



TOWNSHIP OF WALL  
REGULAR MEETING AGENDA  
MAY 26, 2021

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7:00 PM  
CONFERENCE ROOM A

**Agenda Review:**

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. Review of the Public Business Meeting Agenda

**MAIN MEETING ROOM**

**Public Business Portion:**

6. INTRODUCTION OF **ORDINANCE NO. 12-2021** AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL CREATING THE AFFORDABLE HOUSING AH8 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 874 LOT 4 4B01 FROM OP-10 TO AH8

**Re:** Rezone Block 874 Lots 4 4B01 - 1511 Holly Boulevard

Motion that **ORDINANCE NO. 12-2021** be adopted as to its first reading and advertised for second reading and public hearing on **June 22, 2021** at 7:00 pm. Pursuant to law.

Motion - Seconded - Roll-Call Vote

7. INTRODUCTION OF **ORDINANCE NO. 13-2021** AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL TO AMEND THE ZONING MAP TO CREATE AN OVERLAY ZONE FOR PORTIONS OF BLOCK 930 LOTS 18 AND 19

**Re:** Rezone Block 930 of Lot(s) 18 and 19; 1450 Highway 34 and 1452 Highway 34

Motion that **ORDINANCE NO. 13-2021** be adopted as to its first reading and advertised for second reading and public hearing on **June 22, 2021** at 7:00 pm. Pursuant to law.

Motion - Seconded - Roll-Call Vote

8. SECOND READING AND PUBLIC HEARING OF **ORDINANCE NO. 9-2021** AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL, CREATING THE AFFORDABLE HOUSING AH7 1452 HIGHWAY 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 930 LOTS 6 AND 18 FROM OR-10 TO AH7

**Re:** Rezone Block 930 Lot(s) 6, 18 - 1452 Highway 34, from OR-10 to AH7

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. 9-2021** as to its second and final reading and advertise it pursuant to law.

Motion - Seconded - Roll-Call Vote

9. SECOND READING AND PUBLIC HEARING OF **ORDINANCE NO. 11-2021** AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY REPEALING AND REPLACING CERTAIN SECTIONS OF CHAPTER 140-140 AND CHAPTER 105 OF THE TOWNSHIP CODE PROHIBITING BUSINESSES FROM SELLING MARIJUANA AND/OR PARAPHERNALIA

FACILITATING THE USE OF MARIJUANA, CULTIVATION, FARMING AND MANUFACTURING OF MARIJUANA IN THE TOWNSHIP

**Re:** Marijuana Sale

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. 11-2021** as to its second and final reading and advertise it pursuant to law.

Motion - Seconded - Roll-Call Vote

10. **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:**
  - o 04/28/2021
- B. **Resolution No. 21-0509** - Approval of vouchers for May 13, 2021 through May 26, 2021 in the amount of \$8,346,728.95
- C. **Resolution No. 21-0510** - Authorization to execute a contract with Gillespie Group for the removal, purchase and installation of carpet flooring for the Land Use/Engineering offices in the Municipal Building through the Educational Services Commission of New Jersey Cooperative at a price not to exceed \$19,942.00
- D. **Resolution No. 21-0511** - Authorization to execute a contract with Feigus Office Furniture for the purchase of office furniture for the Engineering/ Land Use offices in the Municipal Building through State Contract #A81713 at a price not to exceed \$24,912.60
- E. **Resolution No. 21-0512** - Authorization for the Planning Board to undertake a preliminary investigation to determine whether certain motel properties qualify for designation as an area in need of redevelopment without condemnation or an area in need of rehabilitation pursuant to N.J.S.A. 40a:12a-1 Et Seq.
- F. **Resolution No. 21-0513** - Authorization to approve certain Township refund(s):
  - o Construction
  - o Tax
  - o Utility
- I. **Resolution No. 21-0514** - Authorization to utilize the engineering services of Colliers Engineering & Design, Inc. (DBA Maser Consulting) for preparation of design services, construction document services, bid specifications and assisting in the public bidding process for the Municipal Complex parking lot expansion project through the Monmouth County Open Space Grant in an amount not to exceed \$61,250.00 and authorization for the Municipal Clerk to advertise for public bids
- J. **Resolution No. 21-0515** - Authorization to enter into a contract with Horizon Blue Cross Blue Shield of New Jersey for the provision of employee health insurance for the period of July 1, 2021 through June 30, 2022
- K. **Resolution No. 21-0516** - Authorization to enter into a Developer's Agreement with Community Investment Strategies, Inc. (CIS) to build a minimum of 150 affordable senior citizen rental units on Block 874, Lot(s) 4 & 4b01, commonly known as 1511 Holly Boulevard, located in Wall Township
- L. **Resolution No. 21-0517** - Authorization to appoint a member to the South Monmouth Regional Sewerage Authority
- M. **Resolution No. 21-0518** - Authorization to approve certain personnel matter(s):

<u>NAME</u>	<u>DEPARTMENT/POSITION</u>	<u>SALARY</u>	<u>EFFECTIVE DATE</u>
Jennilee Bulkley	Police/ Records Manager	\$48,000	5/27/2021
Ashton Parisi	Police/ Part-time EMT	\$20.00/hour	5/27/2021
Alan Wilkins	Engineering/ Land Use- Part-time Electrical Inspector	\$45.00/hour	6/10/2021

- N. **Resolution No. 21-0519** - Authorization to execute a contract with French & Parrello Associates and for preparation of design services, construction document services, bid specifications and assisting in the public bidding process for the drainage improvements to Water Street and Oakwood Road through the Community Development Block Grant in an amount not to exceed \$28,950.00 and authorization for the Municipal Clerk to advertise for public bids

- O. **Resolution No. 21-0520** - Authorization to execute a contract with French & Parrello Associates for preparation of design services, construction document services, bid specifications and assisting in the public bidding process for the improvements on Ocean Road through the NJDOT Municipal Aid Road Program in an amount not to exceed \$41,900.00 and authorization for the Municipal Clerk to advertise for public bids
- P. **One Day Social Affair Permit** - William G. Wellhofer Scholarship Foundation –Oak Tree Lodge- June 23, 2021, 2:00 PM to 7:00 PM, benefitting Scholarship Foundation Fundraising Event
- Q. **One Day Social Affair Permit** - Daydream for Life Inc –June 4, 2021 and June 5, 2021 from 5:00 PM to 10:00 PM, benefitting recovery services for Daydream for Life with a portion of the proceeds going to Recover Revolution – conditioned upon the review and approval of the Township Engineer and Township Attorney

**End of Consent Agenda:**

Motion - Second - Roll Call Vote

- 11. **Public Comment:** Opportunity for anyone to comment with a limit of five (5) 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 five 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.

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

- 13. **Closing Comments from the Township Committee:**

- 14. **Resolution No. 21-0521** - Authorization to discuss matters in private session  
Motion - Second – Roll Call Vote

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

DRAFT

**TOWNSHIP OF WALL**

**ORDINANCE NO. 12-2021**

**ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL CREATING THE AFFORDABLE HOUSING AH8 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 874, LOTS 4, 4B01 FROM OP-10 TO AH8**

**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 as it will create 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 AH8 Zone be created and that the Wall Township Zone Map be amended as follows:

**Section 1. 140-323 Affordable Housing (AH8 Zone)**

- A. Purpose. The purpose of this AH8 Zone is to allow for an Age Restricted multifamily project that partially addresses the Township's affordable housing obligation by allowing a 100% affordable, non-inclusionary development of no less than 150 rental apartments and accessory uses described herein. For the purposes of this Zone, Age Restricted means a housing unit designed to meet the needs of, and exclusively for, the residents of an age -restricted segment of the population such that at least 80 percent of the units are occupied by at least one person that is 55 years or older and complies with requirements of Section 807(b)(2) of the Fair Housing Act, 42 U.S. C. § 3607.
- B. Relationship between the overall tract and subdivided parcels. This Zone has been adopted to include one overall tract, containing the entirety of the Age Restricted multifamily development along with all ancillary components. This Zone may operate under a technical subdivision provision pursuant to Section

140-81 of the Land Use and Development Regulations of the Township of Wall (this “Chapter”), which allows the project 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 this Zone, no premises shall be used, and no structure shall be erected, altered or occupied for any purposes except the following:
1. Up to 160 Age Restricted Multifamily Apartments
  2. One Management or Maintenance Staff Apartment
- D. Permitted accessory uses. Accessory uses may be provided but shall not be required as a condition of approval:
1. Parking areas and electric vehicle charging stations intended to serve the staff, residents, and guests.
  2. Interior amenities, including but not limited to: community room, wellness and health room(s), library, meeting rooms, lobbies, laundry areas, mail centers, fitness rooms, and other traditional ancillary spaces intended to serve the residents.
  3. Interior accessory spaces including but not limited to: management and leasing offices, maintenance areas, and other traditional ancillary spaces intended to serve the management and operations of the development.
  4. Exterior amenities and recreational facilities and structures including but not limited to open space, gathering space, bicycle parking, benches and walkways intended to serve the residents.
  5. Patios, balconies, and porches intended to serve the residents.
  6. Community garden, greenhouse, and garden shed intended to serve the residents.
  7. Private and public utility structures, including standby generators intended to serve the building.
  8. Trash and recycling enclosures intended to serve the building.
  9. Signage. Permitted signage shall be as follows:
    - a. One ground sign shall be permitted such that the maximum sign area not exceed 50 square feet, the sign be set back at least five feet from the front, side and rear property lines, and the sign not exceed a height of seven feet above grade. Such sign may be illuminated with ground lights that otherwise comply with the Township’s lighting and glare ordinances.
    - b. Non-illuminated on-site informational/directional signs, provided that each sign is limited to a window, facade or ground-mounted sign of not more than two square feet in area and not more than seven feet in height above grade.

1. In addition, one on-site informational/directional sign may be up to 9 square feet, not to exceed 7 feet in height.
- c. No prohibited signs per section 140-219 shall be permitted.

10. Stormwater management facilities.

11. Fences and walls.

- a. If retaining walls are proposed, no single wall may exceed six feet in height. Tiered walls may be proposed, provided that no single tier exceeds five feet, and no more than three tiers may be proposed, and where a minimum of 10 feet horizontal is provided between tiers.
- b. Retaining walls shall be constructed of durable masonry materials that complement the site design and building architecture. Timber retaining walls shall not be permitted.

12. Utility shed for equipment storage.

13. Temporary construction trailers, per section 140-164(A)(5).

14. Billboards in existence as of the effective date of the Ordinance creating this Zone shall be permitted to remain in compliance with the provisions set forth in 140-219H. No billboard shall include elements in whole or part that are prohibited under section 140-219 A through G.

15. Accessory uses customarily incidental to a permitted principal use as approved by the Township Zoning Officer provided they are in conformance with all Township Ordinances.

