviations are required due to the regulations of another entity such as the State Department of Environmental Protection or Somerset County, and providing that the developer has made reasonable attempts to foresee potential conflicts with other laws and regulations in the initial design.

SECTION 77-89G. ARCHITECTURAL AND SITE DESIGN REGULATIONS

A. General Architectural and Site Design Standards: The following general ASD standards shall apply within the ASD Overlay Zone:

Each development shall provide and improve its portion of a new street or accessway in accordance with the Township Circulation Master Plan or as shown on other final planning documents of the Township. The municipal agency in its discretion may modify or adjust specific access or street locations in order to provide safe, convenient and efficient public circulation for pedestrians and vehicles.

The timing of the construction of new streets shall be at the discretion of the municipal agency. In the case where a new full or half width street is provided on a property being developed, a minimum portion of such street shall be improved and constructed in a manner that provides access to the property by way of the new street.

Historic sites designated by the Township's Historic Preservation Commission shall be conserved as historic sites and integrated into the overall concept plan for a site development in order to emphasize and enhance the historic past of Hillsborough.

All principal buildings and principal uses must front upon a street or newly created street that meets the applicable standards of the ASD Overlay Zone.

All utilities shall be underground or within designated easements at the rear of lots. All transformers and telephone components shall be located on public property or within easements or within public right-of-ways and shall be screened from public view.

B. Architectural and Site Design Components: The following architecture and site design components shall apply in the ASD Overlay Zone:

1. SITE ORIENTATION

- a. Buildings shall define the streetscape through the use of entries, balconies, porches, architectural features and activities that help create safe, pleasant pedestrian environments.

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- b. Streetscape definition shall also be achieved through the use of shade trees, walls, hedges, fences, street furniture and other features that create vitality in the core and along the corridor.
- c. Spatial relationships among buildings and other structures shall be geometrically logical and/or architecturally formal.
- d. Buildings shall generally relate in scale and design features to the surrounding buildings, showing respect for the local context and architectural styles and details, design themes, building materials and colors used in surrounding buildings.
- e. Building scale, orientation, and massing should promote active commercial centers, support transit and reinforce public spaces.
- f. Variation in building footprints and human-scale detail is encouraged.
- g. Buildings located at identified gateways along the ASD Overlay Zone shall mark the transition into and out of this area in a distinct fashion using massing, additional height, enclosure of spaces by varying setbacks, contrasting materials, and/or architectural treatments to obtain this effect. These properties are identified as Blocks ____ and Lots _____ and are also identified on the ASD Overlay Zone shown in Exhibit ____.
- h. Buildings on corner lots and end buildings shall be considered significant structures, since they have at least two facades exposed to the street. Appropriate embellishments, such as corner towers, shall be integrated into the design to mark their prominence.
- i. Buildings shall not front directly onto parking lots; rather buildings shall front toward a street or other public space.
- j. Backs of buildings facing the parking lots shall be treated to be compatible with the overall design of the building. Internal configuration of space within the buildings should be designed to enable access from the front and rear of buildings to the extent practical.
- k. Garage doors associated with commercial business establishments, such as auto repair shops, car wash facilities, self storage buildings or the loading docks of larger buildings shall not front on a primary street, unless there is no practical alternative building configuration and providing appropriate screening is designed into the overall building layout.
- l. On a lot with multiple buildings, those located on the interior of a site shall front towards and relate to one another, both functionally and visually.
- m. A lot with multiple buildings may be organized around features such as courtyards, greens or other small public spaces in order to encourage pedestrian activity and social interaction.

2. VISUAL INTEREST

- a. Focal points or points of visual termination along the corridor shall generally be occupied by more prominent structures that employ enhanced height, massing, distinct architectural treatments or other distinguishing features.
- b. The smaller, more intimate placement of street furniture, live seasonal flower gardens, fountains, public monuments, civic art, seasonal outdoor displays and other features will also add visual interest along the corridor and are encouraged.

