

TOWNSHIP OF WALL

ORDINANCE NO. 15-2015

AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL AMENDING WALL TOWNSHIP CODE CHAPTER 141-2, THE WEST BELMAR GATEWAY AREA REDEVELOPMENT PLAN TO PERMIT MICRO-BREWERIES BE LOCATED IN THE WEST BELMAR GATEWAY AREA

WHEREAS, Wall Township Municipal Code Chapter 141-2, Adoption of redevelopment plan, references the West Belmar Gateway Area Redevelopment Plan, prepared by Schoor DePalma, Inc, dated December 2003;and,

WHEREAS, the Township of Wall entered into a developers agreement authorizing 71 Holdings, LLC to locate a micro-brewery (as defined by N.J.S.A. 33:1-10.1b) on Route 71 in Wall Township in the West Belmar Gateway Area; and,

WHEREAS, micro-breweries are not presently permitted uses as defined in Wall Township Municipal Code Chapter 141-2 which references the West Belmar Gateway Area Redevelopment Plan; and,

WHEREAS, in 2013 the State of New Jersey, pursuant to N.J.S.A. 33:1-10.1b created the “limited brewery license” which authorizes licensees to sell malt alcoholic beverages at retail to consumers on the licensed premises, but only in connection with a tour of the brewery; and,

WHEREAS, the Township believes the location of a micro-brewery in the West Belmar Gateway Area will attract other retail outlets and will serve as an economic engine to the entire West Belmar Gateway Area; and,

WHEREAS, the Township Planner, John Hoffmann, PP/AICP, has reviewed the Developer’s Agreement between the Township and 71 Holdings LLC and has recommended that the West Belmar Gateway Area Redevelopment Plan be amended to permit micro-breweries and define micro-brewery parking requirements; and,

WHEREAS, the Township Committee has determined that it would be appropriate, proper and in the best interests of the residents of the Township of Wall to amend the West Belmar Gateway Area Redevelopment Plan to permit micro-breweries and define micro-brewery parking requirements; and,

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

Section 1. The West Belmar Gateway Area Redevelopment Plan, page 5, “Principal Permitted Uses” section shall be amended to include: Micro-Brewery (as defined by N.J.S.A 33:1-10.1b);and,

The West Belmar Gateway Area Redevelopment Plan, page 5, “Standards” section “Required on-site parking” item 9, shall be amended to include: Micro-Brewery (as defined by N.J.S.A 33:1-10.1b): 1.4 parking spaces for every 1000 square feet of space used for brewing operations.

Section 2. 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 3. The Mayor, Clerk, and such other Township officials, engineers and planners are hereby authorized to take such ministerial actions as are necessary to effectuate the purposes of this Ordinance. The Township Planner and Engineer are hereby authorized to amend the Official Tax Map of the Township of Wall in accordance with the provisions of this Ordinance.

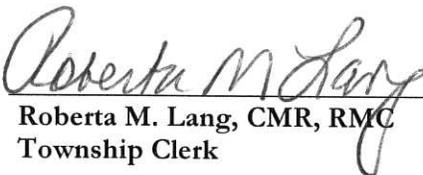
Section 3. Should any section, paragraph, clause or any other portion of this Ordinance be adjudged by a Court of competent jurisdiction to be invalid, such judgment shall not affect or impair the remainder of this Ordinance.

Section 5. Pursuant to the Municipal Land Use Law, the Clerk is directed to give notice at least ten (10) days prior to the hearing on the adoption of this Ordinance to the County Planning Board pursuant to the provisions of N.J.S.A. 40:55D-15. Upon adoption of this Ordinance after public hearing thereon, the Municipal Clerk is further directed to publish notice of the passage thereof and to file a copy of this Ordinance with the County Planning Board as required by N.J.S.A. 40:55D-16.

Section 6. This Ordinance shall take effect upon final passage and publication as provided by law; however, subsequent to first reading, this Ordinance must be referred to the municipal Planning Board for review, which shall be based on whether the proposal is substantially consistent with the Master Plan. The Planning Board has a period of thirty-five (35) days after referral to report on the proposed Ordinance.

Introduced: May 27, 2015

Adopted: July 22, 2015

Attest: 
Roberta M. Lang, CMR, RMC
Township Clerk

Approve: 
George K. Newberry
Mayor