E. Compliance with site plan standards, subdivision standards and regulations. Unless provided to the contrary herein, applications for development in this Zone shall follow and be subject to the applicable procedures, regulations, standards and guidelines 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 Zone shall be subject to the following maximum regulations:

1. Density. The gross density of the overall tract shall be no more than 160 affordable units and one caretaker/management unit.
2. Impervious surfaces. The maximum total impervious surface shall not exceed 45% of the developable area of the tract.
3. Building Coverage. The maximum total lot coverage by buildings shall be 20% of the total area of the tract
4. Principal building length. The maximum principal building length for multifamily buildings shall be 350 feet. Where two walls intersect at an angle greater than 90 degrees, the maximum building length shall be determined as the sum of both individual wall lengths.

5. Building height. Building height standards shall comply with Section 140-197 of this Chapter except as set forth below:
  - a. Each multifamily building shall be a maximum of three stories and 36 feet as measured from the average proposed finished grade at each building corner.
6. Bedroom distribution. Age Restricted Multifamily units shall have either one-or two bedrooms and shall comply with section 140-291 of the Code of the Township of Wall.
7. Accessory Buildings shall be harmonious in color and style to the principal structure and shall be permitted as follows:
  - a. One maintenance/storage shed shall be permitted as follows:
    1. Maximum area: 120 square feet
    2. Maximum height: 16 feet
  - b. One recreational gazebo shall be permitted as follows:
    1. Maximum area: 220 square feet
    2. Maximum height 16 feet

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

1. Overall tract requirements for Age Restricted multifamily developments:
  - a. Minimum principal building setback from external tract lines other than external roads:
    1. 100 feet from residential property, used or zoned for detached single-family dwellings.
    2. 75 feet from property lines of all other uses or zones.
  - b. Minimum principal building front yard setback: 100 feet.
  - c. Minimum building setback from parking, parking aisles, or internal circulation roadways: 15 feet.
  - d. Minimum building setback from internal lot lines: Zero (0) feet
  - e. Accessory buildings shall not be permitted within the front yard area and shall have a minimum rear and side yard setback of 50 feet.
2. Minimum recreational facilities shall be as follows:
  - a. A minimum of 1500 square feet of interior fitness/community room space.
  - b. A minimum of 750 square feet of patio/ garden area
  - c. Walking paths
  - d. All exterior recreational structures shall meet principal building setbacks and shall be prohibited in the front yard.

H. Buffer and Landscape areas. Development in the Zone shall not be subject to buffer, landscaping and screening requirements of Section 140-212 of this Chapter and the following buffer, landscaping and screening standards shall apply:

1. Buffer location. Except as otherwise permitted by the approving authority, where the overall tract abuts an existing single family detached residential use or zone, a landscaped buffer strip at least 15 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 a property zoned for multifamily or townhome development uses, a landscaped buffer strip at least 5 feet in width shall be established and permanently maintained along the property line abutting such zone or use. Existing vegetation may serve as the landscaped buffer strip, provided compliance with section 2, below, is met.
2. 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 two full growing seasons following the planting of the buffer. Evergreen coniferous trees shall have a minimum height of six (6) feet when planted. Deciduous trees shall have a minimum caliper of two (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.
3. Use of buffer areas. Required buffers shall be used for no other purpose than as a buffer and as a part of the required open space of the tract. The only structures which may be erected within a buffer area are fences and retaining walls, except that walkways and ingress or egress driveways may be permitted within the required buffer in areas within 15 feet of a front property line. Buffers shall not be required in any required sight triangle.
4. Wooded areas. Where an area required for a buffer is already wooded, it may be left in its natural state to create the buffer, and the existing growth shall be supplemented with additional plant material where necessary as required by the approving authority.
5. All mechanical equipment, trash enclosures, and related accessory structures shall be screened from public view.
6. Development in the Zone shall not be subject to landscaping and landscape design requirements of Article XXXVII or Section 140-278 of this Chapter, and should instead apply the following landscape standards:
  - a. A landscaping plan prepared by a licensed landscape architect (LLA) licensed in the State of New Jersey. The plan shall be prepared with the following design principles in mind:
    1. An overall recurring pattern of plant groupings and material shall be provided throughout the site, integrating the various elements of site design to create pleasing and identifiable site characteristics.
    2. Landscaping shall include a plant palette consisting of deciduous and evergreen trees, shrubs, ground cover, perennials and annuals.



3. The use of native, salt tolerant, deer resistant material is encouraged. Monocultures of material will not be accepted.
4. Where existing natural growth is proposed to remain, the plans shall include methods, notes and details to protect existing trees and growth during and after construction.
5. Plant species variety shall be selected with consideration given to different colors, textures, shapes, blossoms and foliage and should provide a four-season interest.
6. Landscaping shall be provided in public areas and adjacent to buildings to screen parking areas, mitigate adverse impacts, and provide windbreaks for winter winds and summer cooling for buildings, streets and parking.
7. Plant selection shall be based upon the premise to provide material that will best serve the intended function and use as well as to provide materials appropriate for local soil conditions, water conservation and the environment.
8. The type and amount of plant material shall be varied throughout the development with accent given to site entrances. Consider massing trees at critical points.
9. Consideration shall be given as to the choice and location of plant materials in order to screen or create views, to define boundaries between private and common open space, to minimize noise, to articulate outdoor spaces and define circulation systems.
10. All proposed material shall be drawn to scale to reflect a 15-20-year growth. Planting schedules showing common and botanical names, installed and mature sizes and horticultural interest shall be provided along with applicable installation notes and details.
11. Landscaping shall be provided as part of a Site Plan. It shall be conceived in a total pattern throughout the site, integrating the various elements of site design, preserving and enhancing the particular identity of the site, and creating a pleasing site character.
12. All trees shall be guaranteed for a minimum of two years from the time of planting by the applicant against death and disease.
13. Planting specification. Deciduous trees shall be at least two (2) inches caliper at planting and should be balled and burlapped. Size of evergreens should be four (4) feet tall (except in required buffers) and shrubs two (2) feet tall at planting but may be allowed to vary depending on setting and type of shrub. Only nursery-grown plant materials shall be acceptable, and trees, shrubs, and ground cover shall be

planted according to accepted horticultural standards. Dead and dying plants shall be replaced during the following planting season.

- I. Other regulations. Developments in the Zone shall be subject to the following regulations, requirements, and standards:
1. All new utilities shall be installed underground.
  2. All dwelling units shall be served by public water and sanitary sewer systems.
  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 Article XXXV of the Land Use and Development Regulations.
  4. New Jersey Residential Site Improvement Standards at N.J.A.C. 5:21 (RSIS) shall govern all design requirements for this Zone, including but not limited to parking, roadways, pavement, and shall take precedence over anything to the contrary contained in the Land Use and Development Regulations.
  5. . Parking.
    - a. Parking shall be pursuant to RSIS.
    - b. Parking stalls shall be a minimum of nine feet by 18 feet, including overhang areas. Handicapped parking stalls shall be provided in accordance with the American Disabilities Act.
    - c. All parking spaces shall be of sufficient size to allow parking in one maneuver. Parking spaces, ramps, etc., shall be provided for the physically handicapped, in accordance with the Americans with Disabilities Act.
    - d. Backup areas with a minimum depth of five feet shall be provided in all parking lots where there are dead-ends.
  6. Slopes. Proposed slopes shall be no greater than 3:1. Existing slopes that are greater than 3:1 shall be permitted to remain, provided they remain undisturbed.
  7. Section 140-252 Building Design Requirements of this Chapter shall be replaced with the following requirements for this Zone:
    - a. All buildings shall be located with proper consideration of their orientation and relationship to other buildings, both existing and proposed in terms of light, air and usable open space, access to public right-of-way and off-street parking; height and bulk; drainage and existing topography; trees and vegetation; and other natural features and land forms.
    - b. Development shall be designed to provide protection of the development from potentially adverse surrounding influence, and protection of surrounding areas from potentially adverse influence within the development.

- c. Elevators, vestibules and corridors of new buildings shall be designed so as to accommodate the gurneys, used by the Township Emergency Services Department and the Township's volunteer first-aid squads.
- d. New building construction shall be required to incorporate any communications equipment necessary to insure the proper operation of the mobile communications equipment utilized by the Police Department, such as satellite receivers or frequency enhancers, as determined by the Chief of Police or his designate.
- e. Exterior appearance and treatment.
  - 1. All major entrances to buildings shall be properly identified with architectural elements such as recessed entranceways, projected overhangs, and porticoes.
  - 2. Window and door openings shall include appropriate trim and either recesses or overhangs to promote a harmonious variety of light and shade on the facade of the building.
  - 3. Appurtenances such as, but not limited to, tanks, condenser units and other equipment shall be fully screened from view.
  - 4. All roof planes or caps meeting the exterior facade shall have overhangs or appropriate cornice and trim details.
  - 5. Buildings shall be designed to be attractive from all vantage points, including fences, storage areas and rear entrances.
  - 6. Colors, materials and finishes shall be coordinated in all exterior elevations of buildings to achieve continuity of expression.
  - 7. Exterior materials shall include appropriate texture and trim to prevent large undifferentiated facades of the same material.
  - 8. Buildings shall be designed to avoid long straight, unbroken, and uninterrupted lines.
  - 9. The entrance and exit access drives shall be combined in one location, if possible, and the entrance and exit approaches shall be separated by a decorative, landscaped island that shall be planted with year-round and seasonal plantings to enhance the appearance of the property's frontage.
  - 10. 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.
  - 11. Facades shall be articulated with horizontal divisions to reflect the traditional building elements of cap, wall and base. The cap shall feature either pitched roofs or articulated cornices and a change of color and material. The wall may include a horizontal division for the top of the ground story.

Architectural divisions shall have sufficient reveal to promote shadows on the facade of the building.

12. Primary building materials shall feature earth-tone colors. For the purposes of this chapter, earth-tone colors are defined as colors that draw from a palette of muted or weathered colors in an emulation of the predominant natural coloration of brown and gray soils, tree bark, leafy vegetation and rocks. The preferred earth tones on buildings shall be tans, beiges, sands, browns, warm grays, and soft greens. In addition, creams, pale peach, pale yellows, soft blues, cool grays, white, off-whites, and soft red colors are also acceptable. Accent colors may be used, provided that they appear as secondary visual elements to the primary materials. Bold, disjointed or recognizable color combinations or color patterns that form a corporate or commercial identity or logo shall be considered a sign for the purposes of this section and shall be prohibited.
13. Retaining walls shall be constructed of durable masonry materials that complement the site design and building architecture.

f. Lighting. Development in the Zone shall not be subject to lighting requirements of Article XXXVIII or Section 140-213 of this Chapter, and should instead apply the following lighting standards:

1. 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.
2. Shoebox type lighting fixtures shall be used.
3. Building mounted directional fixtures such as floodlights and spotlights may be permitted provided they do not present a disabling glare hazard to drivers or a nuisance to neighboring properties.
4. Glare shall be controlled through the use of sharp 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.
5. LED lighting shall not exceed 3,500 degrees Kelvin.

