

TOWNSHIP OF WALL

2700 Allaire Road

P.O. Box 1168

Wall, New Jersey 07719-1168

Carl Braun, Mayor

Thomas M. Kingman, Deputy Mayor

Timothy J. Farrell

Kevin P. Orender



9/9/2020

(732) 449-8444 Ext. 2200

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WELCOME TO WALL TOWNSHIP'S REMOTE ACCESS TOWNSHIP COMMITTEE MEETING

ACCESS CAN BE ACHIEVED BY PHONE, COMPUTER OR SMART DEVICE

▪ **PHONE ONLY (audio only without the ability to ask questions)**

1. You will hear Township Committee and hear Attendees' questions but NOT be able to participate in the Public Comment portion of the meeting

2. **To enter meeting via Non-Smart Phone do the following:**

United States (Toll Free): [1 877 568 4106](tel:18775684106)

United States: [+1 \(646\) 749-3129](tel:+16467493129)

Access Code: 599-952-757

****Please Note****You will have to re-start the call-in process if you enter a wrong number or the connection is not good.

▪ **SMART DEVICE (i.e. iPhone/ Android etc.)/ COMPUTER (audio and video you will have the ability to ask questions)**

1. You will be able to hear and see the Township Committee and other Attendees and participate in the Public Comment portion of the meeting

2. To join the Meeting via this option, click on the Township Committee's Meeting remote access URL below or copy into your browser: <https://www.gotomeet.me/WallTwp/tc>

3. Please note if you have never used "GoToMeeting" you should download the App in advance, so you are prepared to view, listen and participate in the Township Committee's Meeting. To do so click here:

<https://global.gotomeeting.com/install/599952757>

****Please Note****In the event that your PC does not have a microphone please select the Phone Audio Option and follow the remaining instructions in the "Go to Meeting" App.

▪ **Meeting Guidelines and Participation Rules**

a) We encourage you to join the meeting prior to its start time, you will be placed in a "waiting room" until the meeting starts.

b) You will join muted and must remain muted until you are acknowledged during the Public Comment portion of the Meeting. Only the Meeting Organizer will "unmute/ mute" a participant and/ or attendee.

c) In order to participate in the Public Comment portion of the Meeting you must type a request to the Meeting Organizer via the "Chat" feature in the app. You must state your Name and Address for the record.

d) You will be acknowledged when it is your turn to comment.

e) The "Chat" feature should only be used to indicate your desire to participate in the Public Comment portion of the meeting

f) Please note Public Comments are limited to seven (7) minutes.

****Please Note****In order maintain necessary decorum, violators of the above rules will be disconnected from the meeting.



TOWNSHIP OF WALL
EXECUTIVE MEETING AGENDA
SEPTEMBER 9, 2020

7:00 P.M.
REMOTE MEETING

Please be advised that while Townhall is closed to the public, the Township Committee will be conducting the following workshop meeting by remote access in accordance with the stipulations made by the State of New Jersey. The meeting will be accessible via phone or by computer. Please click the link below for instructions.
<https://www.gotomeet.me/WallTwp/tc>

1. Salute to the Flag and a Moment of Silence

2. Sunshine Statement

In compliance with the "Open Public Meetings Act," Chapter 231, P.L. 1975, adequate notice of this meeting has been provided in the following manner: the annual notice was forwarded to the official township newspapers and was posted in the Wall Township Municipal Building. All notices are on file with the Township Clerk.

3. Roll Call

4. COVID-19 Update

5. For Action / Consent Agenda

Consent Agenda

All items listed on the "Consent Agenda" are considered routine by the Township and will be adopted or approved collectively by a single motion and roll-call vote of a majority of the Township Committee. All items are available for public inspection at this meeting and in the office of the Township Clerk. There will be no separate discussion of these items. If discussion is desired on any item, it will be considered separately. The Mayor asks if any member of the Township Committee wishes to consider any item separately. If not, he/she requests a motion to approve the items listed. **Motion - Second - Roll-Call Vote**

A. **Approval of Minutes:**

o 08/12/2020

B. **Resolution No. 20-0901** - Approval of vouchers for August 27, 2020 through September 9, 2020 in the amount of \$7,742,889.53

C. **Resolution No. 20-0902** - Authorization to approve personnel action(s):

<u>NAME</u>	<u>DEPARTMENT/POSITION</u>	<u>SALARY</u>	<u>EFFECTIVE DATE</u>
Colleen Wisher	Recreation/Facility Supervisor/ Fall Madness HS League	\$20.00/hour	9/8/2020
Joe Fisco	Recreation/Facility Supervisor/ Fall Madness HS League	\$20.00/ hour	9/8/2020
Kathy Van Benthuisen	Recreation/League Coordinator/ Friday Night Recreation League	\$25.00/ hour	9/14/2020
Joe Klish	Recreation/Facility Supervisor/ Friday Night Recreation League	\$25.00/ hour	9/14/2020
Anthony Magliaro	Recreation/Facility Supervisor/ Friday Night Recreation League	\$25.00/ hour	9/14/2020
Doug Teller	Recreation/Facility Supervisor/ Friday Night Recreation League	\$25.00/ hour	9/14/2020
Michael Trilli	Recreation/Scorekeeper/ Both Leagues	\$10.00/ hour	9/8/2020
Max Kaplan	Recreation/Scorekeeper/ Both Leagues	\$10.00/ hour	9/8/2020
Victoria Klish	Recreation/Scorekeeper/ Both Leagues	\$10.00/ hour	9/8/2020

Mia DeGenova	Recreation/Scorekeeper/ Both Leagues	\$10.00/ hour	9/8/2020
Shane Spennato	Recreation/Scorekeeper/ Both Leagues	\$10.00/ hour	9/8/2020
Nick Paterno	Recreation/Scorekeeper/ Both Leagues	\$10.00/ hour	9/8/2020
Ryan Vacacela	Recreation/Scorekeeper/ Both Leagues	\$10.00/ hour	9/8/2020

- D. **Resolution No. 20-0903** - Authorization of a separation payout as a result of the retirement of Kevin Pressey in accordance with Township Ordinance and a Collecting Bargaining Agreement
- E. **Resolution No. 20-0904** - Authorization to execute a contract with Allegiant Wireless to analyze current radio system, operations and requirements for a solution to best accommodate Wall Township Police Department radio communications system at an amount not to exceed \$42,000.00
- F. **Resolution No. 20-0905** – Authorization to request that the New Jersey Department of Transportation (NJDOT) perform an engineering study to make improvements to the traffic signals at the intersection of Route 35 and 18th avenue to include pedestrian crossing

End of Consent Agenda

Motion - Second - Roll Call Vote

6. **Committee Reports:**

A. **Committeeman Kevin Orender: Public Works, Economic Development, Veteran’s Services, Board of Health**

- a. Committee Chair’s Reports:
- b. Items for Discussion:

B. **Committeeman Farrell: Administration and Finance, Education, Environmental**

- a. Committee Chair’s Reports:
- b. Items for Discussion:
 - i. Status report of 2020-2021 liquor license renewals
 - ii. Authorization for Municipal Clerk to advertise for RFP’s for 2021 Professionals

C. **Committeeman Kingman: Recreation, Public Safety**

- a. Committee Chair’s Report:
- b. Items for Discussion:

D. **Mayor Braun: Department of Land Use and Development, West Belmar Gateway**

- a. Committee Chair’s Reports:
- b. Items for Discussion:
 - i. Reminder of the second reading and public hearing of **ORDINANCE NO. 6-2020** AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL, CREATING THE AFFORDABLE HOUSING AH3-ASBURY ROAD ZONE AND AMENDING THE ZONING MAP WITHIN CHAPTER 140 OF THE CODE OF THE TOWNSHIP OF WALL ENTITLED LAND USE AND DEVELOPMENT REGULATIONS TO REZONE BLOCK 913 LOTS 2, 3, AND 15 FROM OR-10 TO AH3
 - ii. Reminder of the second reading and public hearing of **ORDINANCE NO. 7-2020** AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL, CREATING THE AFFORDABLE HOUSING/AGE RESTRICTED AH1-ATLANTIC AVENUE ZONE AND AMENDING THE ZONING MAP WITHIN CHAPTER 140 OF THE CODE OF THE TOWNSHIP OF WALL ENTITLED LAND USE AND DEVELOPMENT REGULATIONS TO REZONE BLOCK 819 LOT 13 FROM OR-5 TO AH1
 - iii. Reminder of the second reading and public hearing of **ORDINANCE NO.8-2020** AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF

WALL, CREATING THE AFFORDABLE HOUSING AH4-DUNROAMIN ROAD ZONE AND AMENDING THE ZONING MAP WITHIN CHAPTER 140 OF THE CODE OF THE TOWNSHIP OF WALL ENTITLED LAND USE AND DEVELOPMENT REGULATIONS TO REZONE BLOCK 942 PORTIONS OF LOTS 79 AND 132 FROM OR-10 TO AH4

7. **Public Comment:** Opportunity for anyone to comment with a limit of seven (7) minutes per speaker

The public comment portion of our meeting is to allow the public to bring to the Committee's attention their concerns or comments. In accordance with N.J.S.A. 10: 4-12(a), the Committee asks the public to limit their comments to seven minutes or less. The Committee will respect the public's time by refraining any comment until the speaker has finished with their allotted time. It should be further noted that the public comment portion of our meeting is not structured as a question and answer session. If a member of the public has questions, they seek answers to, an appointment can be made with the Township Administrator's office during regular business hours. The attorney will regulate the time during the comment portion of our meeting.

