



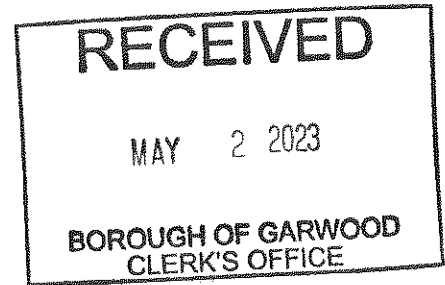
TOWN OF WESTFIELD

MAUREEN LAWSHE, RMC
TOWN CLERK

Via Certified Mail/RR

Date: April 26, 2023

TO: Union County Planning Board
Township of Clark Municipal Clerk
Township of Cranford Municipal Clerk
Borough of Garwood Municipal Clerk ✓
Borough of Mountainside Municipal Clerk
Township of Scotch Plains Municipal Clerk
Township of Springfield Municipal Clerk



FROM: Maureen Lawshe, Town Clerk *M. Lawshe*

RE: GENERAL ORDINANCE NO 2023-17
AN ORDINANCE TO AMEND THE LAND USE ORDINANCE OF THE TOWN OF WESTFIELD IN REGARD TO THE DEFINITION OF BAY WINDOW

GENERAL ORDINANCE NO. 2023-18
AN ORDINANCE TO AMEND THE LAND USE ORDINANCE OF THE TOWN OF WESTFIELD IN REGARD TO THE DEFINITION OF BUILDING EAVE HEIGHT

GENERAL ORDINANCE NO. 2023-19
AN ORDINANCE TO AMEND THE LAND USE ORDINANCE OF THE TOWN OF WESTFIELD IN REGARD TO THE DEFINITION OF SWIMMING POOL

GENERAL ORDINANCE NO 2023-20
AN ORDINANCE TO AMEND THE LAND USE ORDINANCE OF THE TOWN OF WESTFIELD IN REGARD TO CONDITIONAL USES

GENERAL ORDINANCE NO. 2023-21
AN ORDINANCE TO AMEND THE LAND USE ORDINANCE OF THE TOWN OF WESTFIELD IN REGARD TO RETAINING WALLS



425 East Broad Street, Westfield, New Jersey 07090

www.westfieldnj.gov

Telephone: (908) 789-4030, ext. 4032 Email: townclerk@westfieldnj.gov Fax: (908) 928-9316



TOWN OF WESTFIELD

MAUREEN LAWSHE, RMC
TOWN CLERK

CONTINUED

GENERAL ORDINANCE NO. 2023-22
AN ORDINANCE TO AMEND THE LAND USE ORDINANCE OF THE TOWN OF
WESTFIELD IN REGARD TO BUILDING DESIGN STANDARDS

Pursuant to NJSA 40:55D-15, enclosed please find a certified copy of the above referenced ordinances which were approved on first reading by the Westfield Town Council at a Regular Meeting held April 25, 2023. The public hearing is scheduled for May 9, 2023 at 8:00 PM, Council Chambers, Westfield Municipal Building, 425 East Broad Street, Westfield, New Jersey 07090.

Enc.

cc: Don Sammet
Town Planner

James H. Gildea
Town Administrator



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**TOWN OF WESTFIELD
GENERAL ORDINANCE NO. 2023-17**

**AN ORDINANCE TO AMEND THE LAND USE ORDINANCE OF THE TOWN OF
WESTFIELD IN REGARD TO THE DEFINITION OF BAY WINDOW**

BE IT ORDAINED by the Town Council of the Town of Westfield in the County of Union as follows:

SECTION I. The Town Council of the Town of Westfield does hereby find that a recommendation contained within the Master Plan Reexamination Report prepared by H2M Associates and adopted by the Planning Board of the Town of Westfield by Resolution dated January 6, 2020 to redefine the term “bay window” to ensure the definition adequately describes this architectural window feature and doing so will eliminate any “bump-outs” that can result with one window say, under the current definition. The Town Council does hereby further find that the public interest of the Town of Westfield will be served by amending the Land Use Ordinance of the Town of Westfield in the manner set forth herein.

SECTION II. Article 2, Section 2.05 titled “DEFINITIONS; B”, is hereby amended by modifying the existing definition at subsection C for Bay Window, to read as follows:

C. **Bay Window.** A series of windows projecting outward from the main wall of a building and forming a bay or alcove in a room within, usually but not always having a floor.

