

RESOLUTION NO.: 2016-15

**RESOLUTION OF THE COMBINED PLANNING/ZONING BOARD OF
ADJUSTMENT OF THE TOWNSHIP OF ELK, COUNTY OF GLOUCESTER, STATE
OF NEW JERSEY, REPORTING BACK TO THE MAYOR AND TOWNSHIP
COMMITTEE OF ELK REGARDING A REFERRAL TO THE BOARD AS TO THE
ADOPTION OF AN AMENDMENT TO CHAPTER 96 OF THE TOWNSHIP CODE
ENTITLED “UNIFIED DEVELOPMENT”**

WHEREAS, Ordinance No. 0-5-2016, “An Ordinance of the Mayor and Committee of the Township of Elk, County of Gloucester, State of New Jersey, Amending Chapter 96 entitled ‘Unified Development’ of the Code of the Township of Elk” was introduced and passed upon first reading at a meeting of the Mayor and Township Committee (the “Committee”) held on Tuesday, May 17, 2016 at 7:30 PM, time prevailing; and

WHEREAS, did the Committee also adopt at said meeting, immediately after introducing Ordinance No. 0-5-2016, Resolution R-78-2016, which referred said Ordinance No. 0-5-2016 to the Combined Planning/Zoning Board of Adjustment of the Township of Elk (the “Board”) pursuant to N.J.S.A. 40:55D-26.a. of the Municipal Land Use Law (“MLUL”) which requires that prior to final adoption of a development regulation, revision or amendment thereto, a planning board shall make and transit to the governing body within 35 days of said referral, a report identifying any portions of said ordinance that are inconsistent with the Master Plan;

NOW, THEREFORE, BE IT RESOLVED the Combined Planning/Zoning Board of Adjustment of the Township of Elk, County of Gloucester, State of New Jersey, as follows:

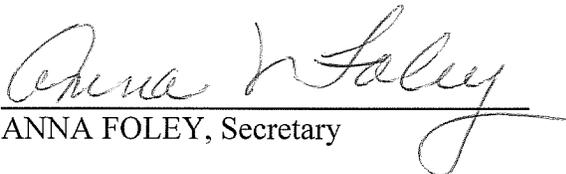
Proposed Ordinance No. 0-5-2016, as introduced and passed upon first reading on May 17, 2016 by the Mayor and Members of Township Committee of Elk Township, has been found by the Board to be in substantial compliance with the purposes and intent of the Township’s Master Plan, as well as all other applicable matters as set forth in N.J.S.A. 40:55D-26, and the Board fully supports the adoption of same by the Mayor and Township Committee.

**ADOPTED AT A MEETING OF THE COMBINED PLANNING/ZONING BOARD
OF ADJUSTMENT OF THE TOWNSHIP OF ELK, COUNTY OF GLOUCESTER,
STATE OF NEW JERSEY**, held on May 18, 2016, with the following Board members voting in the affirmative on the adoption of this resolution: Hughes, Nicholson, Poisker, Shoultz, White, Goss (Alternate Member #1). There were no votes in the negative and no abstentions or recusals. The following Board members were absent: Barbaro, McCreery, McKeever, Schmidt, and Penza (Alternate Member #2).

**ELK TOWNSHIP COMBINED PLANNING/ZONING
BOARD OF ADJUSTMENT**

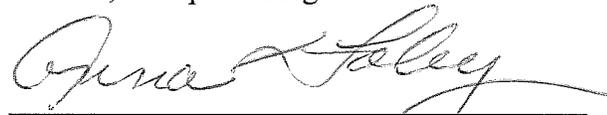
By: 
JEANNE WHITE, Chairperson

ATTEST:


ANNA FOLEY, Secretary

CERTIFICATION

I do hereby certify that the foregoing resolution is a true copy of a resolution adopted by the Combined Planning/Zoning Board of Adjustment of the Township of Elk, County of Gloucester, State of New Jersey, held on May 18, 2016 in the Elk Township Municipal Building, 680 Whig Lane Road, Monroeville, N.J. at 7:30 PM, time prevailing.


ANNA FOLEY, Secretary

ORDINANCE O – 5 – 2016

AN ORDINANCE OF THE MAYOR AND COMMITTEE OF THE TOWNSHIP OF ELK,
COUNTY OF GLOUCESTER, STATE OF NEW JERSEY AMENDING CHAPTER 96
ENTITLED "UNIFIED DEVELOPMENT" OF THE CODE OF THE TOWNSHIP OF ELK

WHEREAS, the Mayor and Committee of the Township of Elk have determined that certain amendments to Chapter 96 entitled "Unified Development" are necessary; and

WHEREAS, in all other respects Chapter 96 entitled "Unified Development" shall remain in full force and effect;

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Committee of the Township of Elk, in the County of Gloucester and State of New Jersey, and it is hereby enacted and ordained by the authority of same as follows:

Section 1.

