

**TOWNSHIP OF WOOLWICH
GLOUCESTER COUNTY, NEW JERSEY
ORDINANCE NO. 2023 - 14**

**ORDINANCE OF THE TOWNSHIP OF WOOLWICH REPEALING THE
TRANSFER OF DEVELOPMENT RIGHTS ORDINANCES AND AMENDING
CHAPTER 203, ENTITLED “ZONING” IN ACCORDANCE WITH THE 2022
MASTER PLAN REEXAMINATION**

WHEREAS, pursuant to the State Transfer of Development Rights Act, N.J.S.A. 40:55D-137, et seq. (“TDR Act”), a municipality is authorized to enact an ordinance to provide for the transfer of development potential within its borders to encourage the preservation of farmland and to direct growth to areas that are most suited for development; and

WHEREAS, by way of Ordinance No. 2008-20, adopted by the Mayor and Committee of the Township of Woolwich (“Township Committee”), the Township of Woolwich adopted a voluntary transfer of development rights (“TDR”) program, which designated certain areas of the Township as “sending areas” and “receiving areas,” regulated land use in each of these areas and created a Transfer of Development Rights Bank to regulate the purchase, sale and exchange of TDR credits between the sending areas and the receiving areas (“TDR Ordinance”); and

WHEREAS, N.J.S.A. 40:55D-156 and N.J.S.A. 40:55D-157 of the TDR Act require periodic reviews of a municipal TDR Ordinance at least once every five years, with every second review being part of the master plan reexamination process; and

WHEREAS, via Resolution #2022-33, the Joint Land Use Board of the Township of Woolwich adopted a reexamination of the Township of Woolwich Master Plan (“2022 Master Plan Reexamination Report”); and

WHEREAS, as part of the reexamination process, the Joint Land Use Board evaluated the status of the existing TDR Ordinance in accordance with the TDR Act; and

WHEREAS, the 2022 Master Plan Reexamination Report indicated that while the TDR Ordinance had resulted in 882 acres of farmland being preserved through the TDR Bank, virtually no land was preserved through the private market; and

WHEREAS, the 2022 Master Plan Reexamination Report also noted approximately 673 acres of the land in the receiving areas no longer represent a realistic opportunity to utilize TDR credits because the land has been developed or approved for development for warehouse uses, compliance with the Township’s affordable housing Settlement Agreement required that the land subject to the Settlement Agreement be exempted from the TDR requirements, and several small parcels of land have been developed with single family homes; and

WHEREAS, under the requirements of the TDR Act, a rebuttable presumption exists that a TDR ordinance is no longer reasonable if a municipality has not transferred 25% of the remaining TDR credits within a five year period; and

WHEREAS, approximately 153.25 TDR credits are required to be purchased by December 2023; and

WHEREAS, the 2022 Master Plan Reexamination Report concluded based on the changed circumstances in the receiving area and the historic lack of interest in the private market to purchase, the TDR Ordinance is no longer reasonable or viable and recommended termination of the TDR Ordinance; and

WHEREAS, the Township Committee has determined that it is in the best interest of the community to repeal the TDR Ordinance and pursue farmland and open space preservation through alternative means.

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

Section 1. Subsection B. of Section 203-5 entitled, “Definitions and word usage”, is hereby amended to delete the following definitions:

AGRICULTURAL TDR EASEMENT

BY-RIGHT CREDITS

CONSERVATION TDR EASEMENT

DEVELOPMENT RIGHTS

RECEIVING ZONE, AREA OR DISTRICT

SENDING ZONE, AREA OR DISTRICT

TDR CREDIT

TRANSFER OF DEVELOPMENT RIGHTS (TDR)

Section 2. Subsection B. of Section 203-5, entitled, “Definitions and word usage”, is hereby amended to add the following definitions:

PRESERVED FARM

Any farm that has been preserved, reserved or restricted for agricultural use. This shall include, but is not limited to farms preserved through: (i) the New Jersey Farmland Preservation Program administered by the State Agricultural Development Committee (“SADC”); (ii) the Farmland Preservation Program administered by Gloucester County; (iii) any land preserved through the Voluntary TDR Program pursuant to Ordinance No. 2008-20, as amended by Ordinance No. 2014-09 and

Ordinance No. 2018-13; and any (iv) any farmland preserved through a deed restriction or conservation easement in accordance with the Woolwich Township Zoning Ordinance.

Section 3. Section 203-34, entitled, “District designations”, is hereby amended as follows:

A. For the purpose of lessening congestion in the streets; securing safety from fire, panic and other dangers; protecting health, morals and the general welfare; providing adequate light and air; preventing the overcrowding of land and buildings; avoiding undue concentration of population, with reasonable consideration to the character of the district and its peculiar suitability for particular uses and with the objective of conserving the value of property and encouraging the most appropriate use of land throughout the municipality, the Township of Woolwich is hereby divided into ~~13~~14 districts which shall be designated as follows:

5A Five Acre District (§ 203-39)
R-1 Residential District (§ 203-40)
R-2 Residential District (§ 203-41)
R-3 Residential District (§ 203-42)
CON Conservation (§ 203-43)
~~PAC Planned Adult Community District (§ 203-44)~~
PUD Planned Unit Development District (§ 203-45)
FOC Flexible Office Commercial District (§ 203-46)
I-C Cemetery District (§ 203-47)
LIO Light Industrial/Office District (§ 203-48)
CC Commercial Corridor District (§203-137)
MU Mixed Use (§203-178)
RHO Regional Hotel/Office (§203-185)
NC Neighborhood Commercial (§203-186)
AR-1 Auburn Village District (Article XX)

B. Additional zoning districts have been established through redevelopment plans applicable to the following redevelopment areas:

~~Woolwich Kings Landing Redevelopment Area Regional Center Districts identified as RR (Residential Receiving; Article XVII), CC (Corridor Commercial; Article XVIII), NC (Neighborhood Commercial; Article XXVII), RR-BD (Residential Receiving Base Density; Article XXIV), MU (Mixed Use; Article XXIII), BBR (Big Box Retail; Article XXV), and RHO (Regional Hotel Office; Article XXVI)~~
~~Woolwich Regional Center Overlay (Article XIX)~~
~~AR-1 Auburn Village District (Article XX)~~
Nike Redevelopment Area
Weatherby Redevelopment Area
PMC Redevelopment Area

Section 4. Subsection C(1)(n) of Section 203-40, entitled, “R-1 Residential District”, is hereby amended as follows:

(n) Design standards for Option 1.

