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

(732) 449-8444 Ext. 2200
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9/23/2020

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**
     United States: **+1 (646) 749-3129**
     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 participate 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
REGULAR MEETING AGENDA
SEPTEMBER 23, 2020

7:00 PM
REMOTE MEETING

Please be advised that while Townhall is closed to the public, the Township Committee will be conducting the following regular business meeting by remote access in accordance with the stipulations from 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

Agenda Review:

1. 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.

2. Roll Call

3. Review of the Public Business Meeting Agenda

7:30 PM

REMOTE MEETING

Public Business Portion:

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. Proclamation declaring Wall Township a Stigma-Free Community

6. REINTRODUCTION 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

   Re: Rezone Block 913 Lots 2, 3, and 15 from OR-10 to AH3-Asbury Road Zone

   Motion that **ORDINANCE NO. 6-2020** be adopted as to its first reading and advertised for second reading and public hearing on October 28, 2020 at 7:00pm. Pursuant to law.

   Motion - Seconded - Roll-Call Vote

7. INTRODUCTION OF **ORDINANCE NO. 9-2020** AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL, CREATING THE AFFORDABLE HOUSING AH2-ROUTE 34 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 912, LOTS 2 AND 4.02 FROM THE HB-200 ZONE TO THE AH2 ZONE

   Re: Rezone Block 912, Lots 2 and 4.02 from the HB-200 Zone to the AH2 Zone

Motion that **ORDINANCE NO. 9-2020** be adopted as to its first reading and advertised for second reading and public hearing on October 28, 2020 at 7:00pm. Pursuant to law.

Motion - Seconded - Roll-Call Vote

8. INTRODUCTION OF **ORDINANCE 10-2020** AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL TO AMEND AND SUPPLEMENT CHAPTER 141 ENTITLED WEST BELMAR GATEWAY AREA REDEVELOPMENT PLAN TO ADD PROVISIONS ALLOWING AND REGULATING THE INSTALLATION OF SOLAR ENERGY SYSTEMS AS A CONDITIONAL USE IN THE WEST BELMAR GATEWAY AREA REDEVELOPMENT ZONE

   Re: Amend West Belmar Gateway Development plan to allow solar energy systems

   Motion that **ORDINANCE NO. 10-2020** be adopted as to its first reading and advertised for second reading and public hearing on October 28, 2020 at 7:00pm. Pursuant to law.

   Motion - Seconded - Roll-Call Vote

9. SECOND READING 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

   Re: Rezone Block 819 Lot 13 from OR-5 to AH1

   Upon completion of the Public Hearing followed by public comment, if any, a motion is made to close the Public Hearing and to adopt **ORDINANCE NO. 7-2020** as to its second and final reading and advertise it pursuant to law.

   Motion - Seconded - Roll-Call Vote

10. SECOND READING 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

    Re: Rezone Block 942 portions of Lots 79 and 132 from OR-10 to AH4

    Upon completion of the Public Hearing followed by public comment, if any, a motion is made to close the Public Hearing and to adopt **ORDINANCE NO. 8-2020** as to its second and final reading and advertise it pursuant to law.

    Motion - Seconded - Roll-Call Vote

11. **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 a 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:**
       - 08/26/2020

    B. **Resolution No. 20-0907** - Approval of vouchers for September 10, 2020 through September 23, 2020 in the amount of $1,865,055.20

    C. **Resolution No 20-0908** - Authorization for the Municipal Clerk to advertise for RFP's for 2021 Professionals

    D. **Resolution No. 20-0909** - Authorization to approve certain township refund(s)
       - Tax

    E. **Resolution No. 20-0910** - Authorization to approve personnel actions:

NAME	DEPARTMENT/POSITION (Status changes)	SALARY	EFFECTIVE DATE
William King	Police/ Part-Time EMT	$20.00/ hour	10/1/2020
Tyler Lokerson	Police/ Part-Time EMT	$20.00/ hour	10/1/2020

Michael Sulewski	Police/ Part-Time EMT	$20.00/ hour	10/1/2020
Paul Whille	Police/ Part-Time EMT	$20.00/ hour	10/1/2020

NAME	DEPARTMENT/POSITION	SALARY	EFFECTIVE DATE
Laura Roberts	Collections/ Billing Manager	$43,500.00	9/24/2020
Shannon Bachman	Collections/ Billing Clerk	$30,000.00	9/24/2020

F. **Resolution No. 20-0911** - Authorization to renew a Plenary Retail Consumption License for Apple Food Service of Wall LLC d/b/a Applebee's Neighborhood Grill & Bar - License No. 1352-33-004-018 for the 2020-2021 Licensing Term

G. **Resolution No. 20-0912** - Authorization to renew a Plenary Retail Consumption License for LPCC Restaurant LLC d/b/a Shogun Legends - License No. 1352-33-006-011 for the 2020-2021 Licensing Term

H. **Resolution No. 20-0913** - Authorization to renew a Plenary Retail Consumption License with a Broad C Package for Jonathon Ron Inc. d/b/a Jonathon Ron Liquors & JR's Bev Co. - License No. 1352-32-007-004 for the 2020-2021 Licensing Term

I. **Resolution No. 20-0914** - Authorization to renew a Plenary Retail Consumption License for Brick Lanes Lounge Inc. d/b/a Front Page Pub - License No. 1352-33-008-002 for the 2020-2021 Licensing Term

J. **Resolution No. 20-0915** - Authorization to renew a Plenary Retail Consumption License for the Blue Peach Café Inc. d/b/a The Blue Peach Café Inc. - License No. 1352-33-009-007 for the 2020-2021 Licensing Term

K. **Resolution No. 20-0916** - Authorization to renew a Plenary Retail Consumption License for the Squan River Group LLC d/b/a Harpoon Willy's - License No. 1352-33-010-003 for the 2020-2021 Licensing Term

L. **Resolution No. 20-0917** - Authorization to renew a Plenary Retail Consumption License for the Wall Circle Associates LLC - License No. 1352-33-012-010 for the 2020-2021 Licensing Term

M. **Resolution No. 20-0918** - Authorization to renew a Plenary Retail Distribution License for Sea Girt Wine and Spirits, Inc. d/b/a Circus Wine & Spirits, Inc. - License No. 1352-44-013-004 for the 2020-2021 Licensing Term

N. **Resolution No. 20-0919** - Authorization to renew a Plenary Retail Distribution License for the Wine King, LLC d/b/a Wine King- License No. 1352-44-015-004 for the 2020-2021 Licensing Term

O. **Resolution No. 20-0920** - Authorization to renew a Hotel/Motel License for One NJ Wall 1302 Management LLC d/b/a Courtyard by Marriot - License No. 1352-36-016-005 for the 2020-2021 Licensing Term

P. **Resolution No. 20-0921** - Authorization to renew a Plenary Retail Distribution License for Wall of Wines Inc. - License No. 1352-44-017-004 for the 2020-2021 Licensing Term

Q. **Resolution No. 20-0922** - Authorization to renew a Plenary Retail Consumption License for JEMC Corp. d/b/a Four Winds Restaurant - License No. 1352-33-002-004 for the 2020-2021 Licensing Term

R. **Resolution No. 20-0923** - Authorization to renew a Plenary Retail Consumption License for 2 Generations, LLC d/b/a Casa Mossuto - License No. 1352-33-003-012 for the 2020-2021 Licensing Term

S. **Resolution No. 20-0924**- Authorization to renew a Plenary Retail Consumption License for the Atlantic Club Inc. d/b/a The Atlantic Club - License No. 1352-33-011-005 for the 2020-2021 Licensing Term

T. **Resolution No. 20-0925** - Authorization to renew a Plenary Retail Consumption License for Ramshorn Corp. d/b/a Scarborough Fair Restaurant - License No. 1352-33-001-007 for the 2020-2021 Licensing Term

U. **Resolution No. 20-0926** - Authorization to approve and sign an access, Water and Sanitary Sewer Easement Agreement regarding property identified as Block 811.10, Lot 17.01 - 2415 Hwy 35

V. **Resolution No. 20-0927-** Authorization to award a contract to Strober Wright Roofing for the Wall Township municipal building and library roof replacement at an amount not to exceed $691,725.00 as a result of a public bid

End of Consent Agenda
Motion - Second - Roll Call Vote

12. **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.

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

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

15. **Resolution No. 20-0928 -** Authorization to discuss matters in private session
    Motion - Second – Roll Call Vote

16. **Motion to Adjourn**
    Motion - Second - Voice Vote - All in Favor

This agenda reflects to the extent known at the time of the posting, pursuant to N.J.S.A. 10:4-8(d). The agenda is tentative and is subject to amendment, additions or deletions prior to the meeting.

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.

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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 300;
   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

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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.

Draft

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:

Draft

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.

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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: _____ **Approve**:_____

Roberta Lang, CMR, RMC
Township Clerk

Carl Braun
Mayor

Draft

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.

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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

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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,

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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.

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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.

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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

Second Reading

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.

Second Reading

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 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: _____, 2020

Adopted: _____, 2020

Attest: _____
Roberta Lang, CRM, RMC
Township Clerk

Approve: _____
Carl Braun
Mayor

Second Reading

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

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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

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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.

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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.

