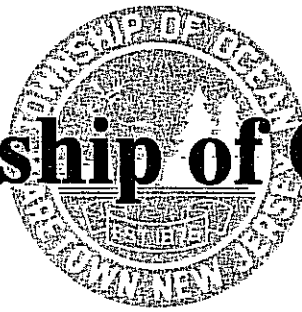


Township of Ocean



50 RAILROAD AVENUE
WARETOWN, NJ 08758

PHONE: (609) 693-3302
FAX: (609) 693-9026

Dear Applicant:

The attached application is being provided to assist you in meeting the requirements for submission of a complete application to the Redevelopment Agency. This will assist you in actions that need to be performed prior to the application being processed. All submittals need to be made through the Redevelopment Secretary, Diane B. Ambrosio.

Ordinances have been provided for informational purposes regarding escrow fees, recreation fees, affordable housing development fees, and design standards.

Once the application is deemed complete, all items will be distributed to the professionals of the Redevelopment Agency. These items must be complete including all fees paid. Please be cautioned that some aspects of the review process may require several days and must be completed prior to an application being deemed complete.

Redevelopment Agency Checklist – Must be Complete

Please submit the following items:

Application & Map of Subdivision or Site Plan And Current Survey	9 copies
Architectural Drawings	9 copies
Landscape Design Plan	9 copies
Color Rendering (Commercial) (Residential)	1 rendering 1 rendering per unit & overall rendering of project

**Must bring exact sample of all building materials
the night of the meeting for approval.**

Redevelopment Agency
Application

Received: _____

Block: _____

Lot: _____

Type of Application:

Basic Information:

Applicants:

Name: _____

Street Address: _____

City _____ State _____

Zip Code _____

Telephone _____

Owner:

Name: _____

Street Address: _____

City _____ State _____

Zip Code _____

Telephone _____

PROFFESIONALS

Attorney:

Name: _____

Firm: _____

Street Address: _____

City _____ State _____

Zip Code _____

Telephone _____

Engineer:

Name: _____

Firm: _____

Street Address: _____

City _____ State _____

Zip Code _____

Telephone _____

Architect:

Name: _____

Firm: _____

Street Address: _____

City _____ State _____

Zip Code _____

Telephone _____

Site Planner:

Name: _____

Firm: _____

Street Address: _____

City _____ State _____

Zip Code _____

Telephone _____

Description of Proposed Use:

Present Use: _____

Proposed Use: _____

Request for Taxpayer Identification Number and Certification

Give form to the requester. Do not send to the IRS.

Please print or type

Name (See Specific Instructions on page 2.)

Business name, if different from above. (See Specific Instructions on page 2.)

Check appropriate box: Individual/Sole proprietor Corporation Partnership Other ▶

Address (number, street, and apt. or suite no.)

City, state, and ZIP code

Requester's name and address (optional)

List account number(s) here (optional)

Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. For individuals, this is your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the Part I instructions on page 2. For other entities, it is your employer identification number (EIN). If you do not have a number, see How to get a TIN on page 2.

Note: If the account is in more than one name, see the chart on page 2 for guidelines on whose number to enter.

Social security number								

or

Employer identification number								

Part II For U.S. Payees Exempt From Backup Withholding (See the instructions on page 2.)

Part III Certification

Under penalties of perjury, I certify that:

- The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me), and
- I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding, and
- I am a U.S. person (including a U.S. resident alien).

Certification instructions. You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the Certification, but you must provide your correct TIN. (See the instructions on page 2.)

Sign Here Signature of U.S. person ▶

Date ▶

Purpose of Form

A person who is required to file an information return with the IRS must get your correct taxpayer identification number (TIN) to report, for example, income paid to you, real estate transactions, mortgage interest you paid, acquisition or abandonment of secured property, cancellation of debt, or contributions you made to an IRA.

Use Form W-9 only if you are a U.S. person (including a resident alien), to give your correct TIN to the person requesting it (the requester) and, when applicable, to:

- Certify the TIN you are giving is correct (or you are waiting for a number to be issued),
- Certify you are not subject to backup withholding, or
- Claim exemption from backup withholding if you are a U.S. exempt payee.

If you are a foreign person, use the appropriate Form W-8. See Pub. 515, Withholding of Tax on Nonresident Aliens and Foreign Corporations.

Note: If a requester gives you a form other than Form W-9 to request your TIN, you must use the requester's form if it is substantially similar to this Form W-9.

What is backup withholding? Persons making certain payments to you must withhold and pay to the IRS 31% of such payments under certain conditions. This is called "backup withholding." Payments that may be subject to backup withholding include interest, dividends, broker and barter exchange transactions, rents, royalties, nonemployee pay, and certain payments from fishing boat operators. Real estate transactions are not subject to backup withholding.

If you give the requester your correct TIN, make the proper certifications, and report all your taxable interest and dividends on your tax return, payments you receive will not be subject to backup withholding. Payments you receive will be subject to backup withholding if:

- You do not furnish your TIN to the requester, or
- You do not certify your TIN when required (see the Part III instructions on page 2 for details), or
- The IRS tells the requester that you furnished an incorrect TIN, or
- The IRS tells you that you are subject to backup withholding because you did not report all your interest and dividends on your tax return (for reportable interest and dividends only), or

5. You do not certify to the requester that you are not subject to backup withholding under 4 above (for reportable interest and dividend accounts opened after 1983 only).

Certain payees and payments are exempt from backup withholding. See the Part II instructions and the separate instructions for the Requester of Form W-9.

Penalties

Failure to furnish TIN. If you fail to furnish your correct TIN to a requester, you are subject to a penalty of \$50 for each such failure unless your failure is due to reasonable cause and not to willful neglect.

Civil penalty for false information with respect to withholding. If you make a false statement with no reasonable basis that results in no backup withholding, you are subject to a \$500 penalty.