- [1] House lots shall not encroach upon primary conservation areas as identified in § 203-72, and their layout shall respect secondary conservation areas as described in both the Zoning Ordinance and in the Site Plan and Subdivision Review Ordinances.
- [2] All new dwelling units shall meet the following requirements:
 - [a] Minimum setback from all external road rights-of-way: 100 feet.
 - [b] Minimum setback from all other tract boundaries: 50 feet.
 - [c] Minimum setback from active crop, pasture, preserved land, agricultural land, or from buildings and barnyards housing livestock: 100 feet, with a 50-foot year-round fully vegetative screen consisting of a mixture of evergreen and deciduous plantings. ~~cropland or pasture land: 150 feet.~~
 - ~~[c] Minimum setback from preserved farms (preserved farms through the SADC program, or the county program, or through the Township's TDR program): 300 feet.~~
 - ~~[d] Minimum setback from buildings or barnyards housing livestock: 300 feet.~~
 - [ed] Minimum setback from active recreation areas such as courts or playing fields (not including tot-lots): 150 feet.
- [3] Views of house lots from exterior roads and abutting properties shall be minimized by the use of change in topography, existing vegetation, or additional landscaping which meets the landscaping requirements in Chapters 149, 163 and 203 of the Woolwich Code.
- [4] House lots shall be accessed from interior streets, rather than from roads bordering the tract.
- [5] Standards pertaining to the use, quantity, quality, configuration, ownership and maintenance of the greenway land created under this section are contained in § 203-72 of this chapter.

Section 5. Subsection C(2)(f)[4] of Section 203-40, entitled, “R-1 Residential District”, is hereby amended as follows:

(f) New dwelling setbacks:

- [1] From all external road rights-of-way: 100 feet.
- [2] From all other tract boundaries: 50 feet.
- [3] From active crop, pasture, preserved land, agricultural land, or from buildings and barnyards housing livestock: 100 feet, with a 50-foot year-round fully vegetative screen consisting of a mixture of evergreen and deciduous plantings. ~~cropland or pasture land: 150 feet.~~
- ~~[4] From preserved farms (preserved farms through the SADC program, or the county program, or through the Township's TDR program): 300 feet.~~

- ~~[5] From buildings or barnyards housing livestock: pr feet.~~
- [64] From active recreation areas such as courts or playing fields (not including tot-lots): 150 feet.

Section 6. Subsection C(1)(n) of Section 203-41, entitled, “R-2 Residential District”, is hereby amended as follows:

- (n) Design standards for Option 1.
 - [1] House lots shall not encroach upon primary conservation areas as identified in § 203-72, and their layout shall respect secondary conservation areas as described in both the Zoning Ordinance and in the Site Plan and Subdivision Review Ordinances.
 - [2] All new dwelling units shall meet the following requirements:
 - [a] Minimum setback from all external road rights-of-way: 100 feet.
 - [b] Minimum setback from active crop, pasture, preserved land, agricultural land, or from buildings and barnyards housing livestock: 100 feet, with a 50-foot year-round fully vegetative screen consisting of a mixture of evergreen and deciduous plantings. ~~all other tract boundaries: 50 feet.~~
 - ~~[c] Minimum setback from cropland or pasture land: 150 feet.~~
 - ~~[d] Minimum setback from preserved farms (preserved farms through the SADC program or , the county program, or through the Township's TDR program): 300 feet.~~
 - ~~[e] Minimum setback from buildings or barnyards housing livestock: 300 feet.~~
 - [fc] Minimum setback from active recreation areas such as courts or playing fields (not including tot-lots): 150 feet.
 - [3] Views of house lots from exterior roads and abutting properties shall be minimized by the use of changes in topography, existing vegetation, or additional landscaping which meets the landscaping requirements in Chapters 149, 163 and 203 of the Woolwich Code.
 - [4] House lots shall be accessed from interior streets, rather than from road bordering the tract.
 - [5] Standards pertaining to the use, quantity, quality, configuration, ownership and maintenance of the greenway land created under this section are contained in § 203-72 of this chapter.

Section 7. Subsection C(2) of Section 203-41.C, entitled, “R-2 Residential District”, is hereby amended as follows:

- (2) Option 2: conventional lotting. In addition to the above preferred option for subdivision, Option 2, conventional lotting, at a minimum lot size of two acres, is also permitted.
 - (a) A minimum lot area of 65,340 square feet.

- (b) A minimum lot width of 160 feet.
- (c) A front yard setback of 50 feet.
- (d) A rear yard setback of 30 feet.
- (e) A minimum side yard setback of 20 feet.
- (f) New dwelling setbacks:
 - [1] From all external road rights-of-way: 100 feet.
 - [2] From all other tract boundaries: 50 feet.
 - ~~[3] feet.~~
 - [43] From active crop, pasture, preserved land, agricultural land, or from buildings and barnyards housing livestock: 100 feet, with a 50-foot year-round fully vegetative screen consisting of a mixture of evergreen and deciduous plantings. ~~preserved farms (preserved farms through the (SADC program, or the county program), or through the Township's TDR program): 300 feet.~~
 - ~~[5] From buildings or barnyards housing livestock: 300 feet.~~
 - ~~[64] From active recreation areas such as courts or playing fields (not including tot-lots): 150 feet.~~

Section 8. Subsection C(1)(n) of §203-42, entitled, “R-3 Residential District”, is hereby amended as follows:

(n) Design standards for Option 1.

- [1] House lots shall not encroach upon primary conservation areas as identified in § 203-72, and their layout shall respect secondary conservation areas as described in both the Zoning Ordinance and in the Site Plan and Subdivision Review Ordinances.
- [2] All new dwelling units shall meet the following setback requirements:
 - [a] Minimum setback from all external road rights-of-way: 60 feet.
 - [b] Minimum setback from all other tract boundaries: 25 feet.
 - [c] Minimum setback from active crop, pasture, preserved land, agricultural land, or from buildings and barnyards housing livestock: 100 feet, with a 50-foot year-round fully vegetative screen consisting of a mixture of evergreen and deciduous plantings. ~~cropland or pasture land: 100 feet.~~
 - ~~[d] Minimum setback from preserved farms (preserved farms through the SADC program or , the county program or through the Township's TDR program): 200 feet.~~
 - ~~[e] Minimum setback from buildings or barnyards housing livestock: 200 feet.~~
 - ~~[fd] Minimum setback from active recreation areas such as courts or playing fields (not including tot-lots): 150 feet.~~
- [3] Views of house lots from exterior roads and abutting properties shall be minimized by the use of changes in topography, existing vegetation, or additional landscaping which meets the landscaping requirements in Chapters 149, 163 and 203 of the Woolwich Code.

- [4] House lots shall be accessed from interior streets, rather than from roads bordering the tract.
- [5] Standards pertaining to the use, quantity, quality, configuration, ownership and maintenance of the greenway land created under this section are contained in § 203-72 of this chapter.

