

**AGENDA
WOOLWICH TOWNSHIP COMMITTEE
May 1, 2023**

Call to order:

The May 1, 2023 meeting of the Woolwich Township Committee is being called to order. Adequate notice of this meeting has been given in accordance with the Open Public Meetings Act.

Roll Call:

Flag Salute:

Privilege of the Floor/Agenda Items: The public is reminded to please stand and state their name and address for the record prior to addressing the Committee.

Ordinance:

2023-13 Ordinance of the Township of Woolwich Amending Chapter 95 Entitled "Fees" in Accordance with the 2022 Master Plan Reexamination First Reading/Introduction

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 First Reading/Introduction

2023-15 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 First Reading/Introduction

2023-16 An Ordinance of the Township of Woolwich, County of Gloucester, State of New Jersey Adopting an Amendment to the Kings Landing Redevelopment Plan First Reading/Introduction

2023-17 An Ordinance of the Township of Woolwich, County of Gloucester, State of New Jersey Approving the Application and Financial Agreement for a Long Term Tax Exemption with Paulsboro Road AP Urban Renewal LLC for Block 14, Lot 2 on the Official Tax Map First Reading/Introduction

Resolutions:

R-2023-110 Resolution of the Township of Woolwich Authorizing a Shared Service Agreement Between the Township of Woolwich and the County of Gloucester Regarding Family Entertainment

R-2023-111 Resolution Authorizing Substitute Building/Housing Inspector

R-2023-112 Resolution Authorizing Award of Bid to Arawak Paving Co., Inc. in the Amount of \$188,900. for NJDOT FY2021 Municipal Aid Project-Swedesboro Avenue

R-2023-113 Resolution of the Township of Woolwich, County of Gloucester, State of New Jersey Requesting that the Federal Emergency Management Agency (FEMA) Approve an Extension to DR4574 Woolwich Township Project 185589 for Oliphants Mill Road and Dam

R-2023-114 Resolution of the Township of Woolwich Authorizing the Process and Sale of Township Owned Property Known as Block 11, Lot 29

R-2023-115 Resolution Authorizing the Tax Collector to Transfer or Refund Overpayment of Taxes

R-2023-116 Resolution Authorizing the Execution of an Agreement Between the Township of Woolwich and the County of Gloucester Regarding Participation in the "Governor's Council on Alcoholism and Drug Abuse"

R-2023-117 Resolution of the Township of Woolwich Authorizing the Execution of a Memorandum of Understanding Between the Township of Woolwich, County of Gloucester and James and Irene Hargrave in Regards to Porches Mill Dam Failure

R-2023-118 Resolution of the Township of Woolwich Authorizing the Execution of Closing Documents to Convey Block 14, Lot 2, Nike Missile Base Site, to Paulsboro Rd. AP, LLC

R-2023-119 Resolution Authorizing Totally Disabled Veteran Deduction

R-2023-120 Resolution Referring Various Ordinances to the Joint Land Use Board for Review and Consideration

R-2023-121 Resolution Authorizing Release and Closure of Escrow Account(s)

R-2023-122 Resolution Requesting NJDEP for an Extension of Time for the Submission of Permit on File No. 0800-20-0003.4 - WOOLWICH TWP - LUP230001-Ogden Road

R-2023-123 Resolution Referring the Revised Amendment to the Kings Landing Redevelopment Plan to the Joint Land Use Board for Review and Consideration

Old Business:

New Business: Pickle Ball Court Quotes
Flashing Signals KRSD
Liquor License State Legislature
NJDOT/Rt. 322

Privilege of the Floor: The public is reminded to please stand and state their name and address for the record prior to addressing the Committee.

R-2023- 124 Resolution for Closed Session Contractual Matters: Rt. 322 Development

Approval of Bills and P.O.'s:

Adjournment:

NOTICE PURSUANT TO N.J.S.A. 10:4-8(d)

The items listed on the tentative agenda of the Mayor and Township Committee of the township of Woolwich constitutes the agenda to the extent known at the time of posting. Since this agenda is tentative, items may be added and/or deleted prior to the commencement of the meeting. Formal action may or may not be taken regarding each item listed on the final agenda.

RULES AND REGULATIONS OF THE WOOLWICH TOWNSHIP COMMITTEE: These procedures are designed to ensure an orderly conduct of business and to allow the tape recording of the proceedings to record all comments made with accuracy.

Township Committee welcomes public comment on any governmental issue that a member of the public feels may be of concern to the resident of the municipality. There will be two (2) portions, up to thirty (30) minutes in duration or as determined by the Mayor or Deputy Mayor, set aside for such comment at every monthly meeting of the Committee. There will be no other public comment accepted unless directed by the Mayor or Deputy Mayor or by an approved motion of the Committee, such as a public hearing.

Comments relating to specific items that are scheduled for a public hearing can only be made at the time of the public hearing on the issue. In taking action on these items, the Township Committee will consider the comments presented at public hearing and any member of the committee can request the Mayor or Deputy Mayor designee for permission to question or address Township Committee.

Each person who wishes to speak shall raise his or her hand to be recognized before speaking. When recognized, the speaker must state their name, address and purpose of their comments. A second opportunity for the same individual to speak will only be allowed after all others have had their opportunity.

Individuals' comments will be limited to a maximum of five (5) minutes to allow as many residents to speak as possible. Other members of the Committee, municipal employees or Township professionals will respond only when requested by the Mayor or his/her designee.

No intra-audience dialogue is permitted during the open session of any meeting. Such behavior is disruptive and will not be permitted.

Speakers on both sides shall treat each other with courtesy and respect in both action and utterance. No personal attacks or "poisonous" rhetoric will be permitted. The Mayor or Deputy Mayor will give one warning of improper behavior or rhetoric to a speaker. On the next offense the speaker will be asked to relinquish the floor to another speaker.

Closed sessions of the Township Committee will normally be held at the end of the normal business part of any meeting. Exceptions to this may be made due to professional commitments or anticipated outcomes deemed of significant public interest.

**TOWNSHIP OF WOOLWICH
GLOUCESTER COUNTY, NEW JERSEY
ORDINANCE NO. 2023 – 13**

**ORDINANCE OF THE TOWNSHIP OF WOOLWICH AMENDING CHAPTER
95, ENTITLED “FEES” IN ACCORDANCE WITH THE 2022 MASTER PLAN
REEXAMINATION**

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; and

WHEREAS, the Master Plan Reexamination report contains various recommendations as to the Township Zoning Map and Zoning Ordinance; and

WHEREAS, one of the recommendations is to terminate the TDR program; and

WHEREAS, The Township Committee of the Township of Woolwich, is entitled to and has the power and authority to amend zoning ordinances pursuant to the Municipal Land Use Law, N.J.S.A. 40:55D-1 et seq.; and

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. Amend §95-8.4, entitled, “Fee and review escrow schedule”, to repeal and replace the following:

The following fee schedule shall apply with respect to the filing of all applications for development or appeals before the Joint Land Use Board and/or the Woolwich Township Committee:

- A. Minor subdivision: a nonrefundable application fee of \$275 for a lot line adjustment or the creation of one lot in addition to the retained lot, plus an additional nonrefundable fee of \$125 for each additional lot created or recreated; a review escrow deposit in the amount of \$2,000 shall be posted for each additional lot that is created (\$4,000 for 2 lots and \$6,000 for 3 lots); the review escrow deposit shall be \$1,500 for a lot line adjustment when no additional lots are created.
- B. Preliminary major subdivision: a nonrefundable application fee of \$500 for up to 25 lots, a nonrefundable application fee of \$1,000 for Lots 26-100, a nonrefundable application fee of \$1,500 for Lots 100-500, a nonrefundable application fee of \$2,000 for in excess of 500 lots; a review escrow deposit in the amount of \$2,000 shall be posted, plus \$500 per lot (1-10), plus \$200 per lot (11-60), plus \$150 per lot (61-110), and plus \$100 for each lot in excess of 110.
- C. Final major subdivision: a nonrefundable application fee of \$450 for up to 25 lots, a nonrefundable application fee of \$800 for Lots 26-100, a nonrefundable application fee of \$1,200 for Lots 100-500, a nonrefundable application fee of \$1,750 for in excess of 500 lots; a review escrow deposit in the amount of \$2,000 shall be posted, plus \$500 per lot (1-10), plus \$200 per lot (11-60), plus \$150 per lot (61-110), and plus \$100 for each lot in excess of 110.

- D. Conceptual review: a nonrefundable application fee of \$100; a review escrow deposit in the amount of \$1,500 shall be posted; any and all funds from the review escrow deposit remaining after conceptual review will be transferred into the escrow account for any subsequent application.
- E. Use variance or variance sought under N.J.S.A. 40:55D-70d: a nonrefundable application fee of \$400; a review escrow deposit in the amount of \$2,000 shall be posted.
- F. Bulk and/or other variances: a nonrefundable application fee of \$200; a review escrow deposit in the amount of \$1,000 shall be posted.
- G. Conditional use (special exception): a nonrefundable application fee of \$300; a review escrow deposit in the amount of \$1,250 shall be posted.
- H. Minor site plan: a nonrefundable application fee of \$250; a review escrow deposit in the amount of \$1,000 shall be posted.
- I. Preliminary site plan: a nonrefundable application fee of \$500 for all preliminary site plan applications; for a residential development site plan with structures, a review escrow deposit in the amount of \$2,500 for 0-5 units, \$6,000 for 6-20 units, \$8,500 for 21-49 units, \$11,500 for 50-100 units, and \$19,000 for 101-1,000 units shall be posted; for a commercial/industrial development site plan without structures, a review escrow deposit in the amount of \$5,000 for 0-3 acres, or \$7,500 for in excess of 3 acres, shall be posted; for a commercial/industrial site plan with structures, a review escrow deposit in the amount of \$2,000 for 1,250 - 2,500 square feet, or \$5,500 for 2,501-20,000 square feet, or \$8,000 for in excess of 20,000 square feet shall be posted.
- J. Final site plan: a nonrefundable application fee of \$750 for all final site plan applications; for a residential development site plan with structures, a review escrow deposit in the amount of \$2,500 for 0-5 units, \$6,000 for 6-20 units, \$8,500 for 21-49 units, \$11,500 for 50-100 units, and \$19,000 for 101-1,000 units shall be posted; for a commercial/industrial development site plan without structures, a review escrow deposit in the amount of \$5,000 for 0-3 acres, or \$7,500 for in excess of 3 acres shall be posted; for commercial/industrial site plan with structures, a review escrow deposit in the amount of \$2,000 for 1,250 - 2,500 square feet, or \$5,500 for 2,501-20,000 square feet, or \$8,000 for in excess of 20,000 square feet shall be posted.
- K. Zoning Board component of Joint Land Use Board interpretation: a nonrefundable application fee of \$150; a review escrow deposit in the amount of \$750 shall be posted.
- L. (Reserved)¹
[1] Editor's Note: Former Subsection L, regarding sign variance fees, was repealed 4-16-2018 by Ord. No. 2018-04.
- M. General development plan: a nonrefundable application fee of \$1,000; a review escrow deposit in the amount of \$5,000 per each component plan, plus \$500 per each report/schedule.