8. **Close Public Comment**
Motion – Second - Roll Call Vote

9. **Closing Comments from the Township Committee:**

10. **Resolution No. 20-0906** - Authorization to discuss matters in private session
Motion - Second – Roll Call Vote

11. **Return to Public Session and a Motion to Adjourn**
Motion - Second - Voice Vote - All in Favor

Draft

TOWNSHIP OF WALL

ORDINANCE NO. 6-2020

ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL, CREATING THE AFFORDABLE HOUSING AH3-ASBURY ROAD ZONE AND AMENDING THE ZONING MAP WITHIN CHAPTER 140 OF THE CODE OF THE TOWNSHIP OF WALL ENTITLED LAND USE AND DEVELOPMENT REGULATIONS TO REZONE BLOCK 913 LOTS 2, 3, AND 15 FROM OR-10 TO AH3

WHEREAS, the Township of Wall recognizes its constitutional responsibility to provide for the development of affordable housing pursuant to the New Jersey Supreme Court's Mount Laurel decisions; and,

WHEREAS, in an effort to retain its immunity from builder development lawsuits and retain control over affordable housing development, the Township of Wall has recognized its current need to facilitate responsible development; and,

WHEREAS, the Township of Wall expects that in the next several months it will be ordered by the court to provide for a substantial number of affordable units to satisfy Wall Township's third round Mount Laurel obligation; and,

WHEREAS, the Township of Wall recognizes the benefits that will inure to the Township through this project will create not only affordable housing units but will result in a substantial contribution to the Wall Township Affordable Housing Trust Fund; and,

WHEREAS, the Township Committee on December 11, 2011, adopted an official Zoning Map of the Township; and

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Wall that the Affordable Housing AH3-Asbury Road Zone be created and that the Wall Township Zone Map be amended as follows:

Section 1. 140-318 Affordable Housing AH3-Asbury Road Zone

A. Purpose.

The AH3 Zone is intended to provide for the development of townhouse and multifamily housing of which 20% is restricted to occupancy by households of very low, low and moderate income. Affordable dwellings shall be integrated with and indistinguishable in outward appearance from the market-rate housing. There shall be a minimum of 60 affordable family rental dwelling units in the AH3 Zone District.

B. Applicability of standards.

The use, bulk, design and performance standards of the AH3 Zone District shall supersede all other provisions of the Wall Township Land Use Development Ordinance. However, where the regulations and standards of the AH3 are silent, the standards of Land Development Ordinance shall apply.

C. Permitted Uses

a. Principal uses.

i. Townhouses.

ii. Stacked townhouses. A stacked townhouse shall be defined as a structure containing two or more connected dwelling units stacked one dwelling unit above the other, which can include shared floors divided by walls and shared common party walls, with private entrances to each unit.

iii. Apartments.

b. Accessory uses.

- i. Private garages and off-street parking;
- ii. Patios;
- iii. Fences and walls;
- iv. Conservation areas, recreation, open space and public purpose uses;
- v. Stormwater Management and other utilities;
- vi. Structures for maintenance and storage of maintenance equipment;
- vii. Structures for tenant storage;
- viii. Clubhouse, pool, community building, rental/management office, and model;
- ix. Accessory uses on the same lot and customarily incidental to the principal use.

D. Area and Bulk Requirements

a. Tract Requirements.

- i. The maximum number of dwelling units shall be 360;
- ii. The development of the tract shall be limited to the developable area as approved in the March 4, 2010 letter from the New Jersey Department of Environmental Protection (NJDEP), Division of Watershed Management which refers to a concept plan entitled “Boulder Development LLC Concept Plan”, prepared by R. Deboer, PP of French and Parrello Associates, dated January 28, 2010, last revised February 2, 2010 for Block 913 Lots 2, 3 and 15. Development limitations, as it relates to the identified concept plan, for the tract only refer to the developable area (19.9 acres) and does not endorse or require the building and site layout as depicted on the concept plan.
- iii. The minimum setback from a public street right-of-way to any building shall be 25 feet;
- iv. The minimum setback from a public street to off-street parking area shall be 60 feet;
- v. The minimum tract setback from rear and side property lines shall be 50 feet;
- vi. The minimum planted frontage buffer to Asbury Road shall be 25 feet and provided in accordance with Section 140-212.
- vii. The minimum planted tract buffer shall be 25 feet and provided in accordance with Section 140-212.
- viii. Impervious coverage shall not exceed 70% of developable area;
- ix. Building coverage shall not exceed 50% of developable area;

b. Townhouses:

- i. Maximum Height: 45 feet/3 stories
- ii. Rear-Loaded Townhouses:

Minimum distances from front facade to private streets:

- i. Building to sidewalk: 14 feet
- ii. Building to curb: 21 feet
- iii. Minimum distance from garage facade to curb, edge of alley pavement or edge of sidewalk: 20 feet

Minimum distances for side facade (s):

- iv. Building to building: 28 feet
- v. Building to private street: 15 feet

c. Front-Loaded Townhouses:

Minimum distance from front facade to private streets

- i. Building to sidewalk: 20 feet
- ii. Building to curb: 26 feet
- iii. Minimum distance from garage facade to sidewalk: 20 feet

Minimum distance for side facade(s):

- iv. Building to building: 25 feet

- v. Building to private streetline: 18 feet
- c. Apartments
 - i. Maximum Height: 48 feet/ 3 stories
 - ii. Minimum Building setbacks
 - i. Building to building: 25 feet
 - ii. Building to parking area or driveway: 15 feet
 - c. For each apartment, in addition to any storage areas contained within the apartment, there shall be provided 300 cubic feet of storage in a conveniently accessible area in the cellar, basement or ground floor of the building where storage will not constitute a fire hazard and where belongings can be kept locked and separated from the belongings of other occupants.
- d. Accessory office, clubhouse and maintenance buildings shall be limited to one story and 30 feet in height.
- e. Accessory structures except for stormwater management and walking paths shall not be located in the front yard area.
- f. All mechanical equipment and related appurtenances shall be screened from view.
- g. Signs.
 - i. Community Building: The community building may have one identification sign which may include the street address.
 - ii. Monument signs: one single-sided interior monument sign may be provided at each road entrance from a public road, as set forth below:
 - i. Sign, Monument: A sign in which the entire bottom is in contact with the ground, utilizing a base or structural frame of stone, brick, or other material that is harmonious in architectural style and material to the existing principal building(s) on site.
 - ii. Maximum sign face area: 50 square feet.
 - iii. Maximum sign height: 7 feet.
 - iv. Minimum setback: 5 feet from the front, side, and rear property lines.
 - v. Structural frame shall project perpendicular from a sign face by no more than six (6) inches and parallel by no more than eighteen (18) inches
 - c. Directional Signs: Up to two directional signs shall be allowed on each street or driveway frontage from which vehicular access is derived. A directional sign shall not exceed six square feet in sign area and shall not exceed six feet in height. A directional sign shall be set back from any lot line by at least three feet.
 - d. Residential Building Identification: Each residential building may have up to two attached identification signs. The maximum sign area of each shall not exceed six square feet. Such signs shall be appropriately integrated within the architecture of the buildings.
 - e. Signs may only be externally illuminated by ground lights directed at the sign and in compliance with section 140-213 (Lighting).

E. Development Requirements

- a. Community design
 - i. Streets that are not through streets through the development, and all infrastructure within those streets, shall be privately owned and maintained.
 - ii. All public and private streets, alleys, and driveways shall demonstrate adequate access and circulation of the most restrictive Wall Township fire apparatus, taking in consideration parking spaces.
 - iii. No refuse container or trash or recycling collection area shall be located closer than 50 feet from any residential unit.

- iv. Street trees shall be planted an average of 45 feet on center along the entirety of the public and private frontages, except for frontages on lanes or alleys and except in front of front-loaded townhouses.
 - v. All streets and roads within the tract shall be private streets and shall be maintained by the body responsible for common areas unless otherwise determined by resolution of the Township Committee. Rights of access and enforcement shall be formally granted to the Township upon written request by the body responsible for common areas and upon the adoption of a resolution of the Township Committee authorizing the enforcement of the provisions of Subtitle 1 of Title 39 on the subject property.
 - vi. Pedestrian walkways connecting streets and the dwellings shall be provided.
- b. Open Space and Recreation Standards
- i. Open space and recreational amenities shall be provided, and shall include at a minimum:
 - i. Children's play area, with appropriate amenities approved by the Board;
 - ii. Community building, which may include, but is not limited to, a clubhouse, leasing office, and model, of which a minimum of 4,000 square feet shall be devoted to recreational uses for the residents;
 - iii. In-ground pool with a deck area for seating;
 - iv. Central open space for passive uses; and
 - v. Walking trail
 - b. Common open space, recreational or other facilities shall be owned, operated and maintained as such by an association comprised of all the owners of the individual units and/or a property management company for the apartment buildings.
- c. Parking Requirements
- i. Townhouses
 - i. Townhouses shall be provided with the number of parking spaces pursuant to R.S.I.S. standards.
 - ii. Every Townhouse shall have at least one enclosed garage measuring a minimum of 12 feet wide and 270 square feet.
 - b Apartments
 - i. Apartments shall be provided with the number of parking spaces pursuant to R.S.I.S. standards.
- d. Utilities
- i. All utilities shall be installed underground by the developer.
 - ii. All dwelling units shall be served by public water and sanitary sewer systems. The developer shall pay the cost of connection and transmission facilities necessary to connect to the sewer and water systems servicing the development.
- e. Garbage, refuse, leaf and brush collection, removal of snow ice and other obstructions from internal roads and streets and lighting of roads and streets shall be provided and maintained by the body responsible for internal private streets and other common facilities. Reimbursement to the owner shall be governed by the Qualified Private Communities Statute (N.J.S.A. 40:67-23.3).
- f. Streets, roads, driveways, parking facilities, walkways, streetlights, fire hydrants, drainage facilities and other improvements required by this chapter or appropriate or necessary to the development shall be installed at the expense of the developer in accordance with the specifications of this chapter except as modified herein:

- i. Drainage maintenance in privately maintained streets shall be the responsibility of the developer and his successors in title.