Section 9. Subsection C(2)(f) of §203-42, entitled, “R-3 Residential District”, is hereby amended as follows:

- (2) Option 2: conventional lotting. In addition to the above preferred option for subdivision, Option 2, conventional lotting, at a minimum lot size of two acres, is also permitted.
 - (a) A minimum lot area of 65,340 square feet.
 - (b) A minimum lot width of 160 feet.
 - (c) A front yard setback of 50 feet.
 - (d) A rear yard setback of 30 feet.
 - (e) A minimum side yard setback of 20 feet.
 - (f) New dwelling setbacks:
 - [1] From all external road rights-of-way: 60 feet.
 - [2] From all other tract boundaries: 25 feet.
 - [3] From active crop, pasture, preserved land, agricultural land, or from buildings and barnyards housing livestock: 100 feet, with a 50-foot year-round fully vegetative screen consisting of a mixture of evergreen and deciduous plantings. ~~cropland or pasture land: 100 feet.~~
 - ~~[4] From preserved farms (preserved farms through the SADC program or the county program, or through the Township's TDR program): 200 feet.~~
 - ~~[5] From buildings or barnyards housing livestock: 200 feet.~~
 - [64] From active recreation areas such as courts or playing fields (not including tot-lots): 100 feet.

Section 10. Subsection C(2) of Section 203-47, entitled, “I-C Cemetery District”, is hereby amended as follows:

- (2) Building setback.
 - (a) Fifty feet from any right-of-way.
 - (b) Fifty feet from any property line not adjacent to a right-of-way.
 - (c) Buffers and setbacks shall be measured from future rights-of-way articulated in the TDR-circulation plan of the Township's Master Plan.

Section 11. Subsection D of Section 203-47, entitled, “I-C Cemetery District”, is hereby amended as follows:

D. Access. Emergency and ADA access shall be available to all structures on the entire site and otherwise comply with federal ADA laws. Access/circulation/parking pathways shall be a minimum of 20 feet wide. To the

extent that employee or visitor safety is not severely compromised, they shall be designed to allow temporary parking alongside each edge, and to allow surface flow of drainage to and over adjacent or nearby open space or ground burial lawns. Roadways having the shortest route from the public right-of-way to an administrative, maintenance, or assembly building shall be designed to accommodate emergency vehicles. ~~The entrance points must be coordinated with the TDR master plan grid, to the greatest extent possible.~~

Section 12. ARTICLE VI (§203-51 through §203-57), entitled Voluntary TDR Program, is hereby repealed in its entirety and replaced with the following:

§203-51. Farms preserved under the former Voluntary TDR Program.

A. Land in which transfer of development rights (“TDR”) credits were created and severed under the former Voluntary TDR Program pursuant to Ordinance No. 2008-20, as amended by Ordinance No. 2014-09 and Ordinance No. 2018-13, shall continue to be subject to the TDR deed of easement that was recorded on the land, as well as the following requirements:

1. Permitted Uses. The uses permitted in the TDR deed of easement will continue to be authorized on the land as set forth in the recorded TDR deed of easement.
2. Non-conforming uses. All uses other than agricultural uses, if any, existing on the land at the time of TDR deed of easement may be continued and any structure may be restored or repaired in the event of partial destruction. No new structures, or the expansion of preexisting structures for nonagricultural uses, are permitted, except as specifically authorized herein. In the event a preexisting nonagricultural use is abandoned, the right to continue the use is extinguished.
3. Agricultural labor housing. The provision of structures for housing of agricultural labor employed by the land owner or the operator of the agricultural operation is permitted, provided all necessary approvals are obtained. Such housing shall not be used as a residence for land owner, land owner's spouse, land owner's parents, land owner's lineal descendants, adopted or natural, land owner's spouse's siblings, parents or land owner's spouse's lineal descendants, adopted or natural. Such land shall only be occupied by agricultural labor who works at the agricultural operation which is operated on the land subject to the TDR deed of easement.
4. Other housing. The construction of new buildings for residential use or any residential subdivision, regardless of its purpose, shall be prohibited except as follows, and provided all necessary approvals are obtained:

- a. The construction of a residential building on the land shall be permitted solely in order to replace any permitted single- or multi-family residential building that exists on the land and that has been declared unfit for human occupancy pursuant to the International Property Maintenance Code or the Township Code, it was lived in for at least consecutive 90 days during the prior two years;
 - b. The construction of up to a fifty-percent expansion of any existing single- or multifamily residential building on the premises up to a maximum of 2,000 square feet, provided that no new dwelling unit is created and the addition is used solely for residential purposes;
 - c. If at the time of recording of the TDR deed of easement the premises contains no residential unit(s) and is greater than 15 acres but less than 50 acres in size, the construction of one new single-family residential unit provided that, as of the date of application for the building permit the owner has retained one TDR credit and prior to issuance of the building permit has recorded a deed of extinguishment for the TDR credit.
 - d. If at the time of recording of the TDR deed of easement the land was 50 acres or more in size excluding the land area occupied by any buildings or structures used for a nonconforming nonresidential use, the construction of new single-family residential units is permitted on the premises without the use of TDR credits provided the total number of single-family residential units (including existing units) which may be built on the land shall not exceed one unit per 50 acres of gross land area;
 - e. Except for land subject to a prior subdivision, a one-time subdivision of the land resulting in a vacant parcel that is at least 15 acres but less than 50 acres in size shall be permitted provided that the owner has retained one TDR credit as of the date of application for the subdivision and as a condition of approval has recorded a deed of extinguishment for the TDR credit;
5. Other buildings. The construction of new buildings for non-residential use or any non-residential subdivision, regardless of its purpose, shall be prohibited except as follows, and provided all necessary approvals are obtained:
- a. New buildings for nonresidential agricultural purposes may be constructed on the premises to the extent permitted by Chapter 203.
 - b. To the extent permitted by Chapter 203, a building that existed on the land at the time of recording of the TDR deed of easement may be expanded up to fifty (50) percent, but in no case shall the expansion be greater than 2,000 square feet of the building's original size, where such expansion is for the purposes of utilizing the building for a winery, brewery, distillery and/or other alcohol production facility on the premises, provided that

the predominant crops on the land are used in the production and the use does not diminish the actual or potential use of the land for agricultural production.

- c. To the extent permitted by Chapter 203, a building that existed on the land at the time of recording of the TDR deed of easement may be expanded up to fifty (50) percent, but in no case shall the expansion be greater than 2,000 square feet of the building's original size, where such expansion is for the purpose of utilizing the building for a bed-and-breakfast if it is demonstrated that the uses individually or collectively will not diminish the actual or potential use of the land for agricultural production.
 - d. To the extent permitted by Chapter 203, a building that existed on the land at the time of recording of the TDR deed of easement may be expanded up to fifty (50) percent, but in no case shall the expansion be greater than 2,000 square feet of the building's original size, where such expansion is for the purpose of utilizing the building for social events such as weddings, and temporary structures may be used for said social events if it is demonstrated that the uses individually or collectively will not diminish the actual or potential use of the land for agricultural production.
6. No activity shall be permitted which would be detrimental to drainage, flood control, water conservation, erosion control, or soil conservation, nor shall any other activity be permitted which would be detrimental to the continued agricultural use of the land and buildings.
 7. Public improvements including but not limited to roadways, drainage facilities and other public infrastructure are permitted so long as the public improvements individually or collectively have no more than a de minimis impact on the actual or potential use of the land for agricultural production. The right to maintain all roads and trails existing upon the land as of the date of the TDR deed of easement shall be preserved. The construction, improvement or reconstruction of any roadway necessary to service crops, agricultural buildings, or reservoirs is permitted as necessary.
 8. To the extent permitted by the Chapter 203 or Right to Farm Act, the land may be used for certain recreational activities such as hunting, fishing, cross-country skiing and ecological tours, only if such activities do not interfere with the actual or potential use of the land for agricultural production. Other recreational activities which alter the land, such as indoor recreational facilities, golf courses and athletic fields, are prohibited unless expressly authorized by the TDR deed of easement. However, if the premises is acquired by a governmental entity, the governmental entity may establish outdoor active recreational uses on the land.

