ORDINANCE 2016-10

**AN ORDINANCE OF THE TOWNSHIP OF OCEAN, COUNTY OF OCEAN, STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING ORDINANCE 2016-03 WITH RESPECT TO DEFINITIONS CONTAINED IN CHAPTER 410-8, 'ZONING'**

**BE IT ORDAINED** by the governing body of the Township of Ocean, County of Ocean, and State of New Jersey as follows:

**SECTION 1: This ordinance makes amendments to Chapter 410 of the Township Code to ensure compliance with the Pinelands Comprehensive Management Plan (CMP) (N.J.A.C. 7:50). The intention of these amendments is to ensure the Township of Ocean's definitions are in compliance with the Pinelands Comprehensive Management Plan (CMP) (N.J.A.C. 7:50).**

(added language is shown as underlined and deletions shown as ~~strikethroughs~~):

**SECTION 2:** Section 410-8, Definitions, of Chapter 410, Zoning, is hereby amended to supplement the following existing definitions as follows:

**CLEAR- CUTTING**

A silvicultural practice involving removal of an entire forest stand in one cutting for purposes of regeneration either obtained artificially, by natural seed or from advanced regeneration. "Clear-cutting" typically results in the removal of all woody vegetation from a parcel in preparation for the establishment of new trees; however, some trees may be left on the parcel, as defined by the Pinelands Comprehensive Management Plan (CMP) (N.J.A.C. 7:50).

~~The large-scale, indiscriminate removal of trees, shrubs and undergrowth with the intention of preparing real property for nonagricultural development purposes.~~

**CLEAR- CUTTING, NON- FORESTRY**

The large-scale, indiscriminate removal of trees, shrubs and undergrowth with the intention of preparing real property for nonagricultural development purposes.

**FLOODPLAIN**

The relatively flat area adjoining a water channel which has been or may be hereafter covered by floodwater, as defined by the Pinelands Comprehensive Management Plan (CMP) (N.J.A.C. 7:50).

**FLOOD HAZARD AREA, ~~FLOODPLAIN~~, AND FLOOD WAY**

As defined and regulated by the New Jersey Department of Environmental Protection (NJDEP) pursuant to the New Jersey Flood Hazard Area Control Act, N.J.S.A. 58:16A-50 et seq.

**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 8th day of September, 2016. 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 2016, at 6:30 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.

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DIANE B. AMBROSIO, RMC
Municipal Clerk

State of New Jersey
THE PINELANDS COMMISSION
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Sean W. Earlen
*Chairman*

Nancy Wittenberg
*Executive Director*

May 25, 2016

Diane B. Ambrosio, RMC
Administrator/Municipal Clerk
Township of Ocean
50 Railroad Avenue
Waretown, New Jersey 08758

Dear Ms. Ambrosio,

This letter is in response to your May 24, 2016 email to Brad Lanute of our staff concerning Ocean Township's request for an extension of the Commission's review period for Ordinance 2016-3.

Our initial review of the Ordinance 2016-3, submitted April 25, 2016, identified some inconsistencies between the adopted ordinance and the Comprehensive Management Plan (CMP). In particular, the revised definitions of "floodplain" and "clearcutting" included in the ordinance are no longer consistent with the definitions of those terms provided by the CMP. These concerns were communicated to your office via email on May 5, 2016. Subsequent email correspondences were exchanged between Brad Lanute and Christine Bell of T&M Associates with regard to the amendments necessary to bring Ordinance 2016-3 into conformance with the CMP.

It is our understanding that the Township of Ocean is actively working towards the adoption of these revisions. Therefore, the Executive Director hereby grants the Township of Ocean an extension of the Commission's review period for Ordinance 2016-3 through **August 30, 2016**. Please make arrangements to have a certified, adopted copy of the ordinance amending Ordinance 2016-3 provided to the Commission by August 30, 2016.

If you have any questions or concerns, please contact Mr. Brad Lanute of our staff.

Sincerely,

Larry L. Liggett

Larry L. Liggett
Director, Land Use & Technology Programs

SRG/DBL/COT
c: Dennis F. Tredy, Mayor (via email)
Christine Bell, T&M Associates (via email)