J. Certificates of Occupancy.

1. Temporary certificates of occupancy can be issued for portions of the building, including residential dwelling units in a phase, such that portions of one phase can be inhabited provided the Construction Official has determined compliance with all applicable UCC codes, and the Township Engineer has, where applicable, certified to the following:

- a. Utilities and drainage. 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.
  - b. Circulation and Parking. All access and parking areas necessary to provide access to the building or use in question shall have been graded and all slope-retaining devices or slope planting shall have been installed. Bituminous base course paving and curbing has been properly installed and the number of parking spaces necessary for the units ready for occupancy are completed. Any necessary traffic control or signage required for safety has been installed.
  - c. Sidewalks. All required sidewalks necessary to provide access to building or use in question shall have been properly installed.
  - d. 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.
  - e. 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.
2. Certificates of Occupancy shall be issued to allow the project to be developed in multiple construction phases, including issuance of Temporary Certificates of Occupancy for portions of a phase.

K. Affordable Housing Development requirements.

1. Waiver of Cost Generative Measures pursuant to N.J.A.C. 5:93-10.1, et seq. In order to permit the intended, agreed upon development of the Property, the Township agrees to abide by the COAH Regulations against cost generative measures as set forth at N.J.A.C. 5:93-10.1(b). Specifically:
  - a. Any development within the Zone shall be exempt from the following provisions of this Chapter: Section 140-85 through Section 140-90 (Off-tract Improvements), Article XXXVII including, but not limited to Sections 140-256 and 140-257 (Steep Slopes and Stream Corridors), Section 140-116 (Natural Features), A limited EIS shall be acceptable for compliance with Section 140-74 as it relates to the provision of an Environmental Impact Statement as part the application checklists , within the Township code.
  - b. Any development within the Zone shall not be required to submit a tree survey, comply with any tree replacement requirements nor any payments in lieu of tree replacement requirements. However, limits of tree clearing shall be shown.
  - c. Any development within the Zone shall be subject to the provisions of N.J.A.C. 5:93-10.1 and 10.2 which set forth limitations on

application requirements and provide a standard of review for the Planning Board for necessary variances or deviations necessary to accomplish the intent of this district.

- d. The Parties acknowledge and agree that the Township's waiver of otherwise applicable development regulations serves as financial assistance to an affordable housing development that is reimbursable to the Township from the Township's Affordable Housing Spending Plan.
2. Article XLII of this Chapter shall not apply if the project qualifies for and receives Federal Low-Income Housing Tax Credits. Pursuant to N.J.A.C. 5:80-26.1 ("UHAC"), UHAC does not apply to units qualifying for the Federal Low-Income Housing Tax Credit under Section 42 of the Internal Revenue Code. However, the affordable rental units shall comply with Sections a. through d, below, as applicable. In addition, the affordable rental units shall have an Affordability Average as defined in UHAC, which is no more than 52 percent of median income.
    - a. All Affordable Units shall be subject to deed restrictions on income limits for a period of not less than thirty (30) years from the date that a certificate of occupancy issued for each of the affordable units. If this Project is financed with Low Income Housing Tax Credits, then the HMFA required deed restriction shall be provided.
    - b. The affordable dwelling units shall be split between moderate income units and low-income units. Pursuant to N.J.S.A. 52:27D-329.1, no less than thirteen percent (13%) of the affordable housing units of each bedroom type shall be reserved as very low-income housing units, as such term is defined in N.J.S.A. 52:27D-304 and the UHAC. No less than thirty-seven percent (37%) of the affordable housing units of each bedroom type shall be available as low-income housing units and no less than fifty percent of the affordable housing units shall be available as moderate-income housing units, as such terms are defined in N.J.S.A. 52:27D-304 and the UHAC.
    - c. In the event that an equal split of the affordable dwelling units between low- and moderate-income units results in a fraction of a unit, the additional unit shall be reserved for low income households.
    - d. All affordable units shall be subject to the bedroom distribution required by the UHAC, N.J.A.C. 5:80-26.3, or any successor regulation. All new construction affordable housing units shall be adaptable in conformance with N.J.S.A. 52:27D-311a-3llb, P.L. 2005, c. 350 and all other applicable laws. All affordable units will be administered by a qualified Administrative Agent, which could be the Township's Administrative Agent.

**Section 2.** Zone Map. The Official Zoning Map of 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	Lot	July 14, 2011 Zoning Map	New Zoning Designation
874	4; 4B01	OP-10 Office Park	AH8
(Located at 1511 Holly Boulevard)			

**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. In the event of a conflict between the provisions of this Ordinance and any other ordinance, the terms of this Ordinance shall govern.

**Section 4.** Should any section, paragraph, clause or other portions 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 effect upon its passage and publication according to law, and upon a filing of a certified copy thereof with the Monmouth County Planning Board.

**Introduced:** May 26, 2021

**Adopted:** \_\_\_\_\_, 2021

**Attest:** \_\_\_\_\_  
 Roberta Lang, RMC  
 Township Clerk

**Approve:** \_\_\_\_\_  
 Timothy Farrell  
 Mayor

**SUMMARY AND NOTICE**

**TOWNSHIP OF WALL**

**ORDINANCE NO. 12-2021**

**AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP  
OF WALL CREATING THE AFFORDABLE HOUSING AH8 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 874, LOTS 4, 4B01  
FROM OP-10 TO AH8**

Adoption of this ordinance will create the Affordable Housing AH8 zone and amend the zoning map within chapter 140 of the code of the Township of Wall entitled land use and development regulations to rezone Block 874, Lots 4, 4b01 From Op-10 To AH8

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 **May 26, 2021**, and will further be considered for final passage and adoption at the Wall Township Municipal Building, 2700 Allaire Road, Wall, New Jersey, on June 22, 2021 at 7:00 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 or may be viewed on our website at [www.wallnj.com](http://www.wallnj.com).

**Roberta M. Lang, R.M.C.  
Municipal Clerk**



**TOWNSHIP OF WALL**

**ORDINANCE NO. 13-2021**

**AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL TO AMEND THE ZONING MAP TO CREATE AN OVERLAY ZONE FOR PORTIONS OF BLOCK 930 LOTS 18 AND 19**

**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 Committee on December 11, 2011, adopted an official Zoning Map of the Township as periodically amended; and

**WHEREAS**, the Township Committee on May 26, 2021, adopted Ordinance No. 9-2021 creating the affordable housing AH7-4898 Megill Road and 1452 Hwy 34 Zone and Amending the Zoning Map to rezone block 930 of lots 6 and 18 from the Office Research OR-10 Zone to the Affordable Housing AH7 Zone; and

**WHEREAS**, it has been recognized that in order to gain access to the site, at block 930 lots 6 and 18, a shared driveway is required with the adjacent lot to the south, known as block 930 lot 19 (1450 Highway 34), which is located in the OR-10 Zone; and

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Committee of the Township of Wall that the OR-10/AH7 overlay zone be created only for the purposes to allow for access to both sites and that Wall Township Zone Map be amended as follows:

**Section 1.** 140-323 OR-10/AH7 Overlay Zone

- A. Purpose. The purpose of this zone is to provide vehicular and pedestrian access only to Block 930 Lots 18 and 19 for existing and proposed permitted uses within the OR-10 and AH7 Zones only as set forth within the Township of Wall Land Use and Development Regulations, Chapter 140.
- B. Applicability. The OR-10/AH7 Overlay Zone shall be applied only to those portions of block 930 lots 18 and 19 as set forth on the Legal Description of an Access Easement Situate on Lot 18, Block 930 Township of Wall, Monmouth County, New Jersey, the Legal Description of an Access Easement Situate on Lot 19, Block 930 Township of Wall, Monmouth County, New Jersey, and 11/17/09 Errol Melnick, PLS, Access Easements Map attached hereto as **Exhibit A**.

**Section 2.** Zone Map. The Official Zoning Map the Township of Wall dated July 14, 2011 as amended, be and the same is hereby amended to change the zoning designation of the following areas to the OR-10/AH7 Overlay Zone as indicated below:

Block	Lots	July 14, 2011 Zoning Map as Amended	New Zoning Designation
930	18 (portions)*	AH7	OR-10/AH7 Overlay
930	19 (portions)*	OR-10	OR-10/AH7 Overlay
(Located at 1450 Highway 34 and 1452 Highway 34			
*As illustrated on Exhibit A			

**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:** May 26, 2021

Adopted: \_\_\_\_\_, 2021

**Attest:** \_\_\_\_\_  
 Roberta Lang, RMC  
 Township Clerk

**Approve:** \_\_\_\_\_  
 Timothy J. Farrell  
 Mayor

**SUMMARY AND NOTICE**

**TOWNSHIP OF WALL**

**ORDINANCE NO. 13-2021**

**AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL TO AMEND THE ZONING MAP TO CREATE AN OVERLAY ZONE FOR PORTIONS OF BLOCK 930 LOTS 18 AND 19**

Adoption of this ordinance will create the OR-10/AH7 Overlay Zone and amend the zoning map to rezone the following properties into the OR-10/AH7 Overlay Zone:

<b>Block</b>	<b>Lots</b>	<b>July 14, 2011 Zoning Map as Amended</b>	<b>New Zoning Designation</b>
930	18 (portions)*	AH7	OR-10/AH7 Overlay
930	19 (portions)*	OR-10	OR-10/AH7 Overlay
(Located at 1450 Highway 34 and 1452 Highway 34			
*As illustrated on Exhibit A			

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 May 26, 2021, and will further be considered for final passage and adoption at the Wall Township Municipal Building, 2700 Allaire Road, Wall, New Jersey, on June 22, 2021 at 7:00 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 or may be viewed on our website at [www.wallnj.com](http://www.wallnj.com).

**Roberta M. Lang, R.M.C.  
Municipal Clerk**



Richard V. Kanderian, PE, PP  
Stephen P. Atkins, PE  
Robert R. Yuro, PE, PP  
John R. Martinez, PE, PP  
Errol Melnick, PLS  
Mark A. Whitaker, PE  
Russell T. McFall II, PE  
Brian Leff, CLA, PP  
John C. Walton, PE  
John F. Kile, PLS  
Ruth Ann Sadankas, CST III  
John J. King

**Legal Description  
Of an  
Access Easement  
Situate on  
Lot 18, Block 930  
Township of Wall  
Monmouth County, New Jersey**

**BEGINNING AT A POINT** in the easterly line of New Jersey State Highway Route 34 (120' R.O.W.). Said point being the common corner of Lots 18 and 19, Block 930; and running thence

1. N 17° 49' 30" W along the easterly line of New Jersey State Highway Route 34 a distance of 120.00 feet to a point; thence
2. Through a portion of Lot 18 Block 930 the following five (5) courses; On a curve to the left having a radius of 68.00 feet (central angle 104° 48' 15") and an arc length of 124.29 feet (chord bearing S 70° 11' 08" E, 107.69 feet) to a point of tangency; thence
3. N 57° 27' 15" E a distance of 29.26 feet to a point; thence
4. S 32° 32' 45" E a distance of 50.00 feet to a point; thence
5. S 57° 27' 15" W a distance of 27.17 feet to a point; thence
6. S 17° 49' 30" E a distance of 6.41 feet to a point; thence
7. S 72° 10' 30" W along the common line of Lots 18 and 19, Block 930 a distance of 100.00 feet to **THE POINT AND PLACE OF BEGINNING.**

Containing 7,297 square feet or 0.168 acres

Subject to easements and restrictions of record, if any.