9. Disposal of sludge or any waste material resulting from treatment of waste water, domestic or otherwise, is expressly prohibited. No sand, gravel, loam, rock or other minerals shall be deposited on or removed from the premises except those materials required by the agricultural purpose for which the land is used. No dumping or placing of trash or waste material shall be permitted unless expressly authorized by the State Agricultural Development Committee or the County Agricultural Development Board as an agricultural management practice and pursuant to the Right to Farm Act and subject to any restrictions imposed by the Township consistent with that Act.
10. No historic building or structure (included in the New Jersey Register of Historic Places) located on the land may be demolished by the grantor or any other person without the prior approval of the Township Committee, with a recommendation from the Joint Land Use Board.
11. The construction of billboards, golf courses, cellular phone towers, solar panels, wind turbines, airstrips, and helicopter pads is expressly prohibited. Notwithstanding this Subsection, solar panels and wind turbines used to generate electricity for uses on the premises are permitted to the extent permitted by the Chapter 203.
12. To the extent permitted by Chapter 203 or the Right to Farm Act, fences may be constructed in support of the agricultural operation and to prevent trespassing. On any designated public areas, no fences shall be erect to block access to public areas from the general public.
13. Agricultural management practices as have been and continue to be promulgated by the New Jersey State Agriculture Development Committee pursuant to its authority under N.J.A.C. 2:76-2.1 et seq., N.J.A.C. 2:76-2A.1 et seq., N.J.A.C. 2:76-2B.1 et seq. and the Right to Farm Act (N.J.S.A. 4:1C-1 et seq.) are expressly permitted.
14. The right to plant, grow, and harvest trees, timber and forest products and to engage in other woodland management activities related thereto provided that the same are carried out in a manner consistent with the Farmland Assessment Act of 1964 (N.J.S.A. 54:4-23.1 et seq.).
15. To the extent permitted by Chapter 203, permissible improvements allowed in conjunction with permitted uses to include the installation of needed driveway and/or road access and ancillary unpaved parking areas for a maximum of 75 vehicles, if it is demonstrated that the uses individually or collectively will not diminish the actual or potential use of the land for agricultural

production and subject to the review and approval of the Joint Land Use Board. The use of hiking and biking trails for motorized vehicles is not permitted except for necessary access to the land.

16. Use of the designated public area of the land for public passive recreational use is permitted consistent with the New Jersey Department of Environmental Protection, Green Acres Program Rules (N.J.A.C. 7:36-1.1 et seq.).
17. To the extent permitted by Chapter 203, the premises may be use as a day camp if it is demonstrated that the uses individually or collectively will not diminish the actual or potential use of the premises for agricultural production.
18. To the extent permitted by Chapter 203, the land may be retained for use as a botanical garden or arboretum if it is demonstrated that the uses individually or collectively will not diminish the actual or potential use of the premises for agricultural production.

B. Definitions. For the purposes of this Section 203-51, the following definitions shall apply:

1. All uses not defined herein shall have the meanings set forth in Section 203-5.
2. "TDR deed of easement" shall mean the deed of easement recorded by the landowner upon enrollment in the Voluntary TDR Program pursuant to Ordinance No. 2008-20, as amended by Ordinance No. 2014-09 and Ordinance No. 2018-13.
3. "TDR credit" shall mean a transferable development right which was created upon enrollment in the Voluntary TDR Program pursuant to Ordinance No. 2008-20, as amended by Ordinance No. 2014-09 and Ordinance No. 2018-13, as evidenced by the serial number assigned thereto.
4. "Deed of extinguishment" shall mean a Deed notice in a form that is acceptable to the Township Solicitor and is capable of being recorded in the County Clerk's office, which contains the following information: (i) identifies the TDR credit proposed to be used by, serial number, date it was created, and property from which it was created; (ii) identifies the project for which the TDR credit is used, including by block and lot, date of project, and description of project; and (iii) states that the TDR credit has been extinguished and is no longer valid, along with the date of extinguishment.

C. To utilize a credit pursuant to Subsection A above:

1. The party seeking to utilize the credit shall submit to the Township Clerk the following:

- i. Documentation identifying the TDR credit proposed to be used by serial number, date it was created, and property from which it was created;
 - ii. Documentation demonstrating that the party seeking to utilize the TDR credit owns the TDR credit sought to be used;
 - iii. Documentation demonstrating that the TDR credit has not previously been extinguished or utilized; and
 - iv. A copy of the proposed deed of extinguishing, along with a second copy to the Township Solicitor for review.
2. Upon the Township Solicitor's receipt of the of the deed of extinguishment, the Township Solicitor, in conjunction with the Township Clerk shall, within 14 days of receipt:
 - i. Determine if the deed of extinguishment is in proper legal form for recording in the County Clerk's office and complies with the requirements of Subsection C;
 - ii. Determine that the party seeking to utilize the TDR credit owns title to the TDR credit proposed to be used; and
 - iii. The TDR credit has not been previously been extinguished or utilized.
 3. If the Township Solicitor determines that the party seeking to utilize the TDR credit has established the criteria set forth above, the Township Solicitor shall sign and date the deed of extinguishment. Upon signing, the deed of extinguishment shall be returned for recording and the party seeking to utilize the TDR credit shall record the deed of extinguishment. If the deed of extinguishment is not recorded within 90 days of the Township Solicitor's signature, the deed of extinguishment shall be null and void and the party shall no longer be entitled to utilize the TDR credit.
 4. Once recorded, the party seeking to utilize the TDR credit shall return a copy of the recorded deed of extinguishment to the Township Clerk who shall record the extinguishment in the Township records.

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 §203-57. Reserved

Section 13. Subsection G of Section 203-77, entitled, "Signs", is hereby deleted in its entirety.

Section 14. Subsection D(10) of Section 203-117, entitled, "Purpose", is hereby deleted in its entirety.

Section 15. Article XV entitled, “District Designations and Uses”, is hereby deleted in its entirety.

Section 16. Article XVII Residential Receiving (RR), is hereby repealed in its entirety.