- N. Zoning Officer permits and appeals: a nonrefundable fee of \$40 for the Zoning Officer's review of a project presented for a zoning permit; if there is an appeal of the Zoning Officer's determination with respect to the zoning permit, a nonrefundable application fee of \$50 is required to process the appeal to the Zoning Board component of the Joint Land Use Board, and a review escrow fee in the amount of \$750 shall be posted for the Joint Land Use Board's professionals' review of the appeal.
- O. In the event that there are multiple separate components involved in one application (i.e., a use variance, bulk variance, minor subdivision and/or site plan at the same time of submission of an application), then the maximum nonrefundable fee to be paid to the Township shall be the amount of the highest individual component fee, as delineated above, plus an additional one-time fee of \$150 total to cover all of the other separate components of the application. Escrow shall be posted according to each and every separate component submission of the application as delineated above.
- P. Waiver of site plan: a nonrefundable application fee of \$250; a review escrow deposit in the amount of \$1,000 shall be posted. **[Added 4-3-2017 by Ord. No. 2017-08]**

Section 2. All ordinances or parts of ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

Section 3. 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 4. This Ordinance shall take effect after final adoption and publication according to law.

ATTEST:

TOWNSHIP OF WOOLWICH

Jane DiBella, Municipal Clerk

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 the 1st day of May, 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 15th day of May, 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 15th day of May13, 2023.

Jane DiBella, Township Clerk

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

**ORDINANCE OF THE TOWNSHIP OF WOOLWICH REPEALING THE
TRANSFER OF DEVELOPMENT RIGHTS ORDINANCE 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; and

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 though: (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 15 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)
- 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:

- 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 cropland or pasture land: 150 feet.
 - [d] Minimum setback from preserved: 300 feet.
 - [e] Minimum setback from buildings or barnyards housing livestock: 300 feet.
 - [f] 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 cropland or pasture land: 150 feet.
- [4] From preserved: 300 feet.
- [5] From buildings or barnyards housing livestock: 300 feet.
- [6] 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 all other tract boundaries: 50 feet.

- [c] Minimum setback from cropland or pasture land: 150 feet.
- [d] Minimum setback from preserved: 300 feet.
- [e] Minimum setback from buildings or barnyards housing livestock: 300 feet.
- [f] 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.
 - [4] From preserved farms: 300 feet.
 - [5] From buildings or barnyards housing livestock: 300 feet.
 - [6] From active recreation areas such as courts or playing fields (not including tot-lots): 150 feet.

Section 8. Subsection A(2)(c) of §203-42, entitled, “R-3 Residential District”, is hereby deleted in its entirety.

Section 9. 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 cropland or pasture land: 100 feet.
 - [d] Minimum setback from preserved farms: 200 feet.
 - [e] Minimum setback from buildings or barnyards housing livestock: 200 feet.
 - [f] 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 10. 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 cropland or pasture land: 100 feet.
 - [4] From preserved farms: 200 feet.
 - [5] From buildings or barnyards housing livestock: 200 feet.
 - [6] From active recreation areas such as courts or playing fields (not including tot-lots): 100 feet.

Section 11. Subsection (C)(3) of §203-42, entitled, “R-3 Residential District”, is hereby deleted in its entirety

Section 12. 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 -circulation plan of the Township's Master Plan.

Section 13. 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. **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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§203-56. Reserved

§203-57. Reserved

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

Section 14. Subsection D(1) of Section 203-117, entitled, “Purpose”, is hereby deleted in its entirety:

Section 15. Section 203-126 entitled, “Methods for increasing Center density”, is hereby deleted in its entirety and replaced with the following:

§203-126 Method for increasing Center Density.

The Joint Land Use Board may approve an increase in density to allow the construction of 56 low- and moderate-income affordable housing units within the AR-1 zoning district in accordance with the following:

- A. Any increase in density shall be determined based on the entirety of the land within the AR-1 zone;
- B. The density shall be such as to allow the creation of 56 affordable family, non-age restricted housing units based upon a 20% set aside of the total units provided;
- C. Land use approvals for the affordable units shall be applied for at the same time as the approvals for the market rate housing.
- D. All affordable units shall be integrated with the market-rate units and not concentrated in separate buildings or separate areas from market rate units. Affordable Housing units and market rate housing will be built in accordance with the following schedule:

Minimum Percentage of Affordable Housing Units Completed	Percentage of Market Rate Units Completed
0%	25%
10%	25% + 1 unit
50%	50%
75%	75%
100%	90%

- E. 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 16. Section 203-128 entitled, “Land uses in Auburn Road Village Center”, is hereby deleted in its entirety and replaced with the following:

A. Permitted uses.

(1) Residential uses, including:

(a) Single-family detached.

(b) Single-family detached with alley.

(c) Twin.

(d) Twin with alley.

(e) Townhouse.

(2) Civic uses, including:

(a) Civic green, plaza and squares.

(c) Parks and recreation facilities, including but not limited to tot lots, public playgrounds, conservation areas, tennis, basketball, football, soccer, hockey and ice skating.

(d) Civic buildings, including but not limited to post office, community center, fire emergency and police station facilities.

B. Accessory uses. Customary accessory uses and accessory buildings incidental to the above permitted principal uses (unless otherwise indicated), including:

(1) Flagpoles; clock towers.

(2) Home occupations and home professional offices.

(3) Kiosks and street vending carts.

(4) Parking structures.

(5) Temporary buildings or yards for construction materials or equipment, both incidental and necessary to construction in the immediate area.

(6) Temporary construction trailers.

(7) Temporary offices or model homes, both incidental and necessary for the sale or rental of real property in the immediate area.

(8) Tool sheds and noncommercial greenhouses.

(9) Surface parking lots.

(10) Swimming pools on individual lots.

(11) Walls and fences.

C. Conditional uses. Conditional uses, including:

(1) Utility facilities, including telephone, water, sewer, electricity and gas.

(2) Wireless telecommunications towers and antennas located entirely within an existing building or on the roof or side of a building or attached to an existing structure.

Section 17. Article XVII Residential Receiving (RR), is hereby repealed in its entirety.

Section 18. Article XIX Large-Format Retail, Big Box Retail, Office and Hotel, Neo-Traditional Senior Community (RC-3) Overlay District, is hereby repealed in its entirety.

Section 16. Article XX Mixed-Use Commercial/Residential Walkable Neighborhood Center (AR-1) District, is hereby deleted in its entirety and replaced with the following:

Section 19. Subsection E(2) of Section 203-146, entitled, “Townhouse units”, is hereby amended as follows:

(2) Densities: 1 affordable housing unit per two acres, provided that sewer service is available.

Section 18. Subsection E(2) of Section 203-147, entitled, “Twin units with alleys”, is hereby amended as follows:

(2) Densities: 1 affordable housing unit per two acres, provided that sewer service is available.

Section 19. Subsection E(2) of Section 203-148, entitled, “Single-family detached units with alleys”, is hereby amended as follows:

(2) Densities: 1 affordable housing unit per two acres, provided that sewer service is available.

Section 20. Subsection E(2) of Section 203-149, entitled, “Auburn Village Retail”, is hereby amended as follows:

Section 21. Subsection E of Section 203-178, entitled, “Mixed Use”, is hereby amended as follows:

E. Size and scope.

- (1) The purpose of the zone is to provide the opportunity for a regionally based, commercial destination that is attractive to national chain stores, small boutiques and offices as well as residential units above.
- (2) Buildings should be built to the sidewalk edge.
- (3) Buildings shall be built out to perimeter county streets to establish a strong architecture street edge.
- (4) Maximum building height: 60 feet and five stories.
- (5) On-street parking is permitted on interior roads.
- (6) Residential density: 1 dwelling unit per acre

Section 22. Article XXIV entitled, “Residential Receiving - Base Density (RR-BD).” is hereby repealed in its entirety.

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

Section 24. Section 203-44 entitled "PAC Planned Adult Community" is hereby repealed in its entirety.

Section 25. Article XXV entitled "Big Box Retail" is hereby repealed in its entirety.

Section 26. All ordinances or parts of ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

Section 27. 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 28. This Ordinance shall take effect after final adoption and publication according to law.

ATTEST:

TOWNSHIP OF WOOLWICH

Jane DiBella, Municipal Clerk

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. 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 15th day of May, 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 15th day of May, 2023.