Criminal penalty for falsifying information. Willfully falsifying certifications or affirmations may subject you to criminal penalties including fines and/or imprisonment.

Misuse of TINs. If the requester discloses or uses TINs in violation of Federal law, the requester may be subject to civil and criminal penalties.

Specific Instructions

Name. If you are an individual, you must generally enter the name shown on your social security card. However, if you have changed your last name, for instance, due to marriage without informing the Social Security Administration of the name change, enter your first name, the last name shown on your social security card, and your new last name.

If the account is in joint names, list first and then circle the name of the person or entity whose number you enter in Part I of the form.

Sole proprietor. Enter your individual name as shown on your social security card on the "Name" line. You may enter your business, trade, or "doing business as (DBA)" name on the "Business name" line.

Limited liability company (LLC). If you are a single-member LLC (including a foreign LLC with a domestic owner) that is disregarded as an entity separate from its owner under Treasury regulations section 301.7701-3, enter the owner's name on the "Name" line. Enter the LLC's name on the "Business name" line.

Caution: A disregarded domestic entity that has a foreign owner must use the appropriate Form W-9.

Other entities. Enter your business name as shown on required Federal tax documents on the "Name" line. This name should match the name shown on the charter or other legal document creating the entity. You may enter any business, trade, or DBA name on the "Business name" line.

Part I—Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box.

If you are a resident alien and you do not have and are not eligible to get an SSN, your TIN is your IRS Individual Taxpayer Identification number (ITIN). Enter it in the social security number box. If you do not have an ITIN, see *How to get a TIN below.*

If you are a sole proprietor and you have an EIN, you may enter either your SSN or EIN. However, the IRS prefers that you use your SSN.

If you are an LLC that is disregarded as an entity separate from its owner (see *Limited liability company (LLC)* above), and are owned by an individual, enter your SSN (or "pre-LLC" EIN, if desired). If the owner of a disregarded LLC is a corporation, partnership, etc., enter the owner's EIN.

Note: See the chart on this page for further clarification of name and TIN combinations.

How to get a TIN. If you do not have a TIN, apply for one immediately. To apply for an SSN, get Form SS-5, Application for a Social Security Card, from your local Social Security Administration office. Get Form W-7, Application for IRS Individual Taxpayer Identification Number, to apply for an ITIN or Form SS-4, Application for Employer Identification Number, to apply for an EIN. You can get Forms W-7 and SS-4 from the IRS by calling 1-800-TAX-FORM (1-800-829-3676) or from the IRS's Internet Web Site at www.irs.gov.

If you do not have a TIN, write "Applied For" in the space for the TIN, sign and date the form, and give it to the requester. For interest and dividend payments, and certain payments made with respect to readily tradable instruments, generally you will have 60 days to get a TIN and give it to the requester before you are subject to backup withholding on payments. The 60-day rule does not apply to other types of payments. You will be subject to backup withholding on all

such payments until you provide your TIN to the requester.

Note: Writing "Applied For" means that you have already applied for a TIN or that you intend to apply for one soon.

Part II—For U.S. Payees Exempt From Backup Withholding

Individuals (including sole proprietors) are not exempt from backup withholding. Corporations are exempt from backup withholding for certain payments, such as interest and dividends. For more information on exempt payees, see the separate instructions for the Requester of Form W-9.

If you are exempt from backup withholding, you should still complete this form to avoid possible erroneous backup withholding. Enter your correct TIN in Part I, write "Exempt" in Part II, and sign and date the form.

If you are a nonresident alien or a foreign entity not subject to backup withholding, give the requester the appropriate completed Form W-9.

Part III—Certification

To establish to the withholding agent that you are a U.S. person, or resident alien, sign Form W-9. You may be requested to sign by the withholding agent even if items 1, 3, and 5 below indicate otherwise.

For a joint account, only the person whose TIN is shown in Part I should sign (when required).

1. Interest, dividend, and barter exchange accounts opened before 1984 and broker accounts considered active during 1983. You must give your correct TIN, but you do not have to sign the certification.

2. Interest, dividend, broker, and barter exchange accounts opened after 1983 and broker accounts considered inactive during 1983. You must sign the certification or backup withholding will apply. If you are subject to backup withholding and you are merely providing your correct TIN to the requester, you must cross out item 2 in the certification before signing the form.

3. Real estate transactions. You may sign the certification. You may cross out item 2 of the certification.

4. Other payments. You must give your correct TIN, but you do not have to sign the certification unless you have been notified that you have previously given an incorrect TIN. "Other payments" include payments made in the course of the requester's trade or business for rents, royalties, goods (other than bills for merchandise), medical and health care services (including payments to corporations), payments to a nonemployee for services, payments to certain fishing boat crew members and fishermen, and gross proceeds paid to attorneys (including payments to corporations).

5. Mortgage interest paid by you, acquisition or abandonment of secured property, cancellation of debt, qualified state tuition program payments, IRA or MSA contributions or distributions, and pension distributions. You must give your correct TIN, but you do not have to sign the certification.

Privacy Act Notice

Section 6109 of the Internal Revenue Code requires you to give your correct TIN to persons who must file information returns with the IRS to

report interest, dividends, and certain other income paid to you, mortgage interest you paid, the acquisition or abandonment of secured property, cancellation of debt, or contributions you made to an IRA or MSA. The IRS uses the numbers for identification purposes and to help verify the accuracy of your tax return. The IRS may also provide this information to the Department of Justice for civil and criminal litigation, and to cities, states, and the District of Columbia to carry out their tax laws.

You must provide your TIN whether or not you are required to file a tax return. Payees must generally withhold 31% of taxable interest, dividend, and certain other payments to a payee who does not give a TIN to a payer. Certain penalties may also apply.