F. Design Standards. Deviations from these standards shall be considered exceptions pursuant to N.J.S.A. 40:55D-51.

- 1) Building Design. The purpose of these building design standards is to ensure that the design of townhouse and apartment buildings promotes a desirable visual and spatial environment.
 - a. Townhouses.
 - i. Townhouses shall be designed with a unified architectural scheme.
 - ii. Each building shall contain, at a minimum, one end unit model and one interior model. Each base model type home in any block shall have at least two alternative front elevations containing different design features, including, but not limited to, porches, porticos, columns, dormers, accent windows or door color.
 - iii. Materials shall be unified among all townhouses.
 - iv. For alley-loaded townhouses, the finished first floor shall be a minimum of 18 inches above the front sidewalk elevation, and the front sidewalk shall rise no more than 16 inches at the sidewalk and 60 inches at the stoop.
 - v. A fence, wall, plantings or some other element shall be provided to delineate the sidewalk from the front yard
 - b. Apartments.
 - i. Facades.
 - a) Building facade length shall not exceed 150 feet.
 - b) The front facade of any structure shall not continue the same plane for a distance of more than the width of two horizontally adjacent units. Offsets between front facade planes shall not be less than two feet for no more than 20 feet.
 - ii. Roofs.
 - a) Roofs shall be pitched with a minimum slope of 5/12.
 - b) When buildings are greater than 9,000 square feet, and where a fully pitched roof throughout would not be practical, a sloped perimeter roof with a slope of 5/12 or greater shall be permitted in coordination with a flat roof, provided that the appearance is that of a full roof. The primary roofing materials shall be standing seam metal or dimensional shingles.
 - c) All buildings shall provide architectural elements such as wall articulations and roofline variations. Box-like building shapes that offer minimal articulation of the walls and roofline shall be prohibited
- 2) Lighting. The lighting plan shall comply with all applicable ordinance requirements, as well as the following standards:
 - a. All outdoor lighting shall be aimed, located, designed, fitted and maintained so as not to present a disabling glare hazard to drivers or a nuisance to neighboring properties. Glare shall be controlled through the use of cutoff fixtures, the appropriate application of mounting height, wattage, aiming, fixture placement, and fixture design, etc. and the addition of shields and baffles as necessary.
 - b. LED lights shall not exceed 3500 degrees Kelvin.
 - c. Applicants shall use fixtures to complement the building architecture. Pole-mounted lights shall be a maximum of 20 feet tall. Floodlights and spotlights shall not be permitted.

- d. Lighting shall be controlled by automatic switching devices, such as timers, motion detectors, and/or photocells, to extinguish potentially offending, nonessential light sources overnight, to minimize glare and sky-lighting consequences.

G. Affordable Housing.

- a. At least twenty percent (20%) of the dwelling units shall be affordable to very low, low and moderate income households in accordance with UHAC regulations.
- b. A minimum of 60 affordable family rental units shall be provided.
- c. The affordable housing units shall comply in every respect with the affordable housing requirements of the New Jersey Council on Affordable Housing, or any successor or replacement agency; the New Jersey Housing Mortgage and Finance Agency, or any successor or replacement entity; and the New Jersey courts, as such requirements exist at the time of final development approval.
- d. Affordable housing units shall not be age restricted.

Section 2. Zone Map The Official Zoning Map the Township of Wall dated July 14, 2011, be and the same is hereby amended to change the zoning designation of the following Block and Lot as indicated:

Block	Lots	July 14, 2011 Zoning Map	New Zoning Designation
913	2, 3, & 15	OR-10	AH-3 *
(Located at 5201 and 5115 Asbury Road).			
*If permitted by the Developer's Agreement.			

Section 3. All ordinances, or parts thereof, inconsistent with the provisions of this ordinance be and the same are hereby repealed to the extent of such inconsistency.

Section 4. Should any section, paragraph, clause of other portion of this Ordinance be adjudged by a Court of competent jurisdiction to be invalid, such judgement shall not affect or impair the remainder of this Ordinance.

Section 5. This Ordinance shall effect upon its passage and publication according to law, and upon filing of a certified copy thereof with the Monmouth County Planning Board.

Introduced on: _____

Adopted: _____

Attest: _____
 Roberta Lang, CMR, RMC
 Township Clerk

Approve: _____
 Carl Braun
 Mayor

TOWNSHIP OF WALL

ORDINANCE NO. 7-2020

ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL, CREATING THE AFFORDABLE HOUSING/AGE RESTRICTED AH1-ATLANTIC AVENUE ZONE AND AMENDING THE ZONING MAP WITHIN CHAPTER 140 OF THE CODE OF THE TOWNSHIP OF WALL ENTITLED LAND USE AND DEVELOPMENT REGULATIONS TO REZONE BLOCK 819 LOT 13 FROM OR-5 TO AH1

WHEREAS, the Township of Wall recognizes its constitutional responsibility to provide for the development of affordable housing pursuant to the New Jersey Supreme Court's Mount Laurel decisions; and,

WHEREAS, in an effort to retain its immunity from builder development lawsuits and retain control over affordable housing development, the Township of Wall has recognized its current need to facilitate responsible development; and,

WHEREAS, the Township of Wall expects that in the next several months it will be ordered by the court to provide for a substantial number of affordable units to satisfy Wall Township's third round Mount Laurel obligation; and,

WHEREAS, the Township of Wall recognizes the benefits that will inure to the Township through this project will create not only affordable housing units but will result in a substantial contribution to the Wall Township Affordable Housing Trust Fund; and,

WHEREAS, the Township Committee on December 11, 2011, adopted an official Zoning Map of the Township; and

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Wall that the Affordable Housing/Age Restricted (AH1-Atlantic Avenue) Zone be created and that the Wall Township Zone Map be amended as follows:

Section 1. 140-316 Affordable Housing/Age Restricted (AH1-Atlantic Avenue) Zone

- A.** Purpose. The purpose of this zone is to allow for a multi-family project of age restricted residential uses that partially addresses the Township's affordable housing obligation. The developer's agreement shall govern the nature of the age-restricted multifamily project to be constructed by the developer, and require a 20% (twenty percent) set-aside for affordable housing providing for a minimum of ten (10) affordable units. These units shall be either all rental or all for sale. The Planning Board shall make compliance with such developer's agreement a condition of any approval it may grant for a development in the AH1-Atlantic Avenue Zone.
- B.** Permitted principal uses. In the AH1-Atlantic Avenue, no premises shall be used and no structure shall be erected, altered or occupied for any purposes except the following:
 - 1) Multifamily dwellings.
- C.** Permitted accessory uses.
 - 1) Enumeration of permitted accessory uses and structures.
 - a. Common parking areas.
 - b. Garage parking facilities under multifamily dwellings.
 - c. Common private recreational facilities, structures, and open space.
 - d. Common maintenance and trash facilities.
 - e. All provisions of the Wall Township sign regulations contained in Article XXIX shall apply except that one monument style sign identifying the name of the development, as defined below, is permitted.

- a) Sign, Monument: A sign in which the entire bottom is in contact with the ground, utilizing a base or structural frame of stone, brick, or other material that is harmonious in architectural style and material to the existing principal building(s) on site.
 - b) Maximum sign face area: 50 square feet.
 - c) Maximum sign height: 7 feet.
 - d) Minimum setback: 5 feet from the front, side, and rear property lines.
 - e) Structural frame shall project perpendicular from a sign face by no more than six (6) inches and parallel by no more than eighteen (18) inches.
 - f) Signs may only be externally illuminated by ground lights directed at the sign and in compliance with section 140-213 (Lighting).
 - f. Such other uses and structures that are customary and incidental to the principal use as may be permitted by the approving authority. All structures accessory to individual dwelling units shall be attached to the dwelling unit, to which they are an accessory.
 - g. Temporary sales/rental trailer, the location to be shown on the approved site plan, which shall be removed after 90% of the dwelling units have received a Certificate of Occupancy.
 - h. One rental management office located within one of the residential buildings.
- D.** Compliance with site plan standards, subdivision standards and regulations. Unless provided to the contrary herein, applications for developments in the AH1-Atlantic Avenue Zone shall follow and be subject to the applicable procedures, regulations, standards and guidelines as required for preliminary and final site plan and/or subdivision review of this Chapter and other applicable ordinances which are incorporated herein by reference.
- E.** Maximum regulations. Development in the AH1-Atlantic Avenue Zone shall be subject to the following maximum regulations:
- 1) Density. The gross density of the overall tract shall be no more than 12.5 dwelling units per acre not to exceed 50 (fifty) units, prior to any dedications of land to public entities.
 - 2) Impervious surfaces. The maximum total impervious surface shall not exceed 65% (sixty-five percent) of the developable area of the tract.
 - 3) The maximum total lot coverage by buildings shall be 30% (thirty percent) of the developable area of the tract.
 - 4) Residential units per building. The maximum number of units per building in multifamily residential buildings shall be 12 (twelve).
 - 5) Principal building length. The maximum principal building length for both multifamily and townhouse buildings shall be 120 (one hundred and twenty) feet.
 - 6) Building height.
 - a. Each multifamily building shall be a maximum of three (3) stories and 40 (forty) feet.
 - b. Accessory maintenance building shall be limited to 1 (one) story and 20 (twenty) feet in height.
 - c. Building height shall be measured as set forth in section 140-17, "Definitions," of this chapter.
 - 7) Bedroom distribution. Affordable units shall have either one, two, or three-bedroom units.
- F.** Minimum regulations. Developments in the AH1 - Atlantic Avenue Zone shall be subject to the following minimum regulations:
- 1) Overall tract requirements,
 - a. Min. Lot Area: 4 (four) acres