Being more particularly shown on a map entitled "Access Easements Situate on a Portion of Lots 18 and 19, Block 930, Township of Wall, Monmouth County, New Jersey", prepared by Errol Melnick, Professional Land Surveyor for the firm of KZA Engineering, PA dated 11-17-09.

Prepared by:

**Errol Melnick  
Professional Land Surveyor  
New Jersey License No. 24GS03401300**

2317 Highway 34  
Manasquan, New Jersey 08736  
Telephone: 732-282-2200  
Fax: 732-282-2210  
e-mail: info@kzaeng.com  
website: www.kzaeng.com



Richard V. Kenderian, PE, PP  
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Brian Leff, CLA, PP  
John C. Walton, PE  
John F. KHe, PLS  
Ruth Ann Sadankas, CST III  
John J. King

**Legal Description  
Of an  
Access Easement  
Situate on  
Lot 19, Block 930  
Township of Wall  
Monmouth County, New Jersey**

**BEGINNING AT A POINT** in the easterly line of New Jersey State Highway Route 34 (120' R.O.W.). Said point being the common corner of Lots 18 and 19, Block 930; and running thence

1. N 72°10'30" E along the common line of Lots 18 and 19, Block 930 a distance of 75.61 feet to a point; thence
2. Through a portion of Lot 19 Block 930 the following two (2) courses; S 57°27'15" W a distance of 39.62 feet to a point of curvature; thence
3. On a curve to the left having a radius of 56.00 feet (central angle 75° 16' 45") and an arc length of 65.69 feet (chord bearing S 19° 48' 52" W, 61.07 feet) to a point ; thence
4. N 17° 49' 30" W along the easterly line of New Jersey State Highway Route 34 a distance of 58.43 feet to **THE POINT AND PLACE OF BEGINNING.**

Containing 1,037 square feet or 0.024 acres

Subject to easements and restrictions of record, if any.

Being more particularly shown on a map entitled "Access Easements Situate on a Portion of Lots 18 and 19, Block 930, Township of Wall, Monmouth County, New Jersey", prepared by Errol Melnick, Professional Land Surveyor for the firm of KZA Engineering, PA dated 11-17-09.

Prepared by:

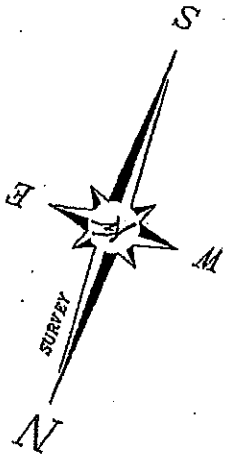
**Errol Melnick**  
Professional Land Surveyor  
New Jersey License No. 24GS03401300

2317 Highway 34  
Manasquan, New Jersey 08736  
Telephone: 732-282-2200  
Fax: 732-282-2210  
e-mail: info@kzaeng.com  
website: www.kzaeng.com

Exhibit C

MAP REFERENCES

1. BOUNDARY INFORMATION TAKEN FROM A MAP ENTITLED "BOUNDARY AND TOPOGRAPHIC SURVEY OF TAX MAP LOTS 6 AND 18 BLOCK 930 TOWNSHIP OF WALL MONMOUTH COUNTY NEW JERSEY" PREPARED BY KENDERIAN ZILINSKI ASSOCIATES, DATED 12/07/01 AND LAST REVISED 04/02/08.



BLOCK 930

LOT 17

LOT 19

ACCESS EASEMENT  
7,297 SQ. FT.  
0.168 ACRES

R=68.00'  
L=124.29'  
Δ=104°43'15"  
CB=S70°11'08"E  
CHD=107.69'

S17°49'30"E  
6.41'

S 72°10'30" W  
24.38'

R=50.00'  
L=65.69'  
Δ=75°16'45"  
CB=S19°48'52"W  
CHD=61.07'

ACCESS EASEMENT  
1,037 SQ. FT.  
0.024 ACRES


N 17°49'30" W

NEW JERSEY STATE HIGHWAY ROUTE 34

(120' RIGHT-OF-WAY)


Not Certified Copy

ACCESS EASEMENTS  
SITUATE ON A PORTION OF  
LOTS 18 AND 19  
BLOCK 930  
TOWNSHIP OF WALL  
MONMOUTH COUNTY NEW JERSEY



CONSULTANTS INC.  
CONSULTANTS IN CIVIL, ELECTRICAL & MECHANICAL ENGINEERING, PLANNERS  
LAND SURVEYORS • LANDSCAPE ARCHITECTS  
2377 HIGHWAY 34 MANASSAS, NEW JERSEY 07958  
TEL: 908-261-2200 FAX: 908-261-2210  
N.J. AUTHORIZATION NO. 24020705090

DATE	SCALE	BOOK	BY	TITLE	DRAWN BY
11-17-99	1"=50'	N/A		010803	1 OF 1



**ERROL MELNICK**  
PROFESSIONAL LAND SURVEYOR  
NEW JERSEY LICENSE NO. 24CS03401300

**TOWNSHIP OF WALL**

**ORDINANCE NO. 9-2021**

**ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL, CREATING THE AFFORDABLE HOUSING AH7-4898 MEGILL ROAD AND 1452 HIGHWAY 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 930 LOTS 6 AND 18 FROM OR-10 TO AH7**

**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 and will create 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 AH7 4898 Megill Road and 1452 Highway 34 Zone be created and that the Wall Township Zone Map be amended as follows:

**Section 1. 140-322. Affordable Housing (AH7 4898 Megill Road and 1452 Highway 34) Zone**

- A. Purpose. The purpose of this zone is to allow for a residential project that partially addresses the Township's affordable housing obligation. The developer's agreement shall govern the nature of the affordable units to be constructed by the developer, and require 68 affordable units restricted to occupancy by households of very low, low and moderate income, and the buildings containing such units shall be integrated throughout the development. Building(s) may contain affordable units only, and nothing herein prohibits any particular building from having both market rate and affordable 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 AH7 Zone.
- B. Relationship between the overall tract and subdivided parcels. This zone has been adopted to include 1) one overall tract, containing the entirety of the development along with all ancillary components; 2) a separate tract for a water tower; and 3) the right to create fee simple Townhouse parcels. This zone operates under a technical subdivision provision pursuant to section 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 AH7 Zone, no premises shall be used and no structure shall be erected, altered or occupied for any purposes except the following:

- 1) Multi-family apartments and flats. A maximum of 36 units is permitted per building.
- 2) Townhouses, provided that not more than six units be attached in one building.
- 3) Stacked townhouses. A stacked townhouse shall be defined as a structure containing two or more connected dwelling units stacked one dwelling unit above another, which can include shared floors divided by walls and shared common party walls, with private entrances to each unit. Permitted Stacked Townhouse types shall be as follows:
  - a) Duplexes: Shall be defined as two units sharing the same footprint. A maximum of six (6) duplexes shall be permitted per building, with a maximum of 12 units.
  - b) Triplexes: Shall be defined as three units sharing the same footprint.
    - i. A maximum of six (6) triplexes shall be permitted per building, with a maximum of 18 units. No more than 69 units shall be triplex.
    - ii. No triplex building shall be adjacent to or across the street from another triplex building.
  - c) Duplexes and triplexes are permitted within the same building, with a maximum of 18 units.
- 4) Water tower and associated structures

D. Permitted accessory uses.

- 1) Enumeration of permitted accessory uses and structures.
  - a) Off-street parking, subject to the Residential Site Improvement Standards (RSIS) New Jersey Administrative Code, Title 5, Chapter 21.
  - b) Private attached garages for not more than two vehicles.
  - c) Common private recreational facilities and structures and open space, including but not limited to a clubhouse and swimming pool.
  - d) Storage building/structure for indoor storage of pool and maintenance equipment.
  - e) Fences and walls.
  - f) Retaining walls
    - i. No more than 25% of the walls shall exceed eight (8) feet in height with a maximum height of 10 feet permitted.
    - ii. Retaining walls may be tiered, and three tiers are permitted, so long as no single tier exceeds 8 feet in height, with a minimum horizontal distance between tiers equivalent to the height of the next tier wall above.
    - iii. Retaining walls shall be in the rear or side yard of the overall tract, and shall be permitted in the front yard if located in or adjacent to wetlands.
    - iv. Minimum setback from overall tract boundary for retaining walls in excess of 6 ft.: 5 ft.
  - g) Stormwater basins and structures.
  - h) Mail kiosk/cluster box unit.
  - i) Sewer pump station.
  - j) Common maintenance and trash facilities.



- k) Temporary sales trailer and construction trailers, the location to be shown on the approved site plan, which shall be removed 30 days after the final dwelling unit receives a Certificate of Occupancy.
- l) Such other uses and structures that are customary and incidental to the principal use as may be permitted by the Planning Board. All structures accessory to individual dwelling units shall be attached to the dwelling unit to which they are accessory.
- m) Signs. 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, at each side of the site entrance 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.
    - 1. Maximum monument sign face area: 50 square feet per side if perpendicular to the right of way, or total if parallel to the right of way. For doublesided signs a maximum separation of 18 inches between sign faces is permitted.
    - 2. Maximum monument sign height: 8 feet.
    - 3. Minimum monument sign setback: 5 feet from the front, side, and rear property lines.
    - 4. Signs may only be externally illuminated by lights directed at the sign and in compliance with section 140-213 (Lighting).

E. Compliance with site plan standards, subdivision standards and regulations. Unless provided to the contrary herein, applications for developments in the AH7 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 AH7 Zone shall be subject to the following maximum regulations:

- 1) A maximum of 340 residential units shall be permitted on the overall tract prior to any dedications of land to public entities.
- 2) Impervious surfaces. The maximum total impervious surface shall not exceed 60% of the overall tract area, excluding any existing dedicated Right-of-Way along Highway 34.
- 3) The maximum total building coverage shall be 30% of the overall tract area, excluding any existing dedicated Right-of-Way along Highway 34.
- 4) Principal building length. The maximum principal building length shall be 200 feet.
- 5) Building height.
  - a) Multifamily buildings shall be limited to 4 stories and 48 feet in height, exclusive of parapets or similar architectural elements which are permitted up to 4 feet in height.
  - b) Townhouse and stacked townhouse buildings shall be limited to 3 stories and 45 feet in height.