What Name and Number To Give the Requester

For this type of account:	Give name and SSN of:
1. Individual	The individual
2. Two or more individuals (joint account)	The actual owner of the account or, if combined funds, the first individual on the account ¹
3. Custodian account of a minor (Uniform Gift to Minors Act)	The minor ²
4. a. The usual revocable savings trust (grantor is also trustee)	The grantor-trustee ¹
b. So-called trust account that is not a legal or valid trust under state law	The actual owner ¹
5. Sole proprietorship	The owner ³
For this type of account:	Give name and EIN of:
6. Sole proprietorship	The owner ³
7. A valid trust, estate, or pension trust	Legal entity ⁴
8. Corporate	The corporation
9. Association, club, religious, charitable, educational, or other tax-exempt organization	The organization
10. Partnership	The partnership
11. A broker or registered nominee	The broker or nominee
12. Account with the Department of Agriculture in the name of a public entity (such as a state or local government, school district, or prison) that receives agricultural program payments	The public entity

¹ List first and circle the name of the person whose number you furnish. If only one person on a joint account has an SSN, that person's number must be furnished.

² Circle the minor's name and furnish the minor's SSN.

³ You must show your individual name, but you may also enter your business or "DBA" name. You may use either your SSN or EIN (if you have one).

⁴ List first and circle the name of the legal trust, estate, or pension trust. (Do not furnish the TIN of the personal representative or trustee unless the legal entity itself is not designated in the account title.)

Note: If no name is circled when more than one name is listed, the number will be considered to be that of the first name listed.



ORDINANCE 2008 - 22

AN ORDINANCE OF THE TOWNSHIP OF OCEAN, COUNTY OF OCEAN, STATE OF NEW JERSEY, ESTABLISHING ADDITIONAL REQUIREMENTS FOR PROPOSED REDEVELOPERS PRESENTING PLANS TO THE TOWNSHIP COMMITTEE ACTING AS THE TOWNSHIP'S REDEVELOPMENT ENTITY

BE IT ORDAINED by the Township Committee of the Township of Ocean, County of Ocean, State of New Jersey that in addition to any other requirements set forth by statute or ordinance, any proposed Redeveloper appearing before the Township Committee of the Township of Ocean acting in its capacity as the Redevelopment Agency for the Township of Ocean, shall comply with the following:

SECTION 1: COMMUNITY IMPACT STATEMENT

All applications for Redevelopment that are proposed shall be accompanied by a community impact statement analyzing the proposed development and its expected impact upon the existing facilities and services. The information furnished within the community impact statement shall serve to influence the design of the proposed development so that the provision of necessary municipal facilities can be anticipated and coordinated with the construction of the proposed development. The community impact statement shall include where applicable, the following:

A. Population Impact: An analysis of the number of people expected to be added to the municipal population as a result of the proposed development, according to the following age groups; preschool-aged children, school-aged children, parents of family-bearing age, middle aged adults and retired people.

B. School Impact: An analysis of the anticipated number of pupils who will be added to the student population in the municipality and a statement by the relevant school authorities as to the ability of the existing public school facilities to absorb the expected student population during a ten-year time period and expected cost of any required building additions and/or increased teaching staff.

C. Facilities Impact: Statements by the relevant authorities as to the adequacy of the existing facilities, including the adequacy of existing public water facilities; and library facilities. Should such facilities be determined to be inadequate to serve the proposed development, the applicant shall indicate remedies, either expected from other sources or proposed by the applicant, or any combination thereof, along with the estimated costs for any additional facilities proposed by the applicant.

DASTI, MURPHY,
MCGUCKIN, ULAKY,
HERKOS & CONNORS
COUNSELLORS AT LAW
650 WEST LACEY ROAD
P. O. BOX 1067
FORMED RIVER, N. J. 08751

D. Service Impact: Statements by relevant authorities as to the adequacy of the existing services proposed by the Township to serve the proposed development and the impact of the development upon the services, including police protection, fire protection; first aid; Emergency Management; solid waste disposal and recycling and street maintenance services.

E. Traffic Impact: An analysis of the existing road network available to serve the proposed development, as well the proposed road network within the development itself and the surrounding road network which will be affected by the proposed development, including the capacity of the existing and proposed roadways; the anticipated traffic volumes as a result of the proposed development as well as the increase in traffic volumes expected from other developments within the area; and any problem spots in the overall road network including unsafe intersections, turns or grades.

F. Financial Impact: An analysis of the revenues expected to be generated from the development compared to the anticipated costs which the proposed development is expected to generate. Revenues and costs shall be shown for the municipality, the municipal school system and the county.

G. Historical Preservation Impact: Analysis of the impact, if any, upon an existing historical properties and/or buildings within the municipality and the preservation protection, or promotion thereof.

H. Archeological Impact: An analysis of the impact, if any, upon any recognized archeological significant areas of the municipality and the preservation, promotion and protection thereof.

I. Architectural Impact: An analysis of the impact, if any, upon any existing architectural designs within the municipality and the preservation, protection and promotion thereof.

SECTION 2: REVIEW; CONDITIONS

A. The applicant shall submit to the Redevelopment Agency a proposed preliminary conceptual sketch layout for the Agency's review and comment prior to the submittal of its full application. Same shall be considered an "informal review" of the developer's proposed plan and neither the municipality, the Redevelopment Agency or the developer shall be bound by any discussions held as part of this informal review.

SECTION 3: PUBLIC NOTICE

Upon being notified by the municipality that the Redevelopment Agency has scheduled a public hearing on the plan presented by the applicant, the applicant shall, provide notice of the proposed application seeking Redevelopment Approval in the same manner as such public notice is provided for in accordance with the provisions of the New Jersey Municipal Land Use Law, N.J.S.A 40:55D-11-14.

