

Lower Alloways Creek Township Planning Board

P.O. Box 212, Hancock's Bridge, NJ 08038

Phone: (856) 935-1549 Ext. 656

A GUIDE FOR SUBMISSION OF APPLICATIONS

New or revised applications should be submitted for Completeness Review at least 10 days before the regular Planning Board meeting, which is held on the fourth Wednesday of each month at 7:00 p.m., Court Room, Municipal Building, Hancock's Bridge. An application will not proceed to hearing until it is complete in every detail. Attached are Checklists for your use and to share with the professional preparing the plat. Each item on the Checklists must be addressed or the application will be deemed incomplete. The completed Checklists must be part of the application submission.

If the application has been determined to be incomplete, you will be informed regarding the revisions or additional information needed. When you submit the requested revisions or information, it will once again be reviewed for completeness.

If the application has been determined to be complete, it will be placed on the agenda of the next regular Planning Board meeting. You will be notified of the meeting date and must be present at that meeting.

The Secretary has forty-five (45) days in which to return an incomplete application to the applicant for completion or to inform the applicant that the application is complete and scheduled for hearing. You will be informed of either of the above determinations along with further instructions. **IN THE CASE OF MAJOR SUBDIVISIONS OR SITE PLANS, WHICH MUST BE ADVERTISED, PLEASE DO NOT ADVERTISE UNTIL YOU ARE NOTIFIED THAT THE APPLICATION IS COMPLETE AND CAN BE PUT ON THE AGENDA OF THE REGULAR MEETING. NOTICE MUST APPEAR IN THE TODAY'S SUNBEAM OR THE BRIDGETON EVENING NEWS AT LEAST TEN DAYS PRIOR TO THE PUBLIC HEARING.**

A Resolution setting forth the Board's findings, conditions, and decision will be prepared for the Board's action at the next regular Planning Board meeting following the hearing. The Resolution will then be forwarded to the applicant. The conditions set forth must be met before deeds can be signed.

Application must also be made to the Salem County Planning Board for subdivision review. The Township must have notification of County approval or a determination that County approval is not required before deeds can be signed.

Deeds must be approved by the Planning Board Solicitor and the Township Engineer before they can be signed by the Planning Board Chairman and the Secretary. Also, all costs owed to the Township must be settled before the deeds can be signed.

Planning Board approval expires if the applicant fails to file with the County Recording Officer, Township Engineer, and Township Tax Assessor, copies of the subdivision plat or conveyance documents setting forth the Planning Board's approval within 190 days of the granting of such approval.

If you have any questions, please contact this office at your convenience. The Planning Board phone number is 935-1549 Ext. 656.

Irene Carney, Secretary

Rev: 02/09

Lower Alloways Creek Township Planning Board

P.O. Box 212, Hancock Bridge, NJ 08038
Phone: (856) 935-1549 Ext. 656

To: Applicants

From: The Planning Board

This letter of instruction and package is an attempt to assist your efforts in processing your request for relief from the Board, such as but not limited to, variances, subdividing your property, site plan approval, permission to build within a mapped street, flood plain, or on a lot which does not abut an improved dedicated street, agricultural division, interpretation of the zoning map, certification for non conformity, etc.

Neither the Secretary nor the Professionals retained by the Board are authorized to assist you in completing or processing the application since same would be a conflict of interest. Therefore, the Board will not entertain any representation that you relied upon any statements or directions provided by any Board agent and/or employee unless same has been formally resolved to be the position of the Board in connection with your application.

Attached hereto is the general application form, as well as all relevant checklists. The latter set forth items which must be submitted to the board before your application will be deemed complete.

It is recommended that you obtain the assistance of an Attorney, Professional Land Surveyor, Engineer, Architect, or other Professional in preparing and filing the application.

A copy of the Land Use Ordinance adopted by Lower Alloways Creek Township is available for your perusal in the Clerk's Office in the Municipal Building.

Your failure to comply with the Ordinance may result in your application being deemed incomplete and / or denied.