Jane DiBella, Township Clerk

**TOWNSHIP OF WOOLWICH
GLOUCESTER COUNTY, NEW JERSEY
ORDINANCE NO. 2023-15**

**ORDINANCE OF THE TOWNSHIP OF WOOLWICH AMENDING CHAPTER 203,
SECTION 35, ENTITLED 'ZONING MAP' AS PERMITTED UNDER N.J.S.A. 40:55D-32
AND REZONING VARIOUS PARCELS**

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; and

WHEREAS, the 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 several redevelopment plans to change zoning applicable to those areas; and

WHEREAS, The Township Committee of the Township of Woolwich, is entitled to and has the power and authority to amend zoning ordinances in accordance with the Municipal Land Use Law, N.J.S.A. 40:55D-1, et seq.; and

WHEREAS, N.J.S.A. 40:55D-32 authorizes the Township Committee to adopt and amend the official zoning map of the Township, after referring the same to the planning board in accordance with N.J.S.A. 40:55D-26; and

WHEREAS, as a result of the Township's review of the official zoning map , the Township has determined that the zoning district PAC Planned Adult Community, is no longer listed on the zoning map, and should therefore be repealed as unnecessary; and

WHEREAS, the PAC Planned Adult Community was previously adopted in accordance with the settlement of a case entitled "Woolwich Adult LLC v Woolwich Township, et al., Docket No. 413-01" which has been subsequently replaced with the settlement of a case entitled, "In the Matter of the Township of Woolwich, Gloucester County, Docket No. GLO-L-1068-15;" and

WHEREAS, the zoning district (BBR) Big Box Retail currently exists in only one location, Block 57, Lot 11, consisting of 4.67 acres, while the anticipated acreage under the zoning set forth in Section 203-184 anticipates 97.8 acres, rendering it unlikely that any development consistent with the BBR zone would actually occur; and

WHEREAS, the Township has determined that it is in the best interest of the Township to repeal the BBR Big Box Retail found at Section 203-184 and to rezone Block 57, Lot 11 as MLMU, Mount Laurel Mixed Use; and

WHEREAS, the Township Committee has referred the proposed zoning map to the Joint Land Use Board, as the Township's planning board, who reviewed the same at its May 4, 2023 meeting.

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. The following parcels are hereby rezoned from FOC to NC: Block 8, Lots 3, 9, 10, 11, 12, 13, 15, and 16; Block 54.02, Lot 1

Section 2. The following parcels are hereby rezoned from RR-BD to R-2 Residential: Block 18, Lots 4.01, 4.02, 5, 5.01, 6.01, and 7; Block 22, Lot 4.01.

Section 3. The following parcels are hereby rezoned from RR to R-2 Residential: 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)

Section 4. The following parcels are hereby rezoned from RR to MUD: Block 57, Lots 3, and 3.02.

Section 5. The following parcels are hereby rezoned from BBR to MLMU: Block 57, Lot 11.

Section 6. The following parcels are hereby rezoned from RR to NC: Block 57, Lots 3.01 (partial), and 3.03 (partial).

Section 7. Section 203-35 of the Township Code, entitled, "Zoning Map", is hereby amended to replace the official "Zoning Map of the Township of Woolwich" with the map attached hereto as Exhibit A.

Section 8. Article XIX Large-Format Retail, Big Box Retail, Office and Hotel, Neo-Traditional Senior Community (RC-3) Overlay District, is hereby repealed in its entirety.

Section 9. Section 203-44 entitled "PAC Planned Adult Community" is hereby repealed in its entirety.

Section 10. Article XXV entitled "Big Box Retail" is hereby repealed in its entirety.

Section 11. All ordinances or parts of ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

Section 12. 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 13. This Ordinance shall take effect after final adoption and publication according to law.

ATTEST:

TOWNSHIP OF WOOLWICH

Jane DiBella, Municipal Clerk

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 the 1st day of May, 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 15th day of May, 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 15th day of May, 2023.

Jane DiBella, Township Clerk

**AN ORDINANCE OF THE TOWNSHIP OF WOOLWICH, COUNTY OF
GLOUCESTER, STATE OF NEW JERSEY ADOPTING AN AMENDMENT TO THE
KINGS LANDING REDEVELOPMENT PLAN**

2023-16

WHEREAS, the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, et seq., as amended and supplemented (the “Redevelopment Law”), provides a process for municipalities to participate in the redevelopment and improvement of an area in need of rehabilitation or redevelopment; and

WHEREAS, in order to stimulate redevelopment, on October 20, 2014, pursuant to Resolution R-2014-217, the Mayor and Committee of Woolwich Township (the “Township Committee”), upon review of the Preliminary Investigation Report for Determination of Need for Regional Center East and the recommendations of the Joint Land Use Board (“Planning Board”) as set forth in Resolution 2014-20, designated Block 16, Lot 5Q; Block 18, Lots 2, 3.02, 4Q, 4.01, 4.02, 5, 5.01, 6Q, 6.01, & 7; Block 22, Lots 2Q, 2.01, 4Q, & 4.01; Block 57, Lots 3Q, 3.02, 5Q, 8Q, 9Q, & 10Q; Block 58, Lot 1; Block 60, Lots 1Q, 2Q, 5.01, 5.02, 6, 6.01, 6.02, 7, 7.01, 7.02, 7.08 & 8; and Block 61, Lots 1Q, 2Q, 3, 4, 4.01, 5, 6Q, 6.01, 7Q & 9 on the official tax maps of Woolwich Township as a non-condemnation redevelopment area in accordance with the Redevelopment Law (“Regional Center East Redevelopment Area”); and

WHEREAS, in order to stimulate further redevelopment, on April 17, 2017, pursuant to Resolution R-2017-120, the Township Committee, upon review of the Preliminary Investigation Report Determination of Need for Regional Center West and the recommendations of the Planning Board as set forth in Resolution 2017-15, designated Block 6, Lots 5 & 6; Block 7, Lots 4, 4.01, 4.02, 5 & 5.01; Block 8, Lots 1 & 2; Block 9, Lots 1, 2, 3, 4, 5, 5.01 & 6; Block 10, Lots 2, 3, 4, 5.01, 6, 6.01 & 7; Block 11, Lots 6, 6.01, 6.02, 6.04, 7, 9, 10, 11, 11.01, 12, 12.01, 12.02, 13, 14, 15, 16 & 29; Block 12, Lots 1, 2, 2.01, 3, 3.01, 3.02 & 4.01; Block 14, Lots 1.01, 1.02, 1.03, 1.04, 1.05, 1.06, 1.07, 1.08, 1.09, 1.10, 1.11, 1.12, 1.13, 3, 3.01, 3.02, 14, 15, 15.01, 16 & 17; Block 15, Lot 2, 3, 3.01 & 3.02; Block 57, Lots 1, 2, 2.01 & 3.01 on the official tax maps of Woolwich Township as a non-condemnation redevelopment area in accordance with the Redevelopment Law (“Regional Center West Redevelopment Area”); and

WHEREAS, a single redevelopment plan was prepared by Maser Consulting, P.A. for both the Regional Center East Redevelopment Area and the Regional Center West Redevelopment Area, entitled Kings Landing Redevelopment Plan, Route 322 Corridor, dated June 2017, which was adopted by the Township Committee on July 17, 2017 pursuant to Ordinance 2017-12 (“2017 Kings Landing Redevelopment Plan”); and

WHEREAS, on August 5, 2019, pursuant to Resolution R-2019-194, the Township Committee, upon review of the Preliminary Investigation Determination of Need Report, dated July 2019, and the Planning Board’s recommendations as set forth in Resolution 2019-194, designated Block 10, Lots 5, 5.02 & 5.03; Block 11, Lots 17, 18, 19, 20 & 21; Block 12 Lots 5 &

9; Block 14, Lots 5.01 & 5.02; Block 16, Lots 1, 2, 3, 4, & 4.01; Block 59, Lots 6, 6.01, 6.02, 7 (part of), 8 & 10; and Block 62, Lots 2 & 3 as a non-condemnation redevelopment area (“Expanded Regional Center Redevelopment Area”); and

WHEREAS, an amendment to the 2017 Kings Landing Redevelopment Plan was prepared by Maser Consulting, P.A., entitled “2019 Amendment to the Kings Landing Redevelopment Plan, Route 322 Corridor,” dated December 2019 (“2019 Kings Landing Redevelopment Plan”) to facilitate redevelopment of a combined area encompassing the Regional Center East Redevelopment Area, the Regional Center West Redevelopment Area and the Expanded Regional Center Redevelopment Area (collectively referred to as the “Redevelopment Area”), and was adopted on December 30, 2019 by way of Ordinance 2019-25; and

WHEREAS, in order to satisfy Woolwich Township’s affordable housing obligations, Fair Share Housing Center (“FSHC”) and the Township entered into a Settlement Agreement, dated December 27, 2018 (“Original Settlement Agreement”) setting forth compliance mechanisms and related obligations necessary to satisfy Woolwich Township’s Rehabilitation Obligation, Prior Round Obligations and Third Round Obligation; and

WHEREAS, on May 3, 2021, the Township entered into a Settlement Agreement (“Inclusionary Settlement Agreement”) with Woolwich Commons, LLC, Main Street at Woolwich, LLC, Woolwich Crossings, LLC, and Woolwich Residential, LLC, Fair Share Housing Development and Fair Share Housing Center (“FSHC”), as well as a separate First Amendment (“First Amendment”) to the Original Settlement Agreement between Woolwich Township and FSHC to adjust compliance mechanisms applicable to the Township’s Third Round Obligation (the Inclusionary Settlement Agreement and the First Amendment are collectively referred to as the “Mount Laurel Settlement Agreements”); and

WHEREAS, in order to comply with its obligations as set forth in the Mount Laurel Settlement Agreements, an amendment to the 2017 Kings Landing Redevelopment Plan and the 2019 Kings Landing Redevelopment Plan was prepared by Remington & Vernick Engineers, entitled “Kings Landing at Woolwich Township, 2021 Amendment to Redevelopment Plan, dated September 20, 2021, (“2021 Kings Landing Redevelopment Plan”) which stated that it superseded and replaced both the 2017 Kings Landing Redevelopment Plan and the 2019 Kings Landing Redevelopment Plan and sets forth the Township’s goals, objectives and standards governing the redevelopment of the Redevelopment Area, which was adopted on September 20, 2021 by way of Ordinance 2021-21; and