SECTION 4: The provisions of this ordinance are supplemental to and in addition to all other required submittals of the applicant seeking Redevelopment Approval.

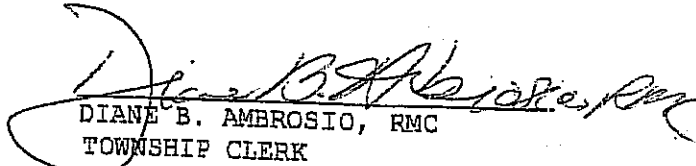
SECTION 5: All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

SECTION 6: If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions.

SECTION 7: This ordinance shall take effect after second reading and publication as required by law.

NOTICE

NOTICE IS HEREBY GIVEN that the foregoing Ordinance was introduced and passed by the Township Committee of the Township of Ocean on first reading at meeting held on the 11th day of September, 2008. The Ordinance will be considered for second and final reading at a meeting of the Township Committee which is scheduled for the 25th day of September, 2008, at 7:30 p.m., or as soon thereafter as the matter may be reached, at the Municipal Building located at 50 Railroad Avenue, Waretown, New Jersey, at which time the public is invited to ask questions, raise objections, or provide public comment with regard to the proposed adoption of this Ordinance.


DIANE B. AMBROSIO, RMC
TOWNSHIP CLERK

DASTI, MURPHY,
MCGLUCKIN, ULAKY,
CHERKOS & CONNORS
COUNSELLORS AT LAW
880 WEST LACEY ROAD
P. O. BOX 1057
FORBES RIVER, N. J. 08751

ORDINANCE NO. 2006-03

AN ORDINANCE OF THE TOWNSHIP OF OCEAN, COUNTY OF OCEAN, STATE OF NEW JERSEY, ESTABLISHING APPLICATION AND ESCROW FEES FOR REDEVELOPMENT PROJECTS REVIEWED BY THE TOWNSHIP'S DULY DESIGNATED REDEVELOPMENT ENTITY.

BE IT ORDAINED by the Township Committee of the Township of Ocean, County of Ocean, State of New Jersey, as follows:

SECTION 1: The Township Committee of the Township of Ocean has previously designated the Township's governing body as the appropriate "Redevelopment Entity" pursuant to the provisions of N.J.S.A. 40A:12A-4. As a result, the Township Committee reviews proposed development in the Township's duly designated Redevelopment Zones. It is the purpose of this ordinance to establish and implement application and escrow review fees for such projects.

SECTION 2: Chapter 16 of the Township's Codified Ordinances shall be amended to provide a new subsection as follows:

Chapter 16.24 Fees and Charges for Proposed Redevelopment in the Township's Redevelopment Zones.

a. The following fees shall be payable in connection with submittals to the Township Committee of the Township of Ocean for all projects located within a duly designated Redevelopment Zone of the municipality. Said fee shall be nonrefundable and shall be used solely for purposes of processing said application or review. It shall include all work done in connection with said application or review other than those fees charged for professional services. The escrow fee charged for review shall be used exclusively for professional reviews by the "architects, engineers, planners and/or attorneys" employed by the municipality. Said escrow fees shall be so segregated for each application so that the fee to be paid shall be utilized only for the particular project. In the event any of the escrow remains unused at the conclusion of the application, said amount that is not utilized shall be returned to the applicant upon written request. If the escrow fee charged is insufficient so as to cover the professional fees applicable to that particular project, then that applicant shall be required to pay all deficiencies within his or her individual account. When it has been determined that an escrow account has been depleted by two-thirds (2/3) of the original fee, same shall be replenished by an additional one-third (1/3) of the original escrow fee.

SECTION 3: The following fees shall be established for review by the Township Committee for projects within a duly designated Redevelopment area.

	Application Fee	Escrow Fee
Residential (Single lot)	\$ 350.00	\$ 500.00
Residential (more than one lot)	\$ 750.00	\$ 2,500.00
Commercial	\$ 1,250.00	\$ 5,000.00

In addition, any escrow fees remaining on account after the conclusion of review by the Township's Redevelopment entity may be utilized for purposes of escrow deposits for applications before the Township's Planning Board or returned to the applicant at the applicant's option. All such escrow fees shall be maintained in accordance with the provisions of the New Jersey Municipal Land Use Law, N.J.S.A. 40:55d-1 et seq.

SECTION 4: All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

SECTION 5: If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions.

SECTION 6: This ordinance shall take effect after second reading and publication as required by law.

NOTICE

NOTICE IS HEREBY GIVEN that the foregoing Ordinance was introduced and passed upon first reading at a Regular Business Meeting of the Township Committee of the Township of Ocean in the County of Ocean and State of New Jersey on the 10th day of January 2006 and will be considered for second reading and final passage and adoption at a Regular Business Meeting of said Committee on the 9TH day of February, 2006 at 7:30 P.M. at Committee Chambers, Town Hall, 50 Railroad Avenue, Waretown, New Jersey at which time and place any person desiring to be heard upon the same will be given an opportunity to be so heard.