- b. Min. Lot Width 200 (two hundred) feet
 - c. Min. Lot Frontage: 200 (two hundred) feet
 - d. Min. Lot Depth 800 (eight hundred) feet
 - e. Min. Building Setback from Internal Lot Lines: 0 (zero) feet
 - f. Min. Principal Building Setback from External Tract Line:
 - i. Front Yard: 100 (one hundred) feet
 - ii. Side Yard: 40 (forty) feet
 - iii. Rear Yard: 80 (eighty) feet
 - g. Min. Distance between Structures: 35 (thirty-five) feet
 - h. Min. Principal Building Setback from Internal Roads: 10 (ten) feet except for direct garage access.
 - i. Min. Principal Building Setback from Internal Parking Area: 10 (ten) feet.
- 2) Dwelling unit width. No multifamily dwelling shall be less than 15 (fifteen) feet in width.
 - 3) Dwelling unit characteristics. Each dwelling unit shall contain, at a minimum, a separate bedroom, a separate bathroom and a kitchen which shall be located separate and apart from other rooms except that a combined living room and kitchen area shall be permitted. The mix of dwelling units shall be in conformance with this Chapter.
 - 4) Dwelling unit size.
 - a. Multifamily dwelling units shall have a minimum of 750 (seven hundred fifty) square feet of habitable area.
 - 5) Dwelling unit storage. No dwelling unit shall contain less than 250 (two hundred fifty) cubic feet of storage space, which may be within garages, basements, cellars or a separate storage building, and which shall be in addition to bedroom closet space provided with the unit. If within garages, a rectangle of not less than 9 (nine) feet by 18 (eighteen) feet shall remain clear for parking vehicles.
 - 6) Open space and recreation areas. The applicant shall provide a minimum of two (2) of the following recreational amenities:
 - a. Open lawn play area(s) with a minimum combined square footage of 1,000 (one thousand) square feet.
 - b. Picnic/barbecue area(s).
 - c. Bicycle parking.
 - d. A bocce court, community garden, or other related recreational amenities as approved by the Board.
 - 7) Buffer and landscape areas.
 - a. Buffer location.
 - i. A minimum combined yard landscape buffer of fifteen (15) feet, with no less than five (5) feet on each side shall be permanently maintained along the side property lines.
 - ii. A minimum twenty-five (25) foot buffer along the rear property line shall be maintained.
 - b. Buffer areas shall consist of lawn area and/or massed evergreen and deciduous trees and shrubs planted and fencing designed and constructed in such a manner that will provide a continuous visual screen throughout the entire year within a period of two full growing seasons following the planting of the buffer. Evergreen coniferous trees shall have a minimum height of 6 (six) feet when planted. Deciduous trees shall have a minimum caliper of 2 ½ (two and a half) inches when planted. All plant material shall conform to the current American Standard for Nursery Stock sponsored by the American Association of Nurseryman, Inc. Any buffer area less than 15 (fifteen feet in depth shall also include a minimum 6 (six) foot high solid decorative fence,

except that said fence shall not exceed 4 (four feet) in height in any front yard or front yard setback.

- c. Use of buffer, areas. Required buffers shall be used for no other purpose than as a buffer and as part of the required open space of the tract. The only structures which may be erected within a buffer area are fences as elsewhere regulated in Part 4, of the Land Use and Development Regulations retaining walls, stormwater basins, and walkways or driveways providing direct access onto adjacent property, unless otherwise permitted by the approving authority. Perimeter driveways/walkways or driveways/walkways accessing a collector or arterial road shall not be permitted within a required buffer area.
- d. Wooded areas. Where an area required for a buffer is already wooded, it shall be left in its natural state to the maximum extent feasible, and the existing growth shall be supplemented with additional plant material where necessary as required by the approving authority.
- e. The proposed tree clearing grading and landscape plan shall respect and complement the existing topographic feature of the site where practical.
- f. All mechanical equipment, trash enclosures, and related accessory structures shall be screened from view.

G. Other regulations. Developments in the AH1-Atlantic Avenue Zone shall be subject to the following regulations, requirements and standards:

- 1) All utilities shall be installed underground by the developer.
- 2) All dwelling units shall be served by public water and sanitary sewer systems. The developer shall pay the cost of connection and transmission facilities necessary to connect to the sewer and water systems servicing the development
- 3) Garbage, refuse storage and recyclable collection areas suitable for containerized collection shall be provided. Such areas shall be screened from view and shall otherwise comply with section 140-164 and Article XXXV of the Land Use and Development Regulations except that outdoor storage areas for solid waste shall be permitted within a side yard and must be properly maintained.
- 4) Garbage, refuse, leaf and brush collection, removal of snow ice and other obstructions from internal roads and streets and lighting of roads and streets shall be provided and maintained by the body responsible for internal private streets and other common facilities. If the township provides garbage pickup, reimbursement to the owner shall be governed by the Qualified Private Communities Statute (N.J.S.A. 40:67-23.3).
- 5) Streets, roads, driveways, parking facilities, walkways, streetlights, fire hydrants, drainage facilities and other improvements required by this chapter or appropriate or necessary to the development shall be installed at the expense of the developer in accordance with the specifications of this chapter except as modified herein.
 - a. Drainage maintenance (§ 140-245) in privately maintained streets shall be the responsibility of the developer and his successors in title.
- 6) All streets and roads within the tract shall be private streets and shall be maintained by the body responsible for common areas. Rights of access and enforcement shall be formally granted to the Township upon written request by the body responsible for common areas and upon the adoption of a resolution of the Township Committee authorizing the enforcement of the provisions of Subtitle 1 of Title 39 on the subject property.
- 7) The New Jersey Residential Site Improvement Standards at NJAC 5:21 shall govern the pavement width of internal private roads.
- 8) Parking. The New Jersey Residential Site Improvement Standards at NJAC 5:21 shall govern parking requirements.
 - a. Parking shall be allowed in the front yard.

- b. The minimum parking setback from the external overall tract boundary shall be 10 (ten) feet. Parking shall not be permitted in required buffer areas.
- 9) Common open space, recreational or other facilities shall be owned, operated and maintained as such by an association comprised of all the owners of the individual units.
 - 10) All detention basin(s) and facilities located within the AH1-Atlantic Avenue Zone shall comply with all applicable regulations under the Flood Hazard Control Act, N.J.S.A. 58:16-A50, et. seq. and the New Jersey Stormwater Management Act, N.J.S.A. 7:8, et. seq. If any wetlands areas are utilized for stormwater management, the regulations of the New Jersey Department of Environmental Protection shall apply and any inconsistent provisions of the applicable Wall Township ordinances may be waived. Trees, shrubs and other vegetation may be planted on the slope or banks of detention basins or facilities constructed in fill, provided the landscaping is attractively maintained. All detention and retention basins with permanent dry-weather pools of water shall have a water depth to minimize propagation of mosquitoes and provided with the mechanical aeration for water quality.
 - 11) All proposed restrictive covenants, articles of incorporation or other documents relate to the creation of a homeowners' association, trust documents or other deed or documents to provide for ownership, age restrictions for rental units, and maintenance of common property and facilities shall be submitted to the Township for review by the Planning Board and Township Attorney prior to final review of any subdivision or site plan.
 - 12) In any case where the maintenance or repair of any wall, fence or other improvement by its owner or his or her agent would require entry upon the adjacent property, an appropriate easement or right-of-way shall be implied in favor of the owner who requires access. All such easements shall be detailed in specifications in the Homeowner's Association documents as to the required notice of any limitations upon the right of entry shall provide a specific means of arbitration in the event of disputes.
 - 13) Soil removal. The provisions of §140-117 of this Chapter pertaining to the removal of soil shall apply to the developments in the AH1-Atlantic Avenue Zone.
 - 14) Performance guarantee. In the AH1-Atlantic Avenue Zone, the provisions of § 140-92 with respect to performance guarantees shall apply.
 - 15) Maintenance guarantee. In the AH1-Atlantic Avenue Zone, the provisions of § 140-93 with respect to maintenance guarantees shall apply.
 - 16) Improvements required prior to issuance of certificate of occupancy. In the AH1-Atlantic Avenue Zone, the provisions of § 140-288 shall apply with respect to the issuance of certificates of occupancy.
 - a. No permanent certificate of occupancy shall be issued for any use or building until all required improvements are installed and approved by the Township Engineer or other appropriate authority.
 - b. No temporary certificate of occupancy shall be issued for any use or building unless the Township Engineer shall have, where applicable, certified to the following:
 - i. Utilities and drainage. All utilities, including, but not limited to, water, gas, storm drains, sanitary sewers, electric lines and telephone lines shall have been properly installed and service to the lot, building or use from such utilities shall be available.
 - ii. Street right-of-way. All street rights-of-way necessary to provide access to the lot, building or use in question shall have been completely graded and all slope-retaining devices or slope planting shall have been installed.