SECTION III. All ordinances or parts of ordinances in conflict or inconsistent with any part of this ordinance are hereby repealed to the extent that they are in conflict or inconsistent.

SECTION IV. In the event that any section, provision, or part of provision of this ordinance shall be held to be unenforceable or invalid by any court, such holding shall not affect the validity of this ordinance as a whole, or any part thereof, other than the part so held unenforceable or invalid.

SECTION V. This ordinance shall take effect after passage and publication in the manner provided by law.

STATE OF NEW JERSEY)

: ss.

COUNTY OF UNION)

I, Maureen Lawshe, Municipal Clerk of the Town of Westfield, in the County of Union, in the State of New Jersey, DO HEREBY CERTIFY that the foregoing is a true copy of General Ordinance No. 2023-17 that was introduced and approved on first reading by the Town Council of the Town of Westfield, in the County of Union, at a Regular Meeting held on APRIL 25, 2023, and is scheduled for a public hearing to be held on May 9, 2023.

IN WITNESS WHEREOF, I have hereunto set my hand and have affixed the corporate seal of
said Town of Westfield, this 25th day of April 2023.

M. Lawshe

Maureen Lawshe, RMC
Municipal Clerk
Town of Westfield
County of Union

(SEAL)

**TOWN OF WESTFIELD
GENERAL ORDINANCE NO. 2023-18**

**AN ORDINANCE TO AMEND THE LAND USE ORDINANCE OF THE TOWN OF
WESTFIELD IN REGARD TO THE DEFINITION OF BUILDING EAVE HEIGHT**

BE IT ORDAINED by the Town Council of the Town of Westfield in the County of Union as follows:

SECTION I. The Town Council of the Town of Westfield does hereby find that a recommendation contained within the Master Plan Reexamination Report prepared by H2M Associates and adopted by the Planning Board of the Town of Westfield by Resolution dated January 6, 2020 to redefine the term “building eave height” as while “building eave height” was added as a definition of the Land Use Ordinance in 2009, in response to an issue identified in the previous Master Plan Reexamination document, the definition should once again be revisited. Since 2009, builders and architects are proposing wider, shed style dormers. Due to the current definition and this recent trend, measuring eave height can be circumvented. The ordinance should be revised to codify the current “rule of thumb”, to measure the height of the eave on the shed dormer, if the shed dormer extends for 50% or greater of the width of the roof structure. The Town Council does hereby further find that the public interest of the Town of Westfield will be served by amending the Land Use Ordinance of the Town of Westfield in the manner set forth herein.

SECTION II. Article 2, Section 2.05 titled “DEFINITIONS; B”, is hereby amended by modifying the existing definition at subsection L for Building eave height, to read as follows:

L. **Building eave height.** The vertical distance from the grade plane to the lowest point of a roof for gable, hip, gambrel, mansard, and flat roof types. The grade plan representing the average of finished ground level adjoining the building at all exterior walls. If a dormer or combination of dormers extends for 50% or greater of the width of the roof structure, building eave height shall be measured to the eave(s) of the dormer(s).

SECTION III. All ordinances or parts of ordinances in conflict or inconsistent with any part of this ordinance are hereby repealed to the extent that they are in conflict or inconsistent.

SECTION IV. In the event that any section, provision, or part of provision of this ordinance shall be held to be unenforceable or invalid by any court, such holding shall not affect the validity of this ordinance as a whole, or any part thereof, other than the part so held unenforceable or invalid.

SECTION V. This ordinance shall take effect after passage and publication in the manner provided by law.

STATE OF NEW JERSEY)

: ss.

COUNTY OF UNION)

I, Maureen Lawshe, Municipal Clerk of the Town of Westfield, in the County of Union, in the State of New Jersey, DO HEREBY CERTIFY that the foregoing is a true copy of General Ordinance No. 2023-18 that was introduced and approved on first reading by the Town Council of the Town of Westfield, in the County of Union, at a Regular Meeting held on APRIL 25, 2023, and is scheduled for a public hearing to be held on May 9, 2023.

IN WITNESS WHEREOF, I have hereunto set my hand and have affixed the corporate seal of said Town of Westfield, this 25th day of April 2023.