Second Reading

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. he 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: _____

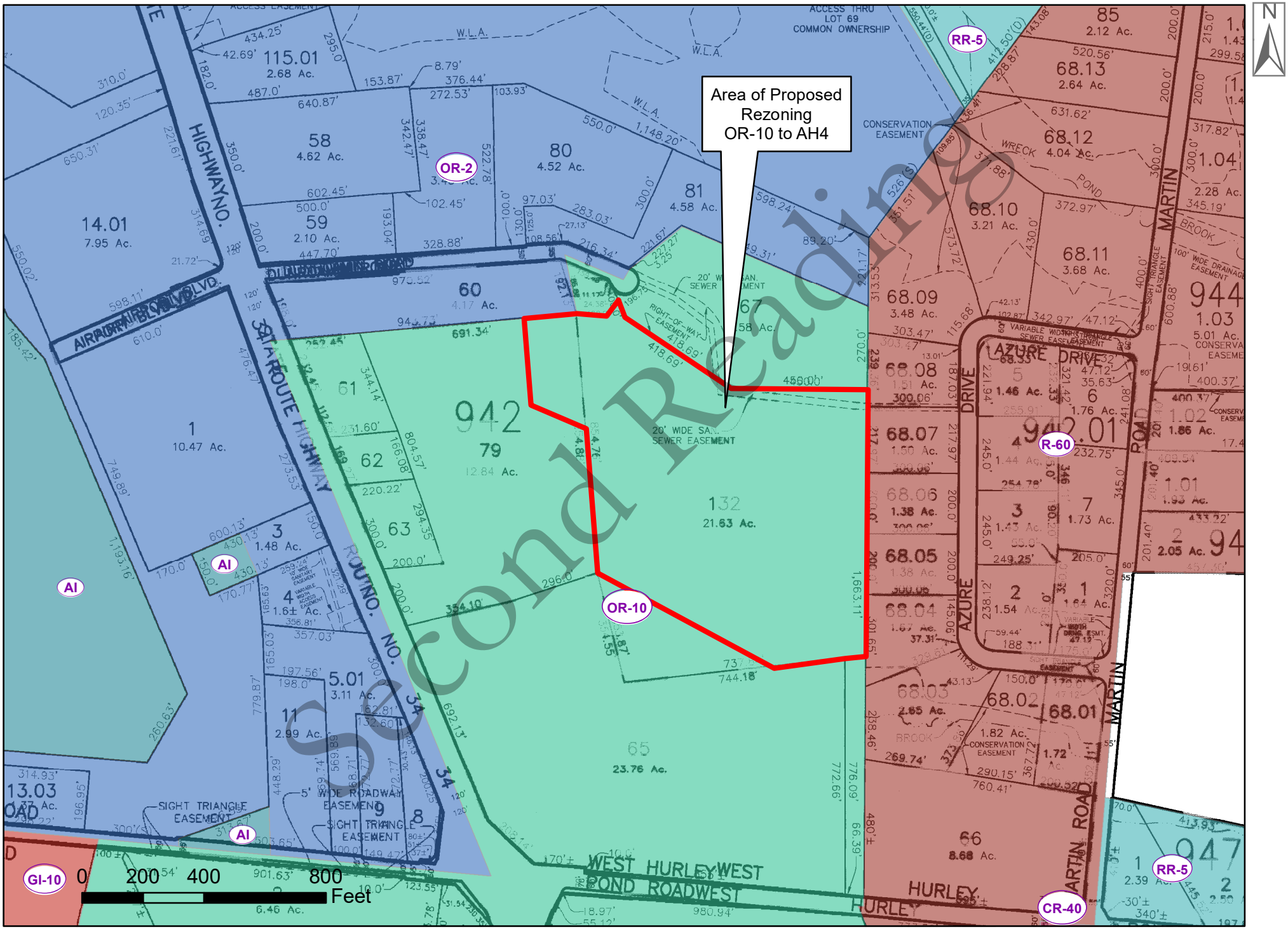
Attest: _____ **Approve**:_____

Roberta Lang, CMR, RMC — Carl Braun

Township Clerk — Mayor

Second Reading

Block 942 Portions of Lots 79 and 32



TOWNSHIP OF WALL

ORDINANCE NO. 9-2020

ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL, CREATING THE AFFORDABLE HOUSING AH2-ROUTE 34 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 912, LOTS 2 AND 4.02 FROM THE HB-200 ZONE TO THE AH2 ZONE

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 by creating affordable housing units; 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 AH2-Route 34 Zone be created and that the Wall Township Zone Map be amended as follows:

Section1. 140-317 Affordable Housing AH2-Route 34 Zone

A. Purpose. The purpose of this zone is to allow for a multifamily project of mixed residential uses that partially addresses the Township's affordable housing obligation. The developer's agreement shall govern the nature of the multifamily project to be constructed by the developer and require a 20% set-aside for affordable housing providing for a minimum of 32 family rental units. The Planning Board shall make compliance with such developer's agreement a condition of any approval it may grant for a development in the AH2-Route 34 Zone.

B. Relationship between the overall tract and subdivided parcels. This zone has been adopted to include one overall tract, containing the entirety of the multifamily and townhouse developments along with all ancillary components; separate tracts for the multifamily and townhouse developments; and the fee simple parcels within the townhouse tract. This zone operates under a technical subdivision provision pursuant to §140-81 of the Wall Township Ordinance, which allows a developer to comply with the bulk and area requirements of the overall tract instead of the post-subdivision lots, as applicable. Cross-access, utility and other easements shall be applicable to the overall tract.

C. Permitted principal uses. In the AH2 Zone, no premises shall be used and no structure shall be erected, altered or occupied for any purposes except the following:

1) Townhouses.

2) Multifamily dwellings.

D. Permitted accessory uses.

Draft

1) Enumeration of permitted accessory uses and structures.
   - a Common parking areas
   - b Common private recreational facilities and structures and open space, including but not limited to a clubhouse, swimming pool, tot lot and walking path.
   - c Private attached garages for not more than two vehicles.
   - d Common maintenance and trash facilities.
   - e All provisions of the Wall Township sign regulations contained in Article XXIX shall apply except that two (2) monument style signs identifying the name of the development, as defined below, is permitted.
     - 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.
     - vi. Signs may only be externally illuminated by ground lights directed at the sign and in compliance with section 140-213 (Lighting).
   - f Fences and retaining walls.
   - g Patios, balconies, and decks.
   - h Trash Enclosures.
   - i 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.
   - j Such other uses and structures that are customary and incidental to the principal use as may be permitted by the approving authority.
   - k Stormwater facilities
   - l Pump Stations

E. Compliance with site plan standards, subdivision standards and regulations. Unless provided to the contrary herein, applications for developments in the AH2 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.

F. Maximum regulations. Development in the AH2 Zone shall be subject to the following maximum regulations:

1) Density. The gross density of the overall tract shall be no more than ten (10) dwelling units per acre, prior to any dedications of land to public entities.
2) Residential units per building. The maximum residential units per building shall be twelve (12).
3) Principal building length. The maximum principal building length for both multifamily and townhouse buildings shall be 250 feet.
4) Building height
   - a Each townhouse shall be limited to 2.5 stories and 35 feet and shall include the option of a basement, provided that the basement is not a story above grade.

Draft

b Each multifamily building shall be a maximum of three stories and 40 feet.

c Accessory clubhouse and maintenance buildings shall be limited to one story and 25 feet in height.

d Building height shall be measured as set forth in §140-17, Definitions.

G. Minimum regulations. Developments in the AH2 Zone shall be subject to the following minimum regulations:

1) Overall tract requirements, including parcels for both multifamily and townhouses developments:

a Minimum lot area: 15 acres.

b Minimum lot width: 450 feet.

c Minimum lot frontage: 450 feet.

d Minimum lot depth: 450 feet.

e Minimum building setback from internal lot lines: zero feet.

f Minimum principal building setback from external tract line: 50 feet.

g Minimum accessory building setback from external tract boundary: 50 feet.

h Minimum distance between structures: 30 feet.

i Minimum principal building setback from internal roads: 15 feet.

j Minimum principal building setback from internal parking access roads: 15 feet.

k Minimum principal building setback from internal parking area: 10 feet.

l Minimum principal building setback from detention basins: 10 feet.

m Accessory structures, including but not limited to, basins, internal roadways, parking areas, and fences shall be permitted in the front yard area setback if adequately screened and buffered from view from all public streets. Patios shall be permitted to encroach not more than 10 feet into the required front yard area setback if adequately screened and buffered from view from all public streets.

n Signs, sidewalks and walkways shall be permitted in any yard area provided they otherwise comply with the requirements of this chapter.

2) Parcel requirements for individual townhouse lots

a Minimum lot area: 0.04 acre.

b Minimum lot width: 20 feet.

c Minimum lot frontage: 20 feet.

d Minimum lot depth: 90 feet.

e Minimum setbacks, principal:

f Front yard setback: 15 feet.

i. Side yard setback: zero feet.

ii. Rear yard setback: five feet (to patio, deck, and individual air conditioning and generator units), 15 feet to building.

3) Dwelling unit width. No multifamily dwelling shall be less than 15 feet in width. No townhouse dwelling shall be less than 20 feet in width.

4) 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 that a combined living room, dining room and kitchen area shall be permitted. The mix of dwelling units shall be in conformance with this Chapter.

5) Dwelling unit size.

a Multifamily dwelling units shall have a minimum of 700 square feet of habitable area

Draft

b Townhouse dwelling units shall have a minimum dwelling unit size of 1,400 square feet.

6) Dwelling unit storage. No townhouse dwelling unit shall contain less than 250 cubic feet and no multifamily dwelling unit shall contain less than 140 cubic feet which may be within garages, basements, storage closets adjoining a dwelling (e.g., attached to decks and patios) if completely enclosed on all sides, or separate storage buildings, and which shall be in addition to bedroom closet space provided with the unit. If within garages, a rectangle of not less than nine feet by 18 feet shall remain clear for parking vehicles.