- iii. Sidewalks: All sidewalks necessary to provide access to the lot, building or use in question shall have been properly installed.
- iv. Streets: Curbing, and the bituminous base course of bituminous concrete streets necessary to provide access to the required number of parking spaces for the building or use in question shall have been properly installed.
- v. Curbing and parking areas: Curbing and the bituminous base course of parking areas necessary to provide access to the required number of parking spaces for the building or use in question shall have been properly installed.
- vi. Obstructions: All exposed obstructions in parking areas, access drives or streets such as manhole frames, water boxes, gas boxes and the like shall be protected by building the top of such exposures with bituminous concrete as directed by the Township Engineer.
- vii. Screening, fences, and landscaping: All required screening, fencing and/or landscaping related to the lot, building or use in questions shall have been properly installed, unless the Township Engineer shall direct the developer to delay the planting of screening and landscaping until the next planting season in order to improve the chances of survival of such plantings.
- viii. Site grading: All site grading necessary to permit property surface drainage and prevent erosion of soils shall have been completed in accordance with the approved soil disturbance plans.
- ix. Public water supply: Where the proposed lot, building or use is served by a public water supply, said supply shall have been installed and tested and all required fire hydrants or fire connections shall have been installed and tested and approved. However, the public water supply shall not be used to supply outdoor sprinkler systems.
- x. Lighting: The lighting plan shall comply with all applicable ordinance requirements, as well as the following standards:
 - a. All outdoor lighting shall be aimed, located, designed, fitted and maintained so as not to present a disabling glare hazard to drivers or nuisance to neighboring properties. Glare shall be controlled through the use of full cutoff fixtures, the appropriate application of mounting height, wattage, aiming, fixture placement, and fixture design, etc. and the addition of shields and baffles as necessary.
 - b. Applicant shall use fixtures to complement the building architecture. Pole mounted lights shall be a maximum of 20 (twenty) feet tall. Floodlights and spotlights shall not be permitted.
 - c. Lighting shall be controlled by automatic switching devices, such as timers, motion detectors, and/or photocells, to extinguish potentially offending, nonessential light sources overnight, to minimize glare and sky-lighting consequences.
 - d. LED lighting shall not exceed 3,500 degrees Kelvin.
- xi. Street signs and traffic control devices: All street signs, paint lining and/or traffic control devices affecting the proposed lot, building, or use, and required under the terms of approval of a

subdivision or site plan or by federal, county, or municipal rules, regulations, or laws, shall have been installed.

- xii. Performance guarantee: The Engineer shall have received a statement signed by the developer and any entity providing any performance guarantee, which contains language identical or similar to the following: "The issuance of any certificate of occupancy (temporary or permanent) shall not be a basis for any claimed reduction in any performance guarantee."
- xiii. Other: any other conditions established for issuance of a certificate of occupancy by the Planning Board as a condition of final site plan or subdivision approval shall be complied with.
- xiv. Temporary certificates of occupancy shall be issued for a specified period of time, not to exceed one year.

17) Inspection fees. The provisions of § 140-60 of this chapter pertaining to inspection fees shall be applicable to development within the AH1-Atlantic Avenue Zone.

H. Affordable housing requirements. The restrictions and standards applicable to inclusionary housing of low- and moderate-income persons and families are set forth in Article XLII of the Land Use and Development Regulations. The required affordable housing set-aside requirement shall be 20% with a minimum of ten (10) units and shall comply with all applicable provisions of the substantive and procedural rules and regulations as set forth by the New Jersey (Department of Community Affairs) Council on Affordable Housing at N.J.A.C. 5:93 and 5:97 et seq. In addition, affordable housing units in this district shall comply with the Uniform Affordability Controls ("UHAC") at N.J.A.C. 5:80-26.1 et seq., and the amended Fair Housing Act at P.L. 2008, c. 46, including but not limited to the provision of very-low-income units.

I. Design requirements. Development in the AH1-Atlantic Avenue Zone shall conform to the design guidelines in Part 5 of the Land Use and Development Regulations in addition to the following supplemental guidelines:

- 1) The site plan shall be required to depict and delineate the edge of all woodlands, and shall be required to map or survey only the trees onsite that are greater than 12 (twelve) inches in diameter.
- 2) The minimum lot green area space shall be 35% (thirty-five percent).
- 3) The front facade of any structure shall not continue on the same plane for a distance of more than the width of two horizontally adjacent units. Offsets between front facade planes shall not be less than 2 (two) feet for nor more than 20 (twenty) feet.

4) Building architecture. Development shall comply with Building Design Standards of 14 -252, as well as the following additional standards:

- a. Primary elements of traditional architectural styles with pitched roofs with a minimum slope of 5/12 (five twelfths).
 - i. When buildings are greater than 9,000 (nine thousand) square feet, and where a fully pitched roof throughout would not be practical, a sloped perimeter roof with a slope of 5/12 (five twelfths) or greater shall be permitted in coordination with a flat roof, provided that the appearance is that of a full roof.
 - ii. The primary roofing materials shall be standing seam metal or dimensional shingles.
- b. All buildings shall provide architectural elements such as wall articulations and roofline variations. Box-like building shapes that offer minimal articulation of the walls and roofline shall be prohibited.
- c. All facades facing driveways, parking areas, or public right-of-ways shall be architecturally treated as front facades.
- d. All accessory buildings and structures shall be treated architecturally to complement the residential buildings.

K. Waivers or modifications of standards and requirements. The approving authority may grant waivers or modifications of any improvement requirements or standards of this section or Part 4 of the Land Use and Development Regulations if appropriate and warranted by the facts and circumstances of each particular development, including but not limited to whether what is proposed conforms to RSIS. The resolution of approval shall specifically state the reasons for any such waivers or modifications.

Section 2. Zone Map The Official Zoning Map the Township of Wall dated July 14, 2011, be and the same is hereby amended to change the zoning designation of the following Block and Lot as indicated:

Block	Lots	July 14, 2011 Zoning Map	New Zoning Designation
819	13	OR-5	AH1 *
(Located at 1809 Atlantic Avenue)			
*If permitted by the Developer's Agreement.			

Section 3. All ordinances, or parts thereof, inconsistent with the provisions of this ordinance be and the same are hereby repealed to the extent of such inconsistency.

Section 4. Should any section, paragraph, clause or other portion of this Ordinance be adjudged by a Court of competent jurisdiction to be invalid, such judgement shall not affect or impair the remainder of this Ordinance.

Section 5. This Ordinance shall effect upon its passage and publication according to law, and upon filing of a certified copy thereof with the Monmouth County Planning Board.

Introduced: _____, 2020

Adopted: _____, 2020

Attest: _____
Roberta Lang, CRM, RMC
Township Clerk

Approve: _____
Carl Braun
Mayor

TOWNSHIP OF WALL

ORDINANCE NO. 8-2020

ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL, CREATING THE AFFORDABLE HOUSING AH4-DUNROAMIN ROAD ZONE AND AMENDING THE ZONING MAP WITHIN CHAPTER 140 OF THE CODE OF THE TOWNSHIP OF WALL ENTITLED LAND USE AND DEVELOPMENT REGULATIONS TO REZONE BLOCK 942 PORTIONS OF LOTS 79 AND 132 FROM OR-10 TO AH4

WHEREAS, the Township of Wall recognizes its constitutional responsibility to provide for the development of affordable housing pursuant to the New Jersey Supreme Court's Mount Laurel decisions; and,

WHEREAS, in an effort to retain its immunity from builder development lawsuits and retain control over affordable housing development, the Township of Wall has recognized its current need to facilitate responsible development; and,

WHEREAS, the Township of Wall expects that in the next several months it will be ordered by the court to provide for a substantial number of affordable units to satisfy Wall Township's third round Mount Laurel obligation; and,

WHEREAS, the Township of Wall recognizes the benefits that will inure to the Township through this project will create not only affordable housing units but will result in a substantial contribution to the Wall Township Affordable Housing Trust Fund; and,

WHEREAS, the Township Committee on December 11, 2011, adopted an official Zoning Map of the Township; and

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Wall that the Affordable Housing AH4-Dunroamin Road Zone be created and that the Wall Township Zone Map be amended as follows:

Section 1. 140-319 AH4-Dunroamin Road Inclusionary Zone

A. Purpose

The intent of the AH4-Zone is to establish a suitable location within the township for the development of low- and moderate-income housing uses in the form of an inclusionary development. This zoning district will provide realistic opportunities for the construction of low- and moderate-income housing to implement a mechanism included in the township's housing element and Third Round (1999-2025) fair share plan, which township's December 18, 2019 settlement agreement with Fair Share Housing Center to globally settle its declaratory judgment action (In the Matter of the Application of Wall Township, Monmouth County, Docket No. MON- L-5604-05) has been approved by the Superior Court, which action follows the directive of the Supreme Court's decision in the matter of In re Adoption of N.J.A.C. 5:96 & N.J.A.C. 5:97, 221 N.J. 1 (2015). The AH4-Zone shall be included as part of the township housing element and Third Round (1999-2025) Fair Share Plan, which Fair Share Plan shall be the subject of review and approval at a compliance hearing and memorialized as part of a judgment of repose entered by the Superior Court.