M. Lawshe

Maureen Lawshe, RMC
Municipal Clerk
Town of Westfield
County of Union

(SEAL)

**TOWN OF WESTFIELD
GENERAL ORDINANCE NO. 2023-19**

**AN ORDINANCE TO AMEND THE LAND USE ORDINANCE OF THE TOWN OF
WESTFIELD IN REGARD TO THE DEFINITION OF SWIMMING POOL**

BE IT ORDAINED by the Town Council of the Town of Westfield in the County of Union as follows:

SECTION I. The Town Council of the Town of Westfield does hereby find that a recommendation contained within the Master Plan Reexamination Report prepared by H2M Associates and adopted by the Planning Board of the Town of Westfield by Resolution dated January 6, 2020 to amend the definition of a “swimming pool” to remove reference to a minimum size, to ensure smaller swimming pools still adhere to the intended setback requirement and to include in the definition that “wading” can be an intended recreational use of a swimming pool. The Town Council does hereby further find that the public interest of the Town of Westfield will be served by amending the Land Use Ordinance of the Town of Westfield in the manner set forth herein.

SECTION II. Article 2, Section 2.16 titled “DEFINITIONS; S”, is hereby amended by modifying the existing definition at subsection J for Swimming Pool, to read as follows:

J. **Swimming Pool.** A structure located either above ground or below ground, and inside or outside of a building and designed for recreational use for swimming, diving, wading, or other aquatic sports and recreation.

SECTION III. Article 13, Section 13.02D5 is hereby amended by removing the existing exclusion for wading pools from swimming pool regulations, to read as follows:

7. Exclusions. Hot tubs, landscape pools and fish pools are not swimming pools and are not required to meet the specific requirements of this subsection, but are considered to be accessory uses and must meet all other applicable requirements of this article.

SECTION IV. All ordinances or parts of ordinances in conflict or inconsistent with any part of this ordinance are hereby repealed to the extent that they are in conflict or inconsistent.

SECTION V. In the event that any section, provision, or part of provision of this ordinance shall be held to be unenforceable or invalid by any court, such holding shall not affect the validity of this ordinance as a whole, or any part thereof, other than the part so held unenforceable or invalid.

SECTION VI. This ordinance shall take effect after passage and publication in the manner provided by law.

STATE OF NEW JERSEY)

: ss.

COUNTY OF UNION)

I, Maureen Lawshe, Municipal Clerk of the Town of Westfield, in the County of Union, in the State of New Jersey, DO HEREBY CERTIFY that the foregoing is a true copy of General Ordinance No. 2023-19 that was introduced and approved on first reading by the Town Council of the Town of Westfield, in the County of Union, at a Regular Meeting held on APRIL 25, 2023, and is scheduled for a public hearing to be held on May 9, 2023.

IN WITNESS WHEREOF, I have hereunto set my hand and have affixed the corporate seal of said Town of Westfield, this 25th day of April 2023.

M. Lawshe

Maureen Lawshe, RMC
Municipal Clerk
Town of Westfield
County of Union

(SEAL)

**TOWN OF WESTFIELD
WESTFIELD, NEW JERSEY
GENERAL ORDINANCE NO. 2023-20**

**AN ORDINANCE TO AMEND THE LAND USE ORDINANCE OF THE TOWN OF
WESTFIELD IN REGARD TO CONDITIONAL USES**

BE IT ORDAINED by the Town Council of the Town of Westfield in the County of Union as follows:

SECTION I. The Town Council of the Town of Westfield does hereby find that a recommendation contained within the Master Plan Reexamination Report prepared by H2M Associates and adopted by the Planning Board of the Town of Westfield by Resolution dated January 6, 2020 to remove a provision in the Town Land Use Ordinance which prohibits a conditional use and non-conditional use on the same lot. This causes conflict when conditional uses are located in mixed-use buildings. The Town Council does hereby further find that the public interest of the Town of Westfield will be served by amending the Land Use Ordinance of the Town of Westfield in the manner set forth herein.

SECTION II. Article 18, Subsection 18.04F, titled “Conditional use and non-conditional use on the same lot.”, is hereby deleted in its entirety.

SECTION III. All ordinances or parts of ordinances in conflict or inconsistent with any part of this ordinance are hereby repealed to the extent that they are in conflict or inconsistent.

SECTION IV. In the event that any section, provision, or part of provision of this ordinance shall be held to be unenforceable or invalid by any court, such holding shall not affect the validity of this ordinance as a whole, or any part thereof, other than the part so held unenforceable or invalid.

SECTION V. This ordinance shall take effect after passage and publication in the manner provided by law.