**DOROTHY R. HORNER, RMC
TOWNSHIP CLERK**

**TOWNSHIP OF OCEAN
ORDINANCE NO. 2005-35**

**AN ORDINANCE OF THE TOWNSHIP OF OCEAN
FACILITATING THE PROVISION OF AFFORDABLE
HOUSING IN THE THIRD HOUSING CYCLE IN
CONNECTION WITH RESIDENTIAL AND
NONRESIDENTIAL GROWTH AND DEVELOPMENT**

WHEREAS, the New Jersey Supreme Court and New Jersey Legislature have recognized and mandated in So. Burl. Co. NAACP v. Mount Laurel, 92 N.J. 158 (1983) ("Mount Laurel II") and the Fair Housing Act, N.J.S.A. 52:27D-301, et. seq. ("FHA") that every municipality in New Jersey has an affirmative obligation to facilitate the prompt provision of affordable housing; and

WHEREAS, the New Jersey Council on Affordable Housing ("COAH") is the state administrative agency created pursuant to the FHA vested with primary jurisdiction for the administration of affordable housing obligations in accordance with sound regional planning considerations in New Jersey; and

WHEREAS, COAH's third cycle Substantive Rules [N.J.A.C. 94-1, et. seq.] seek to implement a "growth share" approach to affordable housing production which the Township of Ocean feels is fair, equitable and reasonable because it requires affordable housing to be produced in conjunction with all residential and nonresidential growth and development on a uniform and Township-wide basis in conjunction with normal growth and market forces thereby (a) evenly distributing housing production, and (b) avoiding the concentration and segregation of affordable units and low and moderate income households to isolated locations within communities; and

WHEREAS, the Township of Ocean desires to implement the "growth share" policies promulgated and announced by COAH in its third cycle Substantive Rules in an effort to foster

the production of affordable housing opportunities for the Mount Laurel beneficiaries through the third housing cycle which extends from 2000 to 2014.

NOW, THEREFORE, BE IT ORDAINED AND ESTABLISHED by the Township Committee of the Township of Ocean, County of Ocean and State of New Jersey that Chapter 130 of the Development Regulations Code of the Township of Ocean be and is hereby amended as follows:

SECTION 1. – Legislative Intent.

The legislative intent set forth in the above preambles and recitals are hereby adopted and incorporated by reference herein as if set forth herein at length.

SECTION 2. – The following entitled “Affordable Housing” is hereby added to Title 15 entitled **Buildings and Construction**:

AFFORDABLE HOUSING

Uniform Affordable Housing Productions Based Upon “Growth Share”.

- A. Residential Development. Except as otherwise provided below, any residential development in any zoning district in the Township shall provide one unit of affordable housing as defined in COAH’s rules for every eight (8) new market-rate units that are produced. Any fraction .5% or above shall be rounded to the next higher number. Any subdivision or site plan proposing between three (3) units and seven (7) units shall be responsible for making a monetary contribution to the Township’s Affordable Housing Trust Fund by multiplying the total number of new lots and/or units by the sum of \$4,375.00. Said payment shall be in addition to the payment of affordable housing development

fees and shall be due and owing at the time of execution of the subdivision plat or subdivision deeds and/or execution of the approved site plan by the Township.

- B. Nonresidential Development. All nonresidential development applications submitted to the Planning Board or Board of Adjustment shall be required to produce one nonage-restricted affordable housing unit meeting COAH's eligibility criteria for every twenty-five (25) new jobs or employment opportunities created in the Township as a result of the proposed nonresidential development project. The calculation of the number of jobs and employment opportunities shall be in accordance with Appendix E to N.J.A.C. 5:94-1, et seq. entitled "UCC Use Groups for Projecting and Implementing Nonresidential Components of Growth Share". All calculations resulting in a number of jobs or housing units that is not a whole number shall be rounded to the next higher number if the result is .5 or greater. Any nonresidential development application that will produce less than 25 new jobs or employment opportunities pursuant to Appendix E, shall be responsible for making a monetary contribution to the Township's Affordable Housing Trust Fund by multiplying each new job that is produced by the sum of \$1,400.00. Said payment shall be in addition to the payment of affordable housing development fees and shall be due and owing at the time of execution of the subdivision plat or subdivision deeds and/or execution of the site plan by the Township.

C. The applicant may choose to satisfy its affordable housing production obligation(s) through the mechanisms permitted in COAH's rules, including, with Ocean Township's advanced written permission (a) on-site housing production in connection with residential projects, (b) the purchase of one or more existing market-rate homes at another location in the community and their conversion to affordable price-restricted homes in accordance with COAH's criteria, regulations and policies, (c) the funding of a Regional Contribution Agreement ("RCA"), and/or (d) participation in gut rehabilitation and/or buy-down/write-down, buy-down/ rent-down programs. Evidence of compliance shall be produced to the Planning or Zoning Board at the time of application filing and shall be a condition of all "completeness" determinations. Thereafter, evidence of satisfaction of affordable housing compliance shall be an automatic condition of all approvals that must be satisfied prior to the issuance of the project's first building permit.

D. Low and Moderate Income Split and Compliance with COAH's Rules.

The affordable unit(s) to be produced pursuant to Paragraphs A, B and C (above) shall be available to a low income individual or household should only one affordable unit be required. Thereafter, each of the units shall be split evenly between low and moderate income individuals and households except in the event of an odd number in which event the unit shall be a low income unit. All affordable units shall strictly comply with COAH's Rules and policies including, but not limited to, phasing, bedroom

distribution, controls on affordability, range of affordability, affirmative marketing, income qualification, etc. It shall be the developer's responsibility, at its cost and expense, to arrange for a COAH and Township approved qualification service to ensure full COAH compliance and file such certifications, reports and/or monitoring forms as may be required by COAH or the Court to verify COAH compliance of each affordable unit.

- E. Exemption. Residential inclusionary projects constructed in the affordable housing districts identified in the Township's COAH and/or judicially approved second round Housing Element and Fair Share Plan shall be exempt from the requirements of this Ordinance. However, a nonresidential growth share responsibility in accordance with this Ordinance shall be attributable to all nonresidential uses constructed in mixed-use and/or nonresidential projects in the Township's existing affordable housing districts. Moreover, all growth share affordable units produced by virtue of this Ordinance shall be exempt from the payment of residential Affordable Housing Development Fees. However, market-rate residential and nonresidential Development Fees shall remain due and owing pursuant to the Township's Court approved Development Fee Ordinance except for exempt residential inclusionary developments.