Section 17. Article XX Mixed-Use Commercial/Residential Walkable Neighborhood Center (AR-1) District, is hereby amended to state: Article XX Auburn (AR-1) District

Section 18. Section 203-146, entitled, “Townhouse units”, is hereby deleted and replaced in its entirety as follows:

Section 203-146, entitled, “AR-1 District”

A. Permitted Uses.

- (1) All uses permitted in the 5A Five Acre Residential District.
- (2) 56-unit 100% affordable housing development.

B. Zoning Standards.

All projects which are not a 100% affordable housing development shall follow those standards prescribed in Section 203-39 - 5A Five Acre Residential District.

- (1) 100% Affordable housing project:
 - (a) Must be connected to sewer and directly abutting the PUD zone; follow all requirements of RSIS; and follow the yard and width requirements, building height requirements, impervious and building coverage requirements of Option 3 within the 5A Five Acre Residential District.
 - (b) All affordable units shall be subject deed restrictions imposing affordability controls in accordance with the Uniform Housing Affordability Controls, N.J.A.C. 5:80-26.1, et seq. (“UHAC”), for at least thirty (30) years from the date of initial occupancy, and shall fully comply with UHAC unless specifically exempted therein, including but not limited to the required bedroom and income distribution with the sole exception that thirteen percent (13%) of the affordable units (fractional units shall be rounded up) within each bedroom distribution shall be required to be for very-low-income households earning thirty percent (30%) or less of the median income.

Section 19. Section 203-147, entitled, “Twin units with alleys”, is hereby deleted in its entirety.

Section 20. Section 203-148, entitled, "Single-family detached units with alleys", is hereby deleted in its entirety.

Section 21. Section 203-149, entitled, "Auburn Village Retail", is hereby deleted in its entirety.

Section 22. Subsection E(1), (2) and (3) of Section 203-178, entitled, "Mixed Use", is hereby amended as follows:

E. Size and scope.

~~(1) Zone acreage: 158.97 acres.~~

~~(2) Base density: No residential units in the "triangle" between Kings Highway, Pancoast Road, and US Route 322. Residential units permitted with participation in the TDR program. [Amended 10-1-2018 by Ord. No. 2018-15]~~

~~(3) Ground floor commercial retail or office use required north of US Route 322 between Kings Highway and Pancoast Road. Ground floor commercial retail or office use optional north of Pancoast Road and west of Kings Highway. Residential density for north of Pancoast Road and west of Kings Highway shall be in accordance with RR-BD when ground floor commercial retail or office use is not proposed.~~

~~(4)(1) The purpose of the zone is to provide the opportunity for a regionally based, walkable commercial main-street destination that is attractive to national chain stores, small boutiques and offices as well as residential units above.~~

~~(5) (2) Buildings should be built to the sidewalk edge.~~

~~(6) (3) Buildings shall be built out to perimeter county streets to establish a strong architecture street edge.~~

~~(7) (4) Maximum building height: 60 feet and five stories.~~

~~(8) (5) On-street parking is permitted on interior roads.~~

Section 23. Article XXIV entitled, "Residential Receiving - Base Density (RR-BD)." is hereby repealed in its entirety.

Section 24. All ordinances or parts of ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

Section 25. In the event any clause, section or paragraph of the Ordinance is deemed invalid or unenforceable for any reason, it is the intent of the Township Committee that the balance of the Ordinance remains in full force and effect to the extent it allows the Township to meet the goals of the Ordinance.

Section 26. This Ordinance shall take effect after final adoption and publication according to law.

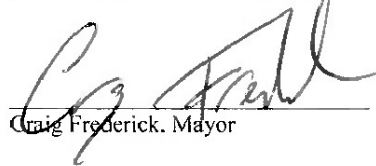
ATTEST:

TOWNSHIP OF WOOLWICH

ATTEST:


Jane DiBella, Municipal Clerk

TOWNSHIP OF WOOLWICH


Craig Frederick, Mayor

CERTIFICATION

The foregoing ordinance was introduced upon first reading by the Township Committee of the Township of Woolwich at a regular meeting held on 1st day of May, 2023 and was re-introduced on May 15th, 2023. It will be further considered for final adoption upon a second reading and subsequent to a public hearing to be held on such ordinance at a meeting of the Township Committee at which time any interested person(s) may be heard. Said meeting to be conducted on the 5th day of June, 2023 at the Woolwich Township Municipal Building, 120 Village Green Drive, Woolwich Township, New Jersey, beginning at 6:30 p.m.

Jane DiBella, Township Clerk

NOTICE OF ADOPTION

Notice is hereby given that the foregoing ordinance was approved for final adoption by the Woolwich Township Committee at a meeting held on the 5th day of June, 2023.

Jane DiBella, Township Clerk

RESOLUTION #2023-27

**RESOLUTION OF REVIEW AND RECOMMENDATIONS
FROM THE WOOLWICH TOWNSHIP JOINT LAND USE BOARD
TO THE WOOLWICH TOWNSHIP MAYOR AND TOWNSHIP COMMITTEE
REGARDING AMENDMENT TO THE TOWNSHIP'S ZONING MAP AND PROPOSED
CHANGES TO CHAPTER 203 OF THE TOWNSHIP ZONING CODE**

WHEREAS, via Resolution #2022-33, the Joint Land Use Board of the Township of Woolwich adopted a re-examination of the Township of Woolwich Master Plan ("2022 Master Plan Re-Examination Report"); and

WHEREAS, the 2022 Master Plan Re-examination Report contains various recommendations as to the Township Zoning Map and Zoning Ordinance; and

WHEREAS, and the Township Committee has adopted several ordinances amending the zoning districts within the Township of Woolwich in accordance with the recommendations contained in the 2022 Master Plan Re-examination Report and has amended certain Redevelopment Plans to change zoning applicable to those areas; and

WHEREAS, as a result of the Township's review of the official zoning map of the Township, the Township has determined that certain zoning districts should be repealed as unnecessary and that the number of zoning districts within the Township should be reduced; and

WHEREAS, on May 1, 2023, the Mayor and Township Committee of the Township of Woolwich introduced on first reading, Ordinance No. 2023-15, entitled "Ordinance of the Township of Woolwich Amending Chapter 203, Section 35, Entitled 'Zoning Map' in Accordance with the 2022 Master Plan Reexamination and as Permitted under 40:55D-32," a copy of which is attached hereto as Exhibit A and made a part of this resolution by reference to Exhibit A; and

WHEREAS, Ordinance No. 2023-15 proposes to amend the Township's Zoning Map to reflect the new proposed zoning from recent Ordinances, and proposes to delete the following zoning districts which are no longer used: PAC Planned Adult Community, BBR Big Box Retail, and Large-Format Retail, Big Box Retail, Office and Hotel, Neo-Traditional Senior Community (RC-3) Overlay District; and