7) Open space and recreation areas. The applicant shall provide recreational amenities for townhouse and multifamily residents including three (3) or more of the following facilities:

a A recreation building or clubhouse with a minimum size of 25 SF square feet for each dwelling unit in the development.

b A swimming pool of a minimum size of 800 sq. ft.,

c Open lawn play area(s) with a minimum combined square footage of 1,000 sq. ft.

d Picnic/barbecue area(s).

e Bicycle parking.

f Bocce court, pickle ball court, tot lot/play area, tennis court, basketball court, community garden, exercise area, off-leash dog area, and other related recreational amenities as approved by the Board.

g For the purposes of this subsection, a and b shall count as two (2) recreational facilities each, b, c, d, e, and f shall count as one recreational facility each

8) Buffer and landscape areas.

a Buffer location. Except as otherwise permitted by the approving authority, where the overall tract abuts an existing residential zone, use, or use permitted in a residential zone, a landscaped buffer strip at least twenty-five (25) feet in width shall be permanently maintained along the property line abutting such zone or use. Where the overall tract abuts a nonresidential zone or use not permitted in a residential zone, a landscaped buffer strip at least forty (40) feet in width shall be established and permanently maintained along the property line abutting such zone or use.

b Buffer areas shall consist of lawn area and massed evergreen and deciduous trees and shrubs planted in such a manner that will provide a continuous visual screen throughout the entire year within a period of three full growing seasons following the planting of the buffer. Evergreen coniferous trees shall have a minimum height of six feet when planted. Deciduous trees shall have a minimum caliper of 2 1/2 inches when planted. All plant material shall conform to the current American Standard for Nursery Stock sponsored by the American Association of Nurseryman, Inc.

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, and retaining walls, stormwater facilities, entrance and exit drive openings, sidewalks, and signs.

Draft

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 features of the site where practical.

f All mechanical equipment, and related accessory structures shall be screened from view.

H. Other regulations. Developments in the AH2 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 otherwise comply with Article XXXV of the Land Use and Development Regulations.

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. 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 N.J.A.C. 5:21 shall govern the pavement width of internal private roads.

8) Parking. The New Jersey Residential Site Improvement Standards at N.J.A.C. 5:21 shall govern the parking requirements, including parking stall dimensions.

a Parking shall be allowed in the front yard setback of each individual tract.

b The minimum parking setback from the external overall tract boundary shall be 10 feet.

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 and/or a property management company for the apartment buildings.

10) All detention basins and facilities located within the AH2 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.

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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.

11) 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 shall be submitted to the Township for review by the Planning Board and Township Attorney as a condition of the approving resolution.

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 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.

13) Performance guarantee. In the AH2 Zone, the provisions of §140-92 with respect to performance guarantees shall apply. Performance guarantees shall be permitted separately for each phase.

14) Maintenance guarantee. In the AH2 Zone, the provisions of §140-93 with respect to maintenance guarantees shall apply. Maintenance guarantees shall be permitted separately for each phase.

15) Improvements required prior to issuance of certificate of occupancy. In the AH2 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 required for that particular use or building.

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 rights-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.

Draft

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 to 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 question 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 proper 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.

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 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. LED lights shall not exceed 3500 degrees Kelvin.

b. 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.

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. Freestanding signs shall not be internally illuminated.

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

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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.

xv. Inspection fees. The provisions of §140-60 of this chapter pertaining to inspection fees shall be applicable to all development within the AH2 Zone.

xvi. Multiple permitted residential principal uses and buildings shall be allowed on a single lot.

xvii. Sidewalks shall only be required on one side of the internal roadways within the overall development but shall provide connections to all NJDOT sidewalks and adjacent lots.

I. 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. A minimum of (20%) of the total number of residential units, at least 32 units, shall be set aside as affordable rental units, and all affordable units shall be in multifamily buildings. The Township may request the construction of two additional affordable units (for a total of 34 units) in accordance with the terms set forth in the developer's agreement, without any reduction to the number of total market rate units. The affordable housing units 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.

J. Design requirements. Development in the AH2 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 woodland

2) The minimum open space shall be 25%, which may include stormwater facilities

3) 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.

4) Building architecture. Development shall comply with the following standards:

a Primary elements of traditional architectural styles with pitched roofs 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.

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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.

d All accessory buildings and structures shall be treated architecturally to complement the residential buildings.

e Architectural requirements in all other sections of the Township Code shall not apply

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.

1) Developments with the AH2 Zone may be exempt from any required "tree replacement" provisions in the Township ordinances.

L. Whenever a standard in the AH2 Zone conflicts with another standard in the municipal land development ordinance, the AH2 Zone standard shall prevail.

M. Miscellaneous.

1) Developer shall permit enforcement of Title 39 within internal roadways of development.

2) The internal roadways and utility lines therein shall be dedicated to the Township, and the Township shall accept the same

3) Trash and recycling service will be provided by public hauler.

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
912	2 & 4.02	HB-200	AH-2 *
(Located at 1307 Wyckoff Road and 1306 Hwy 34).			
*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: _____ **Approve**:_____

Roberta Lang, CMR, RMC
Township Clerk

Carl Braun
Mayor

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TOWNSHIP OF WALL

ORDINANCE NO. 10-2020

AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL TO AMEND AND SUPPLEMENT CHAPTER 141 ENTITLED WEST BELMAR GATEWAY AREA REDEVELOPMENT PLAN TO ADD PROVISIONS ALLOWING AND REGULATING THE INSTALLATION OF SOLAR ENERGY SYSTEMS AS A CONDITIONAL USE IN THE WEST BELMAR GATEWAY AREA REDEVELOPMENT ZONE

WHEREAS, on July 19, 2018 Wall Township Accepted Bids in Response to a request for proposals (RFP) for Township-owned property within the West Belmar Gateway Redevelopment Area (WBGRA) known as Block 6 Lots 6, 7, and 12

WHEREAS, the RFP sought proposals for redevelopment of the site consistent with the township's Redevelopment Plan, as well as other goals and objectives set forth in the Township's Master Plan.

WHEREAS, there was only one (1) response to the RFP.

WHERAS, the single response to the RFP was a proposal by Spano Partners Holdings (SPH) and Advanced Solar Products (ASP).

WHEREAS, said proposal was to install a low-profile solar PV system, which would be financed, constructed, owned and operated by SPH and ASP.

WHEREAS, Wall Township Municipal Code Chapter 141-2, "Adoption of Redevelopment Plan," references the West Belmar Gateway Area Redevelopment Plan, prepared by Cheryl Bergailo, P.P., AICP, Schoor DePalma, Inc, dated December 2003 (Redevelopment Plan); and,

WHEREAS, said plan, as amended, is the zoning ordinance for the Gateway Redevelopment Zone; and

WHEREAS, solar energy systems were not contemplated in the original redevelopment plan adopted in the 2003 Redevelopment Plan; and

WHEREAS, solar energy is an abundant, renewable and nonpolluting energy resource; and

WHEREAS, permitting the conversion of solar energy to electricity will help reduce dependence by Township residents and business owners on sources of energy that are nonrenewable and/or degrade air and water quality; and

WHEREAS, the more widespread use of solar energy systems will help to reduce peak power demands from the electric power grid and provide residents and business owners with an alternate source of power; and

WHEREAS, the use of alternative energy systems such as solar power helps to promote competition in the electricity supply market by promoting consumer choice and helping to control or even reduce the cost of electricity; and

WHEREAS, by utilizing creative design standards and addressing additional needs such as parking, conservation, streetscape design, and public spaces solar energy systems can be beneficial and compatible with the existing and future development of WBGRA; and

Draft

WHEREAS, the Township Committee finds that combining solar energy with creative design and civic uses in the WBGRA will advance several goals and objectives of the Master Plan while visually and productively protecting and enhancing the Route 71 Corridor for future development and redevelopment; and

WHEREAS, the Township Committee has determined that it is appropriate to provide standardized requirements for the location of energy systems as a permitted conditional use in the WBGRA so that this clean, renewable energy resource can be utilized effectively and without detriment to adjoining properties or the overall intent of the Gateway Redevelopment Plan.

NOW, THEREFORE, BE IT ORDAINED by the Wall Township Committee of the Township of Wall as follows:

SECTION 1
The West Belmar Gateway Area Redevelopment Plan shall be amended as follows:

A. Definitions:

COLLECTOR SURFACE – Any part of a solar collector that absorbs solar energy for use in the collector's energy transformation process. "Collector surface" does not include frames, support and mounting hardware.
PUBLIC USE – An area conveyed or otherwise dedicated to the Township, a municipal agency, the Board of Education, a federal, state, or county agency, or other public body for recreational, conservational, or public parking purposes.
RENEWABLE ENERGY FACILITY – A facility that engages in the production of electric energy from solar technologies, photovoltaic technologies, or other solar-based technology.
SOLAR COLLECTOR – A device, structure or part of a device or structure in which a substantial purpose is used to transform solar energy into thermal, mechanical, chemical or electrical energy.
SOLAR ENERGY – Direct radiant energy received from the sun.
SOLAR PANEL – A structure containing one or more receptive cells or collector devices, the purpose of which is to use solar radiation to create usable electrical energy.
SOLAR ENERGY SYSTEM – One or more solar panels and all associated equipment involved in the conversion of solar radiation to electrical energy which functions as a principal use on the land on which such system is situated.

B. Solar Energy Systems as a Conditional Use
Solar energy systems shall be a permitted conditional use in the WBGR Zone pursuant to the following conditional use requirements:

1. Solar energy systems shall be permitted on public property only.
2. Sidewalks shall be installed along all street frontages.
3. Decorative streetscape lighting shall be installed along all lot frontages adjacent to Highway 71 utilizing the JCP&L Ornate Colonial Post Top-II SVL fixture or similar as approved by the Wall Township Planning Board.
4. Any property housing a solar energy system shall be safely secured by a fence with a minimum height of 6-feet to the satisfaction of the Planning Board.
5. The minimum solar panel front yard setback from Highway 71 shall be 80 feet.
   a. The first 65 feet from Highway 71 shall be an uninterrupted area designated for public use.
   b. A buffer shall be permanently established and maintained within the required 80-foot front yard setback to shield the solar energy system from view. Said buffer shall be of sufficient height and depth so as to effectively shield the solar energy system from public view year round within two growing seasons. Said

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buffer may be within the area designated for public use if approved by the approving authority.