- c) Accessory clubhouse and maintenance buildings shall be limited to one story and 30 feet in height.
  - d) Irrespective of any definition in Chapter 140, building height shall be defined as the vertical distance measured from the proposed first floor elevation to the highest point of the roof for flat roofs; the average distance between the eaves and ridge level for gable, hip, and gambrel roofs; and to the deck level for mansard roofs. Allowances shall be made for stepped foundations along the building length. Said measurement shall then apply to each stepped section.
  - 6) Bedroom distribution for affordable units shall comply with the Township's Affordable Housing Ordinance, except as modified by the Developer's Agreement.
  - 7) Maximum water tower height: 50 feet measured from top of crown to finished grade.
- G. Minimum regulations. Developments in the AH7Zone shall be subject to the following minimum regulations:
- 1) Overall tract requirements:
    - a) Minimum lot area of overall tract excluding existing dedicated Right of Way along Highway 34: 42 acres.
    - b) Minimum lot width: 200 feet.
    - c) Minimum lot frontage: 200 feet.
    - d) Minimum lot depth: 200 feet.
    - e) Minimum principal building setback from overall tract boundary: 50 feet, except that up to 25% of the side and rear property setbacks can be reduced to 25 feet.
    - f) Minimum accessory building setback from overall tract boundary: 15 feet.
    - g) Minimum distance between buildings: 20 feet (excluding porches, stairs and common utility rooms which may encroach up to 5 feet, and eaves, chimneys/fireplaces, bay windows and other ornamental architectural features which may encroach up to 3 feet into the required separation).
    - h) Minimum principal building setback from internal roads and parking area: 10 feet, except balconies may extend up to five feet from front or rear of principal structure.
    - i) Patios shall be permitted to extend six feet from the front of a principal structure. Decks and patios shall be permitted to extend up to 12 feet from the rear of a principal structure.
    - j) Minimum roadway and parking setback from overall tract boundary: 20 feet, except this dimension may be reduced to 5 feet along the primary access road.
    - k) Boulevard type access roadways shall have a minimum width of 18 feet for each separate cartway.
  - 2) Townhouse units
    - a) Shall comply with the provisions of Sections F(4) and G(1)(e), -(g)-(i) herein
    - b) No townhouse dwelling shall be less than 20 ft. in width.
    - c) Townhouse units – lot standards if applicant proposes fee simple lot
      - i. Minimum lot area: 1,600 s.f.
      - ii. Minimum lot depth: 80 feet

- iii. Minimum lot width: 20 feet
- iv. Minimum setbacks:
  - Front yard: 15 feet
  - Side yard: 0 ft.
  - Rear yard: 15 feet building, 5 feet deck or patio
- 3) Stacked townhouse units. Shall comply with the provisions of Sections F(4) and G(1)(e), -(g)-(i) herein.
- 4) Open space and recreation areas. The applicant shall provide recreational amenities for residents, including:
  - a) A recreation building or clubhouse with a minimum size of 10 square feet for each dwelling unit in the development.
  - b) A swimming pool of a minimum size of 800 square feet
  - c) Open lawn area(s) with a minimum combined square footage of 1,000 square feet.
- 5) Buffer and landscape areas.
  - a) Buffer location. A landscape buffer strip at least 25 feet in width shall be provided along the overall tract boundary, which shall be reduced to 5 feet where the access road is within the buffer area. No buffer is required where an access road is shared with a contiguous property. Additionally, the buffer may be reduced to 15 feet for no more than 35% of the tract area along the rear and side overall tract lines. Existing vegetation shall be maintained to the greatest extent reasonably feasible. Grading, access roadway, privacy fencing with a maximum height of six feet, entrance monument sign(s), and retaining walls are permitted within the landscape buffer. Privacy fencing shall be permitted along the overall tract boundary with no required setback.
  - 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 two 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) 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.
  - d) The proposed tree clearing grading and landscape plan shall respect and complement the existing topographic features of the site where practical.
  - e) All trash enclosures, and mechanical equipment adjacent to clubhouse and pool amenities shall be screened from view.
  - f) Dumpsters shall be screened on 3 sides with masonry wall or vinyl fencing, with a front gate.
  - g) Unit owners refuse and recycling receptacles may be stored together and screened by fencing with a height at least equivalent to the receptacle height

H. Other regulations. Developments in the AH7 Zone shall be subject to the following regulations, requirements and standards:

- 1) All utilities shall be installed underground.
- 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. Township shall own all utilities, including pump stations.
- 3) 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 its successors in title.
- 4) All streets and roads within the overall 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.
- 5) Parking. The New Jersey Residential Site Improvement Standards at N.J.A.C. 5:21 shall govern the parking requirements.
  - a) Parking shall be allowed in the front yard of each individual lot or unit.
  - b) Garages and driveways may be accessed by an alley.
  - c) The minimum parking setback from the overall tract boundary shall be 20feet. Parking shall not be permitted in required buffer areas.
  - d) Residential units shall meet the RSIS requirements for 1, 2, or 3-bedroom garden apartments (for multifamily and stacked townhomes) and townhouse requirement for townhome units.
  - e) Off-street parking shall be provided for the clubhouse at a rate of one space per 15 housing units approved. No loading space is required for the clubhouse
  - f) All guest parking shall be within 300 feet of unit served.
- 6) Sidewalks. Shall be required on one side of the internal roads, and not required along the access road and internal alleys. Where a residential structure fronts on an internal road the sidewalks shall be provided on the same side of the internal road as the residence. When a residential structure does not front on an internal road, sidewalks shall be provided along the front of the residence.
- 7) Bicycle lanes and bikeways are not required.
- 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 AH7 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 shall 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 resolution compliance.
  - 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-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.
  - 12) Soil removal. The provisions of § 140-117 of this chapter pertaining to the removal of soil and Chapter 188. Soil Removal shall not apply to developments in the AH7 Zone
  - 13) Performance guarantee. In the AH7 Zone, the provisions of § 140-92 with respect to performance guarantees shall apply.
  - 14) Maintenance guarantee. In the AH7 Zone, the provisions of § 140-93 with respect to maintenance guarantees shall apply.
  - 15) Sales trailers, sales offices, model homes, and construction trailers may receive a TCO if serviced by temporary utilities.
  - 16) Homes may receive a CO in the event there is no connection to central sewerage facilities so long as the sewerage is lawfully pumped and hauled to a sewerage treatment facility.
  - 17) Inspection fees. The provisions of § 140-60 of this chapter pertaining to inspection fees shall be applicable to all development within the AH7 Zone.
- 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
- 1) The affordable housing set-aside shall be sixty-eight (68) units.
  - 2) No less than 50% of the affordable units shall be for sale.
  - 3) The affordable 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. 5:91, 5:92, 5:93 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. except as modified by the Developer's Agreement.
  - 4) The affordable units shall be subject to the affordability controls of at least 30 years and affordable deed restriction as provided for by UHAC, and the affordability controls shall remain until the Township, in its sole discretion, takes action to release the unit from such requirements pursuant to the requirements of N.J.A.C. 5:80-26.10.
  - 5) The residents of the affordable units shall have full and equal access to all of the amenities, common areas, and recreation areas and facilities as the market units.

- J. Design requirements. Development in the AH7 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) Existing tree locations shall be determined using average wooded acre. Average wooded acre shall be defined as a selective inventory by size and species, of all trees having a DBH of eight inches or greater within the proposed limit of disturbance. The selective inventory shall be conducted using a minimum of one-half acre plots (100 feet by 100 feet) which shall be staked or visibly marked to allow for inspection. The location of the inventory plots shall be determined by the applicant, subject to approval, by using a grid overlay drawn to the same scale as the site plan submitted with the application. A representative five percent of the wooded areas proposed to be cleared shall be inventoried.
  - 2) The minimum open space shall be 20% and may include wetlands, wetland buffers, conservation easements, stormwater basin areas, 100-year floodplain to meet this requirement.
  - 3) Building architecture. Development shall comply with the following standards:
    - a) The front facade of any primary residential structure shall provide varied building elevations and design through a combination of varied materials and colors.
    - b) Primary elements of traditional architectural styles with pitched roofs with a minimum slope of 5/12.
      - i. 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 dimensional shingles.
    - c) All buildings shall provide architectural elements such as wall articulations and roofline variations.
    - d) All accessory buildings and structures shall be treated architecturally to complement the residential buildings.
    - e) Ordinance sections 140-252 A(2)(c), A(3)(c), A(3)(e), B(1), and B(2)(a)-(e) shall not apply. Ordinance section 140-252 A(1)(f) and ordinance section 140-252A(1)(e), shall not apply, except as provided in the Developer's Agreement.
    - f) Door openings shall include trim and either recesses or overhangs to promote a harmonious variety of light and shade on the facade of the building.
    - g) Colors, materials and finishes shall be coordinated in all exterior elevations of buildings to achieve continuity of expression. All roof and wall projections shall be in a color to compliment adjacent surfaces.
    - h) Exterior materials shall include variety of texture, color, and trim to prevent large undifferentiated facades of the same material.
- K. Miscellaneous provisions. Ordinance sections 140-83(C), -254(B) & (D), and 260(C) shall not apply. Ordinance Section 140-255(A)&(B), shall not apply, but shall be substituted with the following: if topsoil is removed from the site, enough topsoil shall remain onsite so that no new topsoil shall be brought onto the site to complete the development.

- L. 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.
- M. In the event of any conflict between the provisions and requirements of this section and the provisions and requirements of any other section of this chapter, the provisions and requirements of this section shall govern.

**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
930	6	OR-10	AH7 *
930	18	OR-10	AH7 *
(Located at 4898 Megill Road and 1452 Highway 34)			
*Upon approval and execution of an associated Developer's Agreement.			

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

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

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

**Introduced:** April 28, 2021

Adopted: \_\_\_\_\_, 2021

**Attest:** \_\_\_\_\_  
 Roberta Lang, RMC  
 Township Clerk

**Approve:** \_\_\_\_\_  
 Timothy Farrell  
 Mayor

**SUMMARY AND NOTICE**

**TOWNSHIP OF WALL**

**ORDINANCE NO. 9-2021**

**ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL, CREATING THE AFFORDABLE HOUSING AH7-4898 MEGILL ROAD AND 1452 HIGHWAY 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 930 LOTS 6 AND 18 FROM OR-10 TO AH7**

Adoption of this ordinance will create the AH7-4898 Megill Road and 1452 Highway 34 Zone and amend the zoning map to rezone Block 930 Lots 6 and 18 From OR-10 to AH7

<b>Block</b>	<b>Lots</b>	<b>July 14, 2011 Zoning Map</b>	<b>New Zoning Designation</b>
930	6	OR-10	AH7 *
930	18	OR-10	AH7 *
(Located at 4898 Megill Road and 1452 Highway 34)			
*Upon approval and execution of an associated Developer's Agreement.			

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 April 28, 2021, and will further be considered for final passage and adoption at the Wall Township Municipal Building, 2700 Allaire Road, Wall, New Jersey, on May 26, 2021 at 7:00 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 or may be viewed on our website at [www.wallnj.com](http://www.wallnj.com).

