

TOWNSHIP OF WALL
ORDINANCE NO. 18- 1991

AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL AMENDING AND SUPPLEMENTING CHAPTER XV, "ZONING," OF "THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF WALL, 1977", AS AMENDED AND SUPPLEMENTED, AND REPEALING ORDINANCE NO. 47-1990, OF THE TOWNSHIP OF WALL.

WHEREAS, On November 28, 1990, the Township Committee adopted Ordinance No. 47-1990, which Ordinance provided for the creation of the ML-3, Mt. Laurel-3 Zone in the Township, and further provided for the inclusion of Lot 28 in Block 274 in said Zone; and

WHEREAS, the purpose of the aforesaid Ordinance was to effect a portion of the Wall Township Mt. Laurel Compliance Plan pursuant to the terms of a consent order entered by Honorable Eugene D. Serpentelli, A.J.S.C. in the matter of Cove Industries, Ltd. v. Wall Township and related Mt. Laurel cases, under docket number L-51262-84; and

WHEREAS, the applicable consent order provided that the developer of the aforesaid property was to make certain payments to the Wall Township Affordable Housing Trust Fund; and

WHEREAS, the developer owner has failed and refused to make the initial payment required under the terms of the settlement agreement and consent order and should not,

therefore, be entitled to the benefit of the rezoning of the property;

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

Section 1. Ordinance No. 47-1990 of the Township of Wall, finally adopted by the Township Committee on November 28, 1990, be and the same is hereby repealed.

Section 2. Block 274, Lot 28, located North of Ocean Road, West of Route No. 35, and consisting of approximately 18.93 acres is hereby rezoned from "ML-3, Mt. Laurel-3" "to B-2" and "R-30", as said zoning existed on the Zoning Map of the Township of Wall prior to the adoption of Ordinance No. 47-1990.

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 All Ordinances, or parts thereof, inconsistent with the provisions of this Ordinance, be and the same are hereby repealed to the extent of such inconsistency.

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

Section 5. This Ordinance shall take effect upon its passage and publication according to the law.

NOTICE

Notice is hereby given that the foregoing Ordinance was introduced and passed on first reading by the Township Committee of the Township of Wall on *May 15, 1991* and will be further considered for final passage and adoption at the Wall Township Municipal Building, 2700 Allaire Road, Wall, New Jersey, on *June 12, 1991* at 8 o'clock p.m., or as soon thereafter as the matter can be reached on the agenda, at which time and place all persons interested therein shall be given an opportunity to be heard, and during the week prior to, and up to and including, the date of such meeting, copies of said Ordinance will be made available at the Clerk's office in the Township of Wall Town Hall to the members of the general public who shall request the same.

BEATRICE M. GASSNER, C.M.C.
Township Clerk