§96-76 entitled "**Commercial-Neighborhood District (C-1)**" shall be amended to read as follows:

B. Permitted uses in the C-1 District.

- (1) Customary and conventional agricultural uses and farm dwellings when associated with a qualified agricultural use. The use must be assessed for tax purposes for farming/agriculture. [Amended 5-3-2007 by Ord. No. O-2007-3]
- (2) Retail business or service activities of and similar to the following types:
 - (a) Groceries and foodstuffs.
 - (b) Drugs and pharmaceuticals.
 - (c) Confectionery.
 - (d) Stationery and tobacco.
 - (e) Hardware and paints.
 - (f) Bakery.
 - (g) Periodicals and newspapers.
 - (h) Barber and beauty shops.
 - (i) Tailoring and dressmaking.
 - (j) Dry cleaning.
 - (k) Shoe repairing.
 - (l) Self-service laundries.

- (m) Radio and television service.
 - (n) Funeral homes.
 - (o) Restaurants with or without liquor licenses, and taverns.
 - (p) Retail package liquor stores.
- (3) Golf courses.
- (4) Professional and general office use. [Amended 5-5-2005 by Ord. No. O-2005-2]

Section 3. Repealer.

All prior Ordinances or parts of Ordinances inconsistent with this Ordinance be and the same are hereby repealed to the extent of such inconsistencies.

Section 4. Severability.

Should any section, clause, sentence, phrase or provision of this Ordinance be declared unconstitutional or invalid by a Court of competent jurisdiction, such decision shall not affect the remaining portions of this Ordinance.

When effective.

This Ordinance shall take effect immediately upon final passage and publication in accordance with law.

TOWNSHIP OF ELK

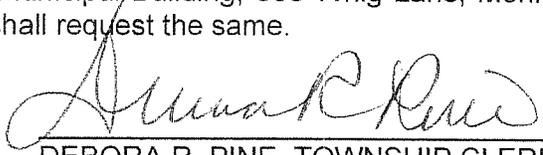
ATTEST:

EDWARD POISKER, MAYOR

DEBORA R. PINE, TOWNSHIP CLERK

PUBLIC NOTICE

The Ordinance published herein was introduced and passed upon first reading at a meeting of the Mayor and Committee of the Township of Elk, in the County of Gloucester and State of New Jersey, held on May 17, 2016. It will be further considered for final passage, after public hearing hereon, at a meeting of said Mayor and Committee to be held in the Township Municipal Building on June 21, 2016, at 7:30 P.M. During the week prior and up to and including the date of such meeting, copies of said Ordinance will be made available at the Clerk's office at the said Municipal Building, 680 Whig Lane, Monroeville, New Jersey, to the members of the general public who shall request the same.



DEBORA R. PINE, TOWNSHIP CLERK

RESOLUTION R-78-2016

**RESOLUTION OF THE MAYOR AND COMMITTEE OF THE TOWNSHIP OF ELK,
COUNTY OF GLOUCESTER, STATE OF NEW JERSEY, REFERRING
ORDINANCE O-5-2016 TO THE ELK TOWNSHIP
COMBINED PLANNING/ZONING BOARD FOR REVIEW**

WHEREAS, certain amendments to Chapter 96 entitled "Unified Development" are necessary; and

WHEREAS, the Mayor and Committee of the Township of Elk hereby refer the proposed Ordinance amendment to the Township's Combined Planning/Zoning Board for review and comment.

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

That proposed Ordinance O-5-2016 is referred to the Township's Combined Planning/Zoning Board for review and comment.

ADOPTED at a regular meeting of the Elk Township Committee held on May 17, 2016.

TOWNSHIP OF ELK

BY: 

Edward Poisker, Mayor

ATTEST:



DEBORA R. PINE, Township Clerk

CERTIFICATION

I hereby certify that the above resolution is a true copy of a resolution adopted by the Township Committee of the Township of Elk, County of Gloucester, State of New Jersey, at a meeting held by the same on May 17, 2016 in the Elk Township Municipal Building, 680 Whig Lane R, Monroeville, New Jersey.



DEBORA R. PINE
Township Clerk