6. No solar panel shall exceed 36 inches in height above final approved grade.

7. The existing elevation of any land in the area used for solar energy systems shall not be altered by more than two feet by means of soil removal, fill, or grading except as necessary to provide for the proper placement, grading, and storm drainage for the solar field.

8. Solar energy systems must be entirely shielded from view on all sides adjacent to residential properties by a buffer at least 10 feet in width consisting of a fence and evergreen trees or shrubs and/or existing vegetation so as to effectively shield views of the solar energy system year round within two growing seasons.

9. All sides adjacent to railroad tracks are exempt from buffer requirements.

10. Solar collector equipment shall not be located within a front yard between any solar panel and a front property line.

11. All solar collector mechanical equipment related to solar energy systems shall be a maximum of eight feet above final approved grade.

12. All solar energy systems must comply with the noise and glare ordinances of the Township.

13. Decommissioning of the solar energy system must meet the requirements set forth in section 140-1391(B)(12).

C. Site Plan approval

A site plan application for a solar energy system shall address, and not be limited to, buffering, care and maintenance of all property associated with the installation, security, visual impacts, drainage, traffic to and from the site. Installations shall be subject to the following requirements:

1. To the extent reasonably possible, solar energy panels, regardless of how they are mounted, shall be oriented and/or screened year round so that glare is directed away from adjoining properties and streets.
2. To the extent reasonably possible, solar energy systems shall be designed using such features as colors, materials, textures, screening and landscaping so as to blend into their settings and avoid visual blight. The solar energy systems shall remain painted or finished in the color or finish that was originally applied by the manufacturer. The exterior surface of any visible components shall be non-reflective, neutral color such as, grey, tan, or another non-obtrusive color. Finishes shall be matte or non-reflective.
3. Solar energy systems shall not be used for the display of advertising.
4. All solar energy system collector installations must be performed by a qualified solar installer, and prior to operation the electrical connections must be inspected by the Construction Office or other appropriate electrical inspection agency as determined by the Township. In addition, any interconnection to the public utility grid must be inspected by the appropriate public utility.
5. When solar storage batteries are included as part of the solar energy collector system, they must be placed in a secure container or enclosure meeting the requirements of the New Jersey State Building Code when in use and when no longer used shall be disposed of in accordance with the laws and regulations of the State of New Jersey and other applicable laws and regulations.
6. Clearing of natural vegetation for the installation of a solar energy system shall be limited to that which is necessary for the construction, operation and maintenance of the system and as otherwise prescribed by applicable laws, regulations and ordinances.
7. Any trees to be removed to accommodate the installation of a solar energy system shall be accompanied by a plan demonstrating the need to remove the trees. Any applicant shall locate a solar energy system so that tree removal is not required to the extent practical.

Draft

8. Any ancillary buildings and any outside storage associated with a solar energy system must, to the extent reasonably possible, use materials, colors, textures, screening and landscaping that will blend the facility into the natural setting and existing environment. Appropriate fencing, landscaping, or architecture shall be provided to screen accessory structures from roads and adjacent residences.
9. Solar energy systems shall otherwise comply with the general design standards and bulk requirements in the WBGR Plan and Wall Township Ordinance except where superseded by this Ordinance.

SECTION 3
Validity. If any part of this Ordinance shall be deemed invalid by an administrative agency or court of competent jurisdiction, such decision shall not affect the legality and enforceability of any other provision hereof.

SECTION 4
All ordinances, policies and or procedures or parts thereof in conflict or inconsistent with this Ordinance are hereby repealed, but only however, to the extent of such conflict or inconsistency.

SECTION 5
This Ordinance shall take effect upon final passage and publication as provided by law.

Introduced on: September 23, 2020

Adopted: _____

Attest: _____ **Approve**:_____
Roberta Lang, CRMC Carl Braun
Township Clerk Mayor

Draft

TOWNSHIP OF WALL

RESOLUTION NO. 20-0907

CERTIFICATION OF TOWNSHIP FUNDS SEPTEMBER 10, 2020 THROUGH SEPTEMBER 23, 2020 IN THE AMOUNT OF $1,865,055.20

We, the undersigned members of the Township Committee of the Townsnip 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

Draft

TOWNSHIP OF WALL

RESOLUTION NO. 20-0908

AUTHORIZATION FOR THE TOWNSHIP CLERK TO PREPARE A REQUEST FOR PROPOSALS FOR PROFESSIONAL SERVICES AND TO PUBLICIZE THE SAME

WHEREAS, The Township of Wall seeks requests for proposals to render the following professional services to the Township for the year 2021:

Various Professionals	Legal	Engineering
Auditor	Bond Counsel	Board of Adjustment (Zoning) Engineer
Architect	Board of Adjustment (Zoning) Attorney	Consulting Engineer
Board of Adjustment (Zoning) Consulting Planner	Board of Adjustment (Zoning) Attorney - Conflicts Attorney/Special Matters	Environmental Engineer
Consulting Planner	Board of Health Attorney	Planning Board Engineer
COAH Planner	Environmental Attorney	Special Projects Engineer
Prosecutor	Labor Attorney	Water/Sewer Engineer
Public Defender	Mt. Laurel/ Affordable Housing Counsel	
Planning Board Consulting Planner	Planning Board Attorney	
Real Estate Appraisal Consultant	Planning Board Attorney - Conflicts Attorney/Special Matters	
	Rent Control Attorney	
	Special Counsel- Litigation	
	Special Counsel- Conflicts/Special Matters	
	Township Attorney- General Matters	
	Tax Counsel	

WHEREAS, The Township and the other Township Boards identified above seek to appoint qualified individuals to the referenced positions through a fair and open process; and

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Wall as follows:

1. The Township Clerk is authorized, in consultation with such other Township personnel as may be necessary or advisable, to prepare a Request for Proposal describing the type and scope of professional services sought by the Township as indicated in this resolution and shall solicit responses to same by publication in the Coast Star and by posting on the Township's website.

I, Roberta M. Lang, Township Clerk pf the Township of Wall, do hereby certify that the foregoing is a true copy of a resolution adopted by the Township Committee of the Township of Wall at a regular meeting held on September 23, 2020.

_____

Roberta M. Lang, RMC
Township Clerk

Draft

TOWNSHIP OF WALL

RESOLUTION NO. 20-0909

AUTHORIZATION TO APPROVE TOWNSHIP REFUND(S)

WHEREAS, the appropriate Department Head(s) has notified the Chief Financial Officer that certain refunds are appropriate; and,

WHEREAS, the Chief Financial Officer has reviewed the circumstances surrounding these refunds and has recommended to the Township Committee that the appropriate Township officials be authorized to issue said refunds.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Wall that the appropriate Township officials be and are hereby authorized to issue the refunds in accordance with the memorandum from the respective Department Head(s) to the Chief Financial Officer:

TAX					
NAME	**ADDRESS**	**BLOCK**	**LOT**	**AMOUNT**	**REASON**
Brenda Mason	1327 Bay Plaza	128	12	1735.62	Paid in err – Mtg Paid

I, Roberta M. Lang, Clerk of the Township of Wall, do hereby certify that the foregoing is a true copy of a Resolution adopted by the Township Committee of the Township of Wall at a Regular Meeting held on September 23, 2020.

Roberta M. Lang, RMC
Township Clerk

Draft

TOWNSHIP OF WALL

RESOLUTION NO. 20-0910

AUTHORIZATION TO APPROVE CERTAIN PERSONNEL ACTIONS

WHEREAS, the Department Heads referenced below recommended the appointment of the following individuals; and

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

NAME	DEPARTMENT/POSITION (STATUS CHANGE)	SALARY	EFFECTIVE DATE
William King	Police/ Part-Time EMT	$20.00/ hour	10/1/2020
Tyler Lokerson	Police/ Part-Time EMT	$20.00/ hour	10/1/2020
Michael Sulewski	Police/ Part-Time EMT	$20.00/ hour	10/1/2020
Paul Whille	Police/ Part-Time EMT	$20.00/ hour	10/1/2020

NAME	DEPARTMENT/POSITION	SALARY	EFFECTIVE DATE
Laura Roberts	Collections/ Billing Manager	$43,500.00	9/24/2020
Shannon Bachman	Collections/ Billing Clerk	$30,000.00	9/24/2020

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 23, 2020.

_____

Roberta M. Lang, RMC
Township Clerk

Draft

TOWNSHIP OF WALL

RESOLUTION NO. 20-0911

AUTHORIZATION TO RENEW A PLENARY RETAIL CONSUMPTION LIQUOR LICENSE FOR APPLE FOOD SERVICE OF WALL LLC D/B/A APPLEBEE'S NEIGHBORHOOD GRILL & BAR, LICENSE NUMBER 1352-33-004-018 FOR 2020-2021 LICENSE TERM

WHEREAS, Apple Food Service of Wall LLC d/b/a Applebee's Neighborhood Grill & Bar, operates a Plenary Retail Consumption licensed establishment under ABC license number 1352-33-004-018 at 2007 Highway 35, Wall NJ 07719; and

WHEREAS, pursuant to N.J.S.A. 33:1-1 et seq. and N.J.A.C. 13:2-1 et seq. the Township Committee of the Township of Wall sits as the local Alcoholic Beverages Control Board (hereinafter "ABC Board"); and

WHEREAS, Apple Food Service of Wall LLC applied for a renewal of its Plenary Retail Consumption Liquor license number 1352-33-004-018; and

WHEREAS, the Township of Wall Police Department reviewed said application and determined that nothing was discovered which would prevent the establishment from being granted a renewal; and

WHEREAS, the Building Department has confirmed to the Township Clerk that there are no open permits or fees outstanding to the Township; and

WHEREAS, the Code Enforcement Officer has confirmed to the Township Clerk that there are no open violations or fees outstanding to the Township; and

WHEREAS, the appropriate fee has been submitted in accordance with Section 62-16E(5) of the Wall Township Municipal Code; and

WHEREAS, the Township Attorney reviewed the application and found same to be legally sufficient; and

WHEREAS, the Township Committee is desirous of approving the application for renewal of the liquor license issued to Apple Food Service of Wall LLC for the year 2020-2021 license term.