**Roberta M. Lang, R.M.C.  
Municipal Clerk**



**TOWNSHIP OF WALL**

**ORDINANCE NO. 11-2021**

**AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY REPEALING AND REPLACING CERTAIN SECTIONS OF CHAPTER 140-140 AND CHAPTER 105 OF THE TOWNSHIP CODE PROHIBITING BUSINESSES FROM SELLING MARIJUANA AND/OR PARAPHERNALIA FACILITATING THE USE OF MARIJUANA, CULTIVATION, FARMING AND MANUFACTURING OF MARIJUANA IN THE TOWNSHIP**

**WHEREAS**, Wall Township currently prohibits, pursuant to § 140-140 and § 105-3, the manufacturing, growth, cultivation, or conduct of any farming activities related to marijuana and the sale of marijuana and/or the paraphernalia that facilitates the use of such marijuana within the Township of Wall; and

**WHEREAS**, in 2020 New Jersey voters approved Public Question No. 1, which amended the New Jersey Constitution to allow for the legalization of a controlled form of marijuana called “cannabis” for adults at least 21 years of age; and

**WHEREAS**, on February 22, 2021, Governor Murphy signed into law P.L. 2021, c. 16, known as the “New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act” (the “Act”), which legalizes the recreational use of marijuana by adults 21 years of age or older, and establishes a comprehensive regulatory and licensing scheme for commercial recreational (adult use) cannabis operations, use and possession; and

**WHEREAS**, the Act establishes six marketplace classes of licensed businesses, including:

- Class 1 Cannabis Cultivator license, for facilities involved in growing and cultivating cannabis;
- Class 2 Cannabis Manufacturer license, for facilities involved in the manufacturing, preparation, and packaging of cannabis items;
- Class 3 Cannabis Wholesaler license, for facilities involved in obtaining and selling cannabis items for later resale by other licensees;
- Class 4 Cannabis Distributer license, for businesses involved in transporting cannabis plants in bulk from on licensed cultivator to another licensed cultivator, or cannabis items in bulk from any type of licensed cannabis business to another;
- Class 5 Cannabis Retailer license for locations at which cannabis items and related supplies are sold to consumers; and
- Class 6 Cannabis Delivery license, for businesses providing courier services for consumer purchases that are fulfilled by a licensed cannabis retailer in order to make deliveries of the purchases items to a consumer, and which service would include the ability of a consumer to make a purchase directly through the cannabis delivery service which would be presented by the delivery service for fulfillment by a retailer and then delivered to a consumer.

**WHEREAS**, section 31a of the Act authorizes municipalities by ordinance to adopt regulations governing the number of cannabis establishments (defined in section 3 of the Act as “a cannabis cultivator, a cannabis manufacturer, a cannabis wholesaler, or a cannabis retailer”), cannabis distributors or cannabis delivery services allowed to operate within their boundaries, as well as the location manner and times operation of such establishments, distributors or delivery services, and establishing civil penalties for the violation of any such regulations; and

**WHEREAS**, pursuant to the Act, any ordinance enacted by a municipality prior to the effective date the Act addressing the issue of prohibiting one or more types of cannabis-related activities within the jurisdiction of the municipality is null and void; and

**WHEREAS**, section 31b of the Act explicitly authorizes municipalities by ordinance to prohibit the operation of any one or more classes of cannabis establishments, distributors, or delivery services anywhere in the municipality; and

**WHEREAS**, section 31b of the Act also stipulates, however, that any municipal regulation or prohibition must be adopted within 180 days of the effective date of the Act (*i.e.*, by August 22, 2021); and

**WHEREAS**, pursuant to section 31b of the Act, the failure to do so shall mean that for a period of five years thereafter, the growing, cultivating, manufacturing, selling and reselling of cannabis and cannabis items shall be permitted uses in all industrial zones, and the retail selling of cannabis items to consumers shall be a conditional use in all commercial and retail zones; and

**WHEREAS**, at the conclusion of the initial and any subsequent five-year period following a failure to enact local regulations or prohibitions, the municipality shall again have 180 days to adopt an ordinance regulating or prohibiting cannabis businesses, but any such ordinance would be prospective only and would not apply to any cannabis business already operating within the municipality; and

**WHEREAS**, pursuant to the Act, § 105-3(b) of the Township Code and Ordinance 2-2018 amending Chapter 140 (Land Use and Development Regulations), Article XXI (General Use Restrictions), Section 140-140 (Prohibited Uses), 140-140(A)(34) of the Code of the Township of Wall are now null and void; and

**WHEREAS**, the Township Committee has determined that the sale, manufacture, and/or distribution of cannabis within the Township limits would be detrimental to the public health, safety and welfare of the municipality; and

**WHEREAS**, pursuant to N.J.S.A. 40:48-2, the governing body of a municipality may make, amend, repeal, and enforce such other ordinances, regulations, rules and by-laws not contrary to the laws of this state or of the United States, as it may deem necessary and proper for the good of government, order and protection of person and property, and for the preservation of the public health, safety and welfare of the municipality and its inhabitants, and as may be necessary to carry into effect the powers and duties conferred and imposed by this subtitle, or by any law; and

**WHEREAS**, pursuant to N.J.S.A. 40:55D-62 and 40:55D-65, the governing body may adopt or amend a zoning ordinance related to the nature and extent of the uses of land and structures thereon and a zoning ordinance may restrict buildings and structures according to their type and the nature and extent of their use; and

**WHEREAS**, Chapter 105 (Farming), Article I (Right to Farm), Section 105-3(B), and Chapter 140 (Land Use and Development Regulations), Article XXI (General Use Restrictions), Section 140-140(A)(34) (Prohibited Uses), needs to be amended and supplemented to prohibit businesses engaged in the manufacture, sale, and/or distribution of cannabis and/or paraphernalia associated with cannabis use in all of the Township's zoning districts.

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

1. Chapter 105 (Farming), Article I (Right to Farm), Section 105-3(B), of the Code of the Township of Wall is hereby repealed and replaced in its entirety.
2. Chapter 140 (Land Use and Development Regulations ), Article XXI (General Use Restrictions), Section 140-140(A)(34) (Prohibited Uses), of the Township of Wall is hereby repealed and replaced in its entirety.
3. Pursuant to the specific authority vested in the Township Committee of the Township of Wall by Section 31 of P.L.2021, c.16, Chapter 105 (Farming), Article I (Right to Farm), Section 105-3(B), and Chapter 140 (Land Use and Development Regulations ), Article XXI (General Use Restrictions), Section 140-140(A)(34) (Prohibited Uses) are hereby supplemented to read as follows [additions by **bold, italics, and underline**, deletions by **~~bold-strikethrough~~**]:

§ 105. Right to Farm.

§ 105-3. Permitted activities.

**B. All classes (1 through 6) of cannabis establishment or cannabis distributors or cannabis delivery services including cannabis cultivators, manufacturers, wholesalers, retailers, cannabis testing facilities, medical cannabis dispensaries, clinical registrant or cannabis retailer including any alternative treatment centers deemed to hold a medical cannabis dispensary permit pursuant to Section 7 of P.L.2009, c.307 (C.24:61-7) are expressly prohibited within the Township of Wall.**

§ 140-140. Prohibited uses.

A. Any use not specifically permitted in § 140-139 is prohibited except as noted in § 140-141. The following uses or activities are hereby prohibited anywhere within the Township:

**34. All classes (1 through 6) of cannabis establishment or cannabis distributors or cannabis delivery services including cannabis cultivators, manufacturers, wholesalers, retailers, cannabis testing facilities, medical cannabis dispensaries, clinical registrant or cannabis retailer including any alternative treatment centers deemed to hold a medical cannabis dispensary permit pursuant to Section 7 of P.L.2009, c.307 (C.24:61-7) are expressly prohibited within the Township of Wall.**

4. As required by N.J.S.A. 40:55D-64, prior to the hearing on adoption of this ordinance, the Township Clerk shall send a copy of this ordinance to the Wall Township Planning Board for its review and comment. The Township Clerk shall also send a copy of this ordinance upon introduction and adoption to the Monmouth County Planning Board pursuant to N.J.S.A. 40:55D-16.
5. All other provisions of Chapter 105 (Farming), Article I (Right to Farm), Section 105-3, and Chapter 140 (Land Use and Development Regulations ), Article XXI (General Use Restrictions), Section 140-140(A) of the Code of the Township of Wall shall remain

unchanged.

6. **Repeal of Inconsistent Provisions.** Any article, section, paragraph, subsection, clause, or other provision of the Wall Township Municipal Code inconsistent with the provisions of this ordinance is hereby repealed to the extent of such inconsistency.
7. **Severability.** The provisions of this Ordinance are declared to be severable and if any section, sub-section, sentence, clause, phrase, or any other part of this Ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, such judgment shall not affect, impair, or invalidate the validity of the remaining sections, subsections, sentences, clauses, and phrases of this Ordinance, but shall remain in effect; it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.
8. **Codification.** This Ordinance shall be a part of the Code of the Township of Wall as though codified and fully set forth therein. The Township Clerk shall have this ordinance codified and incorporated in the official copies of the Code. The Township Clerk and the Township Attorney are authorized and directed to change any Chapter, Article and/or Section number of the Code of the Township of Wall in the event that the codification of this Ordinance reveals that there is a conflict between the numbers and the existing Code, and in order to avoid confusion and possible accidental repealers of existing provisions not intended to be repealed.
9. **Effective Date.** This Ordinance shall take effect upon publication thereof after final passage according to law.

**Introduced:** April 28, 2021

**Adopted:**

**Attest:** \_\_\_\_\_  
Roberta Lang, RMC  
Township Clerk

**Approve:** \_\_\_\_\_  
Timothy J. Farrell  
Mayor

**SUMMARY AND NOTICE**

**TOWNSHIP OF WALL**

**ORDINANCE NO. 11-2021**

**AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY REPEALING AND REPLACING CERTAIN SECTIONS OF CHAPTER 140-140 AND CHAPTER 105 OF THE TOWNSHIP CODE PROHIBITING BUSINESSES FROM SELLING MARIJUANA AND/OR PARAPHERNALIA FACILITATING THE USE OF MARIJUANA, CULTIVATION, FARMING AND MANUFACTURING OF MARIJUANA IN THE TOWNSHIP**

Adoption of this ordinance will repeal and replace certain sections of Chapter 140-140 and Chapter 105 of the Township Code prohibiting businesses from selling marijuana and/or paraphernalia facilitating the use of marijuana, cultivation, farming and manufacturing of marijuana in the township

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 April 28, 2021, and will further be considered for final passage and adoption at the Wall Township Municipal Building, 2700 Allaire Road, Wall, New Jersey, on May 26, 2021 at 7:00 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 or may be viewed on our website at [www.wallnj.com](http://www.wallnj.com).