WHEREAS, Ordinance No. 2023-15 also proposes the following rezoning: (1) Block 8, Lots 3, 11,12,13, 14,15, and 16; and Block 54, Lot 1 are rezoned from FOC, Flexible Office Commercial to NC, Neighborhood Commercial; (2) Block 18, Lots 4.01, 4.02, 5, 5.01, 6.01, and 7; Block 22, Lot 4.01 are rezoned from RR-BD, Residential Receiving Base Density to R-2 Residential; (3) Block 10, Lots 5, 5.02, 5.03; Block 14, Lots 3, 3.01, 3.02, and 17; Block 16, Lots 1, 2, 3, 4, 4.01, and 5 (partial) are rezoned from RR, Residential Receiving to R2 Residential; and (4) Block 57, Lots 3, and 3.02 are rezoned from RR, Residential Receiving to MUD; (5)

Block 57, Lots 3.01 (partial), and 3.03 (partial) are rezoned from RR, Residential receiving to NC, Neighborhood Commercial; and (6) Block 57, 11 is rezoned from BBR, Big Box Retail to MLUL, Mount Laurel Mixed Use; and

WHEREAS, the Mayor and Township Committee have referred, pursuant to Resolution R-2023-120, adopted on May 1, 2023, certain proposed changes to the Zoning Code, as set forth in Ordinance No. 2023-15, to the Joint Land Use Board to review for consistency with the Master Plan and for comment in accordance with N.J.S.A. 40:55D-26 and N.J.S.A. 40:55D-64; and

WHEREAS, on May 4, 2023, the Joint Land Use Board performed its review and after careful review and consideration, made its recommendations based on the documents presented by the Township Planner and the testimony provided at the time of the hearing, including testimony of its own professionals; and

WHEREAS, the Woolwich Township Joint Land Use Board after careful review and discussion has determined that the adoption of the proposed amendments to the Zoning Code contained in proposed Ordinance No. 2023-15, conform and are consistent with the Master Plan; and

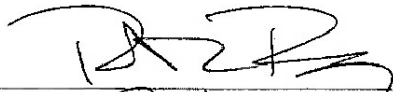
WHEREAS, the Woolwich Township Joint Land Use Board, after careful review and discussion has determined that: (1) the adoption of the proposed amendments to the Zoning Code contained in the proposed Ordinance 2023-15, conform and are consistent with the Master Plan, including the recently adopted Master Plan Re-Examination adopted on October 20, 2022 and meet the goals of the same; (2) the amendments contained in proposed Ordinance 2023-15 conform to sound planning principles; (3) the adoption of proposed Ordinance 2023-15 are in the best interests of Woolwich Township.

NOW, THEREFORE, BE IT RESOLVED by the Joint Land Use Board of the Township of Woolwich, by a vote of 7 in favor and 0 opposed and 0 abstentions (voting for: Grasso, Frederick, Fein, Morris, Lock, Rushton) (Voting Against: _____) (Abstaining _____) as follows:

1. The Woolwich Township Joint Land Use Board approves and recommends the adoption of proposed Ordinance 2023-15, which includes proposed amendments to the Zoning Code, which is attached hereto as Exhibit A, and same is hereby referred to the Woolwich Township Mayor and Township Committee, for review and adoption; and
2. The Woolwich Township Joint Land Use Board determines and finds that the proposed Ordinance and the proposed amendments to the Zoning Code contained therein and attached hereto as Exhibit A, are consistent and conform to the Master Plan, including the recently adopted Master Plan Reexamination Report.

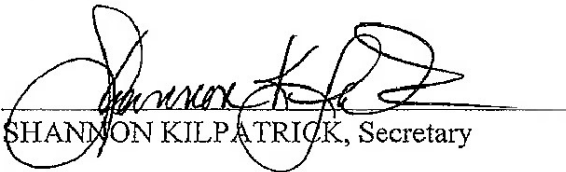
3. Any recommendations, if any, of the Joint Land Use Board are attached hereto as Exhibits B.

JOINT LAND USE BOARD OF THE
TOWNSHIP OF WOOLWICH


Robert C. Rushton, Acting Chairman
Vice

ATTEST:

The foregoing Resolution was a memorialization of action taken at a regular meeting of the Joint Land Use Board of the Township of Woolwich held on the 4th day of May, 2023; and such resolution was adopted by the Joint Land Use board of the Township of Woolwich at a regular meeting held on May 4, 2023, by a vote of 7 to approve, 0 to oppose, and 0 to abstain.


SHANNON KILPATRICK, Secretary

In favor of the Resolution:

C. Grasso, C. Frederick, J. Fein, K. Morris, F. Lock, S. Maccaroni,
V. Chair Rushton

Opposed to the Resolution:

Abstained:

RESOLUTION #2023-27A

**RESOLUTION OF REVIEW AND RECOMMENDATIONS
FROM THE WOOLWICH TOWNSHIP JOINT LAND USE BOARD
TO THE WOOLWICH TOWNSHIP MAYOR AND TOWNSHIP COMMITTEE
REGARDING AMENDMENT TO THE TOWNSHIP'S ZONING MAP AND PROPOSED
CHANGES TO CHAPTER 203 OF THE TOWNSHIP ZONING CODE**

WHEREAS, via Resolution #2022-33, the Joint Land Use Board of the Township of Woolwich adopted a re-examination of the Township of Woolwich Master Plan ("2022 Master Plan Re-Examination Report"); and

WHEREAS, the 2022 Master Plan Re-examination Report contains various recommendations as to the Township Zoning Map and Zoning Ordinance; and

WHEREAS, and the Township Committee has adopted several ordinances amending the zoning districts within the Township of Woolwich in accordance with the recommendations contained in the 2022 Master Plan Re-examination Report and has amended certain Redevelopment Plans to change zoning applicable to those areas; and

WHEREAS, as a result of the Township's review of the official zoning map of the Township, the Township has determined that certain zoning districts should be repealed as unnecessary and that the number of zoning districts within the Township should be reduced; and

WHEREAS, on May 1, 2023, the Mayor and Township Committee of the Township of Woolwich introduced on first reading, Ordinance No. 2023-15, entitled "Ordinance of the Township of Woolwich Amending Chapter 203, Section 35, Entitled 'Zoning Map' in Accordance with the 2022 Master Plan Reexamination and as Permitted under 40:55D-32," a copy of which is attached hereto as Exhibit A and made a part of this resolution by reference to Exhibit A; and

WHEREAS, Ordinance No. 2023-15 proposes to amend the Township's Zoning Map to reflect the new proposed zoning from recent Ordinances, and proposes to delete the following zoning districts which are no longer used: PAC Planned Adult Community, BBR Big Box Retail, and Large-Format Retail, Big Box Retail, Office and Hotel, Neo-Traditional Senior Community (RC-3) Overlay District; and