NOW, THEREFORE, **BE IT RESOLVED** by the Township Committee of the Township of Wall as follows:

1. The application for renewal of the Plenary Retail Consumption license issued to Apple Food Service of Wall LLC d/b/a Applebee's Neighborhood Grill & Bar under ABC license number 1352-33-004-018 at 2007 Highway 35, Wall NJ 07719 is hereby granted for the 2020-2021 license term.

I, Roberta M. Lang, Clerk of the Township of Wall, do hereby certify that the foregoing is a true copy of a Resolution adopted by the Township Committee of the Township of Wall at a meeting held on September 23, 2020.

Roberta M. Lang, RMC
Township Clerk

Draft

TOWNSHIP OF WALL

RESOLUTION NO. 20-0912

AUTHORIZATION TO RENEW A PLENARY CONSUMPTION LIQUOR LICENSE FOR LPCC RESTAURANT LLC D/B/A SHOGUN LEGENDS, LICENSE NUMBER 1352-33-006-011 FOR 2020-2021 LICENSE TERM

WHEREAS, LPCC Restaurant LLC d/b/a Shogun Legends, operates a Plenary Retail Consumption licensed establishment under ABC license number 1352-33-006-011 at 1969 Highway 34, Wall NJ 07719; and

WHEREAS, pursuant to N.J.S.A. 33:1-1 et seq. and N.J.A.C. 13:2-1 et seq. the Township Committee of the Township of Wall sits as the local Alcoholic Beverages Control Board (hereinafter "ABC Board"); and

WHEREAS, LPCC Restaurant LLC applied for a renewal of its Plenary Retail Consumption Liquor license number 1352-33-006-011; and

WHEREAS, the Township of Wall Police Department reviewed said application and determined that nothing was discovered which would prevent the establishment from being granted a renewal; and

WHEREAS, the Building Department has confirmed to the Township Clerk that there are no open permits or fees outstanding to the Township; and

WHEREAS, the Code Enforcement Officer has confirmed to the Township Clerk that there are no open violations or fees outstanding to the Township; and

WHEREAS, the appropriate fee has been submitted in accordance with Section 62-16E(5) of the Wall Township Municipal Code; and

WHEREAS, the Township Attorney reviewed the application and found same to be legally sufficient; and

WHEREAS, the Township Committee is desirous of approving the application for renewal of the liquor license issued to LPCC Restaurant LLC for the year 2020-2021 license term.

NOW, THEREFORE, **BE IT RESOLVED** by the Township Committee of the Township of Wall as follows:

1) The application for renewal of the Plenary Retail Consumption license issued to LPCC Restaurant LLC d/b/a Shogun Legends, under ABC license number 1352-33-006-011 at 1969 Highway 34, Wall NJ 07719 is hereby granted for the 2020-2021 license term.

I, Roberta M. Lang, Clerk of the Township of Wall, do hereby certify that the foregoing is a true copy of a Resolution adopted by the Township Committee of the Township of Wall at a meeting held on September 23, 2020.

Roberta M. Lang, RMC
Township Clerk

Draft

TOWNSHIP OF WALL

RESOLUTION NO. 20-0913

AUTHORIZATION TO RENEW A PLENARY RETAIL CONSUMPTION LICENSE WITH A BROAD C PACKAGE PRIVILEGE FOR JONATHAN RON INC. D/B/A JONATHON RON LIQUORS AND JR'S BEV CO. LICENSE NUMBER 1352-32-007-004 FOR 2020-2021 LICENSE TERM

WHEREAS, Jonathan Ron Inc. d/b/a Jonathon Ron Liquors and JR's Bev Co. operates a Plenary Retail Distribution with a Broad C Package Privilege licensed establishment under ABC license number 1352-32-007-004 at 1801 Highway 35 Wall NJ 07719; and

WHEREAS, pursuant to N.J.S.A. 33:1-1 et seq. and N.J.A.C. 13:2-1 et seq. the Township Committee of the Township of Wall sits as the local Alcoholic Beverages Control Board (hereinafter "ABC Board"); and

WHEREAS, Jonathan Ron Inc. applied for a renewal of its Plenary Retail Consumption Liquor license number 1352-32-007-004; and

WHEREAS, the Township of Wall Police Department reviewed said application and determined that nothing was discovered which would prevent the establishment from being granted a renewal; and

WHEREAS, the Building Department has confirmed to the Township Clerk that there are no open permits or fees outstanding to the Township; and

WHEREAS, the Code Enforcement Officer has confirmed to the Township Clerk that there are no open violations or fees outstanding to the Township; and

WHEREAS, the appropriate fee has been submitted in accordance with Section 62-16E(5) of the Wall Township Municipal Code; and

WHEREAS, the Township Attorney reviewed the application and found same to be legally sufficient; and

WHEREAS, the Township Committee is desirous of approving the application for renewal of the liquor license issued to Jonathan Ron Inc. for the year 2020-2021 license term.

NOW, THEREFORE, **BE IT RESOLVED** by the Township Committee of the Township of Wall as follows:

1) The application for renewal of the Plenary Retail Consumption license with broad package privilege issued to Jonathan Ron Inc. d/b/a Jonathon Ron Liquors, under ABC license number 1352-32-007-004 at 1801 Highway 35 Wall NJ 07719 is hereby granted for the 2020-2021 license term.

I, Roberta M. Lang, Clerk of the Township of Wall, do hereby certify that the foregoing is a true copy of a Resolution adopted by the Township Committee of the Township of Wall at a meeting held on September 23, 2020.

Roberta M. Lang, RMC
Township Clerk

Draft

TOWNSHIP OF WALL

RESOLUTION NO. 20-0914

AUTHORIZATION TO RENEW A PLENARY RETAIL CONSUMPTION LIQUOR LICENSE FOR BRICK LANES LOUNGE INC D/B/A FRONT PAGE PUB, LICENSE NUMBER 1352-33-008-002 FOR 2020-2021 LICENSE TERM

WHEREAS, Brick Lanes Lounge Inc. d/b/a Front Page Pub, operates a Plenary Retail Consumption licensed establishment under ABC license number 1352-33-008-002 at 2106 State Highway 35, Sea Girt NJ 08750; and

WHEREAS, pursuant to N.J.S.A. 33:1-1 et seq. and N.J.A.C. 13:2-1 et seq. the Township Committee of the Township of Wall sits as the local Alcoholic Beverages Control Board (hereinafter "ABC Board"); and

WHEREAS, Brick Lanes Lounge Inc. applied for a renewal of its Plenary Retail Consumption Liquor license number 1352-33-008-002; and

WHEREAS, the Township of Wall Police Department reviewed said application and determined that nothing was discovered which would prevent the establishment from being granted a renewal; and

WHEREAS, the Building Department has confirmed to the Township Clerk that there are no open permits or fees outstanding to the Township; and

WHEREAS, the Code Enforcement Officer has confirmed to the Township Clerk that there are no open violations or fees outstanding to the Township; and

WHEREAS, the appropriate fee has been submitted in accordance with Section 62-16E(5) of the Wall Township Municipal Code; and

WHEREAS, the Township Attorney reviewed the application and found same to be legally sufficient; and

WHEREAS, the Township Committee is desirous of approving the application for renewal of the liquor license issued to Brick Lanes Lounge Inc. for the year 2020-2021 license term.

NOW, THEREFORE, **BE IT RESOLVED** by the Township Committee of the Township of Wall as follows:

1) The application for renewal of the Plenary Retail Consumption license issued to Brick Lanes Lounge Inc. d/b/a Front Page Pub, under ABC license number 1352-33-008-002 at 2106 State Highway 35, Sea Girt NJ 08750 is hereby granted for the 2020-2021 license term.

I, Roberta M. Lang, Clerk of the Township of Wall, do hereby certify that the foregoing is a true copy of a Resolution adopted by the Township Committee of the Township of Wall at a meeting held on September 23, 2020.

Roberta M. Lang, RMC
Township Clerk

Draft

TOWNSHIP OF WALL

RESOLUTION NO. 20-0915

AUTHORIZATION TO RENEW A PLENARY RETAIL CONSUMPTION LICENSE FOR THE BLUE PEACH CAFÉ INC D/B/A THE BLUE PEACH CAFÉ INC, LICENSE NUMBER 1352-33-009-007 FOR 2020-2021 LICENSE TERM

WHEREAS, Richard Bahadurian, Jr. d/b/a The Blue Peach Café, Inc., operates a Plenary Retail Consumption licensed establishment under ABC license number 1352-33-009-007 at 2517 Highway 35, Suite A300, Manasquan, NJ 08736; and

WHEREAS, pursuant to N.J.S.A. 33:1-1 et seq. and N.J.A.C. 13:2-1 et seq. the Township Committee of the Township of Wall sits as the local Alcoholic Beverages Control Board (hereinafter "ABC Board"); and

WHEREAS, Richard Bahadurian, Jr. applied for a renewal of its Plenary Retail Consumption Liquor license number 1352-33-009-007; and

WHEREAS, the Township of Wall Police Department reviewed said application and determined that nothing was discovered which would prevent the establishment from being granted a renewal; and

WHEREAS, the Building Department has confirmed to the Township Clerk that there are no open permits or fees outstanding to the Township; and

WHEREAS, the Code Enforcement Officer has confirmed to the Township Clerk that there are no open violations or fees outstanding to the Township; and

WHEREAS, the appropriate fee has been submitted in accordance with Section 62-16E(5) of the Wall Township Municipal Code; and

WHEREAS, the Township Attorney reviewed the application and found same to be legally sufficient; and

WHEREAS, the Township Committee is desirous of approving the application for renewal of the liquor license issued to Richard Bahadurian, Jr. for the year 2020-2021 license term.