**Roberta M. Lang, R.M.C.  
Municipal Clerk**

**TOWNSHIP OF WALL**

**RESOLUTION NO. 21-0509**

**CERTIFICATION OF TOWNSHIP FUNDS  
MAY 13, 2021 THROUGH MAY 26, 2021 IN THE AMOUNT OF \$8,346,728.95**

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

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**Timothy J. Farrell, Mayor**

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**Daniel Becht, Deputy Mayor**

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**Kevin P. Orender, Committeeman**

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**Thomas M. Kingman, Committeeman**

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**Erin M. Mangan, Committeewoman**

**TOWNSHIP OF WALL**

**RESOLUTION NO. 21-0510**

**AUTHORIZATION TO EXECUTE A CONTRACT WITH THE GILLESPIE GROUP FOR THE REMOVAL INSTALLATION OF CARPET FLOORING THROUGH THE EDUCATIONAL SERVICES COMMISSION OF NEW JERSEY (ESCNJ) AT A PRICE NOT TO EXCEED \$19,942.00**

**WHEREAS**, the Township Committee is desirous of removing and installing carpet flooring from The Gillespie Group through the Educational Services Commission of New Jersey; and

**WHEREAS**, the removal and installation services being purchased are through the Educational Services Commission of New Jersey from The Gillespie Group at a price not to exceed \$19,942.00 (nineteen thousand nine hundred forty-two dollars and zero cents); and

**WHEREAS**, Joseph Lentini, the Superintendent of Public Works, recommends that the Township Committee purchase the removal and installation services through cooperative purchasing; and

**WHEREAS**, the Township Administrator concurs with the recommendation to purchase services for the removal and installation of carpet through the Educational Services Commission of New Jersey at a price not to exceed \$19,942.00 (nineteen thousand nine hundred forty-two dollars and zero cents); and

**WHEREAS**, the Township of Wall entered into the Educational Services Commission of New Jersey on March 12, 2014; and

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

1. The Township Committee hereby concurs with the recommendations, Joseph Lentini, the Superintendent of Public Work, to authorize the purchase for the removal and installation services through the Educational Services Commission of New Jersey from The Gillespie Group at a price not to exceed \$19,942.00 (nineteen thousand nine hundred forty-two dollars and zero cents).
2. This resolution is subject to the filing of a certification from the CFO as to the availability of funds per N.J.A.C.5:30-5.3 (a).
3. The Mayor, Municipal Clerk and any other applicable Township officers or employees are hereby authorized and directed to take such ministerial actions as are necessary to effectuate the terms of this resolution.

I, Roberta M. 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 May 26, 2021

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Roberta M. Lang, RMC  
Municipal Clerk

### 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 purchase of the removal and installation services through the Educational Services Commission of New Jersey from The Gillespie Group at a price not to exceed \$19,942.00 (nineteen thousand nine hundred forty-two dollars and zero cents).

Capital		
Account	Description	Amount
C-04-20-000-002-003	Ordinance 11-2020; Township Facilities and Parks	\$19,942.00

\_\_\_\_\_  
Thomas O'Hara, CFO  
Chief Financial Officer

Date:

Draft



**TOWNSHIP OF WALL**

**RESOLUTION NO. 21-0511**

**AUTHORIZATION TO EXECUTE A CONTRACT WITH FEIGUS OFFICE FURNITURE FOR THE PURCHASE OF OFFICE FURNITURE FOR THE ENGINEERING AND LAND USE OFFICES THROUGH STATE CONTRACT #A81713 AT A PRICE NOT TO EXCEED \$24,912.60**

**WHEREAS**, the Township Committee wants to acquire furniture for the Engineering and Land Use Offices; and

**WHEREAS**, the Township Administrator has reviewed the requests for furniture for the Engineering and Land Use Offices and approves the request; and

**WHEREAS**, the Administrator received a proposal from Feigus Furniture through State Contact #A81713.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Committee of the Township of Wall, County of Monmouth, New Jersey that the Township award the contract for furniture for the Engineering and Land Use Offices in the total amount of \$24,912.60 (twenty-four thousand nine hundred twelve dollars and sixty cents).

**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, 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 May 26, 2021

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Roberta M. Lang, RMC  
Municipal Clerk

### 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 purchase of office furniture for the Engineering and Land Use Offices from Feigus Office Furniture in the total amount of \$24,912.60 (twenty-four thousand nine hundred twelve dollars and sixty cents).

Capital		
Account	Description	Amount
C-04-20-000-002-003	Ordinance #11-2020 Township Facilities and Parks	\$24,912.60

\_\_\_\_\_  
Thomas O'Hara, CFO  
Chief Financial Officer

Date: \_\_\_\_\_

Draft

**TOWNSHIP OF WALL**  
**RESOLUTION NO. 21-0512**

**AUTHORIZATION OF THE PLANNING BOARD TO UNDERTAKE A  
PRELIMINARY INVESTIGATION TO DETERMINE WHETHER CERTAIN  
MOTEL PROPERTIES QUALIFY FOR DESIGNATION AS AN AREA IN NEED  
OF REDEVELOPMENT WITHOUT CONDEMNATION OR AN AREA IN NEED  
OF REHABILITATION PURSUANT TO N.J.S.A. 40A:12A-1 ET SEQ**

**WHEREAS**, the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq., provides a mechanism to empower and assist local governments in efforts to promote programs of redevelopment; and

**WHEREAS**, the Township Committee desires to explore whether the real property located at various motel sites throughout the Township, more commonly known as the following on the Township of Wall Tax Maps, inclusive of any and all streets, “paper” streets, private drives and right of ways:

<b><u>Block</u></b>	<b><u>Lot</u></b>	<b><u>Address</u></b>
151	9	1916 Hwy 35
271	29	1909 Hwy 35
274	25	2035 Hwy 35
301	9	2300 Hwy 35
706	6	2168 Hwy 35
745	2	2365 Hwy 138
831	30	2337 Hwy 34

(the “Study Area”) may be considered an Area in Need of Redevelopment Without Condemnation, or an Area in Need of Rehabilitation and

**WHEREAS**, the Local Redevelopment and Housing Law sets forth a specific procedures and criteria for establishing an Area in Need of Redevelopment Without Condemnation, or an Area in Need of Rehabilitation; and

**WHEREAS**, pursuant to N.J.S.A. 40A:12A-6, prior to the Township Committee making a determination as to whether the Study Area qualifies as an Area in Need of Redevelopment Without Condemnation, or an Area in Need of Rehabilitation, the Township Committee must authorize the Planning Board, by resolution, to undertake a preliminary investigation to determine whether the Study Area meets the applicable statutory criteria set forth in N.J.S.A. 40A:12A et. seq.; and

**WHEREAS**, the Township Committee wishes to direct the Township Planning Board to undertake such preliminary investigation to determine whether the Study Area meets the criteria for designation as an Area in Need of Redevelopment Without Condemnation, or an Area in Need of Rehabilitation pursuant to N.J.S.A. 40A:12A-5 and in accordance with the investigation and hearing process set forth at N.J.S.A. 40A:12A-6.

**NOW, THEREFORE, BE IT RESOLVED** that the Township Committee hereby directs the Wall Township Planning Board to conduct the necessary investigation and to hold a public hearing to determine whether the Study Area defined hereinabove qualifies for designation as an Area in Need of Redevelopment Without Condemnation, or an Area in Need of Rehabilitation under the criteria and pursuant to the public hearing process set forth in N.J.S.A. 40A:12A-1, et seq.; and

**BE IT FURTHER RESOLVED** that the Planning Board shall submit its findings and recommendations to the Township Committee in the form of a Resolution with supportive documentation; and

**BE IT FURTHER RESOLVED** that a certified copy of this Resolution be forwarded to the Township Clerk, Chief Financial Officer, Township Planning Board and Planning Board Secretary; and

**BE IT FURTHER RESOLVED** All Township officials including, but not limited to, the Mayor, Township Director of Engineering and Planning, 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 May 26, 2021

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Roberta Lang, RMC  
Municipal Clerk

**TOWNSHIP OF WALL**  
**RESOLUTION NO. 21-0513**

**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.

<b>CONSTRUCTION</b>					
<b><u>NAME</u></b>		<b><u>REASON</u></b>		<b><u>AMOUNT</u></b>	
BR & GL Construction LLC Ronald Glynn		Permit Fee – Not Needed		\$95.00	
<b>UTILITY</b>					
<b><u>NAME</u></b>	<b><u>ADDRESS</u></b>	<b><u>ACCOUNT NUMBER</u></b>	<b><u>AMOUNT</u></b>	<b><u>REASON</u></b>	<b><u>CREDIT/REFUND</u></b>
William Hercek	1667 M St	4902415-0	\$101.00 (w) \$100.99 (s)	Overpaid	<b>Refund: \$201.99</b>
Barbara Collette	999 Curtis Ave	4900589-0	\$568.54 (w) \$ 104.27 (s)	Undetected toilet leak	1 x cancel <b>Credit: \$672.81</b>
<b>TAX</b>					
<b><u>NAME</u></b>	<b><u>ADDRESS</u></b>	<b><u>BLOCK</u></b>	<b><u>LOT</u></b>	<b><u>AMOUNT</u></b>	<b><u>REASON</u></b>
1959 Hwy 34 LLC	1959 Hwy 34	821	14.011	\$5,183.81-2019 \$10,195.39-2020 <b>Total: \$15,379.20</b>	Appeal Credits

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 May 26, 2021

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Roberta M. Lang, RMC  
Township Clerk

**TOWNSHIP OF WALL**

**RESOLUTION NO. 21-0514**

**AUTHORIZATION TO UTILIZE THE ENGINEERING SERVICES OF COLLIER ENGINEERING & DESIGN, INC. (DBA MASER CONSULTING) FOR PREPARATION OF DESIGN SERVICES, CONSTRUCTION DOCUMENT SERVICES, BID SPECIFICATIONS AND ASSISTING IN THE PUBLIC BIDDING PROCESS FOR THE MUNICIPAL COMPLEX PARKING LOT EXPANSION PROJECT THROUGH THE MONMOUTH COUNTY OPEN SPACE GRANT IN AN AMOUNT NOT TO EXCEED \$61,250.00 AND AUTHORIZATION FOR THE MUNICIPAL CLERK TO ADVERTISE FOR PUBLIC BIDS**

**WHEREAS**, Wall Township appointed Colliers Engineering & Design, Inc. (DBA Maser Consulting) as sewer engineers the 2021 calendar year; and;

**WHEREAS**, Wall Township desires to utilize the engineering services of Colliers Engineering & Design, Inc. (DBA Maser Consulting) for design services, construction document services, bid specifications and assisting in the public bidding process for the improvements on Ocean Road; and

**WHEREAS**, The Wall Township Engineer, Matthew Zahorsky, has reviewed the proposal submitted by Colliers Engineering & Design, Inc. (DBA Maser Consulting) and is of the opinion that the Township should authorize payment for design services, construction document services, bid specifications and assisting in the public bidding process for the Municipal Complex Parking lot expansion project in an amount not to exceed \$61,250.00 (sixty-one thousand two hundred fifty dollars and zero cents); and

**NOW, THEREFORE, BE IT RESOLVED**, the Wall Township Mayor is hereby authorized to execute an agreement, approved by the Township Attorney, with Colliers Engineering & Design, Inc. (DBA Maser Consulting) on behalf of Wall Township; 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 May 26, 2021

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Roberta Lang, RMC  
Municipal Clerk

**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 Colliers Engineering & Design, Inc. (DBA Maser Consulting) for design services, construction document services, bid specifications and assisting in the public bidding process for the Municipal Complex Parking lot expansion project in an amount not to exceed \$61,250.00 (sixty-one thousand two hundred fifty dollars and zero cents).