3. PROPORTION, SCALE and MASSING

- a. The overall scale, massing and basic proportions of new buildings or additions shall conform with scale of the buildings shown in the photographs of this section.
- b. Buildings shall reflect a continuity of treatment obtained by maintaining the building scale or by subtly graduating changes.
- c. Changes in scale and massing should be accomplished through gradual increments, such as wall offset, roofline variation or shift in the wall height or cap line.
- d. One-story buildings are discouraged.
- e. In multiple building complexes and properties with more than 120' frontage along Route 206 or Amwell Road, 50% of the buildings shall be two stories.
- f. Throughout the ASD Overlay Zone, designers shall take into consideration the ability to infill new development opportunities.
- g. Buildings shall avoid long, monotonous, uninterrupted walls and/or roof planes. Offsets shall be provided at least every 30 feet.
- h. Building wall offsets, including projections, recesses and changes in floor level shall be used to add visual interest and variety and to relieve the blank effect of a single long wall.

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- i. Similarly roof-line offsets, cross gables and dormers shall be provided, in order to provide interest and variety to the massing of the building roof line.
- j. Scale and mass must be taken into consideration for stand-alone buildings within the ASD Overlay Zone. Large setbacks that isolate such a building from its relationship with the street and prompts designers to consider placing large sections of asphalt parking areas as the dominant features facing the streetscape, are discouraged.
- k. (Insert specifics from Somerset County design of large retail stores)

4. ROOFS AND ROOF MATERIALS

- a. Roof types shall be front or side gabled, gambrel, hipped, saltbox or combinations thereof. The recommended pitch for the principle roof shall be 9/12. The principal pitch may be lowered if there are overlapping eaves that are either bracketed or have exposed rafters. The minimum pitch for hipped and gabled roofs shall be no less than 6/12, unless there is a demonstrated hardship to the satisfaction of the board. Both gable and hipped roofs shall have overhanging eaves on all sides that extend a minimum of one (1) foot beyond the building wall.
- b. The use of cross gable and dormers is encouraged to distinguish one building from its neighbor. Dormers may be hipped, gabled, shed, pedimental or eyebrow.
- c. Flat roofs or gambrel roofs are not permitted on one (1) or one-and-a-half (1 1/2) story buildings.
- d. Flat roofs are permitted on two story buildings, providing all visibly exposed walls have an articulated cornice that projects horizontally from the vertical wall. Pediments are also encouraged on the front façade of two story buildings and may display the name of the building and year in order to create curiosity and interest along the streetscape.
- e. False mansard roofs shall be prohibited.
- f. Roof form and architectural embellishments that add visual interest to roofs, such as cross-gables, dormers, belvederes, masonry chimneys, cupolas, clock towers, and other similar elements are encouraged and shall not be used to calculate the height of the building. Building height is to be measured from the average elevation of the proposed finished grade to the mean height between the eaves and ridge for gable, hip and gambrel roofs.
- g. Permitted roof materials for pitched roofs:
 - (1) Slate
 - (2) Cedar wood shingles
 - (3) Dimensioned Asphalt
 - (4) Composite tile (simulated slate)
 - (5) Standing Seam copper or anodized aluminum
- h. Roof colors shall be brown or gray earth tones or copper roof or oxidized copper tones or an alternate color approved by the Board.
- i. All rooftop air conditioning units, HVAC systems, elevator housing, satellite dishes and other outdoor utility equipment shall be screened from the public right-of-way view by the use of walls, fencing, landscaping and roof features. Noise generating equipment shall be properly baffled in accordance with applicable federal and state regulations.