WHEREAS, Ordinance No. 2023-15 also proposes the following rezoning: (1) Block 8, Lots 3, 11,12,13, 14,15, and 16; and Block 54, Lot 1 are rezoned from FOC, Flexible Office Commercial to NC, Neighborhood Commercial; (2) Block 18, Lots 4.01, 4.02, 5, 5.01, 6.01, and 7; Block 22, Lot 4.01 are rezoned from RR-BD, Residential Receiving Base Density to R-2 Residential; (3) Block 10, Lots 5, 5.02, 5.03; Block 14, Lots 3, 3.01, 3.02, and 17; Block 16, Lots 1, 2, 3, 4, 4.01, and 5 (partial) are rezoned from RR, Residential Receiving to R2 Residential; and (4) Block 57, Lots 3, and 3.02 are rezoned from RR, Residential Receiving to MUD; (5)

Block 57, Lots 3.01 (partial), and 3.03 (partial) are rezoned from RR, Residential receiving to NC, Neighborhood Commercial; and (6) Block 57, 11 is rezoned from BBR, Big Box Retail to MLUL, Mount Laurel Mixed Use; and

WHEREAS, the Mayor and Township Committee have referred, pursuant to Resolution R-2023-120, adopted on May 1, 2023, certain proposed changes to the Zoning Code, as set forth in Ordinance No. 2023-15, to the Joint Land Use Board to review for consistency with the Master Plan and for comment in accordance with N.J.S.A. 40:55D-26 and N.J.S.A. 40:55D-64; and

WHEREAS, on May 18, 2023, the Joint Land Use Board performed its review and after careful review and consideration, made its recommendations based on the documents presented by the Township Planner and the testimony provided at the time of the hearing; and

WHEREAS, the Woolwich Township Joint Land Use Board after careful review and discussion has determined that the adoption of the proposed amendments to the Zoning Code contained in proposed Ordinance No. 2023-15, conform and are consistent with the Master Plan; and

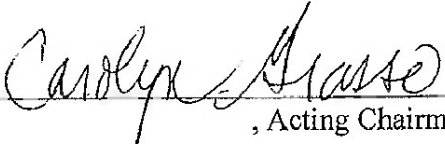
WHEREAS, the Woolwich Township Joint Land Use Board, after careful review and discussion has determined that: (1) the adoption of the proposed amendments to the Zoning Code contained in the proposed Ordinance 2023-15, conform and are consistent with the Master Plan, including the recently adopted Master Plan Re-Examination adopted on October 20, 2022 and meet the goals of the same; (2) the amendments contained in proposed Ordinance 2023-15 conform to sound planning principles; (3) the adoption of proposed Ordinance 2023-15 are in the best interests of Woolwich Township.

NOW, THEREFORE, BE IT RESOLVED by the Joint Land Use Board of the Township of Woolwich, by a vote of 8 in favor and 0 opposed and 0 abstentions (voting for: Grasso, Fredeuck, Fein, Marino, Morgan, Morris, Lock, Macraone (Voting Against: _____) (Abstaining _____) as follows:

- 1. The Woolwich Township Joint Land Use Board approves and recommends the adoption of proposed Ordinance 2023-15, which includes proposed amendments to the Zoning Code, which is attached hereto as Exhibit A, and same is hereby referred to the Woolwich Township Mayor and Township Committee, for review and adoption; and
- 2. The Woolwich Township Joint Land Use Board determines and finds that the proposed Ordinance and the proposed amendments to the Zoning Code contained therein and attached hereto as Exhibit A, are consistent and conform to the Master Plan, including the recently adopted Master Plan Reexamination Report.

3. Any recommendations, if any, of the Joint Land Use Board are attached hereto as Exhibits B.

JOINT LAND USE BOARD OF THE
TOWNSHIP OF WOOLWICH


_____, Acting Chairman

ATTEST:

The foregoing Resolution was a memorialization of action taken at a regular meeting of the Joint Land Use Board of the Township of Woolwich held on the 18th day of May, 2023; and such resolution was adopted by the Joint Land Use board of the Township of Woolwich at a regular meeting held on May 18, 2023, by a vote of 8 to approve, 0 to oppose, and 0 to abstain.



SHANNON KILPATRICK, Secretary

In favor of the Resolution:

*Grasso, Frederick, Fein, Marino, Morgan, Morris, Lock,
Maccarone*

Opposed to the Resolution:

Abstained:

RESOLUTION #2023-31

**RESOLUTION OF REVIEW AND RECOMMENDATIONS
FROM THE WOOLWICH TOWNSHIP JOINT LAND USE BOARD
TO THE WOOLWICH TOWNSHIP MAYOR AND TOWNSHIP COMMITTEE
REGARDING REPEAL OF THE TRANSFER OF DEVELOPMENT RIGHTS
ORDINANCE AND PROPOSED CHANGES TO CHAPTER 203
OF THE TOWNSHIP ZONING CODE**

WHEREAS, via Resolution #2022-33, the Joint Land Use Board of the Township of Woolwich adopted a re-examination of the Township of Woolwich Master Plan (“2022 Master Plan Re-Examination Report”); and

WHEREAS, the 2022 Master Plan Re-examination Report contains various recommendations as to the Township Zoning Map and Zoning Ordinance; and

WHEREAS, the 2022 Master Plan Reexamination Report concluded based on the changed circumstances in the receiving area and the historic lack of interest in the private market to purchase, the Township’s Transfer of Development Rights (“TDR”) Program is no longer reasonable or viable and recommended termination of the Transfer of Development Rights Program; and

WHEREAS, on May 1, 2023, the Mayor and Township Committee of the Township of Woolwich introduced on first reading, Ordinance No. 2023-14, entitled “Ordinance of the Township of Woolwich Repealing the Transfer of Development Rights Ordinances and Amending Chapter 203, Entitled ‘Zoning’ in Accordance with the 2022 Master Plan Reexamination,” a copy of which is attached hereto as Exhibit A and made a part of this resolution by reference to Exhibit A; and

WHEREAS, Ordinance No. 2023-14 proposes to repeal the Township’s Transfer of Development Rights Ordinance and amend the Zoning Code to remove references to the Transfer of Development Rights Program; and

WHEREAS, specifically, Ordinance No. 2023-14: (1) deletes several definitions related to the Transfer of Development Rights Program which are no longer relevant and adds a definition of “preserved farm;” (2) updates the Zoning District designations; (3) amends the R-1 Residential District, the R-2 Residential District, the R-3 Residential District and the I-C Cemetery District, and Section 203-77 governing signs, to remove references to the TDR Program; (3) deletes the RR Residential Receiving Zone and the RR-BD Residential Receiving Base Density Zones; (4) amends Section 203-146 of the Auburn Road (AR-1) Zone to change the density to be consistent with the 5A Five Acre Residential District and to set forth density and zoning standards to allow a 56 unit 100% affordable housing project within the AR- 1 Zone as required by the Mount Laurel Settlement Agreements; (5) consolidates the use and density requirements for the AR-1 Zone into Section 203-146 and deletes Sections 203-147 through 149,

which set forth standards for twin units with alleys, single-family detached dwelling units and Auburn Road retail, as well as Article XV entitled "District Designation and Uses," which sets forth the uses permitted in the AR-1 Zone; (6) amends density in the MU Mixed Use Zone to eliminate references to the TDR Program; and (7) deletes Article VI (Sections 203-51 to 203-57) relating to the TDR Program replaced it with a new Section 203-51 which only regulates farms that are currently preserved under the Transfer of Development Rights Program, and which will remain preserved even after the Transfer of Development Rights Program is terminated; and

