

ARTICLE XXVIII
M-1 Light Industrial Zone

§ 245-241. Applicability.

The following regulations shall apply in all M-1 Light Industrial Zones.

§ 245-242. Permitted uses.

A. The following are permitted uses in the M-1 Zone:

- (1) Laboratories, comprising any of the following: aerodynamic, biological, chemical, dental, electronic, pharmaceutical and general.
- (2) Manufacturing of light machinery, comprising any of the following: carburetors and small machine parts; cash registers; sewing machines; and typewriters, calculators and other office machines.
- (3) Fabrication of metal products, comprising any of the following: baby carriages, bicycles and other vehicles, metal foil (tin, aluminum, etc.), metal furniture, musical instruments, sheet metal products and toys.
- (4) Fabrication of paper products, comprising any of the following: bags, bookbinding, boxes and packaging material, office supplies and toys.
- (5) Fabrication of wood products, comprising any of the following: boats, boxes, cabinets and woodworking, furniture and toys.
- (6) Food and associated industries, comprising any of the following: bakeries, bottling of food and beverages, food and cereal mixing and milling, food processing, food sundry manufacturing, ice cream manufacturing and manufacturing of spirituous liquor.
- (7) The warehousing of storage of goods and products.
- (8) Other permissible industry, comprising any of the following: brush and broom manufacturing; concrete and plastic products; electrical, light and power, and other utility company installation; electronic products; farm machinery manufacturing and service; glass products manufacturing; jewelry manufacturing, including gem polishing; laundering and cleaning establishments; leather goods manufacturing, except curing, tanning and finishing of hides; motion-picture exchange; pharmaceutical products manufacturing; photo finishing; pottery and ceramic products manufacturing; and thread and yarn manufacturing.
- (9) Building material storage. Lumber and other building material storage and sales yards may be located in the M-1 Zone, provided that:
 - (a) Retail sales must be conducted within an enclosed building, and retail sales areas may not exceed 20% of the gross floor area of all principal buildings.

- (b) All other regulations for the M-1 Zone shall be complied with.
- (10) Automobile washing establishment.
- (11) Automobile repair garage. However, auto wrecking, burning or other dismantling is prohibited.
- (12) Wholesaling or distributing establishment, except for used automobiles.
- (13) Contractors or craftsman's shop or equipment storage area, including general repair shop, except automobile dismantling or cannibalizing.
- (14) Truck terminal or hauling station, provided that:
 - (a) No vehicle or trailer shall be stored or parked in a required front yard space.
 - (b) The Planning Board shall determine, from site plans and supporting material submitted, that access patterns will not create or substantially increase a hazardous or congested traffic condition. (Provision of access for more than one major street is preferred.)
 - (c) Hours of operation will not be such as to disturb an adjoining residential district.
 - (d) Bulk storage of fuel above ground is prohibited.
 - (e) No fully or partially loaded truck or trailer for the hauling of liquid fuels may be parked or transferred at said terminal.
- (15) Offices for executive, professional or administration purposes.
- (16) Scientific or research laboratories, including the following: aerodynamic, biological, chemical, dental, electronic, pharmaceutical and general.
- (17) Data processing and printing uses.
- (18) The manufacturing of products, provided that the process includes only the assembly of previously prepared or refined materials. No process shall include chemical reaction, the use of heat other than soldering or welding, or any machinery, the operation of which will generate noise or vibration audible or otherwise perceptible at or beyond the property line on which the machinery is located.
- (19) Municipal buildings, volunteer first aid buildings and firehouses.
- (20) Public libraries. **[Added 3-25-2003 by Ord. No. 354-2C-03]**
- (21) Taxicab and limousine services. **[Added 3-27-2012 by Ord. No. 5-12]**
- (22) Microbrewery. **[Added 6-27-2017 by Ord. No. 13-17]**

§ 245-243. Accessory uses.

The following are permitted as accessory uses:

- A. Private garage space for the storage of commercial and industrial vehicles.
- B. Off-street parking space for the use of patrons and employees.
- C. Such dining and temporary sleeping facilities as may be necessary for the convenience of employees.
- D. Accessory use as defined in Part 1 of this chapter of the Code of the Township of Brick.

§ 245-244. Conditional uses. [Amended 12-31-1990 by Ord. No. 354-2J-90; 6-11-2001 by Ord. No. 354-2II-01; 11-28-2006 by Ord. No. 37-06; 5-27-2008 by Ord. No. 25-08]

The following uses are defined as conditional uses and may be permitted subject to the requirements as set forth for each particular use in Article XXXII, § 245-279 et seq.:

- A. Utility installations, provided that the requirements of Article XXXII are met.
- B. Quasi-public uses, provided that the conditions of Article XXXII are met.
- C. Industrial parks, provided that the conditions of Article XXXII are met.
- D. Places of assembly, parish houses, convents and cemeteries. **[Amended 4-19-2011 by Ord. No. 13-11]**
- E. Marinas and boatyards, provided that the marina or boatyard shall be located on a lot of not less than one acre.

§ 245-245. Area, yard and building requirements.

