

**TOWNSHIP OF WALL
ORDINANCE NO. 20-2005**

AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL AMENDING CHAPTER 140, THE "LAND USE AND DEVELOPMENT REGULATIONS OF THE TOWNSHIP OF WALL," OF THE CODE OF THE TOWNSHIP OF WALL, SECTION 140-17, "DEFINITIONS" AND SECTION 140-47, "HEARINGS".

BE IT ORDAINED by the Township Committee of the Township of Wall, in the County of Monmouth and State of New Jersey, as follows:

Section 1. Chapter 140, the "Land Use and Development Regulations of the Township of Wall", of the Code of the Township of Wall, as amended and supplemented, Section 140-17, "Definitions", be and the same is hereby further amended and supplemented by the deletion therefrom of the definitions:

"FARM" and "MINOR SITE PLAN" and the substitution therefor of the following:

"FARM - Any parcel of land, five acres or larger in size used for gain for the raising of agricultural products, live stock, nursery plants or silvicultural."

"MINOR SITE PLAN - A development proposal which involves:

A. The construction of an addition to an existing building, the floor area of which will not exceed 50% of the floor area of the existing building, provided that a change of use of the building is not involved, except as permitted in Subsection A.(2) below. No more than one such exemption per building shall be permitted.

(1) The interior or exterior renovation or improvement of a building, provided that a change of use of the building is not involved, except as permitted in Subsection A(3) below.

(2) The change of use of an existing single tenant or owner occupied building from a non-conforming use to a conforming use, or from one conforming use to another conforming use, provided that the gross floor area of the building does not exceed 5,000 square feet; or the change of use of a portion of an existing building from a non-conforming use to a conforming use, or from one conforming use to another conforming use, provided that the gross floor area for the change of use does not exceed 50% of the gross floor area of the entire building. No more than one such exemption per building shall be permitted.

(3) The addition of accessory structures and site improvements to a developed property, provided that the structures and improvements are incidental and accessory to the principal use of the property.

(4) Freestanding accessory buildings on developed properties, provided that the building is accessory to the principal use of the property and that the building does not exceed 3,000 square feet of gross floor area. No more

B. Such a proposal may be exempt from formal site plan review and approval provided the proposal meets the criteria

established by this Chapter. Approval of such a proposal may be granted by the Land Use Officer or referred to the approving authority for its review and determination as to whether the Land Use Officer may grant approval or whether a formal site plan review is required."

Section 2. Chapter 140, the "Land Use and Development Regulations of the Township of Wall", of the Code of the Township of Wall, as amended and supplemented, Section 140-47, "Hearings", be and the same is hereby further amended and supplemented by deletion therefrom of Subsection 140-47C., "Filing of Documents", and the substitution therefor of the following:

"C. Filing of Documents:

(1) Any maps and documents for which approval is sought at an initial hearing and copies of the reports of any expert who shall testify at the initial hearing shall be on file and available for public inspection during normal business hours in the office of the Land Use Officer at least 10 days before the date of the hearing. The applicant may produce other documents, records or testimony at the hearing to substantiate, clarify or supplement the previously filed maps, documents and reports.

(2) In order to permit adequate time for professional review, any revised maps, plans, documentation or expert reports shall be filed at

least 15 business days before the date of an adjourned hearing; provided, however, that this requirement may be waived by the applicable board or by the Land Use Officer, if the revisions are insubstantial in nature."

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

Section 4. Should any section, paragraph, clause or 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. This Ordinance shall take effect upon its passage and publication according to law, and upon the filing thereof with the Monmouth County Planning Board.

NOTICE

Notice is hereby given that the foregoing Ordinance was introduced and passed on first reading by the Township Committee of the Township of Wall on June 8, 2005, and will further be considered for final passage and adoption at the Wall Township Municipal Building, 2700 Allaire Road, Wall, New Jersey, on July 13, 2005, at 7:30 o'clock p.m., or as soon thereafter as the matter can be reached on the agenda, at which time and place all persons interested therein shall be given an opportunity to be heard, and during the week prior to and up to and including the

date of such meeting, copies of said Ordinance will be made available at the Clerk's Office in the Township of Wall, Town Hall, to the members of the general public who shall request the same.