You must submit to the Board Secretary a completed application, checklist, fees required for the relief requested. When paying the required fee, you must specifically itemize the relief and the fee for each variance, etc. as required by the Ordinance. Failure to pay appropriate fees shall result in your application being deemed incomplete and returned. Please note that all appropriate Checklists must be submitted and each item either provided or a waiver therefrom requested. The notation of "not applicable" or "irrelevant" will result in

the application being deemed incomplete. In the event you do not feel a particular item on the Checklist is applicable, you must request a waiver and set forth, in writing, with particularity your reasons therefore.

If the requested waivers are not granted and you fail to provide required information within 15 days, your application will be denied without prejudice. You will be required to resubmit same, if you intend to proceed, and pay additional fees.

Upon receipt of the application the board shall have 45 days from the date it is received to determine whether or not the application is complete. In the event waivers are requested, the Board will advise you of a date to appear before the board for a hearing on the requests(s). It will be your obligation to establish that a waiver is appropriate in accordance with the procedures set forth in the Ordinance. If, upon initial review of your application, it appears that all items have not been provided and / or waivers requested, your application shall be deemed incomplete without further action by the Board.

If a letter is transmitted by the board advising of some of the reasons the application is incomplete same may be expanded upon at any time during the application.

If the Board deems your application complete, you will be advised and a hearing date will be scheduled. In the event your request requires public notification, you shall not notify the public of the hearing date until same is provided by the Board. If you notice before the Board schedules the hearing date, the Public will be advised you erroneously noticed them and you will be required to re-notice at your expense.

Again, be advised you have any questions regarding the application procedure, the Board Secretary and Professionals have been directed not to respond as they are in a position of conflict and / or do not possess the technical expertise that may be required to answer your question. If by chance you do request direction from the Board's staff or office and act thereon, same shall not be considered by the Board if the Board disagrees with the direction and / or advice given.

The procedure has been established for the purpose of treating all Applicants the same and to avoid your mistakenly relying upon direction given by the board's agents and / or employees.

8/1/05

**INSTRUCTIONS FOR FILING APPLICATIONS FOR VARIANCES PURSUANT TO
THE PROVISIONS OF THE LAND DEVELOPMENT ORDINANCE
OF THE TOWNSHIP OF LOWER ALLOWAYS CREEK**

1. The name and address of the Secretary of the Planning Board is Irene Carney
P. O. Box 212, Hancocks Bridge, NJ 08038 Phone: 856-935-1549 ext. 656.
2. The applicant must submit his formal written application to the Board on forms which may be obtained from the Secretary of the Board.
3. The applicant shall file twenty-one (21) copies of the application with the Secretary of the Board and a copy with the Zoning Enforcement Officer. Applicant must also file twenty-two (22) copies of the Schedule A - General Requirements, Schedule G - Variance, plus any appropriate Checklists.
4. The applicant shall attach to his application and file therewith twenty-two (22) copies of a plot plan showing (a) block and lot numbers, (b) dimensions of the lot, (c) dimensions of present and proposed structures, (d) location of all structures and distances between the various structures and property lines. If this plot plan is prepared by other than a licensed surveyor or architect, the applicant must furnish the Board with a written statement stating that all the information shown thereon is correct. If subdivision, site plan, or conditional use approval is also sought, applicant will submit twenty-two (22) copies of the relevant Schedules.
5. The application shall be accompanied by proof that no taxes or assessments for local improvements are due or delinquent on the property which is the subject of such application. (See Schedule A - General Requirements, Item A.2.) This proof may be submitted in the form of a receipted tax bill.
6. A list of any Checklist requirement(s) for which waiver approval is sought must be accompanied by a statement justifying the need for said waiver(s). (See Schedule A - General Requirements, Item A.7)
7. Upon receipt of the appeal or application and the required fee, and the application is deemed complete by the Application Review Committee, the Secretary of the Board will notify the applicant as to the day fixed for the hearing and give the applicant a copy of the form of notice required to be given to property owners and others required by law, and a copy of the form of the required affidavit that notice has been given. The Board shall have 45 days from the date the application is received to determine whether or not the application is complete.
8. At least ten (10) days prior to the time appointed for the hearing, the applicant shall give notice to all owners of property, within or without the municipality, located within 200 feet of the premises and where required, counties, municipalities, and the State.
9. Notice shall be given of the hearing by sending written notice by certified mail to the last known address of the property owner(s) or officials, or by handing a copy thereof to the said property owner(s) or officials.