STATE OF NEW JERSEY)

: ss.

COUNTY OF UNION)

I, Maureen Lawshe, Municipal Clerk of the Town of Westfield, in the County of Union, in the State of New Jersey, DO HEREBY CERTIFY that the foregoing is a true copy of General Ordinance No. 2023-20 that was introduced and approved on first reading by the Town Council of the Town of Westfield, in the County of Union, at a Regular Meeting held on APRIL 25, 2023, and is scheduled for a public hearing to be held on May 9, 2023.

IN WITNESS WHEREOF, I have hereunto set my hand and have affixed the corporate seal of
said Town of Westfield, this 25th day of April 2023.

M. Lawshe

Maureen Lawshe, RMC
Municipal Clerk
Town of Westfield
County of Union

(SEAL)

**TOWN OF WESTFIELD
GENERAL ORDINANCE NO. 2023-21**

**AN ORDINANCE TO AMEND THE LAND USE ORDINANCE OF THE TOWN OF
WESTFIELD IN REGARD TO RETAINING WALLS**

BE IT ORDAINED by the Town Council of the Town of Westfield in the County of Union as follows:

SECTION I. The Town Council of the Town of Westfield does hereby find that a recommendation contained within the Master Plan Reexamination Report prepared by H2M Associates and adopted by the Planning Board of the Town of Westfield by Resolution dated January 6, 2020 to set a distance or measurement from which how far a restraining device on top of a retaining wall must be set back from the top of the retaining wall before it is no longer considered part of the retaining wall, would codify how the present ordinance is enforced. By way of practice, the Town Zoning Officer has historically not considered a restraining device on top of a retaining wall part of the retaining wall when the restraining device is not affixed to, or directly on top of, the retaining wall itself. The Town Council does hereby further find that the public interest of the Town of Westfield will be served by amending the Land Use Ordinance of the Town of Westfield in the manner set forth herein.

SECTION II. Article 12, Section 12.08 titled “RETAINING WALLS”, is hereby amended by modifying the existing language at subsection C., to read as follows:

- C. Retaining walls shall not exceed four (4) feet in height. In the event a guard rail or other restraining device is provided at the top of the wall, the wall height shall be measured to the top of said restraining device, except when the restraining device is not affixed to, or directly on top of, the retaining wall itself. For purposes of administering this subsection, terraced retaining walls involving more than one (1) section of wall above or below each other shall be construed as one (1) wall unless the base of the upper wall is separated from the face of the lower wall by at least four (4) feet, measured horizontally.

SECTION III. All ordinances or parts of ordinances in conflict or inconsistent with any part of this ordinance are hereby repealed to the extent that they are in conflict or inconsistent.

SECTION IV. In the event that any section, provision, or part of provision of this ordinance shall be held to be unenforceable or invalid by any court, such holding shall not affect the validity of this ordinance as a whole, or any part thereof, other than the part so held unenforceable or invalid.

SECTION V. This ordinance shall take effect after passage and publication in the manner provided by law.

STATE OF NEW JERSEY)

: ss.

COUNTY OF UNION)

I, Maureen Lawshe, Municipal Clerk of the Town of Westfield, in the County of Union, in the State of New Jersey, DO HEREBY CERTIFY that the foregoing is a true copy of General Ordinance No. 2023-21 that was introduced and approved on first reading by the Town Council of the Town of Westfield, in the County of Union, at a Regular Meeting held on APRIL 25, 2023, and is scheduled for a public hearing to be held on May 9, 2023.

IN WITNESS WHEREOF, I have hereunto set my hand and have affixed the corporate seal of said Town of Westfield, this 25th day of April 2023.

M. Lawshe

Maureen Lawshe, RMC
Municipal Clerk
Town of Westfield
County of Union

(SEAL)

**TOWN OF WESTFIELD
GENERAL ORDINANCE NO. 2023-22**

**AN ORDINANCE TO AMEND THE LAND USE ORDINANCE OF THE TOWN OF
WESTFIELD IN REGARD TO BUILDING DESIGN STANDARDS**

WHEREAS, The Town Council of the Town of Westfield does hereby find that recommendations contained within the Unified Land Use and Circulation Element of the Town Master Plan prepared by H2M Associates and adopted by the Planning Board of the Town of Westfield by Resolution dated July 7, 2021 to amend the Land Use Ordinance of the Town of Westfield, are necessary to bring the Land Use Ordinance of the Town of Westfield into conformity with the Town Master Plan;

WHEREAS, The Unified Land Use and Circulation Element of the Town Master Plan recommends that the Town encourage design standards that require building articulation to provide visual interest and discourage monotony and that design standards for residential zones be addressed;

WHEREAS, Striking dissimilarity, visual discord, as well as excessive uniformity or monotonous similarity in the exterior appearance of structures erected in the Town of Westfield can affect the desirability of a community by marring its appearance and thereby impairing its visual character.