WHEREAS, in order to comply with the New Jersey Cannabis Regulatory, Enforcement Assistance and Marketplace Modernization Act adopted on February 22, 2021 as P.L. 2021, c.16 (“CREAMM Act”), the Township Committee amended the Kings Landing Redevelopment Plan to add certain classes of cannabis facilities as permitted uses within certain areas within the Redevelopment Area, by way of Ordinance 2021-15 adopted on August 16, 2021 (“Cannabis Amendment”); and

WHEREAS, on December 19, 2022, by way of Ordinance 2022-16, an amendment to the 2021 Kings Landing Redevelopment Plan was prepared by Remington & Vernick Engineers for the purposes of cleaning up certain elements of that plan, as set forth in the redevelopment plan amendment entitled, "Kings Landing at Woolwich Township, 2022 Amendment to Redevelopment Plan," dated November 2022 ("2022 Kings Landing Redevelopment Plan"); and

WHEREAS, on February 21, 2023, by way of Ordinance 2023-06, Township adopted additional amendment to the 2022 Kings Landing Redevelopment Plan, which revise the zoning and land uses as set forth in an amendment to the 2022 Kings Landing Redevelopment Plan entitled, "Kings Landing at Woolwich Township, 2023 Amendment to Redevelopment Plan," dated February 2023 ("2023 Kings Landing Redevelopment Plan"); and

WHEREAS, pursuant to N.J.S.A. 40A:12A-7, a governing body may adopt, revise or amend a redevelopment plan; and

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 recommended repeal of the a voluntary transfer of development rights ("TDR") program, previously adopted by way of Ordinance No. 2008-20 ("TDR Program"); and

WHEREAS, on _____, the Township adopted Ordinance No. _____, which repealed the TDR Program; and

WHEREAS, in order to stimulate redevelopment of the Redevelopment Area, the Township Committee has determined that it is in the best interest of the Township to consider an additional amendment to the 2023 Kings Landing Redevelopment Plan to revise the zoning and land uses to reflect the repeal of the TDR Program and has prepared an amendment to the 2023 Kings Landing Redevelopment Plan entitled, "Kings Landing at Woolwich Township, Revised 2023 Amendment to Redevelopment Plan," dated April 2023 ("Revised 2023 Kings Landing Redevelopment Plan"); and

WHEREAS, by way of Resolution _____, the Township Committee has referred the Revised 2023 Kings Landing Redevelopment Plan to the Planning Board for its review as to the consistency with the Township Master Plan; and

WHEREAS, on May 4, 2023 the Planning Board reviewed the Revised 2023 Amendment to Redevelopment Plan, and considered the testimony of the Planning Board's Planner, Ashton Jones, P.P. A.I.C.P., C.F.M., and adopted Resolution # _____, recommending adoption of the Revised 2023 Kings Landing Redevelopment Plan; and

WHEREAS, the Township Committee has reviewed the recommendation of the Planning Board and the Revised 2023 Kings Landing Redevelopment Plan and has determined that it is in the best interest of the Township to adopt the Revised 2023 Kings Landing Redevelopment Plan,

attached hereto, in order to effectuate the redevelopment and rehabilitation of the Redevelopment Area.

NOW, THEREFORE, BE IT ORDAINED, by the Township Committee of the Township of Woolwich, County of Gloucester, and State of New Jersey that:

1. The above-mentioned recitals are incorporated herein as though fully set forth at length.
2. The amended redevelopment plan prepared by Remington & Vernick, entitled "Kings Landing at Woolwich Township, Revised 2023 Amendment to Redevelopment Plan," dated April 2023, and the findings contained therein is hereby adopted, as well as the findings contained in Resolution # _____ adopted by the JLUB.
3. Portions of the zoning set forth in the Revised 2023 Kings Landing Redevelopment Plan is an overlay zoning for which no zoning map amendment is necessary, and portions of the zoning set forth in the Revised 2023 Kings Landing Redevelopment Plan supersedes the underlying zoning. The zoning map shall hereby be amended to reflect the properties for which the Revised 2023 Kings Landing Redevelopment Plan supersedes the underlying zoning.
4. The Township Committee declares and determines that the Revised 2023 Kings Landing Redevelopment Plan provides realistic opportunities for redevelopment of the Redevelopment Area, and is otherwise in conformance with N.J.S.A. 40A:12A-1, et seq.
5. The Township Committee further declares and determines that Revised 2023 Kings Landing Redevelopment Plan is consistent with and/or is designed to effectuate the Township of Woolwich Master Plan, as reexamined by the 2022 Master Plan Reexamination Report.
6. The Township Committee shall have, be entitled to, and is hereby vested all power and authority granted by the aforementioned statutory provision to effectuate the Revised 2023 Kings Landing Redevelopment Plan.
7. All ordinances or parts of ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.
8. In the event any clause, section, or paragraph of this 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.

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

TOWNSHIP OF WOOLWICH

Craig Frederick, Mayor

ATTEST:

Jane DiBella, Clerk

CERTIFICATION

The foregoing Ordinance was introduced upon first reading by the Township Committee of the Township of Woolwich at a meeting held on the 1st day of May, 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 which time any interested person(s) may be heard. Said meeting is to be conducted on the 15th day of May, 2023, at the Woolwich Township Building, 120 Village Green Drive, Woolwich Township, New Jersey, beginning at 6:30 p.m.

Jane DiBella, Clerk

CERTIFICATION OF ADOPTION

The foregoing Ordinance was adopted by the Township Committee of the Township of Woolwich upon second reading and subsequent to a public hearing conducted on the same, at a meeting of the Township Committee on the 15th day of May, 2023 and therefore becomes effective.

Jane DiBella, Clerk

ORDINANCE 2023-17

AN ORDINANCE OF THE TOWNSHIP OF WOOLWICH, COUNTY OF GLOUCESTER, STATE OF NEW JERSEY APPROVING THE APPLICATION AND FINANCIAL AGREEMENT FOR A LONG TERM TAX EXEMPTION WITH PAULSBORO RD AP URBAN RENEWAL LLC FOR BLOCK 14, LOT 2 ON THE OFFICIAL TOWNSHIP TAX MAP

WHEREAS, the Township is empowered, pursuant to the provisions of the Local Redevelopment and Housing Law, as amended and supplemented, *N.J.S.A. 40A:12A-1 et seq.* ("the Redevelopment Law"), to declare certain properties located within the Township as areas in need of redevelopment, and to adopt and implement redevelopment plans, and carry out redevelopment projects; and

WHEREAS, on July 20, 2009 the Township Committee adopted Resolution R-2009-165 designating Block 14, Lots 2 and 4 an Area In Need of Redevelopment ("Redevelopment Area"); and

WHEREAS, thereafter, the Township Committee adopted a redevelopment plan entitled "Nike Missile Site Redevelopment Plan" via Ordinance 2017-03 on March 3, 2017 (the "Original Redevelopment Plan"); and

WHEREAS, by way of Ordinance 2021-23, adopted by the Township Committee on December 6, 2021, the Township Committee an amendment to the Original Redevelopment Plan ("Plan Amendment") (the Original Plan together with the Plan Amendment is the "Redevelopment Plan"); and

WHEREAS, the Paulsboro RD AP Urban Renewal Entity, LLC (the "Entity") proposes the construction of a 214,271 +/- square foot warehouse distribution center together with 168 +/- passenger vehicle parking spaces, trailer parking spaces, 39 loading bays, two freestanding signs, 2 building facade signs, a sound attenuation wall, landscaping, stormwater management facilities, and related site improvements (the "Project") on the Property; and

WHEREAS, the Township has issue bonds to finance a portion of the Project pursuant to the Redevelopment Area Bond Financing Law, *N.J.S.A. 40A:12A-64 et seq.*, the Redevelopment Law or other applicable law; and

WHEREAS, the Long Term Tax Exemption Law ("LTTEL"), *N.J.S.A. 40A:20-1, et seq.* authorizes municipalities to grant long term tax exemptions and enter into financial agreements for projects located in areas in need of redevelopment; and

WHEREAS, in order to implement the development, financing and renovation of the Project, the Township Committee desire to enter into a Financial Agreement (the "Financial Agreement") with the Entity authorizing a long term-tax exemption pursuant to LTTEL; and

WHEREAS, pursuant to the requirements of the LTTEL, the Entity provided the Township with the information required by Section 8 of the LTTEL in the form of an application for long-term tax exemption (the “Application”); and

WHEREAS, such information in the Application provided the Township with the basis for determining to execute the Financial Agreement; and

WHEREAS, the Township Committee find that the relevant benefits of the redevelopment of the Property outweigh the loss, if any, of property tax revenue in granting the long term tax-exemption; and

WHEREAS, the Township Committee has determined that the assistance provided to the Project pursuant to the Financial Agreement is a significant inducement for the Entity to proceed with the Project; and

WHEREAS, the Township and the Entity have agreed to execute a Financial Agreement.

NOW, THEREFORE, BE IT ORDAINED, by the Township Committee of the Township of Woolwich, County of Gloucester, and State of New Jersey that:

1. The foregoing recitals are incorporated herein by reference as if fully set forth at length.
2. The Application for Long Term Tax Exemption filed by Paulsboro RD AP Urban Renewal Entity, LLC hereby be granted.
3. The Financial Agreement with Paulsboro RD AP Urban Renewal Entity, LLC hereby be approved, and the Mayor and the Clerk are hereby authorized to execute the Financial Agreement on behalf of the Township, upon the review and approval of its final form by the Township Administrator, Township Solicitor and Township Redevelopment Counsel, which such final form will be on file with the Township Clerk.
4. All ordinances or parts of ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.
5. In the event any clause, section or paragraph of this Ordinance is deemed invalid or unenforceable for any reason, it is the intent of the Mayor and Township Committee that the balance of the Ordinance remain in full force and effect to the extent it allows the Township to meet the goals of the Ordinance.
6. This Ordinance shall take effect after final passage and publication as required law.