NOW, THEREFORE, **BE IT RESOLVED** by the Township Committee of the Township of Wall as follows:

1. The application for renewal of the Plenary Retail Consumption license issued to Richard Bahadurian, Jr. d/b/a The Blue Peach Café, Inc., under ABC license number 1352-33-009-007 at 2517 Highway 35, Suite 300, Manasquan, NJ 07836 is hereby granted for the 2020-2021 license term.

I, Roberta M. Lang, Clerk of the Township of Wall, do hereby certify that the foregoing is a true copy of a Resolution adopted by the Township Committee of the Township of Wall at a meeting held on September 23, 2020.

Roberta M. Lang, RMC
Township Clerk

Draft

TOWNSHIP OF WALL

RESOLUTION NO. 20-0916

AUTHORIZATION TO RENEW A PLENARY RETAIL CONSUMPTION LIQUOR LICENSE FOR THE SQUAN RIVER GROUP LLC D/B/A HARPOON WILLY'S, LICENSE NUMBER 1352-33-010-003 FOR 20120-2021 LICENSE TERM

WHEREAS, The Squan River Group LLC. d/b/a Harpoon Willy's operates a Plenary Retail Consumption licensed establishment under ABC license number 1352-33-010-003 at 2655 River Road, Wall NJ 08736; and

WHEREAS, pursuant to N.J.S.A. 33:1-1 et seq. and N.J.A.C. 13:2-1 et seq. the Township Committee of the Township of Wall sits as the local Alcoholic Beverages Control Board (hereinafter "ABC Board"); and

WHEREAS, The Squan River Group LLC. applied for a renewal of its Plenary Retail Consumption Liquor license number 1352-33-010-003; and

WHEREAS, the Township of Wall Police Department reviewed said application and determined that nothing was discovered which would prevent the establishment from being granted a renewal; and

WHEREAS, the Building Department has confirmed to the Township Clerk that there are no open permits or fees outstanding to the Township; and

WHEREAS, the Code Enforcement Officer has confirmed to the Township Clerk that there are no open violations or fees outstanding to the Township; and

WHEREAS, the appropriate fee has been submitted in accordance with Section 62-16E(5) of the Wall Township Municipal Code; and

WHEREAS, the Township Attorney reviewed the application and found same to be legally sufficient; and

WHEREAS, the Township Committee is desirous of approving the application for renewal of the liquor license issued to The Squan River Group LLC. for the year 2020-2021 license term.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Wall as follows:

1) The application for renewal of the Plenary Retail Consumption license issued to The Squan River Group LLC. d/b/a Harpoon Willy's, under ABC license number 1352-33-010-003 at 2655 River Road, Wall NJ 08736 is hereby granted for the 2020-2021 license term.

I, Roberta Lang, Clerk of the Township of Wall, do hereby certify that the foregoing is a true copy of a Resolution adopted by the Township Committee of the Township of Wall at a meeting held on September 23, 2020.

Roberta M. Lang, RMC
Township Clerk

Draft

TOWNSHIP OF WALL

RESOLUTION NO. 20-0917

AUTHORIZATION TO RENEW A PLENARY RETAIL CONSUMPTION LIQUOR LICENSE FOR WALL CIRCLE ASSOCIATES LLC LICENSE NUMBER 1352-33-012-010 FOR 2020-2021 LICENSE TERM

WHEREAS, Wall Circle Associates LLC has a Plenary Retail Consumption License under ABC license number 1352-33-012-010 without a premise to actively use said license, but with a mailing address of 657 Ocean Avenue Sea Girt, NJ 08750; and

WHEREAS, pursuant to N.J.S.A. 33:1-1 et seq. and N.J.A.C. 13:2-1 et seq. the Township committee of the Township of Wall sits as the local Alcoholic Beverages Control Board (hereinafter "ABC Board"); and

WHEREAS, Wall Circle Associates LLC applied for a renewal of its Plenary Retail Consumption Liquor License, number 1352-33-012-010; and

WHEREAS, the Township of Wall Police Department reviewed said application and has determined that nothing was discovered which would prevent the licensee from being granted a renewal; and

WHEREAS, the appropriate fee has been submitted in accordance with Section 62-16E(5) of the Wall Township Municipal Code; and

WHEREAS, the Township Attorney reviewed the application and found same to be legally sufficient; and

WHEREAS, the Township Committee is desirous of approving the application for renewal of the liquor license issued to Wall Circle Associates LLC for the year 2020-2021 license term; and

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Wall as follows:

1. The application for renewal of the Plenary Retail Consumption license issued to Wall Circle Associates LLC under ABC license number 1352-33-012-010 without a premise to actively use said license, but with a mailing address of 657 Ocean Avenue Sea Girt, NJ 08750, is hereby granted for the 2020-2021 license term subject to the terms and conditions of the New Jersey State ABC 12.39 ruling a copy of which is attached hereto and made a part hereof

I, Roberta M. Lang, Clerk of the Township of Wall, do hereby certify that the foregoing is a true copy of a Resolution adopted by the Township Committee of the Township of Wall at a meeting held on September 23, 2020.

Roberta M. Lang, RMC
Township Clerk

Draft

TOWNSHIP OF WALL

RESOLUTION NO. 20-0918

AUTHORIZATION TO RENEW A PLENARY RETAIL DISTRIBUTION LICENSE FOR THE SEA GIRT WINE AND SPIRITS, INC. D/B/A CIRCUS WINE AND SPIRITS, INC. LICENSE NUMBER 1352-44-013-004 FOR 2020-2021 LICENSE TERM

WHEREAS, The Sea Girt Wine and Spirits, Inc. d/b/a Circus Wines Beer & Spirits operates a Plenary Retail Distribution licensed establishment under ABC license number 1352-44-013-004 at 2204 Highway 35, Wall NJ 07719; and

WHEREAS, pursuant to N.J.S.A. 33:1-1 et seq. and N.J.A.C. 13:2-1 et seq. the Township Committee of the Township of Wall sits as the local Alcoholic Beverages Control Board (hereinafter "ABC Board"); and

WHEREAS, The Sea Girt Wine and Spirits, Inc. applied for a renewal of its Plenary Retail Distribution Liquor license number 1352-44-013-004; and

WHEREAS, the Township of Wall Police Department reviewed said application and determined that nothing was discovered which would prevent the establishment from being granted a renewal; and

WHEREAS, the Building Department has confirmed to the Township Clerk that there are no open permits or fees outstanding to the Township; and

WHEREAS, the Code Enforcement Officer has confirmed to the Township Clerk that there are no open violations or fees outstanding to the Township; and

WHEREAS, the appropriate fee has been submitted in accordance with Section 62-16E(5) of the Wall Township Municipal Code; and

WHEREAS, the Township Attorney reviewed the application and found same to be legally sufficient; and

WHEREAS, the Township Committee is desirous of approving the application for renewal of the liquor license issued to The Sea Girt Wine and Spirits, Inc. for the year 2020-2021 license term.

NOW, THEREFORE, **BE IT RESOLVED** by the Township Committee of the Township of Wall as follows:

1. The application for renewal of the Plenary Retail Distribution license issued to The Sea Girt Wine and Spirits, Inc. d/b/a Circus Wines Beer & Spirits under ABC license number 1352-44-013-004 at 2204 Highway 35, Wall NJ 07719 is hereby granted for the 2020-2021 license term.

I, Roberta M. Lang, Clerk of the Township of Wall, do hereby certify that the foregoing is a true copy of a Resolution adopted by the Township Committee of the Township of Wall at a meeting held on September 23, 2020.

Roberta M. Lang, RMC
Township Clerk

Draft

TOWNSHIP OF WALL

RESOLUTION NO. 20-0919

AUTHORIZATION TO RENEW A PLENARY RETAIL DISTRIBUTION LIQUOR LICENSE FOR WINE KING, LLC D/B/A WINE KING LICENSE NUMBER 1352-44-015-004 FOR 2020-2021 LICENSE TERM

WHEREAS, Wine King LLC d/b/a Wine King, operates a Plenary Retail Distribution licensed establishment under ABC license number 1352-44-015-004 at 2439 Route 34 South Ste G., Manasquan, NJ 08736; and

WHEREAS, pursuant to N.J.S.A. 33:1-1 et seq. and N.J.A.C. 13:2-1 et seq. the Township Committee of the Township of Wall sits as the local Alcoholic Beverages Control Board (hereinafter "ABC Board"); and

WHEREAS, Wine King LLC applied for a renewal of its Plenary Retail Distribution Liquor license number 1352-44-015-004; and

WHEREAS, the Township of Wall Police Department reviewed said application and determined that nothing was discovered which would prevent the establishment from being granted a renewal; and

WHEREAS, the Building Department has confirmed to the Township Clerk that there are no open permits or fees outstanding to the Township; and

WHEREAS, the Code Enforcement Officer has confirmed to the Township Clerk that there are no open violations or fees outstanding to the Township; and

WHEREAS, the appropriate fee has been submitted in accordance with Section 62-16E(5) of the Wall Township Municipal Code; and

WHEREAS, the Township Attorney reviewed the application and found same to be legally sufficient; and

WHEREAS, the Township Committee is desirous of approving the application for renewal of the liquor license issued to Wine King LLC for the year 2020-2021 license term.

NOW, THEREFORE, **BE IT RESOLVED** by the Township Committee of the Township of Wall as follows:

1. The application for renewal of the Plenary Retail Distribution license issued to Wine King LLC d/b/a Wine King under ABC license number 1352-44-015-004 at 2439 RT 34 South Ste G., Manasquan, N.J. 08736 is hereby granted for the 2020-2021 license term.

