

**TOWNSHIP OF OLD BRIDGE
ORDINANCE NO. 2023-10
ORDINANCE OF THE TOWNSHIP OF OLD BRIDGE TO REZONE CERTAIN PROPERTY
TO BE INCLUDED IN THE R120 ZONING DISTRICT AND TO AMEND THE
TOWNSHIP ZONING MAP ACCORDINGLY**

WHEREAS, it is the intent and purpose of the Municipal Land Use Law (the "MLUL") to encourage municipal action to guide the appropriate use or development of all lands in the State, in a manner which will promote the public health, safety, morals, and general welfare; and

WHEREAS, pursuant to N.J.S.A. 40:55D-62(a), reasonable consideration must be given to the character of each district and its suitability to particular uses, and appropriate uses must be encouraged; and

WHEREAS, N.J.S.A. 40:55D-89 further provides that the governing body shall at least every ten years provide for a general reexamination of its master plan and development regulations by the planning board; and

WHEREAS, the Township of Old Bridge Planning Board (hereinafter the "Board") previously adopted a Master Plan Reexamination Report dated September 22, 2017, last amended on April 28, 2022 (hereinafter "Reexam Report"); and

WHEREAS, as part of the amended reexamination report, the Board made specific recommendations that "large, underutilized properties within the Township such as Raceway Park, the former Lowes's property, etc. and the area along the Laurence Harbor Waterfront should be reexamined for future redevelopment potential or rezoning"; and

WHEREAS, the Township Council of the Township of Old Bridge finds that it is necessary and in the public interests to make certain amendments to the Land Use Ordinance based upon the recommendations of the Reexam Report that were derived from a thorough analysis of the area, including existing conditions, related traffic concerns, existing roadway infrastructure, etc., compatibility with surrounding land uses in within the Township, and the neighboring municipalities; and the ability of the region to accommodate the current permitted uses; and

WHEREAS, in furtherance of the aforementioned requirements of the MLUL, and in order to achieve the new recommendations in the Reexam Report, the Old Bridge Township Committee finds that it will be necessary to re-zone the property located at 348 Pension Road and designated as Block 23001, Lot 9.11 on the Township Tax Map from its current zoning SD5 to the R-120 zoning district and to amend the Township's Zoning Map accordingly.

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Old Bridge, in the County of Middlesex, State of New Jersey, that it does hereby change the zoning classification of Block 23001, Lot 9.11 and amend Chapter 250 of the Township Code, more specifically §250-35, entitled "Zoning Map" as follows:

SECTION 1. Rezoning

The following property shall be rezoned as follows:

Block	Lot	Address	Current Zone	New Zone
23001	9.11	348 Pension Rd	SD5	R120

SECTION 2. § 250-35 Zoning Map

The Township Zoning Map shall be amended to reflect and include that Block 23001, Lot 9.11 shall be rezoned from its current SD5 zoning district to the R-120 zoning district and the "Zoning Map of the Township of Old Bridge" shall be amended accordingly.

SECTION 3: INCONSISTENT ORDINANCES

All ordinances or parts of ordinances inconsistent with or in conflict with this ordinance are hereby repealed to the extent of such inconsistency.

SECTION 4: PARTIAL INVALIDITY

If any section, paragraph, clause or provision of this ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, clause or provision so adjudged and the remainder shall be deemed valid and effective.

SECTION 5. COPIES OF ORDINANCE

At least three copies of said full Ordinance are on file in the Office of the Municipal Clerk for public examination and acquisition. Copies are available for inspection or acquisition during regular weekday working hours and arrangements have been made for the publication of said proposed Ordinance in pamphlet or other similar form which will be available for purchase from the Township Clerk.

SECTION 6: NOTICE

The Township Clerk is hereby directed to give notice at least ten days prior to the hearing on the adoption of this Ordinance to all entitled thereto pursuant to the provisions of N.J.S.A. 4-:55D-15 and N.J.S.A 40:55D-62.1. Upon adoption of this Ordinance, after public hearing thereon, the Township Clerk is further directed

to publish notice of passage thereof and file a copy of this Ordinance as finally adopted with the County Planning Board as required by N.J.S.40:55D-16 and with the Township Tax Assessor.

SECTION 7: EFFECTIVE DATE

- A. Except as set forth at subparagraphs B and C hereof, this Ordinance shall take effect on the earlier of the following dates: (1) on the date the Mayor affixes his/her signature thereto and returns same to the Municipal Council by delivering it to the Municipal Clerk pursuant to N.J.S.A. 40A:69A-41 or (2) on the tenth day following presentment to the Mayor of the Ordinance pursuant to N.J.S.A. 40:69A-41 applicable when the Mayor has failed to return the Ordinance; whichever occurs first. In addition, in accordance with the provisions of §250-35(B)(1)(a) of the Township's Land Development Ordinance, this Ordinance amending the Township's zoning map shall not take effect until the Zoning Map has been amended in accordance with the provisions of §250-35 of the Township's Land Development Ordinances.
- B. If the Mayor vetoes the Ordinance (in the manner set forth at N.J.S.A. 40:69A-41), this Ordinance shall become effective upon the Township Council's vote to override the Mayor's veto.
- C. Notwithstanding any other provision hereof, this Ordinance shall not take effect less than twenty (20) days after its final passage by the Council and approval by the Mayor, where such approval is required, unless the Council shall have also adopted a resolution declaring an emergency and at least two thirds (2/3) of all the members of the council vote in favor of such resolution.

Motion/ Second	Roll Call To Adopt On First Reading				Adopted On First Reading Dated: March 28, 2023
	YAY	NAY	ABSTAIN	ABSENT	
				X	
	Ms. DeCaro				
	Mr. DePalma	X			
Motion	Mr. Desai	X			
	Mr. Garcia	X			
	Dr. Greenberg-Belli	X			
Second	Mr. Murphy	X			
	Mr. Paskitti	X			
	Ms. Walker	X			
	President Sohor	X			

Kathryn Hutchinson
Township Clerk

Motion/ Second	Roll Call To Adopt On Second Reading				Adopted on Second Reading Dated: May 09, 2023
	YAY	NAY	ABSTAIN	ABSENT	
				X	
Second	Ms. DeCaro				
	Mr. DePalma	X			
	Mr. Desai	X			
	Mr. Garcia	X			
	Dr. Greenberg-Belli	X			
	Mr. Murphy			X	
	Mr. Paskitti	X			
Motion	Ms. Walker	X			
	President Sohor	X			

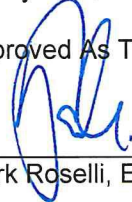
Kathryn Hutchinson
Township Clerk

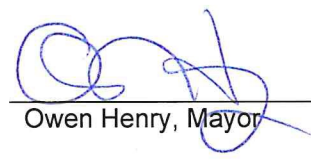
ATTEST:


Kathryn Hutchinson, Township Clerk


Mary Sohor, Council President

Approved As To Form And Sufficiency


Mark Roselli, Esq. Department of Law


Owen Henry, Mayor