TOWNSHIP OF WOOLWICH

Craig Frederick, Mayor

ATTEST:

Jane DiBella, Clerk

CERTIFICATION

The foregoing Ordinance was introduced upon first reading by the Township Committee of the Township of Woolwich at a meeting held on the 1st day of May, 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 which time any interested person(s) may be heard. Said meeting is to be conducted on the 15th day of May, 2023 at the Woolwich Township Building, 120 Village Green Drive, Woolwich Township, New Jersey, commencing at 6:30 p.m.

Jane DiBella, Clerk

CERTIFICATION OF ADOPTION

The foregoing Ordinance was duly adopted by the Township Committee of the Township of Woolwich upon second reading and subsequent to a public hearing conducted on the same, at a meeting of the Woolwich Township Committee held on the 15th day of May, 2023.

Jane DiBella, Clerk

**RESOLUTION OF THE TOWNSHIP OF WOOLWICH AUTHORIZING A SHARED SERVICE
AGREEMENT BETWEEN THE TOWNSHIP OF WOOLWICH AND THE COUNTY OF
GLOUCESTER REGARDING FAMILY ENTERTAINMENT
R-2023-110**

Be it resolved by the Mayor and Township Committee of the Township of Woolwich, that:

WHEREAS, The County of Gloucester intends to provide a Shared Service for the provision of a family movie entertainment night; and

WHEREAS, the Township of Woolwich and the County of Gloucester desire to enter into an agreement for this purpose, said Agreement describing the nature of such service to be provided and the relationship in this context of the parties, consistent with the terms and provisions of N.J.S.A. 40A:65-1 et seq., which specifically authorizes local government units, including counties and municipalities to enter into shared service agreements; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Township Committee of the Township of Woolwich, that the Township of Woolwich does authorize entering into a shared services agreement with the County of Gloucester per the terms of said Agreement attached hereto and incorporated within the body of this resolution by reference.

Adopted May 1, 2023

TOWNSHIP OF WOOLWICH

Craig Frederick, Mayor

ATTEST: _____
Jane DiBella, Clerk

Certification

I, Jane DiBella, Municipal Clerk of Woolwich Township, do hereby certify that the foregoing resolution is a true copy of the original resolution duly passed and adopted by the Committee at its meeting of May 1, 2023.

Jane DiBella, Clerk

RESOLUTION OF THE TOWNSHIP OF WOOLWICH AUTHORIZING SUBSTITUTE BUILDING/HOUSING INSPECTOR

R-2023-111

WHEREAS, it is sometimes necessary to utilize the services of substitute inspectors within the Woolwich Township Uniform Construction Code Office; and

WHEREAS, the UCC Code Official has requested the addition of Richard Holloway to the substitute list; and

WHEREAS, Richard Holloway holds the proper licensure to perform the duties of Building/Housing Inspector;

NOW THEREFORE BE IT RESOLVED by the Township Committee of the Township of Woolwich as follows:

That Richard Holloway, be and is hereby authorized to conduct Building/Housing Inspections within the Woolwich Township UCC Office on a substitute basis.

Adopted this 1st day of May, 2023

TOWNSHIP OF WOOLWICH

Craig Frederick, Mayor

ATTEST: _____
Jane DiBella, Clerk

CERTIFICATION

The foregoing resolution was duly adopted by the Township Committee of the Township of Woolwich at a meeting held on the 1st day of May, 2023.

Jane DiBella, Clerk

**RESOLUTION AUTHORIZING AWARD OF BID TO ARAWAK PAVING CO. INC. IN THE
AMOUNT OF \$188,900 FOR NJDOT FY2021 MUNICIPAL AID PROJECT-SWEDESBORO
AVENUE
R-2023-112**

WHEREAS, The Township of Woolwich received NJDOT FY2021 grant funds in the amount of \$215,000 for improvements to Swedesboro Avenue; and

WHEREAS, the Township advertised and received bids on April 26, 2023 in accordance with NJSA 40A:11-1 et seq. at which time five (5) bids were received from the following and in the amount shown:

Contractor	Base
Arawak Paving Co., Inc.	\$188,900.00
Earle Asphalt Company	\$230,513.13
South State, Inc.	\$232,279.76
American Asphalt Company, Inc.	\$233,233.23
Think Pavers Hardscaping, LLC	\$252,423.00

WHEREAS, the Woolwich Township Engineer has submitted a letter certifying that Arawak Paving Company, Inc. is in compliance with the bid specifications and therefore recommending award of contract in the amount of \$188,900.00; and

WHEREAS, the Woolwich Township CFO has issued a Certification of Funds that funds are available and unencumbered in the amount of \$188,900.00; and

WHEREAS, by these determinations, the Township Committee of the Township wishes to award said bid to Arawak Paving Co., Inc.;

NOW THEREFORE BE IT RESOLVED by the Township Committee of the Township of Woolwich as follows;

1. That the bid submitted by Arawak Paving Co., Inc. be and is hereby approved for the project known as NJDOT FY2021 Municipal Aid-Improvements to Swedesboro Avenue.
2. That execution of said contract be and is hereby authorized by the Mayor and Administrator/Clerk of Woolwich Township.

Adopted this 1st 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 held on the 1st day of May, 2023.

Jane DiBella, Clerk

**RESOLUTION OF THE TOWNSHIP OF WOOLWICH, COUNTY OF GLOUCESTER, STATE OF NEW JERSEY
REQUESTING THAT THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) APPROVE AN
EXTENSION TO DR4574 WOOLWICH TOWNSHIP PROJECT 185589 FOR OLIPHANTS MILL ROAD AND
DAM
R-2023-113**

WHEREAS, on August 7, 2020, the Township of Woolwich experienced a severe storm which caused disastrous damage to numerous township roadways including Oliphants Mill Road, wherein the Oliphants Mill Dam was breached causing a collapse of the roadway and bridge; and

WHEREAS, the Federal Emergency Management Agency (FEMA) inspected the damage and approved DR4574 Woolwich Township Project 185589 which authorizes the following funding:

	Best Available Cost	Best Available Federal Share Cost
Project #185588	B - Emergency Protective Measures	
	\$4,008.17	\$ 3,607.36
Project #185589	C - Roads and Bridges	
	\$855,111.74	\$769,600.57
Project #189412	D - Water Control Facilities	
	\$917,541.88	\$825,787.77

WHEREAS, FEMA has advised Woolwich Township that a deadline for completion of this project and expenditure of these funds expired as of June 12, 2022; and

WHEREAS, numerous delays have prevented the Township from moving forward with the project to repair the road, bridge and water control facilities; and

WHEREAS, said delays include but are not limited to delays in permitting by New Jersey Department of Environmental Protection (NJDEP), obtaining a Dam Safety Permit from the New Jersey Department of Environmental Protection, reviews by New Jersey and United States Fish and Wildlife Service, FEMA's Environmental and Historic Preservation reviews, as well as restrictions on construction due to endangered wildlife; and

WHEREAS, the Township of Woolwich is actively working with the County of Gloucester and the owner of the Oliphants Mill Dam to determine whether the dam will be decommissioned or recommissioned, and dependent upon that decision, whether a Change of Scope will be required; and

WHEREAS, the State can authorize a thirty (30) month extension which began on June 12, 2022 (December 11, 2024); and

WHEREAS, the Township of Woolwich hereby requests that FEMA extend the deadline to December 11, 2024 to allow the Township to address and receive all of the permitting, agreements, and contracts to see this project through;

NOW THEREFORE BE IT RESOLVED that the Township Committee of the Township of Woolwich, County of Gloucester, State of New Jersey hereby respectfully requests the extension of a deadline until December 11, 2024 for the repair of the Oliphants Mill Road/Bridge/Dam known as DR4574 Woolwich Township Project 185589.

Adopted this 1st day of May, 2023

TOWNSHIP OF WOOLWICH

Craig Frederick, Mayor

ATTEST: _____
Jane DiBella, Clerk

CERTIFICATION

The foregoing resolution was duly adopted by the Township Committee of the Township of Woolwich at a meeting conducted on the 1st day of May, 2023.

Jane DiBella, Clerk

**RESOLUTION OF THE TOWNSHIP OF WOOLWICH AUTHORIZING THE PROCESS AND SALE OF
TOWNSHIP OWNED PROPERTY KNOWN AS BLOCK 11, LOT 29**

R-2023-114

WHEREAS, the Township of Woolwich in the County of Gloucester and State of New Jersey owns a .1 acre parcel of land known as Block 11, Lot 29 on the official Tax Map of the Township of Woolwich; and

WHEREAS, the Township of Woolwich has no use for said property and therefore intends to place the property for sale; and

WHEREAS, due to the size of said parcel being less than a building lot, the Township may offer the property for sale via a bid process to the owners of contiguous properties known as Block 11, Lot 12, Block 11, Lot 13 and Block 11, Lot 16; and

WHEREAS, the property shall be sold to the bidder submitting the highest bid, no less than the current assessment of \$1,600.00;

NOW THEREFORE BE IT RESOLVED by the Township Committee of the Township of Woolwich as follows:

1. The Woolwich Township Committee hereby authorizes the sale of Block 11, Lot 29 through a closed bid process.
2. Due to the size of said parcel (.1 acre) being less than a building lot, the closed bid shall be offered to the owners of contiguous property known as Block 11 Lot 12, Block 11 Lot 13 and Block 11 Lot 16 only.
3. That the Woolwich Township Clerk be and is hereby authorized and directed to send letters via regular and certified mail to the owners of Block 11, Lot 12, Block 11, Lot 13 and Block 11, Lot 16 notifying them of the intent to sell Block 11, Lot 29 to the highest bidder (No less than current assessment of \$1,600.00).
4. The date/time set for the receipt of bids is determined to be June 14, 2023 at 10:00 a.m.

Adopted this 1st day of May, 2023

TOWNSHIP OF WOOLWICH

Craig Frederick, Mayor

ATTEST: _____
Jane DiBella, Clerk

CERTIFICATION

The foregoing resolution was duly adopted by the Township Committee of the Township of Woolwich at a meeting held on the 1st day of May, 2023.