I, Roberta M. Lang, Clerk of the Township of Wall, do hereby certify that the foregoing is a true copy of a Resolution adopted by the Township Committee of the Township of Wall at a meeting held on September 23, 2020.

Roberta M. Lang, RMC
Township Clerk

Draft

TOWNSHIP OF WALL

RESOLUTION NO. 20-0920

AUTHORIZATION TO RENEW A HOTEL/MOTEL EXCEPTION LIQUOR LICENSE FOR ONE NJ WALL 1302 MANAGEMENT LLC, LICENSE NUMBER 1352-36-016-005 FOR 2020-2021 LICENSE TERM

WHEREAS, One NJ Wall 1302 Management LLC, operates a Hotel/Motel Exception licensed establishment under ABC license number 1352-36-016-005 at 1302 Campus Parkway, Wall NJ 07719; and

WHEREAS, pursuant to N.J.S.A. 33:1-1 et seq. and N.J.A.C. 13:2-1 et seq. the Township committee of the Township of Wall sits as the local Alcoholic Beverages Control Board (hereinafter "ABC Board"); and

WHEREAS, One NJ Wall 1302 Management LLC applied for a renewal of its Plenary Retail Consumption Liquor license number 1352-36-016-005; and

WHEREAS, the Township of Wall Police Department reviewed said application and determined that nothing was discovered which would prevent the establishment from being granted a renewal; and

WHEREAS, the Building Department has confirmed to the Township Clerk that there are no open permits or fees outstanding to the Township; and

WHEREAS, the Code Enforcement Officer has confirmed to the Township Clerk that there are no open violations or fees outstanding to the Township; and

WHEREAS, the appropriate fee has been submitted in accordance with Section 62-16E(5) of the Wall Township Municipal Code; and

WHEREAS, the Township attorney reviewed the application and found same to be legally sufficient; and

WHEREAS, the Township Committee is desirous of approving the application for renewal of the liquor license issued to One NJ Wall 1302 Management LLC for the year 2020-2021 license term.

NOW, THEREFORE, **BE IT RESOLVED** by the Township Committee of the Township of Wall as follows:

1. The application for renewal of the Hotel/Motel Exception license issued to One NJ Wall 1302 Management LLC under ABC license number 1352-36-016-005 at 1302 Campus Parkway, Wall NJ 07719 is hereby granted for the 2020-2021 license term.

I, Roberta M. Lang, Clerk of the Township of Wall, do hereby certify that the foregoing is a true copy of a Resolution adopted by the Township Committee of the Township of Wall at a meeting held on September 23, 2020.

Roberta Lang, RMC
Township Clerk

Draft

TOWNSHIP OF WALL

RESOLUTION NO. 20-0921

AUTHORIZATION TO RENEW A PLENARY RETAIL DISTRIBUTION LIQUOR LICENSE FOR WALL OF WINES INC. LICENSE NUMBER 1352-44-017-004 FOR 2020-2021 LICENSE TERM

WHEREAS, Wall of Wines Inc. has a Plenary Retail Distribution License under ABC license number 1352-44-017-004 at 1933 Highway 35 South Unit 126, Wall NJ 07719; and

WHEREAS, pursuant to N.J.S.A. 33:1-1 et seq. and N.J.A.C. 13:2-1 et seq. the Township committee of the Township of Wall sits as the local Alcoholic Beverages Control Board (hereinafter "ABC Board"); and

WHEREAS, Wall of Wines Inc. applied for a renewal of its Plenary Retail Distribution Liquor License, number 1352-44-017-004; and

WHEREAS, the Township of Wall Police Department reviewed said application and has determined that nothing was discovered which would prevent the licensee from being granted a renewal; and

WHEREAS, the Building Department has confirmed to the Township Clerk that there are no open permits or fees outstanding to the Township; and

WHEREAS, the Code Enforcement Officer has confirmed to the Township Clerk that there are no open violations or fees outstanding to the Township; and

WHEREAS, the appropriate fee has been submitted in accordance with Section 62-16E(5) of the Wall Township Municipal Code; and

WHEREAS, the Township Attorney reviewed the application and found same to be legally sufficient; and

WHEREAS, the Township Committee is desirous of approving the application for renewal of the liquor license issued to Wall of Wines Inc. for the year 2020-2021 license term; and

NOW, THEREFORE, **BE IT RESOLVED** by the Township Committee of the Township of Wall as follows:

1. The application for renewal of the Plenary Retail Distribution license issued to Wall of Wines Inc. under ABC license number 1352-44-017-004 at 1933 Highway 35 South Unit 126, Wall NJ 07719 is hereby granted for the 2020-2021 license term.

I, Roberta M. Lang, Clerk of the Township of Wall, do hereby certify that the foregoing is a true copy of a Resolution adopted by the Township Committee of the Township of Wall at a meeting held on September 23, 2020

Roberta M. Lang, RMC
Township Clerk

Draft

TOWNSHIP OF WALL

RESOLUTION NO. 20-0922

AUTHORIZATION TO RENEW A PLENARY RETAIL CONSUMPTION LIQUOR LICENSE FOR JEMC CORP. D/B/A FOUR WINDS RESTAURANT, LICENSE NUMBER 1352-33-002-004 FOR 2020-2021 LICENSE TERM

WHEREAS, JEMC Corp. d/b/a Four Winds Restaurant, (hereinafter "Four Winds Restaurant") operates a Plenary Retail Consumption licensed establishment under ABC license number 1352-33-002-004 at 1316 Jefferson Avenue, Wall, NJ 07719; and

WHEREAS, pursuant to N.J.S.A. 33:1-1 et seq. and N.J.A.C. 13:2-1 et seq. the Township Committee of the Township of Wall sits as the local Alcoholic Beverages Control Board (hereinafter "ABC Board"); and

WHEREAS, JEMC Corp. applied for a renewal of its Plenary Retail Consumption Liquor license number 1352-33-002-004; and

WHEREAS, the Township of Wall Police Department reviewed said application and determined that nothing was discovered which would prevent the establishment from being granted a renewal; and

WHEREAS, the Building Department has confirmed to the Township Clerk that there are no open permits or fees outstanding to the Township; and

WHEREAS, the Code Enforcement Officer has confirmed to the Township Clerk that there are no open violations or fees outstanding to the Township; and

WHEREAS, the appropriate fee has been submitted in accordance with Section 62-16E(5) of the Wall Township Municipal Code; and

WHEREAS, the Township Attorney reviewed the application and found same to be legally sufficient; and

WHEREAS, the Township Committee is desirous of approving the application for renewal of the liquor license issued to JEMC Corp. for the year 2020-2021 license term.

NOW, THEREFORE, **BE IT RESOLVED** by the Township Committee of the Township of Wall as follows:

1) The application for renewal of the Plenary Retail Consumption license issued to JEMC Corp. d/b/a Four Winds Restaurant under ABC license number 1352-33-002-004 at 1316 Jefferson Avenue, Wall, NJ 07719 is hereby granted for the 2020-2021 license term.

I, Roberta M. Lang, Clerk of the Township of Wall, do hereby certify that the foregoing is a true copy of a Resolution adopted by the Township Committee of the Township of Wall at a meeting held on September 23, 2020.

Roberta M. Lang, RMC
Township Clerk

Draft

TOWNSHIP OF WALL

RESOLUTION NO. 20-0923

AUTHORIZATION TO RENEW A PLENARY RETAIL CONSUMPTION LIQUOR LICENSE FOR 2 GENERATIONS, LLC D/B/A CASA MOSSUTO, LICENSE NUMBER 1352-33-003-012 FOR 2020-2021 LICENSE TERM

WHEREAS, 2 Generations, LLC d/b/a Casa Mossuto, operates a Plenary Retail Consumption licensed establishment under ABC license number 1352-33-003-012 at 2029 Highway 35, Wall, NJ 07719; and

WHEREAS, pursuant to N.J.S.A. 33:1-1 et seq. and N.J.A.C. 13:2-1 et seq. the Township Committee of the Township of Wall sits as the local Alcoholic Beverages Control Board (hereinafter "ABC Board"); and

WHEREAS, 2 Generations, LLC applied for a renewal of its Plenary Retail Consumption Liquor license number 1352-33-003-012; and

WHEREAS, the Township of Wall Police Department reviewed said application and determined that nothing was discovered which would prevent the establishment from being granted a renewal; and

WHEREAS, the Building Department has confirmed to the Township Clerk that there are no open permits or fees outstanding to the Township; and

WHEREAS, the Code Enforcement Officer has confirmed to the Township Clerk that there are no open violations or fees outstanding to the Township; and

WHEREAS, the appropriate fee has been submitted in accordance with Section 62-16E(5) of the Wall Township Municipal Code; and

WHEREAS, the Township Attorney reviewed the application and found same to be legally sufficient; and

WHEREAS, the Township Committee is desirous of approving the application for renewal of the liquor license issued to 2 Generations, LLC for the year 2020-2021 license term.

NOW, THEREFORE, **BE IT RESOLVED** by the Township Committee of the Township of Wall as follows:

1. The application for renewal of the Plenary Retail Consumption license issued to 2 Generations, LLC d/b/a Casa Mossuto under ABC license number 1352-33-003-012 at 2029 Highway 35, Wall, NJ 07719 is hereby granted for the 2020-2021 license term.

I, Roberta M. Lang, Clerk of the Township of Wall, do hereby certify that the foregoing is a true copy of a Resolution adopted by the Township Committee of the Township of Wall at a meeting held on September 23, 2020.