The residential gross density shall be guided by the area requirements and bulk standards contained herein, subject to the inclusion of a 20 percent set-aside of affordable homes, not to exceed a total of 105 homes for the overall development. There shall be a minimum of 20 affordable units. All aspects of the development shall further comply with the rules and regulations of the township affordable housing office

and the regulations, as applicable, of the COAH (N.J.A.C. 5:91, 5:92 and 5:93, et seq.) and the Uniform Housing Affordability Controls (UHAC) (N.J.A.C. 5:80-26.1, et seq.).

B. Applicability

The AH4-Zone shall be applied to a portion of Block 942, Lot 132 and a portion of Lot 79, which is shown on the Official Tax Map of the Township of Wall. The Official Zoning Map of the Township of Wall is hereby amended in accordance with the foregoing and is incorporated by reference. For the purpose of permitting the development of a multi-family inclusionary development, the provisions and requirements of the AH4-Zone shall supersede the provisions and restrictions of the underlying OR-10 (Office Research) Zone district. In the event of a conflict between the provisions of this section and other sections of the Township development regulations with respect to the development of market-rate townhouses and affordable housing, the provisions of this AH4-Zone shall govern. However, where the regulations and standards of the AH4 Zone are silent, the standards of Land Development Ordinance shall apply.

C. Permitted principal uses

- 1) The following uses are permitted in the AH4-Zone:
 - a. Townhouse attached dwellings.
- 2) A “townhouse attached dwelling” shall be defined as a residential structure with common walls, without common ceilings or floors, consisting of three or more dwellings.

D. Permitted accessory uses and structures

The following accessory uses and structures are permitted in the AH4-Zone:

- 1) Signs, as regulated in this chapter.
- 2) Fences, as regulated in this chapter.
- 3) Patios and decks, as regulated by this chapter.
- 4) Outdoor refuse and/or general storage containment structures.
- 5) Common area parking.
- 6) Certain authorized improvements on common area property, as described in section F below.
- 7) Such other uses that are customary and incidental to the principal use.

E. Minimum tract size and open space requirements.

- 1) The minimum tract size for a development in the AH4-Zone shall be 15 acres.
- 2) A minimum of 25 percent of the property shall be set aside for open spaces purposes, which may include facilities such as stormwater basins and drainage swales.
- 3) The property owner shall provide for the establishment of an organization for the ownership and maintenance of any common property and such organization shall be established and regulated by all applicable statutory standards and conditions.
- 4) A perimeter tract buffer shall be required at a minimum width of 35 feet, except where adjacent to a residential zone district where the perimeter tract buffer shall be a minimum of 40 feet, within which no building improvements shall be permitted, except as provided for in section F(7) below. Existing vegetation shall be maintained to the greatest extent possible.

F. Area, yard, density and locational requirements for residential development.

- 1) For the purpose of determining gross residential density, the total tract of land shall be considered.
- 2) The gross residential density shall not exceed six (6) units per acre.
- 3) Impervious surfaces. The maximum total impervious surface shall not exceed 45% of the tract.
- 4) The maximum total building coverage shall be 25% of the tract.
- 5) Townhouse attached dwellings to be constructed and sold on fee-simple lots, based upon the following area and dimensional requirements.
 - a. Minimum Lot Area 1,120 square feet

- b. Minimum Lot Width 14 feet
- c. Minimum Lot Depth 80 feet
- 6) Setback and additional requirements for residential use
 - a. Minimum building separation:
 - Front to Front 60 feet
 - Rear to Rear 45 feet
 - All other building to building 25 feet
 - b. Minimum Building Setbacks:
 - Front Yard from the street line 12 feet
 - Side Yard 0 feet
 - Rear yard 5 feet (to deck, individual storage sheds, individual air conditioning units and individual generators); 10 feet to building
 - From a parking area 8 feet
 - c. Maximum number of townhouse attached dwelling units per buildings: 8
- 7) Building lot lines may extend into the perimeter tract buffer area provided that no building improvements are located therein.
- 8) Common area property, including lands within the perimeter buffer, may contain certain improvements, such as underground utility lines, stormwater management features, retaining walls, landscaping, signage, walking paths and sidewalks.
- 9) No residential building or structure shall exceed 40 feet or 2 ½ stories in height, except as regulated by the height exception provisions of this chapter.
- 10) Outdoor refuse storage containment structures shall not be subject to minimum building setbacks as set forth in section (6)(b) above.

G. Other regulations. Developments in the AH4-Zone shall be subject to the following regulations, requirements and standards:

- 1) The installation of signs shall comply with regulations contained in Chapter 140, Part 4, Article XXIX, with the following exceptions:
 - a. One temporary directional sign shall be permitted on Block 942, Lot 79, along its Route 34 frontage, provided that it does not exceed 36 s.f. in size and 6 feet in height. Said sign may be installed no closer than 20 feet to any street line.
 - b. The temporary directional sign may remain in place until 90% of the residences have received a certificate of occupancy on the site.
 - c. One permanent entry monument sign may be installed at the entrance to the community, as provided below:
 - i. Sign, Monument: A sign in which the entire bottom is in contact with the ground, utilizing a base or structural frame of stone, brick, or other material that is harmonious in architectural style and material to the existing principal building(s) on site.
 - ii. Maximum sign face area: 50 square feet.
 - iii. Maximum sign height: 7 feet.
 - iv. Minimum setback: 5 feet from the front, side, and rear property lines.
 - v. Structural frame shall project perpendicular from a sign face by no more than six (6) inches and parallel by no more than eighteen (18) inches.
 - d. Signs may only be externally illuminated by ground lights directed at the sign and in compliance with section 140-213 (Lighting).
 - e. The entry monument sign shall comply with the Type 3 sign requirements set forth in § 140-227E(3).
- 2) All utilities shall be installed underground by the developer.

- 3) All dwelling units shall be served by public water and sanitary sewer systems. The developer shall pay the cost of connection and transmission facilities necessary to connect to the sewer and water systems servicing the development.
- 4) Garbage, refuse storage (in garages or enclosed containment structures) and recyclable collection areas suitable for containerized curb-side collection shall be provided. Garbage and refuse collection shall be provided by the Township's Public Works Department.
- 5) Streets, roads, driveways, parking facilities, walkways, drainage facilities and other improvements required by this chapter or appropriate or necessary to the development shall be installed at the expense of the developer in accordance with the specifications of this chapter except as modified herein.
- 6) All streets and roads within the tract shall be private streets and shall be maintained by the body responsible for common areas, however, for the purposes of street light installation, the streets shall be considered public roadways. Rights of access and enforcement shall be formally granted to the Township upon written request by the body responsible for common areas and upon the adoption of a resolution of the Township Committee authorizing the enforcement of the provisions of Subtitle 1 of Title 39 on the subject property.
- 7) All provisions of the Residential Site Improvement Standards (RSIS) shall be applicable within the AH4-Zone.
- 8) Common open space, recreational or other facilities shall be owned, operated and maintained as such by an association comprised of all the owners of the individual units.
- 9) All detention basins and facilities located within the AH4-Zone shall comply with all applicable regulations under the Flood Hazard Control Act, N.J.S.A. 58:16A-50 et seq. and the New Jersey Stormwater Management Act, N.J.S.A. 7:8 et seq. If any wetlands areas are utilized for stormwater management, the regulations of the New Jersey Department of Environmental Protection shall apply, and any inconsistent provisions of the applicable Wall Township ordinances may be waived. Trees, shrubs and other vegetation may be planted on the slopes or banks of detention basins or facilities constructed in fill, provided the landscaping is attractively maintained. All detention and retention basins with permanent dry-weather pools of water shall have a water depth to minimize propagation of mosquitoes and provided with mechanical aeration for water quality.
- 10) All proposed restrictive covenants, articles of incorporation or other documents related to the creation of a homeowners' association, trust documents or other deed or documents to provide for ownership and maintenance of common property and facilities shall be submitted to the Township for review by the Planning Board and Township Attorney prior to final review of any subdivision or site plan.
- 11) In any case where the maintenance or repair of any wall, fence or other improvement by its owner or his or her agent would require entry upon the adjacent property, an appropriate easement or right shall be created in favor of the subject owner. All such easements shall be detailed in specifications as to the required notice and any limitations upon the right of entry shall provide a specific means of arbitration in the event of disputes.
- 12) Notwithstanding any other standard to the contrary, the Land Use Officer may issue a permit for the import or removal of fill material to and from the site, provided that the estimated quantities of said import or removal is made part of the engineering testimony presented to the Planning Board at the time of approval.
- 13) Design requirements. Development in the AH4-Zone shall be subject to the following standards:
 - a. The site plan shall be required to depict and delineate the edge of all woodlands but shall not be required to map or survey all trees on site.
 - b. All improvements within 50 feet of the boundary of the site shall be shown on the site plan.