10. All addresses of property owner(s) required to be served shall be obtained by the applicant from the current tax records of the municipality or from a list of property owners prepared by the Tax Assessor of the Township, upon the request of the applicant and the payment of the prescribed fee of \$10.00
11. The applicant shall prepare and sign before a notary public, one copy of the affidavit of proof of notice provided by the Secretary of the Board and submit it, together with a copy of the form of the required notice(s) to the Secretary of the Board no less than two (2) days before the hearing date.
12. The regular monthly meeting of the Planning Board is held on the fourth Wednesday at 7:00 p.m. in the Lower Alloways Creek Municipal Office Building, Locust Island Road, Hancock's Bridge, NJ.
13. In order to ensure speedy processing of the appeal or application, the applicant should be careful to comply fully and promptly with all requirements.
14. These instructions have been formulated by the Planning Board to assist applicants in proceedings before the Board. They are not intended to be all inclusive and the Board does not waive any provision of law not included herein.

LOWER ALLOWAYS CREEK TOWNSHIP
APPLICATION FORM FOR ACTION OF PLANNING BOARD

APPLICATION NO. _____ NAME OR LOCATION OF SUBDIVISION _____

1. Applicant: Name _____ Phone _____
Address _____

2. Agent Representing Applicant (if any) _____
Address _____

3. Present Owner (if other than applicant) _____
Address _____

4. Interest of Applicant _____

5. Location of Subdivision _____ Street _____

Tax Map: Plate # _____ Block # _____ Lot # _____ Existing Zoning _____

6. Number of Proposed Lots _____ Minimum Size Lot (Per Zoning Ord.) _____

7. Area of Entire Tract _____ Area to be Subdivided _____

8. Other Action of Board Requested _____

9. Intent of Applicant: Construct houses _____ Specify
Sell Lots only _____ for sale _____ Other _____

10. Person Preparing Sketch Plat:
Name _____ Phone _____

Address _____

11. Signature of Owner _____ Date _____

Signature of Applicant _____ Date _____

12. Date Received _____ Fee _____

Signature of Secretary of Planning Board _____

13. Recommendation of Subdivision Review Committee:

(a) Subdivision Classification _____ Major _____ Minor _____
(b) Decision _____ Approved _____ Denied _____
(c) Reasons for Action _____

Signature, Subdivision Committee Chairman _____ Date _____

14. Action of Planning Board:

(a) Confirm Subdivision Review Committee Recommendation _____

(b) Change Subdivision Review Committee Recommendation to: _____

TOWNSHIP OF LOWER ALLOWAYS CREEK

APPLICATION FOR VARIANCE

TO THE PLANNING BOARD:

An application is hereby made for Bulk(); Use(); Other()
variance from the terms of Articles(s) and Section(s) _____

of the Land Development Ordinance so as to permit _____

DESCRIPTION OF PROPOSED STRUCTURE OR USE:

Premises affected known as Block(s) _____, Lot(s) _____
Address _____

Applicant _____ Address _____

Owner _____ Address _____

Lessee _____ Address _____

Description of use of last previous occupancy _____

Size of Lot _____

Size of building(s) that is the subject of this application:

_____ feet front; _____ feet deep; _____ Height; _____ Stories

Percentage of lot occupied by building(s) _____, Frontage _____, Side
yards _____, Set-Back _____, Rear yard _____.

Zoning Requirements: Frontage _____, Side yards _____, Set-back _____,
Rear yard _____, Use Classification _____.

Prevailing set-back of adjoining buildings within one block _____ feet.

Has there been any previous appeal involving these premises? _____.

If so, state character of appeal and date of disposition _____

Proposed Use: _____.