LORRAINE KUBACZ, R.M.C.
Township Clerk

**TOWNSHIP OF WALL
ORDINANCE NO. 20-2005**

AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL AMENDING CHAPTER 140, THE "LAND USE AND DEVELOPMENT REGULATIONS OF THE TOWNSHIP OF WALL," OF THE CODE OF THE TOWNSHIP OF WALL, SECTION 140-17, "DEFINITIONS" AND SECTION 140-47, "HEARINGS".

BE IT ORDAINED by the Township Committee of the Township of Wall, in the County of Monmouth and State of New Jersey, as follows:

Section 1. Chapter 140, the "Land Use and Development Regulations of the Township of Wall", of the Code of the Township of Wall, as amended and supplemented, Section 140-17, "Definitions", be and the same is hereby further amended and supplemented by the deletion therefrom of the definitions:

"FARM" and "MINOR SITE PLAN" and the substitution therefor of the following:

"FARM — Any parcel of land, five acres or larger in size used for gain for the raising of agricultural products, live stock, nursery plants or silvicultural."

"MINOR SITE PLAN — A development proposal which involves:

A. The construction of an addition to an existing building, the floor area of which will not exceed 50% of the floor area of the existing building, provided that a change of use of the building is not involved, except as permitted in Subsection A.(2) below. No more than one such exemption per building shall be permitted.

(1) The interior or exterior renovation or improvement of a building, provided that a change of use of the building is not involved, except as permitted in Subsection A(3) below.

(2) The change of use of an existing single tenant or owner occupied building from a non-conforming use to a conforming use, or from one conforming use to another conforming use, provided that the gross floor area of the building does not exceed 5,000 square feet; or the change of use of a portion of an existing building from a non-conforming use to a conforming use, or from one conforming use to another conforming use, provided that the gross floor area for the change of use does not exceed 50% of the gross floor area of the entire building. No more than one such exemption per building shall be permitted.

(3) The addition of accessory structures and site improvements to a developed property, provided that the structures and improvements are incidental and accessory to the principal use of the property.

(4) Freestanding accessory buildings on developed properties, provided that the building is accessory to the principal use of the property and that the building does not exceed 3,000 square feet of gross floor area. No more than one such exemption shall be permitted per property.

B. Such a proposal may be exempt from formal site plan review and approval provided the proposal meets the criteria established by this Chapter. Approval of such a proposal may be granted by the Land Use Officer or referred to the approving authority for its review and determination as to whether the Land Use Officer may grant approval or whether a formal site plan review is required.”

Section 2. Chapter 140, the “Land Use and Development Regulations of the Township of Wall”, of the Code of the Township of Wall, as amended and supplemented, Section 140-47, “Hearings”, be and the same is hereby further

amended and supplemented by deletion therefrom of Subsection 140-47C., "Filing of Documents", and the substitution therefor of the following:

"C. Filing of Documents:

(1) Any maps and documents for which approval is sought at an initial hearing and copies of the reports of any expert who shall testify at the initial hearing shall be on file and available for public inspection during normal business hours in the office of the Land Use Officer at least 10 days before the date of the hearing. The applicant may produce other documents, records or testimony at the hearing to substantiate, clarify or supplement the previously filed maps, documents and reports.

(2) In order to permit adequate time for professional review, any revised maps, plans, documentation or expert reports shall be filed at least 15 business days before the date of an adjourned hearing; provided, however, that this requirement may be waived by the applicable board or by the Land Use Officer, if the revisions are insubstantial in nature."

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

Section 4. Should any section, paragraph, clause or 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. This Ordinance shall take effect upon its passage and publication according to law, and upon the filing thereof with the Monmouth County Planning Board.

NOTICE

Notice is hereby given that the foregoing Ordinance was introduced and passed on first reading by the Township Committee of the Township of Wall on June 8, 2005, and will further be considered for final passage and adoption at the Wall Township Municipal Building, 2700 Allaire Road, Wall, New Jersey, on July 13, 2005, at 7:30 o'clock p.m., or as soon thereafter as the matter can be reached on the agenda, at which time and place all persons interested therein shall be given an opportunity to be heard, and during the week prior to and up to and including the date of such meeting, copies of said Ordinance will be made available at the Clerk's Office in the Township of Wall, Town Hall, to the members of the general public who shall request the same.

LORRAINE KUBACZ, R.M.C.
Township Clerk