5. FACADE TREATMENT AND FACADE MATERIALS

- a. The primary public entrance (i.e. the front façade) of the building shall face the street. The architectural treatment of the front façade shall be continued, in its major feature, around all visibly exposed sides of a building and shall be designed to be consistent with regard to style, materials, colors and details.
- b. All visibly exposed sides of building shall have an articulated base course and cap. The base course shall align with either the door kickplate or sill level of the first story. The cap shall consist of a cornice, frieze, parapet or eave at the top of a building wall and shall project horizontally from the vertical building wall plane and may be ornamented with moldings, brackets and other details. The middle section of a building may be horizontally divided at the floor, lintel or sill levels with a belt or string courses.
- c. Solid, blank, windowless walls or service areas visible from the public viewshed shall be discouraged. Where necessary the wall shall be articulated by masonry treatment, blind windows, display window cases and or intensive landscaping treatment.

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- d. Façade materials for commercial and mixed-used buildings shall be clad in brick, stone, wood clapboard, simulated clapboard or a combination thereof. The use of exterior insulation and finish systems (EFIS) is also permitted provided it does comprise more than 40% of the façade of the building inclusive of the window and door openings. EFIS shall have either a smooth or textured finish, shall be in the cream-to-russet quadrant of the color wheel, regardless of the final finish texture and include expansion joints every 30 feet.
- e. Brick mortar joints shall not exceed 1/2 inch. Mortar joints shall be struck. Brick colors shall be in the brown and red range. Brick shall be laid in English or Flemish bond.
- f. Exposed Concrete block shall be prohibited.
- g. Wood surfaces shall be painted with colors from the Benjamin Moore Historic color collection or equivalent color match. Trim and shutters shall be painted a contrasting color (or colors) from the main body.
- h. Facades shall consist of no more than three materials, textures or colors. The heavier, more textured and darker ones shall be below the others.
- i. In mixed-use buildings, the entrances of ground floor commercial uses and entrances to upper level uses shall be differentiated in appearance, such as door design, where appropriate. Storefronts shall be integrally designed with the upper floors to be compatible with the overall façade character. Buildings with multiple storefronts shall be unified, for example, through the rhythm of the window openings, the width and profile of the trim boards, the provision of wood shutters and brackets where appropriate and other components such as use of compatible materials, colors, details, awnings, signage and lighting.

ENTRY AND DOORS

All entrances and doors to a buildings shall mark their prominence along the street through the use of architectural elements such as columns, lintels, pediments, pilasters, porticos, porches, overhangs, railing balustrades, fanlights, transoms and sidelights where appropriate. These elements shall be compatible in style, material, color and detail of the building.

Recessed commercial storefront entries are encouraged, to provide additional window display space, sheltered transitions on the street and distinction to the entrance of the building.

50% of the surface area of commercial entry doors shall consist of glass panels of vertical proportions.

Second story balcony doors that front the street shall be french doors and shall be compatible with the overall building design.

WINDOWS

Windows shall be compatible with the style, materials, colors and details of the building's architecture. Windows shall be vertically proportioned. At a minimum, there shall be a decorated lintel, face frame, and drip mold over the door and windows.

Commercial retail structures shall have ground floor display windows that occupy a minimum of 60% and a maximum of 75% of the front of the building and be positioned twenty-six (26") to thirty-six (36") inches off the ground. Casement windows are permitted.

Transoms above ground floor display windows are recommended, which may be elevated above awnings.

Buildings with multiple storefronts shall be unified by compatible window design and integrated color, detailing, awnings and signage.

All windows on all stories shall be balanced and proportional to one another.

PORCHES

Front porches shall be encouraged .

Front porches shall face the street and may be wrapped around the sides of the building. Porches shall be no less than 6 feet wide from the front wall to the porch railing. The length of porches should be no less than 10 feet.

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Porch roofs shall be supported columns, piers or posts shall be no less than 5"x5".

Porches foundations shall be faced with wood, stone face, or brick and contain railings and balusters to complement the overall design. Compatible screening is permitted.