Jane DiBella, Clerk

RESOLUTION AUTHORIZING THE TAX COLLECTOR TO TRANSFER OR REFUND OVERPAYMENT OF TAXES

R-2023-115

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Woolwich, County of Gloucester, and State of New Jersey, that it hereby authorizes the Woolwich Tax Collector to process the following refund/cancel/transfer as noted:

Block 25	Lot 3.03	Baldwin, Joe & Fiona	\$3, 857.95 refund
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Adopted this 1st day of May, 2023

TOWNSHIP OF WOOLWICH

Craig Frederick, Mayor

ATTEST:

Jane DiBella, Clerk

CERTIFICATION

The foregoing resolution was duly adopted by the Township Committee of the Township of Woolwich, at a meeting held on the 1st day of May 2023.

Jane DiBella, Clerk

**RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT BETWEEN THE TOWNSHIP OF
WOOLWICH AND THE COUNTY OF GLOUCESTER REGARDING PARTICIPATION IN THE "GOVERNOR'S
COUNCIL ON ALCOHOLISM AND DRUG ABUSE"**

R-2023-116

WHEREAS, the Township of Woolwich is a participant in the Gloucester County "Alliance to Prevent Alcoholism and Drug Abuse"; and

WHEREAS, Gloucester County receives funding from the "Governor's Council on Alcoholism and Drug Abuse" which funding is then provided to Gloucester County municipalities through the alliance grant; and

WHEREAS, Gloucester County has requested that the Township enter into an Agreement, a copy of which is attached hereto and incorporated within the body of this resolution by reference, which Agreement sets forth the terms, conditions and obligations of grant participation; and

WHEREAS, funds issued to the Township by the County shall not exceed \$1,500;

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

1. That Pursuant to NJSA 40A:11-3 and authorization by this resolution, that the Township Committee of the Township of Woolwich hereby agrees to enter into the Agreement between the Township of Woolwich and the County of Gloucester, as attached, for participation in the Alliance to Prevent Alcoholism and Drug Abuse for the period of July 1, 2023 to June 30, 2024.
2. That the Woolwich Township Mayor is authorized and directed to execute the Agreement, and its Clerk to attest to same.

Adopted this 1st day of May, 2023

TOWNSHIP OF WOOLWICH

Craig Frederick, Mayor

ATTEST: _____
Jane DiBella, Clerk

CERTIFICATION

The foregoing Resolution was duly adopted by the Township Committee of the Township of Woolwich at a meeting conducted on the 1st day of May, 2023.

Jane DiBella, Clerk

**RESOLUTION OF THE TOWNSHIP OF WOOLWICH AUTHORIZING THE EXECUTION OF A MEMORANDUM OF UNDERSTANDING BETWEEN THE TOWNSHIP OF WOOLWICH, COUNTY OF GLOUCESTER AND JAMES AND IRENE HARGRAVE IN REGARDS TO PORCHES MILL DAM FAILURE
R-2023-117**

WHEREAS, on August 7, 2020, the Porches Mill Dam located on Block 36, Lot 5 failed due to a significant stormwater event which resulted in a breach to the embankment of said Dam; and

WHEREAS, it is necessary to apply for and obtain a Dam Safety Permit from the New Jersey Department of Environmental Protection; and

WHEREAS, the Application for an NJDEP Dam Safety Permit, as prepared by Remington and Vernick Engineers on the behalf of Woolwich Township must be signed by Woolwich Township, Gloucester County and James and Irene Hargrave, as owners of the dam; and

WHEREAS, a Memorandum of Understanding has been drafted for all parties to cooperate with Remington and Vernick Engineers for the execution and submission of the of the Dam Safety Application to the New Jersey Department of Environmental Protection; and

WHEREAS, said Memorandum of Understanding is attached hereto and incorporated within the body of this resolution by reference;

NOW THEREFORE BE IT RESOLVED by the Township Committee of the Township of Woolwich as follows:

That the Woolwich Township Mayor be and is hereby authorized and directed to execute a Memorandum of Understanding, attached hereto, in regards to the Porches Mill Dam.

Adopted this 1st day of May, 2023

TOWNSHIP OF WOOLWICH

Craig Frederick, Mayor

ATTEST: _____
Jane DiBella, Clerk

CERTIFICATION

The foregoing Resolution was duly adopted by the Township Committee of the Township of Woolwich at a meeting held on the 1st day of May, 2023.

Jane DiBella, Clerk

MEMORANDUM OF UNDERSTANDING

This **AGREEMENT** ("Agreement"), dated as of May____, 2023 ("Effective Date"), by and between the **COUNTY OF GLOUCESTER**, a political subdivision of the State of New Jersey, with principal offices located at 2 South Broad Street, Woodbury, New Jersey 08096 ("County"), the **TOWNSHIP OF WOOLWICH**, a municipal corporation of the State of New Jersey, with offices located at 120 Village Green Drive, Woolwich Township, New Jersey 08085 ("Township"), and **JAMES D. AND IRENE B. HARGRAVE**, residing at 20 Oliphants Mill Road, Woolwich Township, New Jersey 08085 ("Hargrave"). The County, Township and Hargrave may be collectively referred to herein as the "Parties", or individually as a "Party".

RECITALS

WHEREAS, Porches Mill Dam is located along, under and adjacent to a portion of Oliphants Mill Road, a municipal roadway, in the Township of Woolwich, County of Gloucester and State of New Jersey; and

WHEREAS, in August 1923, the County and James Sweeten Jr., the then owner of real property currently identified as 20 Oliphants Mill Road, Woolwich Township, New Jersey 08085 and identified as Block 36, Lot 5 on the Official Tax Map of the Township of Woolwich ("Property"), constructed Porches Mill Dam; and

WHEREAS, by deed dated October 13, 1962, and recorded October 13, 1962 in the Gloucester County Clerk's Office, Hargrave became vested in title to the Property; and

WHEREAS, in November 1964, the County, at its expense, constructed four steel sheathing wing walls to be added to the previously constructed Porches Mill Dam; and

WHEREAS, the Township conducts roadway improvements, repairs, and maintenance of Oliphants Mill Road, including the portion of which that is located on and over Porches Mill Dam, including the installation and maintenance of vehicular guiderails; and

WHEREAS, on August 7, 2020, Porches Mill Dam failed due to a significant stormwater event resulting in a breach to the earthen embankment of Porches Mill Dam; and

WHEREAS, by letter dated August 10, 2020, NJDEP directed the owners of Porches Mill Dam to conduct an inspection of the Dam following its failure; and

WHEREAS, on August 8, 2020, Hargrave, at its expense, engaged a professional engineer to conduct an inspection of Porches Mill Dam, and submitted the 2020 Regular

Inspection Report related thereto to NJDEP; and

WHEREAS, by letter dated September 30, 2020, NJDEP directed the owners of Porches Mill Dam to implement the immediate recommendations contained in the 2020 Regular Inspection Report, and further recommended the installation of temporary fencing across Oliphants Mill Road as a general safety measure, and provide a schedule to bring Porches Mill Dam into compliance with New Jersey Dam Safety Standards by either decommissioning or repairing Porches Mill Dam in accordance with such Standards; and

WHEREAS, prior to determining if the dam shall be decommissioned or repaired, the owners thereof shall file and obtain a Dam Safety Permit from NJDEP; and

WHEREAS, the Township, at its expense, engaged its Engineer, Remington & Vernick Engineers ("RVE"), to prepare plans and specifications to repair the Porches Mill Dam and roadway reconstruction design plans for the repair and replacement of the portion of Oliphants Mill Road damaged by the Porches Mill Dam failure (hereinafter referred to as the "Roadway Reconstruction Plans"); and

WHEREAS, Hargrave's Engineer prepared a Hydrologic and Hydraulic Analysis ("H&H") in support of the Porches Mill Dam reclassification which is required to be submitted with the NJDEP Dam Safety Permit; and

WHEREAS, at this time it is unclear as to the cost of repair for the recommissioning or decommissioning of Porches Mill Dam and the Parties desire to have NJDEP review the plans/designs as prepared by RVE such that updated costs can be provided for the parties to then determine if the Dam shall be recommissioned or decommissioned; and

WHEREAS, the purpose of this Agreement is for all Parties to cooperate with RVE for submission of the Dam Safety Permit Application to NJDEP; and

NOW, THEREFORE, in consideration of the mutual promises, agreements and other considerations made by and between the Parties hereto, the Parties do hereby agree as follows:

A. RECITALS.

The Recitals set forth above are incorporated into this Agreement by reference as if fully set forth at length herein.

B. RIGHTS, OBLIGATIONS AND RESPONSIBILITIES OF THE PARTIES.

1. County:

a. Within five (5) days after the Effective Date, the County shall execute the Dam Safety Permit Application.

2. Township:

a. Township executed the Dam Safety Permit Application.

b. RVE shall submit the Dam Safety Permit Application upon receipt of the executed application from the County.

3. Hargrave:

a. Hargrave executed the Dam Safety Permit Application and has provided the H&H to be submitted with same.

C. DAM SAFETY PERMIT

1. Within ten (10) days of receipt of communication from NJDEP regarding the status of the Application the Parties shall reconvene to determine if there will be a decommissioning or recommissioning of the Dam.
2. The parties understand that NJDEP may require an updated H&H prior to permitting recommissioning, which may prohibit the NJDEP from issuing a final approval/permit for the plans being submitted.

D. FINANCIAL COMMITMENT.

The Parties identified are the owners of the Dam; however, this Agreement does not assign any percentage of financial commitment. The financial commitment shall be determined once a decision has been made by the Parties regarding the recommissioning or decommissioning of the Dam and shall be memorialized with an additional Agreement.

E. TERM.

The term of this Agreement shall begin upon the Effective Date and end upon the acceptance by Township, and any other governmental authority having jurisdiction thereof including but not limited NJDEP, of all work related to the reconstruction and repair of Porches Mill Dam and Oliphants Mill Road.