Roberta M. Lang, RMC
Township Clerk

Draft

TOWNSHIP OF WALL

RESOLUTION NO. 20-0924

AUTHORIZATION TO RENEW A PLENARY RETAIL CONSUMPTION LIQUOR LICENSE FOR THE ATLANTIC CLUB INC D/B/A THE ATLANTIC CLUB, LICENSE NUMBER 1352-33-011-005 FOR 2020-2021 LICENSE TERM

WHEREAS, The Atlantic Club d/b/a The Atlantic Club, operates a Plenary Retail Consumption licensed establishment under ABC license number 1352-33-011-005 at 1904 Atlantic Avenue, Wall NJ 07719; and

WHEREAS, pursuant to N.J.S.A. 33:1-1 et seq. and N.J.A.C. 13:2-1 et seq. the Township Committee of the Township of Wall sits as the local Alcoholic Beverages Control Board (hereinafter "ABC Board"); and

WHEREAS, The Atlantic Club applied for a renewal of its Plenary Retail Consumption Liquor license number 1352-33-011-005; and

WHEREAS, the Township of Wall Police Department reviewed said application and determined that nothing was discovered which would prevent the establishment from being granted a renewal; and

WHEREAS, the Building Department has confirmed to the Township Clerk that there are no open permits or fees outstanding to the Township; and

WHEREAS, the Code Enforcement Officer has confirmed to the Township Clerk that there are no open violations or fees outstanding to the Township; and

WHEREAS, the appropriate fee has been submitted in accordance with Section 62-16E(5) of the Wall Township Municipal Code; and

WHEREAS, the Township Attorney reviewed the application and found same to be legally sufficient; and

WHEREAS, the Township Committee is desirous of approving the application for renewal of the liquor license issued to the Atlantic Club for the year 2020-2020 license term.

NOW, THEREFORE, **BE IT RESOLVED** by the Township Committee of the Township of Wall as follows:

1. The application for renewal of the Plenary Retail Consumption license issued to The Atlantic Club d/b/a The Atlantic Club, under ABC license number 1352-33-011-005 at 1904 Atlantic Avenue, Wall NJ 07719 is hereby granted for the 2020-2021 license term.

I, Roberta M. Lang, Clerk of the Township of Wall, do hereby certify that the foregoing is a true copy of a Resolution adopted by the Township Committee of the Township of Wall at a meeting held on September 23, 2020.

Roberta M. Lang, RMC
Township Clerk

Draft

TOWNSHIP OF WALL

RESOLUTION NO. 20-0925

AUTHORIZATION TO RENEW A PLENARY RETAIL CONSUMPTION LIQUOR LICENSE FOR RAMSHORN CORPORATION D/B/A SCARBOROUGH FAIR RESTAURANT, LICENSE NUMBER 1352-33-001-007 FOR 2020-2021 LICENSE TERM

WHEREAS, Ramshorn Corporation d/b/a Scarborough Fair Restaurant, operates a Plenary Retail Consumption licensed establishment under ABC license number 1352-33-001-007 at 1414 Meetinghouse Road, Wall, NJ 08750; and

WHEREAS, pursuant to N.J.S.A. 33:1-1 et seq. and N.J.A.C. 13:2-1 et seq. the Township Committee of the Township of Wall sits as the local Alcoholic Beverages Control Board (hereinafter "ABC Board"); and

WHEREAS, Ramshorn Corporation applied for a renewal of its Plenary Retail Consumption Liquor license number 1352-33-001-007; and

WHEREAS, the Township of Wall Police Department reviewed said application and determined that nothing was discovered which would prevent the establishment from being granted a renewal; and

WHEREAS, the Building Department has confirmed to the Township Clerk that there are no open permits or fees outstanding to the Township; and

WHEREAS, the Code Enforcement Officer has confirmed to the Township Clerk that there are no open violations or fees outstanding to the Township; and

WHEREAS, the appropriate fee has been submitted in accordance with Section 62-16E(5) of the Wall Township Municipal Code; and

WHEREAS, the Township Attorney reviewed the application and found same to be legally sufficient; and

WHEREAS, the Township Committee is desirous of approving the application for renewal of the liquor license issued to Ramshorn Corporation for the year 2020-2021 license term.

NOW, THEREFORE, **BE IT RESOLVED** by the Township Committee of the Township of Wall as follows:

1. The application for renewal of the Plenary Retail Consumption license issued to Ramshorn Corporation d/b/a Scarborough Fair Restaurant under ABC license number 1352-33-001-007 at 1414 Meetinghouse Road, Wall, New Jersey is hereby granted for the 2020-2021 license term.

I, Roberta M. Lang, Clerk of the Township of Wall, do hereby certify that the foregoing is a true copy of a Resolution adopted by the Township Committee of the Township of Wall at a meeting held on September 23, 2020.

Roberta M. Lang, RMC
Township Clerk

Draft

TOWNSHIP OF WALL

RESOLUTION NO. 20-0926

AUTHORIZATION TO APPROVE AND SIGN AN ACCESS, WATER AND SANITARY SEWER EASEMENT AGREEMENT REGARDING PROPERTY IDENTIFIED AS BLOCK 811.10, LOT 17.01 ON THE WALL TOWNSHIP TAX MAP

WHEREAS, TwoJay Realty, LLC ("TwoJay") is the owner of real property located in the Township of Wall ("Township") known as Block 811.10, Lot 17.01 f/k/a Lots 15.02, 17 and 31 (the "Property"); and

WHEREAS, the Township seeks a permanent nonexclusive right of way and right of access ("Easement") across, over and under: (i) the Easement Area on the Property; and (ii) the Lot 15.01 Easement Area in order for the Township to access the Water and Sewer Utilities on the Property and on former Lot 15.01 in the event of an emergency and or in the event TwoJay does not maintain the Water and Sewer Utilities collectively the easement and access rights; and

WHEREAS, TwoJay offered to grant the Township an easement and access rights pursuant to, and in accordance with, the terms of the Easement Agreement; and

WHEREAS, TwoJay submitted to the Township the Access, Water and Sewer Easement Agreement for its approval and signing; and

WHEREAS, the Township Committee of the Township of Wall wishes to approve the Access, Water and Sanitary Sewer Easement Agreement attached hereto as Exhibit A, which shall be recorded by TwoJay with the Clerk of Monmouth County and a filed copy shall be delivered to the Township.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Wall, in the County of Monmouth, New Jersey that:

1. The aforementioned recitals are incorporated herein as though fully set forth at length herein
2. The Mayor and Township Committee hereby approve the Access, Water and Sanitary Sewer Easement Agreement attached hereto as Exhibit A, which shall be recorded by TwoJay with the Clerk of Monmouth County and a filed copy shall be delivered to the Township.
3. The Mayor is hereby authorized to sign the Access, Water and Sanitary Sewer Easement Agreement.
4. This Resolution shall take effect immediately.

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.

I, Roberta M. Lang, Clerk of the Township of Wall, do hereby certify that the foregoing is a true copy of a Resolution adopted by the Township Committee of the Township of Wall at a Meeting held on September 23, 2020.

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Roberta M. Lang, RMC
Township Clerk

Draft

TOWNSHIP OF WALL

RESOLUTION NO. 20-0927

AUTHORIZATION TO AWARD A CONTRACT TO STROBER-WRIGHT ROOFING INC. TO REPLACE THE ROOFS OF THE MUNICIPAL BUILDING AND THE LIBRARY AS THE RESULT OF A PUBLIC

WHEREAS, the Township of Wall ("Township") sought bids through competitive bidding to replace the roofs of the municipal building and the library; and

WHEREAS, bids were received from the following contractors:

Bidder	Price
Badger Roofing Co.	$ 604,000 (bid withdrawn)
Strober-Wright Roofing Inc.	$ 691,725.00
White Rock Corp.	$ 951,000.00
Roof Management, Inc.	$1,004,400.00
Padovani Roofing & Construction	$1,219,900.00
Northeast Roof Maintenance	$1,368,000.00

WHEREAS, the Township's consulting architect, Sonnenfeld & Torcchia Architects, P.A. ("ST") reviewed the bids as well as the qualifications and past experience of the contractors and recommended that the Township award the project to Strober-Wright Roofing Inc. as the lowest qualified bidder; and

WHEREAS, it is the professional opinion and belief of ST that the project should be awarded to Strober-Wright Roofing Inc. in a not to exceed amount of $691,725 which consists of the base bid $363,900 plus, if necessary, Alternate No. 1, $169,825 and, if necessary, Alternate No. 2, $158,000 or any portion thereof. In addition, it is the recommendation of ST that the unit prices be rejected and excluded from the contract; and

WHEREAS, the Chief Financial Officer of the Township has certified that the funds are available to retain and enter into a contract with Strober-Wright Roofing Inc. in the total amount not to exceed $691,725.00.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and members of the Township Committee of the Township of Wall that the bid be awarded to Strober-Wright Roofing Inc., in a not to exceed amount of $691,725 which consists of the base bid $363,900 plus, if necessary, Alternate No. 1, $169,825 and, if necessary, Alternate No. 2, $158,000 or any portion thereof. In addition, the unit prices in the bid shall be rejected and excluded from the contract; and

BE IT FURTHER RESOLVED, that the contract between the Township and Strober-Wright Roofing Inc., shall have conditions and terms acceptable to the Township; and

Draft

BE IT FURTHER RESOLVED, that the Mayor on behalf of the Township is hereby authorized to sign a contract with Strober-Wright Roofing Inc. including the terms set forth above together with other usual and common terms and conditions; and

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.

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 23, 2020.

_____

Roberta Lang, RMC
Municipal Clerk

Draft

Certification of Funds

I, Thomas 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 for the replacement of the roofs of the municipal building and the library of Strober-Wright Roofing Inc. in the total amount not to exceed $691,725.00.

Capital		
Account	**Description**	**Amount**
C-04-16-834-004-916	Ordinance #9-2016	$83,833.71
C-04-17-007-003-001	Ordinance #7-2017	$100,000.00
C-04-19-000-002-004	Ordinance #13-2019	$254,000.00
C-04-19-000-002-005	Ordinance #13-2019	$253,891.29

_____ Date:

Thomas O'Hara, CFO
Chief Financial Officer

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