

**TOWNSHIP OF FAIRFIELD
ORDINANCE NO. 4 - 2018**

**AN ORDINANCE TO UPDATE THE ZONING ORDINANCE AND SPECIFICALLY THE REZONING OF BLOCK 52,
LOT 35 AND TRACT 8 AS PART OF THE MRCW (MARINE RECREATION CONSERVATION AND WILDLIFE ZONE)**

WHEREAS, the Fairfield Township Committee is committed to preservation of the Delaware Bay Estuary and did commit to undertake the subject zoning action by way of a Memorandum of Understanding between Wildlife Preserves, Inc., and Fairfield Township which Memorandum of Understanding was dated July 19, 2005 relating to certain waterfront portions of the Township; and,

WHEREAS, Fairfield Township was a part in litigation related to Seabreeze known as Wildlife Preserves, Inc. v. New Jersey Department of Environmental Protection, Fairfield Township and Tri-State Dredging Company which litigation was filed in the Superior Court of New Jersey, Cumberland County, Law Division, known as Docket No. CUM-L-698-10, which litigation was resolved by way of a Settlement Agreement and Mutual Release executed by and between all the parties and which Agreement further called for the Township to perfect and adhere to the updated zoning regulation called for in the July 19, 2005 Memorandum of Understanding;

NOW, THEREFORE, be it resolved by the Township Committee of the Township of Fairfield, with the Fairfield Township Planning and Zoning Board having reviewed and considered the qualification for the updated MRCW (Marine Recreation Conservation and Wildlife Zoning) Ordinance, for purposes of preservation of the Delaware Bay Estuary shoreline and for purposes of fulfillment of the Memorandum of Understanding dated July 19, 2005 and for purposes of satisfaction of Section 5.f. of that Settlement Agreement in the above referenced litigation, the Township Committee does hereby approve the annexed updated Zoning Ordinance for that property known as Block 52, Lot 35, Tract 8 and any portion of Beach Avenue vacated by the Township being retained by Wildlife Preserves, Inc., Plaintiff in the above entitled litigation;

And the Township Committee does further specifically rezone Block 52, Lot 35 and Tract 8 pursuant to the above referenced Settlement Agreement as part of the MRCW Zone.

Section One. Repealer. All former Ordinances of the Township of Fairfield which are in conflict with the provisions contained in this Ordinance are hereby repealed upon the adoption of this Ordinance.

Section Two. The Marine zoning is updated to MRCW. The updated zoning for the MRCW zone is approved as attached in Exhibit A.

Section Three. Severability. If any part or parts of this Ordinance are held to be invalid for any reason such decision shall not affect the validity of the remaining portions of this Ordinance.

Section Four. This Ordinance shall take effect after final approval and publication as required by law.

DATE: October 17, 2018

TOWNSHIP OF FAIRFIELD

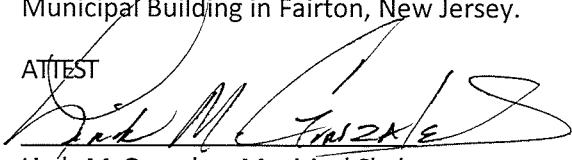
BY: 
Benjamin Byrd, Sr. - Mayor


Linda M. Gonzales - Municipal Clerk

STATE OF NEW JERSEY :
 :SS
COUNTY OF CUMBERLAND :

Please take notice that the above Ordinance was adopted after a Public Hearing at a meeting of the Fairfield Township Committee on the 17th day of October, 2018 at the Fairfield Township Municipal Building in Fairton, New Jersey.

ATTEST


Linda M. Gonzales - Municipal Clerk

Adoption: First Reading: October 3, 2018

Publication on First Reading: October 7, 2018

Second Reading/ Public Hearing: October 17, 2018

Final Adoption: October 17, 2018

Publication on Final Reading: October 21, 2018

Final Adoption:

Motion By: Clark

Seconded: Manson

Aye: Clark-Manson-Byrd

Abstain: None

Nay: None

Absent: GONZALEZ-PIERCE

Fairfield Township – Update to Appendix C of Master Plan

Zone or District	Site Plan Review	Min. Lot Area (acres)	Min. Lot Width	Min. Lot Frontage	Min. Lot Depth	Min. Front Yard Setback	Min. Side Yard Setback	Min. Rear Yard Setback	Max. Building Coverage	Max. Lot Coverage	Max. Building Height	Vegetative Buffers Along Side and Rear Yards
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MRCW
 Marine Recreation Conservation
 and Wildlife Zone

1. Principal Uses:

a) Environmental/Nature Center	x	0.25	75	0.00	100	15	10	0	75%	75%	25	0.00
b) Nature Observatory	x	0.25	75	0.00	100	15	10	0	75%	75%	25	0.00
c) Camp Facility	x	0.25	75	0.00	100	15	10	0	75%	75%	25	0.00
d) Park or Playground	x	0.25	75	0.00	100	15	10	0	75%	75%	25	0.00
e) Ranger Station with Facilities for Onsite Resident Ranger	x	0.25	75	0.00	100	15	10	0	75%	75%	25	0.00
f) Marina and Related Uses	x	0.25	75	0.00	100	15	10	0	75%	75%	25	0.00