- c. Townhomes shall contain no less than 125 cubic feet of storage space, exclusive of the required storage to be provided for at least two 96 gallon trash containers, which may be within garages, basements, cellars or separate refuse and/or general storage structures, and which shall be in addition to bedroom closet space provided with the unit. If within garages, a rectangle of not less than 9 feet by 18 feet shall remain clear for parking vehicles.
- d. The development shall comply with all applicable Building Design Standards set forth in § 140-252, except that for the purposes of this section, the following Building Design Standard shall be amended to read as set forth below:
 - i. § 140-252.A(3)(b): Accessory buildings should be architecturally treated in a uniform, compatible and harmonious manner to principal buildings.
 - ii. § 140-252.A(3)(d): All basement walls greater than 24 inches above finished grade and must be treated to relate properly to the design of the building.
 - iii. § 140-252.B(1): Building facade length shall not exceed 160 feet. The front facade of any structure shall not continue the same plane for a distance of more than the width of two horizontally adjacent units. Offsets between front facade planes shall not be less than two feet.

14) All ordinances or parts thereof inconsistent with the provisions of this ordinance are hereby superseded to the extent of such inconsistencies.

Section 2. Zone Map The Official Zoning Map the Township of Wall dated July 14, 2011, be and the same is hereby amended to change the zoning designation of the following Block and Lot as indicated:

Block	Lots	July 14, 2011 Zoning Map	New Zoning Designation
942	79 & 132 (portions)*	OR-10	AH4 **
(Located at 1770 and 4151 Dunroamin Road).			
*As illustrated on the attached map.			
**If permitted by the Developer's Agreement.			

Section 3. All ordinances, or parts thereof, inconsistent with the provisions of this ordinance be and the same are hereby repealed to the extent of such inconsistency.

Section 4. Should any section, paragraph, clause of other portion of this Ordinance be adjudged by a Court of competent jurisdiction to be invalid, such judgement shall not affect or impair the remainder of this Ordinance.

Section 5. This Ordinance shall effect upon its passage and publication according to law, and upon filing of a certified copy thereof with the Monmouth County Planning Board.

Introduced on: _____
 Adopted: _____

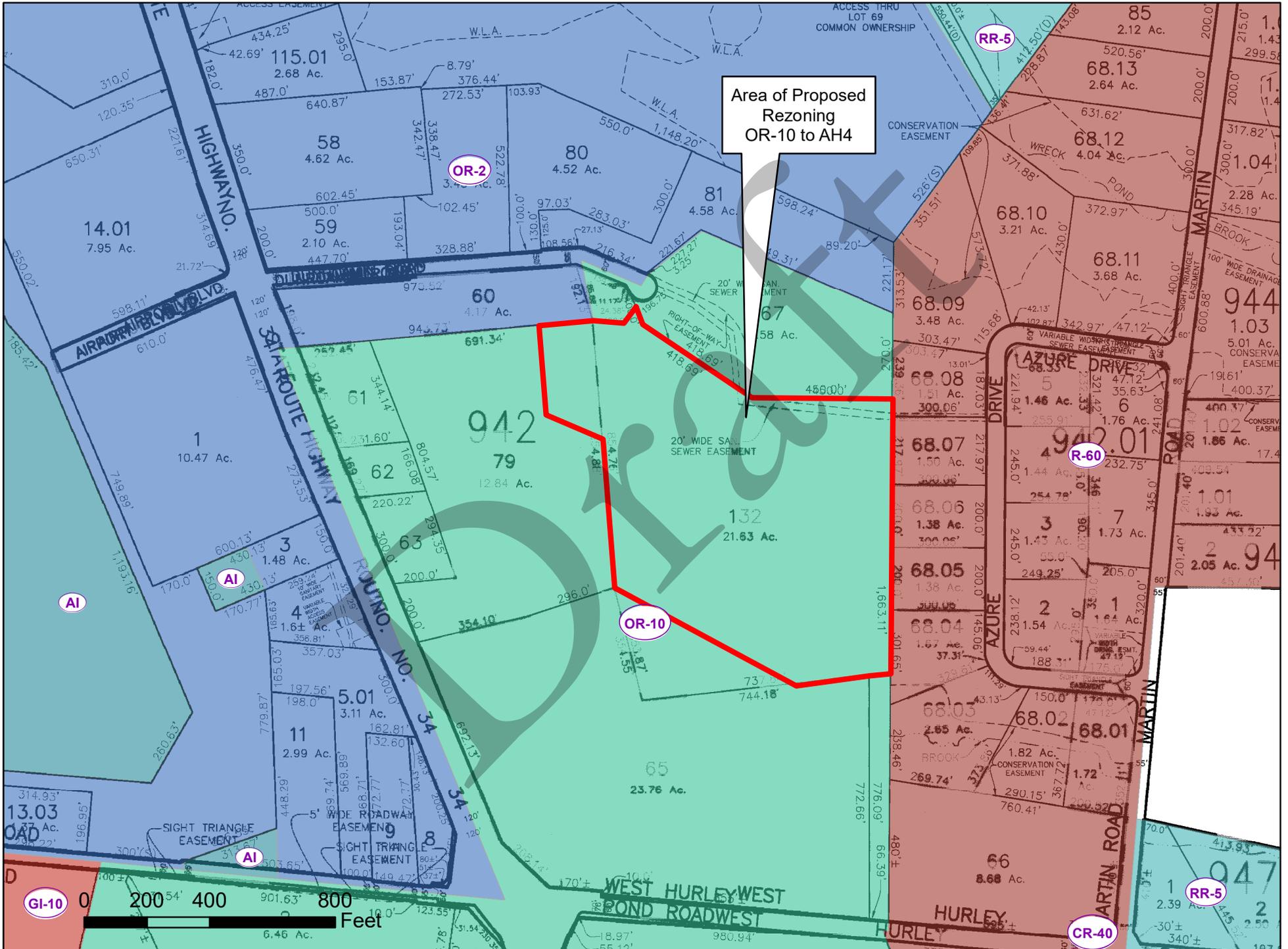
Attest: _____

Roberta Lang, CMR, RMC
 Township Clerk

Approve: _____

Carl Braun
 Mayor

Block 942 Portions of Lots 79 and 32



TOWNSHIP OF WALL

RESOLUTION NO. 20-0901

**CERTIFICATION OF TOWNSHIP FUNDS
AUGUST 27, 2020 THROUGH SEPTEMBER 9, 2020 IN THE AMOUNT OF
\$7,742,889.53**

We, the undersigned members of the Township Committee of the Township of Wall have reviewed the information provided by the Township Administrator and rely on his recommendation that the attached vouchers are in proper order and may be executed for payment. This authorization for execution does not extend to any voucher that would constitute a conflict of interest for any of the undersigned Committee members.

Carl Braun, Mayor

Thomas M. Kingman, Deputy Mayor

Timothy J. Farrell, Committeeman

Kevin P. Orender, Committeeman

TOWNSHIP OF WALL

RESOLUTION NO. 20-0902

AUTHORIZATION TO APPROVE CERTAIN PERSONNEL ACTIONS

WHEREAS, the Department Head has recommended the appointment of the following individual; and

WHEREAS, the Township Administrator concurs with the findings of the Department Head and hereby recommends to the Township Committee that the following appointment be made.

NAME	DEPARTMENT/POSITION	SALARY	EFFECTIVE DATE
Colleen Wisher	Recreation/Facility Supervisor/ Fall Madness HS League	\$20.00/hour	9/8/2020
Joe Fisco	Recreation/Facility Supervisor/ Fall Madness HS League	\$20.00/ hour	9/8/2020
Kathy Van Benthuyssen	Recreation/League Coordinator/ Friday Night Recreation League	\$25.00/ hour	9/14/2020
Joe Klish	Recreation/Facility Supervisor/ Friday Night Recreation League	\$25.00/ hour	9/14/2020
Anthony Magliaro	Recreation/Facility Supervisor/ Friday Night Recreation League	\$25.00/ hour	9/14/2020
Doug Teller	Recreation/Facility Supervisor/ Friday Night Recreation League	\$25.00/ hour	9/14/2020
Michael Trilli	Recreation/Scorekeeper/ Both Leagues	\$10.00/ hour	9/8/2020
Max Kaplan	Recreation/Scorekeeper/ Both Leagues	\$10.00/ hour	9/8/2020
Victoria Klish	Recreation/Scorekeeper/ Both Leagues	\$10.00/ hour	9/8/2020
Mia DeGenova	Recreation/Scorekeeper/ Both Leagues	\$10.00/ hour	9/8/2020
Shane Spennato	Recreation/Scorekeeper/ Both Leagues	\$10.00/ hour	9/8/2020
Nick Paterno	Recreation/Scorekeeper/ Both Leagues	\$10.00/ hour	9/8/2020
Ryan Vacacela	Recreation/Scorekeeper/ Both Leagues	\$10.00/ hour	9/8/2020

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Wall that the following personnel actions be and are hereby authorized on the effective date included herein.

I, Roberta Lang, Municipal Clerk of the Township of Wall in the County of Monmouth and the State of New Jersey, do hereby certify that the foregoing is a correct and true copy of a resolution adopted by the Mayor and Committee of the Township of Wall in the County of Monmouth in the State of New Jersey at a meeting held on September 9, 2020.