WHEREAS, It is the purpose of this amendment to prevent this effect and thus to promote the public health, safety, morals and general welfare of the community and, promote a desirable visual environment through creative development techniques and good civic design and arrangement.

WHEREAS, The Town Council does hereby further find that the public interest of the Town of Westfield will be served by amending the Land Use Ordinance of the Town of Westfield in the manner set forth herein.

THEREFORE, BE IT ORDAINED by the Town Council of the Town of Westfield in the County of Union that Article 10, Section 10.15 titled "Buildings", subsection A titled "General" is hereby deleted in its entirety and replaced with the following:

§ 10.15. BUILDING DESIGN STANDARDS.

Striking dissimilarity, visual discord, as well as excessive uniformity or monotonous similarity in the exterior appearance of structures erected in the Town of Westfield can affect the desirability of a community by marring its appearance and thereby impairing its visual character. It is the purpose of this section to prevent this effect and thus to promote the public health, safety, morals and general welfare of the community; and, promote a desirable visual environment through creative development techniques and good civic design and arrangement.

Each site plan shall provide for the following:

A. General.

1. All exterior walls of a building shall be designed to be consistent in architectural style, materials, and details.
2. HVAC systems and satellite dishes and telecommunications equipment shall be screened from the public view and from adjacent properties by the use of walls, fencing or landscaping. If such elements are located on the rooftop, they shall be screened from public view with an architectural feature compatible in design with the style, materials, colors and details found on the building.
3. Transparent windows shall be provided. The use of mirror or reflective glass is not permitted.
4. Existing window and door openings on a façade may not be filled in unless the finished materials and their color are made to match immediately adjacent finishes and color.
5. The use of exposed concrete block is prohibited, unless the same is textured.
6. All exterior walls are to be constructed of durable materials such as brick, stone and cast stone, glass, pre-cast concrete, pretreated wood, and other materials as approved by the reviewing board.

B. Single-Family Residential Uses in Attached Single-Family Residential Structures (Townhouses)

1. Architectural Style. The overall development shall have a consistent architectural style. All exterior walls of a building shall be designed to be consistent in architectural style, materials, and details.

2. Orientation. The principal faces or front elevations and primary entrances of a building shall be oriented to the street upon which the structure is located. Primary entrances shall be emphasized through the use of distinctive architectural treatments.

C. Multifamily Dwellings

1. **Architectural Style.** The overall development shall have a consistent architectural style. All exterior walls of a building shall be designed to be consistent in architectural style, materials, and details.
2. **Orientation.** The principal face or front elevation and primary entrance of a building shall be oriented to the street upon which the structure is located. Primary entrances shall be emphasized through the use of distinctive architectural treatments. The primary building orientation shall not be toward a parking lot or parking structure. In situations where this is not possible, such as when there are multiple principal buildings on a lot, each building shall have a primary front entrance. Primary entrances shall be emphasized through the use of distinctive architectural treatments.
3. **Articulation.** Buildings shall avoid long, monotonous uninterrupted walls. Architectural design shall provide visual interest and variety to relieve the visual effect of a simple, long wall.
 - a. **Vertical Articulation.** Each building facade facing a public street must have elements of vertical articulation examples of which include columns, piers, recessed windows or entry designs, overhangs, ornamental projection of the moulding, different exterior materials or wall colors, fenestration changes, or recessed or projected portions of the main surface of the wall itself.
 - b. **Horizontal Articulation.** Each building facade facing a public street must have elements of horizontal articulation examples of which include changes in materials corresponding to changes in facade planes, fenestration changes, recessed or projected portions of the main surface of the wall itself, stepbacks of upper stories from the floor below, and changes in the roofline.
4. **Roofs.** The top floor of all buildings must be capped by a cornice or sloping roof element. Flat roofs shall be enclosed with by parapets or similar architectural feature.
5. **Maximum Continuous Wall Length.** Unless a different requirement exists within the bulk standards for a zone or overlay zone district in which a property is located, the longest horizontal dimension of any continuous exterior wall of a building shall not be greater than fifty (50) feet. For the purpose of administering this provision, any exterior wall that is offset for a depth of four (4) feet or greater shall be construed as a separate wall.