SECTION 3. – Severability.

If any paragraph, section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any Court or administrative

agency of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining paragraphs or sections hereof.

SECTION 4. – Inconsistency.

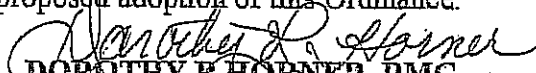
All ordinances or parts of ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

SECTION 5. – Effective Date.

The Ordinance shall take effect upon final passage and publication according to law and filing with the Ocean County Planning Board in accordance with N.J.S.A. 40:55D-16.

NOTICE

NOTICE IS HEREBY GIVEN that the foregoing Ordinance was introduced and passed by the Township Committee of the Township of Ocean on first reading at a meeting held on the 22nd day of September 2005. The Ordinance will be considered for second and final reading at a meeting of the Township Committee which is scheduled for the 13th day of October, 2005 at 7:30 p.m., or as soon thereafter as the matter may be reached, at the Municipal Building located at 50 Railroad Avenue, Waretown, New Jersey, at which time the public is invited to ask questions, raise objections, or provide public comment with regard to the proposed adoption of this Ordinance.


DOROTHY R. HORNER, RMC
TOWNSHIP CLERK

TOWNSHIP OF OCEAN
ORDINANCE NO. 2005-16

AN ORDINANCE TO AMEND TITLE 18 OF THE CODIFIED ORDINANCES OF THE TOWNSHIP OF OCEAN TO PROVIDE FOR THE COLLECTION OF AFFORDABLE HOUSING DEVELOPMENT FEES IN ACCORDANCE WITH THE ADOPTED HOUSING PLAN ELEMENT AND FAIR SHARE PLAN OF THE TOWNSHIP OF OCEAN AND THE RULES AND REGULATIONS OF THE COUNCIL ON AFFORDABLE HOUSING.

BE IT ORDAINED by the Township Committee of the Township of Ocean, in the County of Ocean, that it does hereby supplement and amend Title 18 of the Codified Ordinances of the Township of Ocean as follows:

SECTION 1: RESIDENTIAL DEVELOPMENT FEES:

Section 18.79.020 Residential Development Fees -Subparagraph A is hereby amended to read as follows:

A. Unless otherwise exempted as per Section 18.79.040, developers of residential development shall pay development fee of one percent (1%) of the equalized assessed value (EAV) of the residential development provided that no increased density is permitted greater than that currently permitted.

SECTION 2: NONRESIDENTIAL DEVELOPMENT FEES:

Section 18.79.030 Nonresidential Development Fees - Subparagraph A 1 and 2 are hereby amended to read as follows:

A. Unless otherwise exempted as per Section 18.79.040, developers of nonresidential development shall pay an affordable housing development fee as follows:

1. Two percent (2%) of the equalized assessed value (EAV) for all new non-residential development.

2. Two percent (2%) of the increase in equalized assessed value (EAV) due to expansion, full or partial demolition and reconstruction, improvement, and/or alteration of any nonresidential building.


SECTION 3: All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

SECTION 4: If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions.

SECTION 5: This ordinance shall take effect after second reading and publication as required by law.

NOTICE

NOTICE IS HEREBY GIVEN that the foregoing ordinance was introduced and passed by the Township Committee on first reading at the Regular Meeting of the Township Committee held on April 14th, 2005, and will be considered for second reading and final passage on the 12th, day of May, 2005 at 7:30 p.m. in Committee Chambers, at the Municipal Building, 50 Railroad Avenue, Waretown, N. J. at which time and place any person desiring to be heard upon the same will be given the opportunity to be so heard.


DOROTHY R. HORNER, RMC
TOWNSHIP CLERK

ORDINANCE NO. 2005-39

AN ORDINANCE OF THE TOWNSHIP OF OCEAN, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER 17 OF THE TOWNSHIP CODE OF THE TOWNSHIP OF OCEAN ENTITLED "SUBDIVISION"

BE IT ORDAINED by the Township Committee of the Township of Ocean, County of Ocean, State of New Jersey as follows:

SECTION 1: Chapter 17 of the Township Code of the Township of Ocean entitled "Subdivisions" and in particular Chapter 17.20 (Design Standards) is hereby amended to provide as follows:

17.20.220 RECREATION FACILITIES:

In all major subdivisions and residential site plans, the developer shall reserve an area in reasonable proportion to the size of the proposed development for recreational purposes. The developer shall improve this area for active and passive recreation. Plans for the improvement of this recreation area shall be included in any preliminary plat and final construction drawings for any major subdivision or residential site plan. The developer shall have the option to post an off-tract assessment in the amount of Thirty-five Hundred dollars (\$3,500.00) per lot or dwelling unit to be used for the construction of recreational facilities within the Township or provide services or property equal to said amount.

SECTION 2: After introduction of this ordinance, the Municipal Clerk shall send a copy of this Ordinance to the Municipal Land Use Board for it's review and comment. The Municipal Clerk shall also send copies of this ordinance to all adjoining municipalities pursuant to N.J.S.A. 40:55D-26 and the Ocean County Planning Board pursuant to N.J.S.A. 40:5D-16 by certified mail at least 10 ten prior to the proposed second reading and adoption of this ordinance.

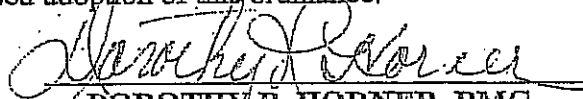
SECTION 3: All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

SECTION 4: If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions.

SECTION 5: This Ordinance shall take effect after second reading and publication as required by law.