Roberta M. Lang, RMC
Township Clerk

TOWNSHIP OF WALL

RESOLUTION NO. 20-0903

AUTHORIZATION FOR THE PAYMENT OF 766.25 HOURS SICK PAY AT HALF RATE (CAPPED) AND 52 HOURS OF VACATION

WHEREAS, Kevin Pressey has retired from his position in the Police Department as a dispatcher on 09/01/2020, and is entitled to 766.25 hours of sick pay at 1/2 rate (capped) and 52 hours of vacation pay.

NOW, THEREFORE, BE IT RESOLVED that the appropriate Township Officials be and are hereby authorized to pay 766.25 hours of sick pay at half rate, capped in the amount of \$7,500.00 (seventy five hundred dollars and zero cents) and 52 hours of vacation pay in the amount of \$2,268.76 (two thousand two hundred sixty eight dollars and seventy six cents) pursuant to section 2 of the Personnel Ordinance.

I, Roberta M. Lang, Municipal Clerk of the Township of Wall, County of Monmouth, State of New Jersey, do hereby certify that the foregoing is a correct and true copy of a resolution adopted by the Mayor and Council of the Township of Wall, County of Monmouth, State of New Jersey, at a meeting held September 9, 2020

Roberta M. Lang, RMC
Municipal Clerk

TOWNSHIP OF WALL

RESOLUTION NO. 20-0904

**AUTHORIZATION TO RETAIN A CONSULTANT TO ANALYZE THE
CURRENT RADIO SYSTEM OF THE WALL TOWNSHIP POLICE
DEPARTMENT**

WHEREAS, the Wall Township Police Department (“WTPD”) finds it necessary to evaluate and if warranted make changes to the WTPD radio communications system; and

WHEREAS, the members of the WTPD do not have the expertise to evaluate the police radio system or to make recommendations to the Township Committee in relation to the current adequacy of, or need to replace, the existing police radio system; and

WHEREAS, after due analyses WTPD decided that it needed to retain a consultant to assist it in analyzing its current radio system and to make recommendations regarding the capabilities of its current system and, if necessary, to suggest changes to the current system; and

WHEREAS, the WTPD began a search for a consultant; and

WHEREAS, the WTPD learned that most of the companies that provide such services had gone out of business; and

WHEREAS, the WTPD received a proposal for consulting services from Allegiant Wireless with offices in Jackson, New Jersey; and

WHEREAS, a representative of the WTPD interviewed a representative of Allegiant Wireless and was impressed with that person; and

WHEREAS, Allegiant Wireless has provided consulting services to several New Jersey municipalities and to New Jersey Transit; and

WHEREAS, as an independent radio communications consultant, Allegiant Wireless is not affiliated with any provider of telecommunications services or service provider; and

WHEREAS, Allegiant Wireless specializes in the planning, design, procurement, implementation, management and optimization analysis of public safety communications and information systems; and

WHEREAS, Allegiant Wireless proposes to perform a comprehensive analysis and assessment of the existing WTPD system and operations, with an objective to frame and define police radio communications requirements that are essential to public safety; and

WHEREAS, Allegiant Wireless proposes to examine the existing WTPD radio system infrastructure; backhaul; communications center; radio tower facilities; subscriber equipment; and any other ancillary systems or equipment which the WTPD considers to be part of the WTPD radio communications system; and

WHEREAS, an option that should be investigated is migration of the WTPD operation to the New Jersey Interoperable Communications System (“NJICS”); and

WHEREAS, more and more municipalities and/or organizations are exploring the benefits of migrating their radio communications operations to large public safety networks such as the NJICS; and

WHEREAS, Allegiant Wireless has provided similar system engineering services to the NJ Transit PD and several municipal police forces when guiding those entities in their decision to migrate their operations to the NJICS; and

WHEREAS, any contract the amount of which exceeds the bid threshold, may be negotiated and awarded by the governing body without public advertising for bids and utilization of the bidding process provided one of the exceptions to the public bidding statute as set forth in N.J.S.A. 40A:11-5(1) is applicable; and

WHEREAS, N.J.S.A. 40:11-5(1)(a)(i) sets forth exceptions to the Local Public Contracts Law for professional services and for extraordinary unspecified services (“EUS”); and

WHEREAS, the Township could not engage in competitive bidding for the required professional services because despite due diligence by the WTPD only one entity in the State of New Jersey, that being Allegiant Wireless, had the expertise necessary to guide the Township in the evaluation of its current police radio system and to make recommendations to modify that system; and

WHEREAS, the evaluation of, and recommendations for, the development of a modification to the police radio system requires a person to have unique training and experience; and

WHEREAS, despite a diligent search the WTPD could not identify a contractor capable of providing the necessary services to evaluate, and to make recommendations in relation to the WTPD radio system except Allegiant Wireless; and

WHEREAS, in order to protect persons and property it is absolutely vital that the Township and its residents have a police force that has the appropriate and necessary radio system; and

WHEREAS, the Chief of Police recommended that the Township retain Allegiant Wireless as the consultant to the WTPD to evaluate and make recommendations in relation to the existing police radio system; and

WHEREAS, the Township is not required to solicit bids for the work and services associated with the evaluation of the police radio system and recommendations for improving that system because pursuant to N.J.S.A. 40A:11-5(1)(a)(i), contracts for professional services and extraordinary unspecified services such as those associated with the police radio system are exceptions to N.J.S.A. 40A:11-4 which are recognized by N.J.S.A. 40A:11-5; and

WHEREAS, the Chief Financial Officer of the Township has certified that the funds are available to retain and enter into a contract with Allegiant Wireless in the total amount not to exceed \$42,000.00.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Township Committee of the Township of Wall to retain Allegiant Wireless as the consultant to the WTPD to evaluate and make recommendations in relation to the existing police radio system and to enter into a contract with Allegiant Wireless having a not to exceed amount of \$42,000.00 to evaluate and make recommendations to the Township in relation to the need to modify or replace the current police radio system.

BE IT FURTHER RESOLVED, that all Township officials including, but not limited to the Mayor, the Township Administrator and the Municipal Clerk, are hereby authorized and directed to take such ministerial actions as are necessary to effectuate the provisions of this resolution.

Resolution No. 20-0904

BE IT FURTHER RESOLVED, that notice of this Resolution shall be presented and published in compliance with N.J.S.A. 40A:11-5(1)(a)(i).

I, Roberta M. Lang, Municipal Clerk, of the Township of Wall, County of Monmouth, State of New Jersey, do hereby certify that the foregoing is a correct and true copy of a resolution adopted by the Mayor and Council of the Township of Wall, County of Monmouth, State of New Jersey, at a meeting held September 9, 2020

Roberta M. Lang, RMC
Municipal Clerk

DRAFT

Certification

I, Tom O'Hara, Chief Financial Officer of the Township of Wall, do hereby certify to the Township Committee of the Township of Wall that funds are available to retain Allegiant Wireless as the consultant to the WTPD to evaluate and make recommendations in relation to the existing police radio system and enter into a contract with Allegiant Wireless to evaluate and make recommendations to modify or replace the current police radio system in the total (not to exceed) amount of \$42,000.00 (forty-two thousand dollars and zero cents).

Operating		
Account Number	Description	Amount
0-01-26-291-000-299	DPW Special Projects	\$42,000.00

Tom O'Hara,
Chief Financial Officer

Date: _____

DRAFT

**TOWNSHIP OF WALL
RESOLUTION NO. 20-0905**

**A RESOLUTION REQUESTING THE NEW JERSEY DEPARTMENT
OF TRANSPORTATION (NJDOT) TO TAKE ALL NECESSARY ACTIONS
TO MAKE IMPROVEMENTS TO THE TRAFFIC SIGNALS INCLUDING
SIGNALIZED PEDESTRIAN CROSSWALKS AT THE INTERSECTION OF
ROUTE 35 AND 18TH AVENUE**

WHEREAS, the Township of Wall ("Wall") is desirous of having the New Jersey Department of Transportation (NJDOT) to install pedestrian crosswalks at the intersection of Route 35 and 18th Avenue; and

WHEREAS, the Township of Wall has received several resident complaints regarding the lack of pedestrian crosswalks in this intersection, and

WHEREAS, the Township believes these requested improvements will enhance pedestrian and vehicular safety at this intersection; and

WHEREAS, the Township of Wall has spoken with the representatives of NJDOT, who have also received similar resident complaints and requests for these much-needed improvements, and

WHEREAS, NJDOT Policy 346 requires that Wall agree to pay 25 percent of the costs associated with the requested improvements to the intersection; and

WHEREAS, the Township Administrator has successfully spoken to a representative of Saker ShopRites, Inc. regarding their participation in the project; and

WHEREAS, the Township Administrator has also spoken to a representative of County of Monmouth seeking its participation as well.

NOW THEREFORE, BE IT RESOLVED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL, that Wall agrees to commit to contributing 25 percent of the necessary improvements costs pursuant to NJDOT Policy 346; and

BE IT FURTHER RESOLVED, that it is understood that the Township of Wall will have the opportunity to concur with the recommended improvements and will be advised of the approximate amount of the 25 percent cost share prior to entering into any agreement

I, Roberta M. Lang, Municipal Clerk of the Township of Wall, County of Monmouth, State of New Jersey, do hereby certify that the foregoing is a correct and true copy of a resolution adopted by the Mayor and Council of the Township of Wall, County of Monmouth, State of New Jersey, at a meeting held September 9, 2020

Roberta M. Lang, RMC
Municipal Clerk