<b>Capital</b>		
<b>Account</b>	<b>Description</b>	<b>Amount</b>
C-04-18-000-002-007	Ordinance #9-2018 Township Facilities and Parks	\$61,250.00

Date: \_\_\_\_\_

Thomas O'Hara, CFO  
Chief Financial Officer

DRAFT

**TOWNSHIP OF WALL**

**RESOLUTION NO. 21-0515**

**AUTHORIZATION FOR THE TOWNSHIP TO ENTER INTO A CONTRACT WITH HORIZON BLUE CROSS BLUE SHIELD OF NEW JERSEY FOR THE PROVISION OF EMPLOYEE HEALTH INSURANCE FOR THE PERIOD OF JULY 1, 2021 THROUGH JUNE 30, 2022**

**WHEREAS**, the Township is required to provide health insurance benefits to all qualifying employees; and

**WHEREAS**, the Township has recently completed its annual solicitation for such services; and

**WHEREAS**, Horizon Blue Cross Blue Shield of New Jersey has provided the most competitive quote for the provision of equal to or better coverage through its provider network at a rate of 0.2% over current costs; and

**WHEREAS**, the Township has determined that Horizon will provide the requisite customer service associated with a group of the Township's characteristics; and

**WHEREAS**, the Township Administrator has contacted the members of the Health Benefit Task Force which is made up of a cross-section of union and non-union employees to review the proposal summaries and past experiences; and

**WHEREAS**, as a result of the above processes the Township Administrator recommends the Township enter into this annual agreement for the period of July 1, 2021 – June 30, 2022.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Committee of the Township of Wall, County of Monmouth, New Jersey that the contract with Horizon Blue Cross Blue Shield of New Jersey for the purpose of providing health insurance benefits to all qualifying employees for the period July 1, 2021 – June 30, 2022.

**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, Township 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 May 26, 2021.

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Roberta M. Lang, RMC  
Township Clerk



**TOWNSHIP OF WALL**

**RESOLUTION NO. 21-0516**

**AUTHORIZATION FOR THE TOWNSHIP OF WALL TO ENTER INTO A DEVELOPER'S AGREEMENT WITH COMMUNITY INVESTMENT STRATEGIES, INC. (CIS) TO BUILD A MINIMUM OF 150 AFFORDABLE SENIOR CITIZEN RENTAL UNITS ON BLOCK 874, LOTS 4 & 4B01, COMMONLY KNOWN AS 1511 HOLLY BOULEVARD, LOCATED IN WALL TOWNSHIP**

**WHEREAS**, in compliance with the New Jersey Supreme Court's March 10, 2015 decision in In re Adoption of N.J.A.C. 5:96 and 5:97 by N.J. Council on Affordable Housing, 221 N.J. 1 (2015) ("Mount Laurel IV"), on or about July 2, 2015, the Township filed an action with the Superior Court of New Jersey ("Court") in Monmouth County, entitled In the Matter of the Application of the Township of Wall, County of Monmouth, Docket No. MON-L-5604-05, seeking a Judgment of Compliance and Repeal approving its Housing Element and Fair Share Plan ("Affordable Housing Plan"), in addition to related reliefs, including temporary immunity from all Mount Laurel lawsuits; and

**WHEREAS**, the Court granted the Township's motion for temporary immunity from all Mount Laurel lawsuits, which was subsequently extended via a series of orders, and is still in full force and effect today; and

**WHEREAS**, the Township of Wall acknowledges its obligation to comply with its constitutional affordable housing obligations and seeks to cause the development of a minimum of 150 senior citizen rental units restricted to affordable housing to be located on Block 874, Lots 4 & 4B01, commonly known as 1511 Holly Boulevard, located in Wall Township; and,

**WHEREAS**, the Township purchased this property in 2009 for this specific purpose and has included the property in the Township's affordable housing plan since that time; and

**WHEREAS**, the Township intends to introduce an ordinance to amend the Township zoning to effectuate this planned project for the creation of affordable senior housing; and

**WHEREAS**, the Township conducted a competitive process seeking qualified developers' proposals and received said proposals on September 15, 2020; and

**WHEREAS**, as a result of that process the Township desires to enter into a developer's agreement with Community Investment Strategies, Inc., CIS, which is a demonstrated qualified and experienced developer of similar units throughout the State of New Jersey; and

**WHEREAS**, the developer's agreement would be subject to any and all approvals required by the Wall Township Planning Board; and,

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and the Township Committee of the Township of Wall, County of Monmouth, New Jersey that the Township of Wall is authorized to enter into a developer's agreement with CIS for the construction of a

minimum of 150 affordable senior citizen rental units on Block 874 Lots 4 & 4B01, commonly known as 1511 Holly Boulevard, located in Wall Township; and,

**BE IT FURTHER RESOLVED**, that all Township officials including, but not limited to the Mayor, the Township Administrator, Township Attorney 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 May 26, 2021.

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Roberta Lang, RMC  
Municipal Clerk

**TOWNSHIP OF WALL**

**RESOLUTION NO. 20-0517**

**AUTHORIZATION TO APPOINT A MEMBER TO THE SOUTH  
MONMOUTH REGIONAL SEWERAGE AUTHORITY**

**BE IT RESOLVED** by the Township Committee of the Township of Wall that the following appointment be and is hereby made to the South Monmouth Regional Sewerage Authority.

<b>RESOLUTION DATE</b>	<b>MEMBER</b>	<b>TERM</b>	<b>EXPIRING</b>
5/26/2021	Ralph Addonizio	5-year	01/25/2025

**BE IT FURTHER RESOLVED** that the Township Clerk be and is hereby authorized to forward a certified copy of this resolution to the South Monmouth Regional Sewerage Authority.

I, Roberta M. Lang, Township 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 May 26, 2021

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Roberta M. Lang, RMC  
Township Clerk

**TOWNSHIP OF WALL**

**RESOLUTION NO. 21-0518**

**AUTHORIZATION TO APPROVE CERTAIN PERSONNEL ACTIONS**

**WHEREAS**, the Department Head(s) of the Department(s) 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:

<b>NAME</b>	<b>DEPARTMENT/POSITION</b>	<b>SALARY</b>	<b>EFFECTIVE DATE</b>
Jennilee Bulkley	Police/ Records Manager	\$48,000.00	5/27/2021
Ashton Parisi	Police/ Part-time EMT	\$20.00/hour	5/27/2021
Alan Wilkins	Engineering/ Land Use- Part-time Electrical Inspector	\$45.00/hour	6/10/2021

**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 M Lang, Township 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 May 26, 2021.

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Roberta M. Lang, RMC  
Municipal Clerk

**TOWNSHIP OF WALL**

**RESOLUTION NO. 21-0519**

**AUTHORIZATION TO UTILIZE THE ENGINEERING SERVICES OF FRENCH & PARRELLO ASSOCIATES FOR PREPARATION OF DESIGN SERVICES, CONSTRUCTION DOCUMENT SERVICES, BID SPECIFICATIONS AND ASSISTING IN THE PUBLIC BIDDING PROCESS FOR THE DRAINAGE IMPROVEMENTS TO WATER STREET AND OAKWOOD ROAD THROUGH THE COMMUNITY DEVELOPMENT BLOCK GRANT IN AN AMOUNT NOT TO EXCEED \$28,950 AND AUTHORIZATION FOR THE MUNICIPAL CLERK TO ADVERTISE FOR PUBLIC BIDS**

**WHEREAS**, Wall Township appointed French & Parrello Associates as consulting engineers for the 2021 calendar year; and;

**WHEREAS**, Wall Township desires to utilize the engineering services of French & Parrello Associates for design services, construction document services, bid specifications and assisting in the public bidding process for the drainage improvements on Water Street and Oakwood Road; and

**WHEREAS**, The Wall Township Engineer, Matthew Zahorsky, has reviewed the proposal submitted by French & Parrello Associates and is of the opinion that the Township should authorize payment for design services, construction document services, bid specifications and assisting in the public bidding process for the drainage improvements on Water Street and Oakwood Road in an amount not to exceed \$28,950.00 (twenty-eight thousand nine hundred fifty dollars and zero cents); and

**NOW, THEREFORE, BE IT RESOLVED**, the Wall Township Mayor is hereby authorized to execute an agreement, approved by the Township Attorney, with French & Parrello Associates on behalf of Wall Township; 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 May 26, 2021

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Roberta Lang, RMC  
Municipal Clerk

**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 French & Parrello Associates for design services, construction document services, bid specifications and assisting in the public bidding process for drainage improvements on Water Street and Oakwood Road in an amount not to exceed \$28,950.00 (twenty-eight thousand nine hundred fifty dollars and zero cents);

<b>Capital</b>		
<b>Account</b>	<b>Description</b>	<b>Amount</b>
C-04-19-000-001-001	Ordinance #13-2019 Road Improvements	\$41,900.00

\_\_\_\_\_  
Thomas O'Hara, CFO  
Chief Financial Officer

Date: \_\_\_\_\_

DRAFT

**TOWNSHIP OF WALL**

**RESOLUTION NO. 21-0520**

**AUTHORIZATION TO UTILIZE THE ENGINEERING SERVICES OF FRENCH & PARRELLO ASSOCIATES FOR PREPARATION OF DESIGN SERVICES, CONSTRUCTION DOCUMENT SERVICES, BID SPECIFICATIONS AND ASSISTING IN THE PUBLIC BIDDING PROCESS FOR THE IMPROVEMENTS ON OCEAN ROAD THROUGH THE NJDOT MUNICIPAL AID ROAD PROGRAM IN AN AMOUNT NOT TO EXCEED \$41,900.00 AND AUTHORIZATION FOR THE MUNICIPAL CLERK TO ADVERTISE FOR PUBLIC BIDS**

**WHEREAS**, Wall Township appointed French & Parrello Associates as consulting engineers for the 2021 calendar year; and;

**WHEREAS**, Wall Township desires to utilize the engineering services of French & Parrello Associates for design services, construction document services, bid specifications and assisting in the public bidding process for the improvements on Ocean Road; and

**WHEREAS**, The Wall Township Engineer, Matthew Zahorsky, has reviewed the proposal submitted by French & Parrello Associates and is of the opinion that the Township should authorize payment for design services, construction document services, bid specifications and assisting in the public bidding process for the improvements on Ocean Road in an amount not to exceed \$41,900.00 (forty-one thousand nine hundred dollars and zero cents); and

**NOW, THEREFORE, BE IT RESOLVED**, the Wall Township Mayor is hereby authorized to execute an agreement, approved by the Township Attorney, with French & Parrello Associates on behalf of Wall Township; 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 May 26, 2021

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Roberta Lang, RMC  
Municipal Clerk

**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 French & Parrello Associates for design services, construction document services, bid specifications and assisting in the public bidding process for drainage improvements on Ocean Road in an amount not to exceed \$41,900.00 (forty-one thousand nine hundred dollars and zero cents);

<b>Capital</b>		
<b>Account</b>	<b>Description</b>	<b>Amount</b>
C-04-19-000-001-001	Ordinance #13-2019 Road Improvements	\$41,900.00

\_\_\_\_\_  
Thomas O'Hara, CFO  
Chief Financial Officer

Date: \_\_\_\_\_