ARCADES , AWNINGS

- a. Arcades (permanent covered walkways), are encouraged along the front facade of retail buildings which contain four or more stores.
- b. Arcades shall be at least 8 feet wide and serve as an extension of the building through a combination of the open display windows and inviting door design.
- c. The ceiling of the arcade shall not exceed 8 feet high.
- d. Arcades shall be used to connect adjacent buildings, especially where the separation of the buildings is no more than 25 feet.
- e. Where an arcade is not provided, fixed or retractable awnings are encouraged at ground floor level and upper floor levels where they complement the building's architectural style, materials, color and details and do not conceal significant features such as cornices, columns or pilasters.
- f. Awnings shall be made of canvas or other waterproof materials, except that plastic or aluminum awnings are prohibited.
- g. Awnings may be striped or solid.
- h. Awnings may be used to unify the multiple storefronts of a building.
- i. Awnings shall be maintained in good condition, free from tears, fading, or excessive staining.
- j. Awning signage shall comply with the Sign Ordinance at Chapter 77-76.

9. TRIM/EAVES AND OTHER BUILDING DECORATIVE ELEMENTS

- a. Building Trim: All buildings shall be, at a minimum, trimmed with gable and eave boards all around. Trim ornaments may be elaborated to any of the following:
 - (1) Plain or decorated frieze
 - (2) Overhanging eaves
 - (3) Boxed cornice
 - (4) Dentilled cornice
 - (5) Bracketed cornice
- b. Tight eaves shall be finished by molding. All windows shall have decorative lintels with sill and side trim. All doors shall be trimmed with decorative lintel and side trim.
- c. Buildings located in prominent visual termination positions along the street shall be encouraged to incorporate distinctive features to the site or building(s) such as towers, parapets, pergolas, cupolas, belvederes or other features.
- d. Gutters shall be compatible with the building design.
- e. Chimneys shall match the building vernacular, exposed flues shall be painted the color of the roof.
- f. Shutters shall be used to enhance the appearance of windows, where appropriate, on one or more facades.

10. WALLS, FENCES AND HEDGES

- a. Front yards along the street shall be articulated through the placement of stone or brick walls, picket, rail or corral fences, hedges or a combination of landscaping and fence or wall design that defines the transition from the public realm to the semi-public spaces.
- b. Walls, hedges, and picket fences in front yards shall be limited to a maximum of three and a half (3.5 feet) in height. Entrances, gates and corners must be specifically treated to define their function.
- c. Walls and/or fence design and attendant railing, and picket design shall be compatible with the design of the building. PVC fence materials may be substituted for painted wooden fence material.
- d. Highway-style guard rail, concrete barrier, stockade, shadow box or contemporary security fencing such as chainlink, barbed or razor wire are prohibited in the front yards of properties. Where necessary to comply with the NJDOT design criteria, all guardrail shall be weathering steel or wooden-beam in accordance with the NJDOT specifications.
- e. Side and rear yards may be defined by masonry walls, wooden fence, muted chain link, PVC, trellis, lattice or vegetative hedge to either screen the view from the street

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or adjoining property or to enclose the space for personal or security reasons. The height of the fence shall not exceed six (6) feet.

11. COLORS:

- a. Color combinations shall be either Benjamin Moore Paint color combinations, from the Benjamin Moore pamphlet entitled "Historical Color Collection—Interior/Exterior" or other brands of paint if the color combinations have been matched to the color combinations in the above pamphlet.
- b. Brick shall be in the brown and red ranges.
- c. EFIS, shall be in the cream-to-russet color range. Stone and masonry veneer shall be earthtones. Accents shall compliment the overall building design.
- d. Simulated clapboard shall match the required paint colors as closely as possible.
- e. Roof colors shall be brown or gray earth tones or copper roof or oxidized copper tones or an alternate color approved by the Board.
- f. Accessory structures shall be of the same colors as the principal structure.

12. DRIVEWAYS:

- a. Driveway locations shall be more than 5 feet from the side-wall of a principal building.
- b. Shared driveways and/or cross access points and the use of rear lanes or commercial service roads are encouraged to avoid individual curb cuts onto Route 206 and Amwell Road. The NJ Highway Access Management Code is the minimum standard that must be met for new driveways on Route 206. The report entitled HILLSBOROUGH TOWNSHIP/ROUTE 206 ACCESS & SYSTEM MANAGEMENT STUDY SOMERSET COUNTY, NEW JERSEY as prepared by Orth-Rodgers & Associates, dated June 1995, is incorporated herein by reference. Figure 3 from this report is attached in the appendix of these regulations.