NOTICE

NOTICE IS HEREBY GIVEN that the foregoing Ordinance was introduced and passed by the Township Committee of the Township of Ocean on first reading at a meeting held on the 27th day of October, 2005. Said Ordinance will be considered for second and final reading at a meeting of the Township Committee which is scheduled for the 10th day of November, 2005 at 7:30 p.m., or as soon thereafter as the matter may be reached, at the Municipal Building located at 50 Railroad Avenue, Waretown, New Jersey, at which time the public is invited to ask questions, raise objections, or provide public comment with regard to the proposed adoption of this ordinance.


DOROTHY R. HORNER, RMC
TOWNSHIP CLERK

ORDINANCE NO. 2006-21

AN ORDINANCE TO AMEND AN ORDINANCE, ENTITLED
SECTION 17.20.60 OF THE CODIFIED ORDINANCES OF THE
TOWNSHIP OF OCEAN, CHAPTER 17 SUBDIVISIONS AS IT
PERTAINS TO SHADE TREES.

BE IT ORDAINED by the Township Committee of the Township of Ocean, in the County of Ocean and State of New Jersey as follows:

SECTION 1: That Chapter 17.20.60 shall be amended to read as follows:

17.20.60 Shade Trees

- A. In each subdivision of land, the developer shall plant in tree wells along either side of the streets, proper shade or decorative trees at a maximum distance of fifty (50) feet between trees. The minimum distance between such trees planted shall be forty (40) feet. Planting sites shall be indicated on all maps, except maps submitted for final approval.
- B. All trees planted in accordance with the provisions of this chapter shall be placed in a proper manner and in a good grade of topsoil and within the area of the tree well, at point where the tree is planted.
- C. All shade trees to be planted in accordance with this chapter shall be nursery grown, of substantially uniform size and shape and shall have straight trunks, but shall conform in all other respects with the provisions for trees and tree plantings outlined in this chapter.
- D. In areas adjacent to rivers, with freshwater wetlands soils moist soils, the real estate developers shall plant one of the following kinds of trees:

Pick a minimum of two variations of trees listed and one indigenous tree for bio-diversity throughout the property.

1. London Plane Thorn less
2. Honey Locust (Gleditschia Triacanthos Inermis – Thornless)
3. Willow Oaks
4. River Birch
5. Sweet Gum
6. Black Gum
7. Sweet bay Magnolia
8. Green Ash
9. Red Maple

- E. In the Upland which is away from rivers, bays and lagoons and not adjacent to large bodies of water, the real estate developers shall plant one of the following kinds of trees:

Pick a minimum of two variations of trees listed and one indigenous tree for bio-diversity throughout the property.

1. Crape Myrtle – “Signature Tree of the Community”

Each Development on the Route 9/Route 532 Corridor and Major and minor subdivision must incorporate a few trees in their site plan for the accent color.

2. Zelkova
3. Scarlet Oak
4. Red Maple
5. Green Ash
6. Bradford Pear/Callery Pear
7. Japanese Cherry
8. Kousa Dogwood
9. Honey Locust
10. Pitch Pine
11. Golden Rain Tree
12. London Plane Tree
13. Scholar Tree
14. Lacebark Elm
15. Red Cedar

- F. In the waterfront property and property in the vicinity of large bodies of water not covered by subsection E of this section, the real estate developers shall plant one of the following kinds of trees

Pick a minimum of two variations of trees listed and one indigenous tree for bio-diversity throughout the property.

1. Callaway Pear
2. Red Cedar
3. London Plane Tree
4. Pitch Pine
5. Golden Rain Tree
6. Scholar Tree
7. Black Gum
8. Japanese Black Pine
9. Poplar – Populus Alba – White Poplar/Silver Leaf Poplar
10. Japanese Cherry

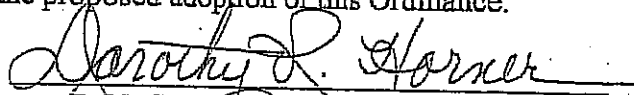
SECTION 2: All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

SECTION 3: If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions.

SECTION 4: This Ordinance shall take effect after second reading and publication s required by law.

NOTICE

NOTICE IS HEREBY GIVEN that the foregoing Ordinance was introduced and passed by the Township Committee of the Township of Ocean on first reading at a meeting held on the 25th day of May, 2006 Said Ordinance will be considered for second and final reading at a meeting of the Township Committee which is scheduled for the 22nd day of June, 2006 at 7:30 p.m., or as soon thereafter as the matter may be reached, at the Municipal Building located at 50 Railroad Avenue, Waretown, New Jersey, at which time the public is invited to ask questions, raise objections, or provide public comment with regard to the proposed adoption of this Ordinance.


DOROTHY R HORNER, RMC
TOWNSHIP CLERK

ORDINANCE 2007- 31

AN ORDINANCE AMENDING CHAPTER 17.20 ENTITLED "DESIGN STANDARDS" TO CREATE STREETScape ELEMENT STANDARDS TO ENSURE UNIFORM STREETScape ELEMENTS IN THE WARETOWN TOWN CENTER

BE IT ORDAINED by the Township Committee of the Township of Ocean, County of Ocean, State of New Jersey as follows:

SECTION 1: The Land Use Board of the Township of Ocean adopted a periodic examination of the Township's Master Plan and Land Use Element thereof. That report, dated November 2005, included certain amendments to the Land Use Plan Element and Circulation Plan Element of the Township's Master Plan which are designed to provide the planning framework and foundation for implementation of the Township's proposed Waretown Town Center as well as proposals to meet land use goals, environmental goals, housing needs, open space goals, circulation, parking, design, economic development and utility infrastructure goals.