6. **Lots with multiple principal buildings.** A lot with multiple principal buildings shall be organized around site design features such as courtyards accessible to pedestrians to encourage pedestrian activity and social interaction.

E. Mixed-Non-Residential/Residential Development and Non-Residential Development

1. **Architectural Style.** The overall development shall have a consistent architectural style. All exterior walls of a building shall be designed to be consistent in architectural style, materials, and details. Storefronts and upper floors shall be compatible in design with the overall architectural character of a building.
2. **Orientation.** Buildings shall be oriented with a primary entrance facing at least one(1) adjacent public street. The primary building orientation shall not be toward a parking lot or parking structure. On corner lots, building entrances shall be located at or near the corner. Primary entrances shall be emphasized through the use of distinctive architectural treatments.
3. **Articulation.** Buildings shall avoid long, monotonous uninterrupted walls. Architectural design shall provide visual interest and variety to relive the visual effect of a simple, long wall.
 - a. **Vertical Articulation.** Each building facade facing a public street must have elements of vertical articulation examples of which include columns, piers, recessed windows or entry designs, overhangs, ornamental projection of the moulding, different exterior materials or wall colors, fenestration changes, or recessed or projected portions of the main surface of the wall itself.
 - b. **Horizontal Articulation.** Each facade shall be designed to have a delineated floor line between the street level and upper floors. This delineation may be in the form of a masonry belt course, concrete lintel or a cornice line delineated by wood detailing. Each building facade facing a public street must have elements of horizontal articulation examples of which include changes in materials corresponding to changes in facade planes, fenestration changes, recessed or projected portions of the main surface of the wall itself, stepbacks of upper stories from the floor below, and changes in the roofline.

4. **Roofs.** The top floor of all buildings must be capped by a cornice or sloping roof element. Flat roofs shall be enclosed with by parapets or other acceptable architectural feature.
5. **Facades facing public alleyways.** Facades facing public alleyways shall be treated consistent with the primary front building façade facing the public street(s), including such design elements as building articulation, entranceways and storefronts.
6. **Pedestrian Entrances.** The difference between pedestrian entrances for ground floor commercial uses and entrances for upper level commercial or residential uses shall be clearly delineated. This delineation can be accomplished through the use of different building materials, colors, or doorframe designs. Pedestrian entrances shall be emphasized through the use of distinctive architectural treatments.
7. **Security Gates or Doors.** The use of rolling, swinging, sliding or accordion style security gates or doors, whether solid or not solid, shall not be permitted on or in any building so as to be visible from a public street, except that such doors may be used to cover the vehicular entrances to a building.

THEREFORE, BE IT FURTHER ORDAINED by the Town Council of the Town of Westfield in the County of Union that Article 12, Section 12.11 titled "Architectural Design of Buildings" is hereby deleted in its entirety and replaced with the following:

§ 12.11. BUILDING DESIGN STANDARDS FOR SINGLE-FAMILY AND TWO-FAMILY DWELLINGS, AND DUPLEXES.

Striking dissimilarity, visual discord, as well as excessive uniformity or monotonous similarity in the exterior appearance of structures erected in the Town of Westfield can affect the desirability of a community by marring its appearance and thereby impairing its visual character. It is the purpose of this section to prevent this effect and thus to promote the public health, safety, morals and general welfare of the community; and, promote a desirable visual environment through creative development techniques and good civic design and arrangement.

In addition to any other applicable requirements of this ordinance, the following requirements shall apply to the design of detached single-family and two-family dwellings, and duplexes:

- A. **Roofs.** Flat roofs are prohibited on detached single and two-family dwellings, and duplexes, except on lower tier roofs and shall not occupy more than 20% of the dwelling's total roof coverage (not to be interpreted as total roof area). This provision shall not prohibit the reconstruction of flat roofs on existing dwellings.

B. Orientation. The principal face or front elevation and a primary entrance of a building shall be oriented to the street upon which the structure is located.

C. Dormers. The width of any individual dormer or combination of dormers above the second floor of a dwelling shall be limited to a maximum of fifty (50%) percent of the width of the floor below which the dormer or dormers is/are situated measured along the same building facade.