Area, yard and building requirements shall be as specified in the schedule, § 245-10, unless modified in accordance with Article XXXIII, § 245-299 et seq.

§ 245-246. Off-street parking.

Off-street parking requirements shall be as per Article XXXV, § 245-310 et seq., of this chapter.

§ 245-247. Sign requirements.

Sign requirements shall be as per Article XXXVI, § 245-312 et seq., of this chapter.

§ 245-248. Landscaping; storage; buffer zone.

- A. Industrial uses established in this zone shall set aside 25% of the tract which shall be devoted to seeding and landscaping and used for no other purposes.

- B. All activities or processes shall take place within an enclosed building. Incidental storage out of doors shall be shielded from any public street or adjacent residential zones by fencing, landscaping or other appropriate measure, to be indicated on the required site plan. Storage or parking areas for permitted building materials, equipment or vehicles shall be thoroughly screened from adjoining residences or residential zones by a solid and continuous fence or buffer zone as defined herein.
- C. Whenever the property line of an occupied lot in the M-1 Zone abuts or is directly across a street from a residential use or zone, a buffer zone of at least 50 feet in width shall be established in accordance with the provisions of § 245-409. The buffer zone may be increased depending upon the character and intensity of the proposed use. [Amended 6-26-1979 by Ord. No. 354-2B-79; 5-27-1980 by Ord. No. 354-21-80]

§ 245-249. Prohibited uses.¹

The following uses or activities are specifically prohibited in the M-1 Zone:²

- A. Residential dwelling units other than those utilized in conjunction with a permitted farm operation or required by industrial use.
- B. Retail businesses of any type, except as specified in § 190-110A(9).
- C. The manufacture of heavy chemicals, such as but not limited to mineral acids or other corrosives, ammonia, caustic soap and sulfuric acid; the manufacture of basic or semifinished chemicals, such as cellulose products, resins, explosives, combustible gases, soap and detergents, fertilizers derived from animal origins, asphalt and tar products; the manufacture or production of metals and alloys in ingot form; the manufacture or production of cement, plaster, cork and their constituents, matches, paints, oils, varnishes, lacquer, plastics and rubber products; and the slaughtering or processing of animals or fowl.

§ 245-250. Performance standards.

No proposed use shall be approved unless proof is provided that said use will meet the following requirements during its operation:

- A. Smoke control. Smoke control must meet the standards of the New Jersey Department of Environmental Protection (NJDEP) or the Environmental Protection Agency (EPA) or the Township of Brick, whichever standards are the most restrictive, as may hereafter be supplemented and amended.
- B. Control of noise. Noise control must meet the standards of the NJDEP or the EPA or the Township of Brick, whichever standards are the most restrictive, as may hereafter be supplemented and amended.
- C. Control of odors. Odor control must meet the standards of the NJDEP or the EPA

1. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

2. Editor's Note: See also § 245-25B of this chapter.

or the Township of Brick, whichever standards are the most restrictive, as may hereafter be supplemented and amended.

- D. Control of glare or heat. Glare or heat control must meet the standards of the NJDEP or the EPA or the Township of Brick, whichever standards are the most restrictive, as may hereafter be supplemented and amended.
- E. Control of vibration. Vibration control must meet the standards of the NJDEP or the EPA or the Township of Brick, whichever standards are the most restrictive, as may hereafter be supplemented and amended.
- F. Control of radioactivity or electrical disturbance. Radioactivity and electrical disturbance must meet the standards of the NJDEP or the EPA or the Township of Brick, whichever standards are the most restrictive, as may hereafter be supplemented and amended.
- G. Outdoor storage and waste disposal.
 - (1) No flammable or explosive liquids, solids or gases shall be stored in bulk above ground; provided, however, that tanks or drums of fuel directly connecting with energy devices, heating devices or appliances located on the same lot as the tanks or drums of fuel are excluded from this provision.
 - (2) All outdoor storage facilities for fuel, raw materials and products or industrial scrap waste products shall be enclosed by a fence adequate to conceal and protect the facilities.
 - (3) All materials or wastes shall be deposited upon a lot in such a way as to discharge any treated or untreated sewerage or industrial waste treatment and disposal, except as shall be approved by the proper authority.
- H. Provision and use of water. All water requirements shall be stated in the application. Water shall be supplied from wells only after an approved or accepted geologic study furnished by the applicant and certification by a professional geologist that the underground water supply and levels will not be appreciably altered in such a way as to endanger the water level and supply for other properties.
- I. Liquid wastes and effluents shall be discharged into an approved existing sewerage treatment system in accordance with OCSA regulations of that system and shall be treated in a treatment plant operated by the proposed use which is in compliance with the applicable state statutes and with the requirements of the NJDEP and which is approved by the Brick Township Utilities Authority.
- J. Precaution against fire hazards, proper handling and storage of materials and structural design and safeguards for the health and safety of workers shall comply with the applicable regulations and requirements of the State Department of Labor and Industry.

§ 245-251. Affordable Housing Trust Fund contribution. [Added 5-25-1993 by Ord. No. 354-2D-93]

The provisions of this article are subject to the mandatory fee contribution to the Brick Township Affordable Housing Trust Fund established in Article VI.