F. NOTICES.

Notices under this Agreement shall be in writing and sent to the addresses set forth below:

COUNTY: County of Gloucester
c/o Chad Bruner, Administrator
2 South Broad Street
Woodbury, NJ 08096
Email: cbruner@co.gloucester.nj.us
Phone: 856-853-3275

TOWNSHIP: Township of Woolwich
c/o Craig Fredrick, Mayor
120 Village Green Drive
Woolwich Township, NJ 08085
Email: cfrederick@woolwichtwp.org
Phone: 856-467-2666 x3220

HARGRAVE: James Hargrave
20 Oliphants Mill Road
Woolwich Township, NJ 08085
Phone: 856-467-1220

G. MISCELLANEOUS.

1. **Amendment.** This Agreement may not be amended or modified for any reason without the express prior written consent of the Parties hereto.

2. **Successors and Assigns.** This Agreement shall inure to the benefit of and shall be binding upon the Parties, and their respective successors and assigns.

3. **Severability.** In the event that any provision of this Agreement shall be held to be invalid or unenforceable by any court of competent jurisdiction, such holding shall not invalidate or render unenforceable any other provision hereof.

4. **Drafting Ambiguities; Interpretation.** In interpreting any provision of this Agreement, no weight shall be given to, nor shall any construction or interpretation be influenced by, the fact that counsel for one of the Parties drafted this Agreement, each Party acknowledging that it and its counsel have had an opportunity to review this Agreement and have contributed to the final form of same.

5. **Counterparts.** This Agreement may be simultaneously executed in several counterparts, each of which shall constitute an original document and all of which shall constitute but one and the same instrument.

6. **Entire Agreement.** This Agreement sets forth all the promises, covenants, agreements, conditions, and undertakings between the Parties hereto with respect to the subject matter hereof, and supersedes all prior or contemporaneous agreements and undertakings, inducements, or conditions, express or implied, oral or written between the Parties hereto.

7. **Further Assurances and Corrective Instruments.** The Parties shall execute, acknowledge, and deliver, or cause to be executed, acknowledged and delivered, such supplements hereto and such further instruments, as may reasonably be required to correct any inconsistent or ambiguous term hereof.

8. **Headings.** The Article and Section headings in this Agreement are included herein for convenience of reference only and are not intended to define or limit the scope of any provision of this Agreement.

9. **Non-Waiver.** It is understood and agreed that nothing which is contained in this Agreement shall be construed as a waiver on the part of the Parties, or any of them, of any right which is not explicitly waived in this Agreement.

10. **Governing Law.** The terms of this Agreement shall be governed by and construed, interpreted, and enforced in accordance with the laws of the State of New Jersey applicable to agreements made and to be performed entirely within such State, including all matters of enforcement, validity, and performance.

11. **Public Entity.** The Parties acknowledge that the transactions contemplated in this Agreement shall remain subject to any limitations imposed by law upon the official actions of the County and the Township in executing this Agreement.

12. **No Third-Party Beneficiaries.** The provisions of this Agreement are for the benefit of the County, the Township and Hargrave, and no other person or parties shall have any right or claim against the Parties hereto by reason of this Agreement or be entitled to benefit therefrom or to enforce any of the provisions thereof.

13. **No Recordation.** No Party shall record this Agreement in any recording office or register of deeds.

14. **No Admission or Ownership Interest Created.** The execution of this Agreement, or the performance of the obligations hereunder, shall not be construed as an admission of ownership of, or otherwise create an ownership interest in, the Porches Mill Dam or Oliphants Mill Road by any Party hereto, and no Party hereto shall assert by reason of the execution hereof, or the performance hereunder, that another Party has admitted to ownership of, or otherwise created an ownership interest in, the Porches Mill Dam or Oliphants Mill Road.

IN WITNESS WHEREOF, the Parties have executed this Agreement as of the Effective Date.

Attest:

FRANK J. DiMARCO, Director
Board of Commissioners
Gloucester County

Attest:

CRAIG FREDERICK, Mayor
Township of Woolwich

Attest:

JAMES D. HARGRAVE

Attest:

IRENE B. HARGRAVE

**RESOLUTION OF THE TOWNSHIP OF WOOLWICH
AUTHORIZING THE EXECUTION OF CLOSING DOCUMENTS TO CONVEY
BLOCK 14, LOT 2, NIKE MISSILE BASE SITE,
TO PAULSBORO RD AP, LLC**

R-2023- 118

WHEREAS, pursuant to Ordinance 2021-04 the Township of Woolwich authorized the sale of municipal property, Block 14, Lot 2, commonly known as 261 Paulsboro Road and the former Nike Missile Base Site; and

WHEREAS, the Township of Woolwich entered into an Agreement of Sales with Paulsboro RD AP, LLC dated April 19, 2021 for the sale of Block 14, Lot 2 on the Official Tax Map of Woolwich Township in the amount of Two Million Seven Hundred Thousand (\$2,700,000) Dollars; and

WHEREAS, the Township of Woolwich and Paulsboro RD AP, LLC are now preparing for settlement and the official conveyance of the property; and

WHEREAS, the Township Committee now desires to convey this land by having the Mayor execute a deed and necessary closing documents to transfer Block 14, Lot 2 to Paulsboro RD AP, LLC;

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

1. The property identified as Block 14, Lot shall be transferred to Paulsboro RD AP, LLC.
2. The Mayor is authorized and directed to execute any and all documents to facilitate this transfer including a Deed, and various closing documents as attached hereto.

THIS RESOLUTION DULY ADOPTED, at the Regular Meeting of the Township Committee of the Township of Woolwich held on May 1, 2023.

TOWNSHIP OF WOOLWICH

Craig Frederick, Mayor

ATTEST: _____
Jane DiBella, Clerk

CERTIFICATION

The foregoing Resolution was duly adopted by the Township Committee of the Township of Woolwich at a meeting held on the 1st day of May, 2023.

Jane DiBella, Clerk

**RESOLUTION AUTHORIZING TOTALLY DISABLED VETERAN DEDUCTION
R-2023-119**

WHEREAS, certain disabled veterans are entitled to an exemption from payment of real estate taxes otherwise due pursuant to N.J.S.A. 54:4-3.30 et seq.; and

WHEREAS, the Gloucester County Tax Assessor has made a determination that **Christopher Paul Dudas** qualifies for said exemption;

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Woolwich, County of Gloucester, State of New Jersey, that it hereby authorizes the Woolwich Township Tax Collector to refund and /or cancel taxes as set forth below.

Block 12	Lot 4.02	Christopher Paul Dudas	\$ 3,356.06 cancel 2nd qtr. 2023
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Approved as of March 16, 2023

Adopted this 1st day of May, 2023

TOWNSHIP OF WOOLWICH

Craig Frederick, Mayor

ATTEST:

Jane DiBella, Clerk

CERTIFICATION

The foregoing resolution was duly adopted by the Township Committee of The Township of Woolwich at a meeting held on the 1st day of May, 2023.

Jane DiBella, Clerk

**RESOLUTION REFERRING VARIOUS ORDINANCES TO THE JOINT LAND USE
BOARD FOR REVIEW AND CONSIDERATION**

R-2023-120

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; Rezoning of certain parcels; adoption of a revised Zoning Map; and amending fees associated with the TDR Program; 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 2023-13, 2023-14, 2023-15 and 2023-16 at the May 1, 2023 meeting of the Woolwich Township Committee, which Ordinances 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: Ordinance 2023-13, 2023-14 and 2023-15 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 ordinances were introduced to the Township Committee on May 1, 2023:

3. This Resolution shall take effect immediately.

Adopted this 1st 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 1st day of May, 2023

Jane DiBella, Clerk

**RESOLUTION AUTHORIZING RELEASE AND CLOSURE OF ESCROW ACCOUNT
R-2023-121**

WHEREAS, the Township of Woolwich is the Trustee of certain escrow accounts which are no longer active; and

WHEREAS, a request has been received for the closure of escrow accounts upon which no remaining balance is due and owing;

WHEREAS, based upon the request of the applicants and their letter of assurance, and with the approval of the CFO and upon the disclosure to Township Professionals of such request and their communication to the Township that no further invoices are due and owing, the Woolwich Township Committee wishes to authorize the closure of the accounts as noted;

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Woolwich that the following escrow accounts are hereby authorized for closure and the Woolwich Township CFO is hereby authorized and directed to refund any remaining balances:

Account	Developer	Amount
TC 22-009—B7 L4	Keynet Woolwich LLC	\$710.00
2010-009--B41 L8.01	Fernmoor Properties	\$ 10.53

Adopted this 1st day of May, 2023

TOWNSHIP OF WOOLWICH

Craig Frederick, Mayor

Attest:

Jane DiBella, Clerk

CERTIFICATION

The foregoing resolution was duly adopted by the Township Committee of the Township of Woolwich at a meeting held on the 1st day of May 2023.

Jane DiBella, Clerk

**RESOLUTION REQUESTING THE NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION FOR AN
EXTENSION OF TIME FOR THE SUBMISSION OF PERMIT ON FILE NO. 0800-20-003.4-WOOLWICH
TOWNSHIP-LUP230001-OGDEN ROAD
R-2023-122**

WHEREAS, the Township of Woolwich experienced a severe rain storm on August 7, 2020 which resulted in several roadway collapses, one of which was Ogden Road; and

WHEREAS, under the guidance of the New Jersey Department of Transportation (NJDEP), the Township proceeded with the needed roadway repairs under an emergency, with state permitting to follow; and

WHEREAS, Remington and Vernick, acting on the behalf of the Township, has submitted plans and permitting to NJDEP for which certain modifications are required; and

WHEREAS, it is necessary and advisable to request that NJDEP provide a thirty (30) day extension to submit the plans/permitting;

NOW THEREFORE BE IT RESOLVED by the Township Committee of the Township of Woolwich as follows:

That the Woolwich Township Committee hereby respectfully requests that NJDEP extend the deadline for submission of modified plans and permitting for NJDEP file #0800-20-003.4-WOOLWICH TOWNSHIP-LUP230001-OGDEN ROAD for thirty (30) days from the date of this resolution.