D. Excessive uniformity in design of residential buildings prohibited.

In any new development in which two (2) or more new dwellings are proposed, no dwelling shall hereafter be erected or constructed which shall be like or substantially like any existing neighboring dwelling or any proposed neighboring dwelling for which a building permit has been issued. Apparently identical facades, substantially identical size and arrangement of either doors, windows, porticos, or other openings or breaks in the façade facing the street, including, reverse arrangements; or other significant identical features, such as material, roofline and height, or other design elements are not permitted. For purposes of administering this requirement, the following provisions shall apply:

1. A dwelling shall be deemed to be a "neighboring dwelling" to the subject lot if said dwelling or any part thereof is currently or proposed to be located on any of the following lots:
 - a. any first or second lot in either direction along the same side of the street from the subject lot, without regard to intervening street lines; or
 - b. any lot or portion thereof that has street frontage on the opposite side of the street from the subject lot or on the opposite side of the street from any lot referred to in 1.a above.

2. A dwelling shall be deemed to be "like or substantially like" any neighboring dwelling if it is like such neighboring dwelling in more than three (3) of the following six (6) respects:
 - a. **Height.** Height of the main roof ridge above the elevation of the first floor;
 - b. **Length.** Length of the main roof ridge;
 - c. **Width.** Width between outside walls under the main roof perpendicular to the length thereof;
 - d. **Garage and Porch Location.** In the front elevation, relative location with respect to each other, of the

garage (if attached), porch (if any) and the remainder of the dwelling;

- e. **Window Placement and Design.** In the front elevation, relative location of windows; and
 - f. **Materials.** In the front elevation, materials used in the exterior wall of the dwelling.
 - g. **Entry Details.** In the front elevation, the relative location, size, and trim details of entry doors;
 - h. **Roof Orientation.** Orientation of the roof to the front elevation;
 - i. **Roof style.** The style of roof used on the structure;
 - j. **Projections and Recesses.** In the plane of the front elevation, the use and location of projections and recesses.
3. For paragraphs B.2.a, b, c and d above, dwellings shall be deemed to be like each other if the difference between the respective dimensions of the subject dwellings is less than or equal to six (6) feet.
 4. For paragraph B.2.e above, dwellings shall be deemed to be like each other if the difference between the relative location of windows is less than or equal to two (2) feet.
 5. For paragraph B.2.f above, dwellings shall be deemed to be like each other if the difference between the percentage wall coverage of the subject dwellings by the same material is less than or equal to thirty percent (30%).
 6. For paragraph B.2.g above, dwellings shall be deemed to be like each other if the difference between the relative location of entry doors is less than or equal to 2 feet, or the use of different trim details around the doors such as side or top lights is not present.
 7. For paragraph B.2.h above, dwellings shall be deemed to be like each other if the main roof ridge when compared to the neighboring dwelling, both run parallel the lot frontage or both run perpendicular to the lot frontage.
 8. For paragraph B.2.i above, dwellings shall be considered like each other if the roof style chosen is identical to the neighboring dwelling. Like roof styles on separate dwellings which are rotated ninety (90) degrees to the lot frontage however, shall be considered different. Examples of roof styles include, but are not limited to, gable, hip, gambrel, and mansard.
 9. For paragraph B.2.j above, dwellings shall be deemed to be like each other if relative location of the projections and

recesses on the front elevation of the subject dwellings is less than two (2) feet.

10. Dwellings shall be deemed to be like each other if the only difference in the relative location of elements is an end-to-end or side-to-side reversal of same.

STATE OF NEW JERSEY)

: ss.

COUNTY OF UNION)

I, Maureen Lawshe, Municipal Clerk of the Town of Westfield, in the County of Union, in the State of New Jersey, DO HEREBY CERTIFY that the foregoing is a true copy of General Ordinance No. 2023-22 that was introduced and approved on first reading by the Town Council of the Town of Westfield, in the County of Union, at a Regular Meeting held on APRIL 25, 2023, and is scheduled for a public hearing to be held on May 9, 2023.

IN WITNESS WHEREOF, I have hereunto set my hand and have affixed the corporate seal of said Town of Westfield, this 25th day of April 2023.

M. Lawshe

Maureen Lawshe, RMC
Municipal Clerk
Town of Westfield
County of Union

(SEAL)