13. Parking Requirements:

- a. Shared parking shall be encouraged. The Board may approve an equivalent parking ratio based upon shared parking and use of cross-access easements with the off-street parking of an adjacent tract within the ASD Overlay Zone.
- b. If the development plan provides for new street construction with on-street parking, then the on-street parking created by such construction will be treated as a credit toward the total off-street parking requirements for the development.
- c. Parking in front of buildings will be permitted only as on-street parking through the construction of a new street. No on-site parking shall be located between the front of a principal building and the street. On-site parking lots shall be located to the side and rear of buildings.
- d. The perimeter of all parking lots shall be visually screened through the use of low (3 feet or less) masonry walls, fences and/or landscaping, with an emphasis on any portions fronting a street. The height or extent of the screen shall decrease to meet clear sight distance as per the Township Engineer.
- e. The screening of parking lots shall prevent direct views of parked vehicles from streets and sidewalks, avoid spill-over light, glare, noise or exhaust fumes onto adjacent properties, especially when near residential uses.
- f. The interior of parking lots shall be landscaped to provide shade and visual relief. . Parking lots with ten (10) spaces or less may not require interior landscaping if the Board determines there is adequate perimeter landscaping. If this perimeter landscaping is found to be inadequate, and in parking lots with eleven (11) or more spaces, a minimum of one (1) deciduous shade tree shall be planted for every five (5) parking spaces. Trees shall be balled and burlapped and planted in a continuous trench where feasible. A six-foot (6') wide tree peninsula shall be required for every 10 (ten) adjacent spaces. Tree diamonds and larger planting islands may also be integrated into the overall landscape plan, where peninsulas are not appropriate.
- g. There shall be a comprehensive network of sidewalks and pedestrian passageways that connect the parking lots with the front, sides and rear of the buildings and to linkages to other off-site pedestrian connections where appropriate based on proximity to existing residential areas, proposed intended use of the building and provision of existing or planned pedestrian or bicycle improvements.

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- h. All details and design considerations for parking lots that are contained within the Development regulations of Hillsborough Township, not addressed herein, shall also be met.

14. PAVEMENT MATERIALS AND TEXTURES

- a. The visual and tactile properties of the proposed paving materials shall be designed to enhance the overall pedestrian circulation throughout the community.
- b. Sidewalks shall be no less than five (5) feet in width and shall be wider in areas with anticipated increased pedestrian usage.
- c. The width of the sidewalk shall be designed to incorporate a planting strip, between the curb and sidewalk, known as a parkway, to provide for the planting of street trees either within trees wells or as a continuous green parkway.
- d. Sidewalks can be concrete, which may be pigmented, and finished with a broom just prior to setting. The addition of mica to cement can create an interesting visual effect.
- e. Brick pavers or stone blocks should be used only within the outer edge of the sidewalk to connect tree wells and to enable easy access to buried utilities along the street.
- f. Modular masonry materials, such as brick, slate, scored or stamped concrete are appropriate treatments for plazas, courtyards, pedestrian passageways between parking areas and shops, crosswalks and other public gathering spaces.
- g. Crosswalks shall be prominently located and delineated by a change in texture of materials, reflective paints, and appropriate pedestrian crossing signage and street lighting.
- h. The use of bump-outs and refuge islands shall be used to provide safe pedestrian access across a street and through parking lots and internal roadways. Raised sidewalks and speed tables may also be required to reduce potential auto/pedestrian conflicts.