WHEREAS, the Mayor and Township Committee have referred, pursuant to Resolution R-2023-120, adopted on May 1, 2023, certain proposed changes to the Zoning Code, as set forth in Ordinance No. 2023-14, to the Joint Land Use Board to review for consistency with the Master Plan and for comment in accordance with N.J.S.A. 40:55D-26 and N.J.S.A. 40:55D-64; and

WHEREAS, on May 4, 2023, the Joint Land Use Board performed its review and after careful review and consideration, made its recommendations based on the documents presented by the Township Planner and the testimony provided at the time of the hearing; and

WHEREAS, the Woolwich Township Joint Land Use Board after careful review and discussion, adopted Resolution #2023-26, which recommended adoption of Ordinance No. 2023-14, with amendments; and

WHEREAS, the Mayor and Township Committee reintroduced Ordinance No. 2023-14 on May 15, 2023, incorporating the recommendations of the Woolwich Township Joint Land Use Board as set forth in Resolution #2023-26 and proposing additional changes to Ordinance No. 2023-14; and

WHEREAS, the Mayor and Township Committee have referred, pursuant to Resolution R-2023-136, adopted on May 15, 2023, Ordinance No. 2023-14, as reintroduced, to the Joint Land Use Board to review for consistency with the Master Plan and for comment in accordance with N.J.S.A. 40:55D-26 and N.J.S.A. 40:55D-64; and

WHEREAS, on May 18, 2023, the Joint Land Use Board performed its review and after careful review and consideration, made its recommendations based on the documents presented by the Township Planner and the testimony provided at the time of the hearing, including testimony of its own professionals; and

WHEREAS, the Woolwich Township Joint Land Use Board after careful review and discussion has determined that the adoption of the proposed amendments to the Zoning Code contained in proposed Ordinance No. 2023-14, as reintroduced, conform and are consistent with the Master Plan; and


WHEREAS, the Woolwich Township Joint Land Use Board, after careful review and discussion has determined that: (1) the adoption of the proposed amendments to the Zoning Code

contained in the proposed Ordinance 2023-14, as reintroduced, conform and are consistent with the Master Plan, including the recently adopted Master Plan Re-Examination adopted on October 20, 2022 and meet the goals of the same; (2) the amendments contained in proposed Ordinance 2023-14, as reintroduced, conform to sound planning principles; (3) the adoption of proposed Ordinance 2023-14, as reintroduced, are in the best interests of Woolwich Township.

NOW, THEREFORE, BE IT RESOLVED by the Joint Land Use Board of the Township of Woolwich, by a vote of 8 in favor and 0 opposed and 0 abstentions (voting for: Grosso, Frederick, Fein, Marino, Morgan, Morris, Lock, Rushon) (Voting Against: _____) (Abstaining _____) as follows:

1. The Woolwich Township Joint Land Use Board approves and recommends the adoption of proposed Ordinance 2023-14, as reintroduced, which includes proposed amendments to the Zoning Code, which is attached hereto as Exhibit A, and same is hereby referred to the Woolwich Township Mayor and Township Committee, for review and adoption; and
2. The Woolwich Township Joint Land Use Board determines and finds that proposed Ordinance 2023-14, as reintroduced, and the proposed amendments to the Zoning Code contained therein and attached hereto as Exhibit A, are consistent and conform to the Master Plan, including the recently adopted Master Plan Reexamination Report.
3. Any recommendations, if any, of the Joint Land Use Board are attached hereto as Exhibits B.

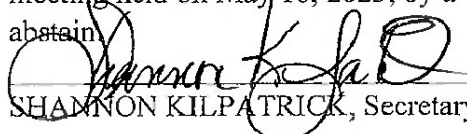
JOINT LAND USE BOARD OF THE
TOWNSHIP OF WOOLWICH



, Acting Chairman

ATTEST:

The foregoing Resolution was a memorialization of action taken at a regular meeting of the Joint Land Use Board of the Township of Woolwich held on the 18th day of May, 2023; and such resolution was adopted by the Joint Land Use board of the Township of Woolwich at a regular meeting held on May 18, 2023, by a vote of 8 to approve, 0 to oppose, and 0 to abstain



SHANNON KILPATRICK, Secretary

In favor of the Resolution:
Grosso, Frederick, Fein, Marino, Morgan, Morris, Rushon
Opposed to the Resolution: _____ Abstained: _____

**RESOLUTION REFERRING ORDINANCE 2023-14 TO THE JOINT LAND USE
BOARD FOR FURTHER REVIEW AND CONSIDERATION**

R-2023-136

WHEREAS, the Municipal Land Use Law, N.J.S.A. 40:55D-1 et seq. (“MLUL”) authorizes a governing body to adopt ordinances to regulate the use and development of properties within the municipality; and

WHEREAS, the Township has proposed the following amendments to the Township Zoning Ordinance in accordance with recommendations made in the 2022 Woolwich Township Master Plan Reexamination Report: Repeal of Transfer of Development Rights Plan; and

WHEREAS, N.J.S.A. 40:55D-26(a) requires that prior to adoption of any development regulation or amendment thereto, a municipality must refer said regulation or amendment to the municipal planning board for review as to the consistency with the municipal master plan and to issue a report regarding the same; and

WHEREAS, the Township introduced Ordinance 2023-14 at the May 1, 2023 meeting of the Woolwich Township Committee, which Ordinance propose to make the amendments described above; and

WHEREAS, the Joint Land Use Board of the Township of Woolwich acts as the Township’s planning board for such matters; and

WHEREAS, the Township Committee hereby refers the following items to the JLUB, as the municipal planning board, for a review and determination as to the consistency with the Township’s Master Plan: 2023-14 which were introduced at the May 1, 2023 Township Committee meeting; and

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Committee of the Township of Woolwich, County of Gloucester, and State of New Jersey as follows:

1. The aforementioned recitals are incorporated herein as though fully set forth at length.
2. Pursuant to N.J.S.A. 40:55D-26 and N.J.S.A. 40:55D-32 of the MLUL, the Township Committee does hereby authorize the Joint Land Use Board, acting as the Township’s Planning Board to review the following and to report its findings to the Township Committee within thirty-five (35) days hereof the date which the above referenced ordinance was introduced to the Township Committee on May 1, 2023 and re-introduced on May 15, 2023 with further changes:
3. This Resolution shall take effect immediately.

Adopted this 15th day of May, 2023

TOWNSHIP OF WOOLWICH

ATTEST:


Jane DiBella, Clerk


Craig Frederick, Mayor

CERTIFICATION

The foregoing Resolution was duly adopted by the Township Committee of the Township of Woolwich at a meeting conducted on the 15th day of May, 2023


Jane DiBella, Clerk