Adopted this 1st day of May, 2023

TOWNSHIP OF WOOLWICH

Craig Frederick, Mayor

ATTEST: _____
Jane DiBella, Clerk

CERTIFICATION

The foregoing Resolution was duly adopted by the Township Committee of the Township of Woolwich at a meeting held on the 1st day of May, 2023.

Jane DiBella, Clerk

**RESOLUTION REFERRING THE REVISED 2023 AMENDMENT TO THE KINGS
LANDING REDEVELOPMENT PLAN TO THE JOINT LAND USE BOARD FOR
REVIEW AND CONSIDERATION**

R-2023-123

WHEREAS, the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, et seq., as amended and supplemented (the “Redevelopment Law”), provides a process for municipalities to participate in the redevelopment and improvement of an area in need of rehabilitation or redevelopment; and

WHEREAS, in order to stimulate redevelopment, on October 20, 2014, pursuant to Resolution R-2014-217, the Mayor and Committee of Woolwich Township (the “Township Committee”), upon review of the Preliminary Investigation Report for Determination of Need for Regional Center East and the recommendations of the Joint Land Use Board (“Planning Board”) as set forth in Resolution 2014-20, designated Block 16, Lot 5Q; Block 18, Lots 2, 3.02, 4Q, 4.01, 4.02, 5, 5.01, 6Q, 6.01, & 7; Block 22, Lots 2Q, 2.01, 4Q, & 4.01; Block 57, Lots 3Q, 3.02, 5Q, 8Q, 9Q, & 10Q; Block 58, Lot 1; Block 60, Lots 1Q, 2Q, 5.01, 5.02, 6, 6.01, 6.02, 7, 7.01, 7.02, 7.08 & 8; and Block 61, Lots 1Q, 2Q, 3, 4, 4.01, 5, 6Q, 6.01, 7Q & 9 on the official tax maps of Woolwich Township as a non-condemnation redevelopment area in accordance with the Redevelopment Law (“Regional Center East Redevelopment Area”); and

WHEREAS, in order to stimulate further redevelopment, on April 17, 2017, pursuant to Resolution R-2017-120, the Township Committee, upon review of the Preliminary Investigation Report Determination of Need for Regional Center West and the recommendations of the Planning Board as set forth in Resolution 2017-15, designated Block 6, Lots 5 & 6; Block 7, Lots 4, 4.01, 4.02, 5 & 5.01; Block 8, Lots 1 & 2; Block 9, Lots 1, 2, 3, 4, 5, 5.01 & 6; Block 10, Lots 2, 3, 4, 5.01, 6, 6.01 & 7; Block 11, Lots 6, 6.01, 6.02, 6.04, 7, 9, 10, 11, 11.01, 12, 12.01, 12.02, 13, 14, 15, 16 & 29; Block 12, Lots 1, 2, 2.01, 3, 3.01, 3.02 & 4.01; Block 14, Lots 1.01, 1.02, 1.03, 1.04, 1.05, 1.06, 1.07, 1.08, 1.09, 1.10, 1.11, 1.12, 1.13, 3, 3.01, 3.02, 14, 15, 15.01, 16 & 17; Block 15, Lot 2, 3, 3.01 & 3.02; Block 57, Lots 1, 2, 2.01 & 3.01 on the official tax maps of Woolwich Township as a non-condemnation redevelopment area in accordance with the Redevelopment Law (“Regional Center West Redevelopment Area”); and

WHEREAS, a single redevelopment plan was prepared by Maser Consulting, P.A. for both the Regional Center East Redevelopment Area and the Regional Center West Redevelopment Area, entitled Kings Landing Redevelopment Plan, Route 322 Corridor, dated June 2017, which was adopted by the Township Committee on July 17, 2017 pursuant to Ordinance 2017-12 (“2017 Kings Landing Redevelopment Plan”); and

WHEREAS, on August 5, 2019, pursuant to Resolution R-2019-194, the Township Committee, upon review of the Preliminary Investigation Determination of Need Report, dated July 2019, and the Planning Board’s recommendations as set forth in Resolution 2019-194, designated Block 10, Lots 5, 5.02 & 5.03; Block 11, Lots 17, 18, 19, 20 & 21; Block 12 Lots 5 & 9; Block 14, Lots 5.01 & 5.02; Block 16, Lots 1, 2, 3, 4, & 4.01; Block 59, Lots 6, 6.01, 6.02, 7

(part of), 8 & 10; and Block 62, Lots 2 & 3 as a non-condemnation redevelopment area (“Expanded Regional Center Redevelopment Area”); and

WHEREAS, an amendment to the 2017 Kings Landing Redevelopment Plan was prepared by Maser Consulting, P.A., entitled “2019 Amendment to the Kings Landing Redevelopment Plan, Route 322 Corridor,” dated December 2019 (“2019 Kings Landing Redevelopment Plan”) to facilitate redevelopment of a combined area encompassing the Regional Center East Redevelopment Area, the Regional Center West Redevelopment Area and the Expanded Regional Center Redevelopment Area (collectively referred to as the “Redevelopment Area”), and was adopted on December 30, 2019 by way of Ordinance 2019-25; and

WHEREAS, in order to satisfy Woolwich Township’s affordable housing obligations, Fair Share Housing Center (“FSHC”) and the Township entered into a Settlement Agreement, dated December 27, 2018 (“Original Settlement Agreement”) setting forth compliance mechanisms and related obligations necessary to satisfy Woolwich Township’s Rehabilitation Obligation, Prior Round Obligations and Third Round Obligation; and

WHEREAS, on May 3, 2021, the Township entered into a Settlement Agreement (“Inclusionary Settlement Agreement”) with Woolwich Commons, LLC, Main Street at Woolwich, LLC, Woolwich Crossings, LLC, and Woolwich Residential, LLC, Fair Share Housing Development and Fair Share Housing Center (“FSHC”), as well as a separate First Amendment (“First Amendment”) to the Original Settlement Agreement between Woolwich Township and FSHC to adjust compliance mechanisms applicable to the Township’s Third Round Obligation (the Inclusionary Settlement Agreement and the First Amendment are collectively referred to as the “Mount Laurel Settlement Agreements”); and

WHEREAS, in order to comply with its obligations as set forth in the Mount Laurel Settlement Agreements, an amendment to the 2017 Kings Landing Redevelopment Plan and the 2019 Kings Landing Redevelopment Plan was prepared by Remington & Vernick Engineers, entitled “Kings Landing at Woolwich Township, 2021 Amendment to Redevelopment Plan, dated September 20, 2021, (“2021 Kings Landing Redevelopment Plan”) which stated that it superseded and replaced both the 2017 Kings Landing Redevelopment Plan and the 2019 Kings Landing Redevelopment Plan and sets forth the Township’s goals, objectives and standards governing the redevelopment of the Redevelopment Area, which was adopted on September 20, 2021 by way of Ordinance 2021-21; and

WHEREAS, in order to comply with the New Jersey Cannabis Regulatory, Enforcement Assistance and Marketplace Modernization Act adopted on February 22, 2021 as P.L. 2021, c.16 (“CREAMM Act”), the Township Committee amended the Kings Landing Redevelopment Plan to add certain classes of cannabis facilities as permitted uses within certain areas within the Redevelopment Area, by way of Ordinance 2021-15 adopted on August 16, 2021 (“Cannabis Amendment”); and

WHEREAS, on December 19, 2022, by way of Ordinance 2022-16, another amendment to the 2021 Kings Landing Redevelopment Plan was prepared by Remington & Vernick Engineers for the purposes of cleaning up certain elements of that plan, as set forth in the redevelopment plan amendment entitled, “Kings Landing at Woolwich Township, 2022 Amendment to Redevelopment Plan,” dated November 2022 (“2022 Kings Landing Redevelopment Plan”); and

WHEREAS, on February 21, 2023, by way of Ordinance 2023-06, Township adopted additional amendment to the 2022 Kings Landing Redevelopment Plan, which revise the zoning and land uses as set forth in an amendment to the 2022 Kings Landing Redevelopment Plan entitled, “Kings Landing at Woolwich Township, 2023 Amendment to Redevelopment Plan,” dated February 2023 (“2023 Kings Landing Redevelopment Plan”); and

WHEREAS, pursuant to N.J.S.A. 40A:12A-7, a governing body may adopt, revise or amend a redevelopment plan; and

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 recommended repeal of the a voluntary transfer of development rights (“TDR”) program, previously adopted by way of Ordinance No. 2008-20 (“TDR Program”); and

WHEREAS, the Township is proposing to repealed the TDR Program; and

WHEREAS, in order to stimulate redevelopment of the Redevelopment Area, the Township Committee has determined that it is in the best interest of the Township to consider an additional amendment to the 2023 Kings Landing Redevelopment Plan to revise the zoning and land uses to reflect the repeal of the TDR Program and has prepared an amendment to the 2023 Kings Landing Redevelopment Plan entitled, “Kings Landing at Woolwich Township, Revised 2023 Amendment to Redevelopment Plan,” dated April 2023 (“Revised 2023 Kings Landing Redevelopment Plan”); and

WHEREAS, the Township Committee hereby refers the Revised 2023 Kings Landing Redevelopment Plan to the Planning Board for a review and determination of Revised 2023 Kings Landing Redevelopment Plan’s consistency with the Township’s Master Plan; 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. 40A:12A-7 of the Redevelopment Law, the Township Committee does hereby authorize the Joint Land Use Board, acting as the

Township's Planning Board to review the Revised 2023 Kings Landing Redevelopment Plan and to report its findings to the Township Committee within forty-five (45) days hereof.

3. This Resolution shall take effect immediately.

Adopted this 1st 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 1st day of May, 2023.

Jane DiBella, Clerk