15. LIGHTING:

- a. Street lights shall be decorative and blend with the architectural style selected to unify the entirety of the Town Center and the ASD Overlay Zone.
- b. Streets and sites shall be provided with adequate lighting, while minimizing adverse impacts, such as glare and overhead sky glow, on adjacent properties. House shields shall be provided where the lighting would abut a residential property. (What Standard level?)
- c. Fifteen (15) foot high decorative lamp-posts shall be provided at regular intervals along all commercial or mixed-use streets, parking areas, sidewalks, walkways, courtyards, community greens and interior open spaces. In parking lots, post heights may be extended to obtain a maximum effect. At the direction of the Township Engineer, high-mast lighting may be required to achieve safe lighting levels.
- d. Light posts in commercial mixed-use, senior citizens and townhouse streets shall be spaced at no greater than sixty (60) feet on center.
- e. Use of minimum wattage metal halide or color corrected sodium or mercury vapor light sources is encouraged. Non-color corrected low pressure sodium lights are prohibited.
- f. Porch lights and yard post lighting is encouraged to compliment the street lighting design.
- g. Light fixtures attached to the exterior of a building shall be architecturally compatible with the style, materials, colors and details of the building.

16. PUBLIC AND SEMI-PUBLIC SPACES

- a. Street furniture shall be encouraged in all semi-public spaces. This includes, benches, sitting walls, trash receptacles, planters, tree racks, bicycle racks, water fountains, bollards, bus shelters and phone booths. Street furniture should be used to unify the pedestrian realm and the streetscape.
- b. Formal public open spaces shall be linked to the streetscape by convenient pedestrian access. Public spaces shall be defined by unifying features such as park benches, waste containers, bicycle racks, bollards, picnic tables, play ground equipment, gazebos, civic art, monuments and formal gardens. Courtyards can be very simple; a solid brick paver treatment, large trees and benches

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17. RECYCLING AND TRASH STORAGE:

- a. All trash and recycling storage areas shall be located in the rear of the buildings and screened from the public view at the ground level using masonry walls, solid PVC or solid wooden fences and perimeter landscaping.
- b. Masonry walls shall be painted or textured with stucco to blend into the overall design of the project. Wood fences shall be constructed of treated pine.
- c. The height of the screening walls shall be 8 feet. If a pitched roof design is provided to semi-enclose the dumpster, then the screening walls may be appropriately reduced.
- d. All dumpsters shall have a secure lid.
- e. Buildings shall be able to provide a hose connection that would enable the area to be regularly cleaned.

18. STREET TREES:

- a. The Street Trees to be planted on development sites shall be selected from the following list of species.
 - (1) (need to complete)_____.
 - (2)
- b. All trees shall be balled and burlapped and shall be planted in a continuous trench and backfilled with topsoil.

19. STORMWATER MANAGEMENT *The primary method for controlling non-point source pollution shall start at the initial site design process. Efforts to reduce the creation of impervious surfaces, promote infiltration, and leaving natural areas undisturbed are all reasonable approaches to reducing the amount of runoff and non-point source pollution.*

- a. Where basins are proposed, the use of wet ponds, wetland basins, low maintenance basins and multi-purpose basins are encouraged. Landscaping to include the planting of wildflowers, wet-tolerant grass mixture, and native shrubs and trees, shall also be encouraged.
- b. Dry detention basins shall not be located along the street or in the front of the building. Basins shall be located to the rear of a property unless the design of the facility will add to the overall quality of the site design by incorporating it as wet basin, a serpentine stream-like basin, or wetland basin. The predominant water features of the basin, when planted with native trees and shrubs, will enable the basin to be integrated into the landscaping plans and will enhance the design of the project.

SECTION 77-89H. SUBMISSION CHECKLIST

ADJOURNMENT:

A motion to adjourn the meeting at 7:55 PM was offered by Deputy Mayor Jensen. Seconded by Second Deputy Mayor Gelardi.

Roll Call: Gelardi-yes; Mack-yes; Martin-yes; Jensen-yes; Tricarico-yes.

Attested to:

Gail W. McKane, RMC
Township Clerk