SECTION 2: Title 17.20, Design Standards, is hereby amended in include the following new streetscape furnishing requirements in the Waretown Town Center:

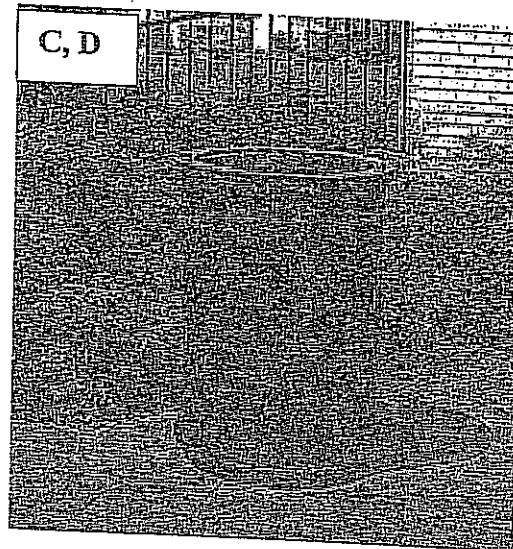
17.20.230 Streetscape furnishings:

A. Background.

The purpose of this section is to establish standards to ensure uniform streetscape elements in the Waretown Town Center.

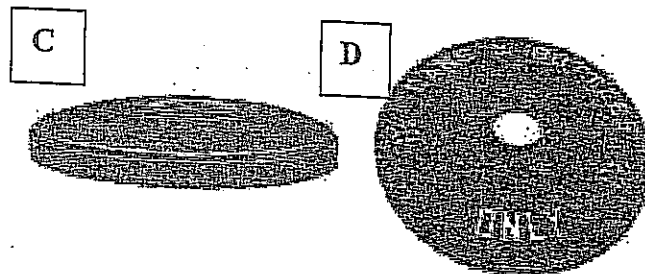
B. Applicability. This subsection shall be applicable to all site plans, subdivisions and other development applications before an approving authority of the Township. These standards are supplementary to the site plan and subdivision design standards outlined elsewhere in Title 17 and are applicable to all future development in the Waretown Town Center boundary. To provide a uniform design, a specific manufacturer has been identified for each site furnishing. Other manufacturers providing an exact replica of the identified furnishings may be substituted for the identified furnishings upon written approval from Ocean Township.

C. Litter Receptacle. DuMor Site Furnishings Model 102-32SH - Thirty two gallon all-steel receptacle with steel shield and tapered flat cover lid. Color - Black.

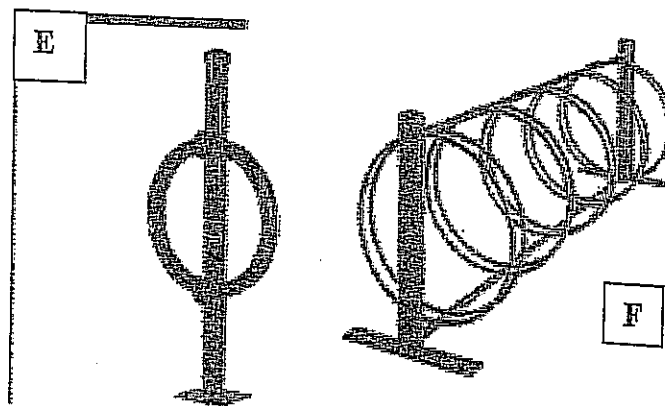


D. Recycling Receptacle - DuMor Site Furnishings Model 102-32SH - Thirty two gallon all-steel receptacle with steel shield and RC-Recycled Lid "Cans & Bottles Only". Color - Black.

E. Bollard Bike Rack - Maglin Site Furniture Incorporated Model MBR200 - direct burial bollard style bike rack. Color - Black.



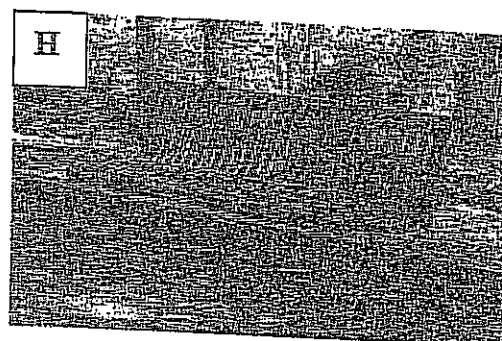
F. Bike Rack - Urban Accessories - Model D - Color - Black. Length - 6 feet or as approved by the reviewing authority.



G. Light Pole and Fixture - King Luminaire - Fixture Model - K-199 "California Style". Color - Standard Black. Pole - 13 Foot "Cleveland" style decorative fluted fiberglass pole. Color - Black.



H. Bench - DuMor Site Furnishings Model 119-60 - Six foot long bench. Color - Black.



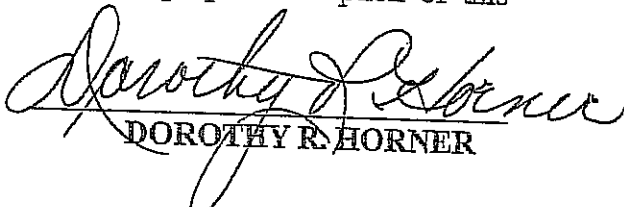
SECTION 5: All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

SECTION 6: If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions.

SECTION 7: This ordinance shall take effect after second reading and publication as required by law.

NOTICE

NOTICE IS HEREBY GIVEN that the foregoing Ordinance was introduced and passed by the Township Committee of the Township of Ocean on first reading at meeting held on the 13th day of September, 2007. The Ordinance will be considered for second and final reading at a meeting of the Township Committee which is scheduled for the 27th day of September 2007, at 7:30 p.m., or as soon thereafter as the matter may be reached, at the Municipal Building located at 50 Railroad Avenue, Waretown, New Jersey, at which time the public is invited to ask questions, raise objections, or provide public comment with regard to the proposed adoption of this Ordinance.


DOROTHY R. HORNER

H:\OTREAG0701\CALCULATIONS & REPORTS\STREETSCAPE ORDINANCE 2007.DOC