This application for a variance includes an application for Subdivision
_____, Site Plan _____, Conditional Use _____.

(Continued)

ATTACHED HERETO AND MADE A PART OF THIS APPLICATION I SUBMIT THE FOLLOWING: NOTE: All these papers must be submitted with application.

1. Twenty-two (22) copies of a Plot Plan showing:
 - a. Block and lot numbers
 - b. Dimensions of the lot
 - c. Dimensions of present and proposed structures
 - d. Location of all structures and distances between the various structures and property lines
2. Twenty-two (22) copies of subdivision, site plan, or conditional use application, when applicable.
3. Proof of payment of property taxes to date.

File all copies with the Secretary of the Planning Board and a copy with the Zoning Enforcement Officer.

Date: _____

Signature of Applicant or Agent

APPLICATION FOR VARIANCE
PLANNING BOARD OF THE
TOWNSHIP OF LOWER ALLOWAYS CREEK

LIST OF PROPERTY OWNERS TO BE SERVED NOTICE

[illegible]

I certify that the above is an accurate and complete list of property owners and addresses. They must be given notice pursuant to the requirements of N.J.S.A. 40:55D-12. This list has been prepared from the most recent tax rolls.

Tax Assessor of
Lower Alloways Creek Township

Date _____

_____, New Jersey

Date: _____

Case No. _____

NOTICE OF HEARING TO PROPERTY OWNERS
(Cross out inapplicable sections)

TO WHOM IT MAY CONCERN:

In compliance with Section _____ of the Land Development Ordinance of the Township of Lower Alloways Creek, notice is hereby served upon you to the effect that (I) (we) _____

do hereby propose to (give detailed information) _____

Location of premises: Identify by Block and Lot number or street address: _____

The Zoning Officer of the Township of Lower Alloways Creek refused this request by reason of its being in violation of Section _____ of the Land Development Ordinance, from which decision (I) (we) appeal. (I) (we) have applied to the Planning Board for a (bulk) (use) variance, (together with subdivision _____, site plan _____, conditional use _____ approval, if applicable.

Any person or persons affected by this (appeal) or (application) may have an opportunity to be heard at the meeting to be held on _____ at _____ p.m. in the Lower Alloways Creek Township Municipal Building, located on Locust Island Road, Hancock's Bridge.

All documents relating to this application may be inspected by the public pursuant to arrangements made upon request to the Secretary of the Planning Board, Irene Carney, Phone: 856-935-1549 ext. 656.

Applicant(s) Signature

NOTE: This notice must be personally served or sent by certified mail at least ten days before the day of the hearing, and proof of service given to the Secretary of the Planning Board no less than two days before the day of the hearing. This notice must also be published in the TODAY'S SUNBEAM at least ten days prior to the date of the hearing.

AFFIDAVIT OF PROOF OF SERVICE

PLANNING BOARD OF THE
TOWNSHIP OF LOWER ALLOWAYS CREEK

Case No. _____ Filed: _____

PROOF OF SERVICE OF NOTICES REQUIRED BY STATUTE MUST BE
FILED AND VERIFIED WITH BOARD SECRETARY AT LEAST TWO (2)
DAYS PRIOR TO MEETING OR CASE WILL NOT BE HEARD.

STATE OF NEW JERSEY)
) ss.
COUNTY OF _____)

_____, of full age, being duly sworn
according to law, deposes and says that he/she reside(s) at _____
_____, in the municipality of _____
County of _____, and State of _____, that he/she
is/are the applicant(s) in a proceeding before the Planning Board of the
Township of Lower Alloways Creek, being an appeal or application under
the Land Development Ordinance, and which Case No. _____ and relates to
premises (Address or block and lot) _____
that on _____, 20____, he/she gave written notice of the hearing
on this application to each and all of the persons upon whom service must
be had, in the required form and according to the attached lists, and in
the manner indicated thereon.

Applicant(s) Signature

Sworn to and Subscribed before me
this _____ day of _____, 20____.

NOTE TO APPLICANT: Attach list of all persons served, manner of
service, and a copy of the form(s) of notice
served.

INFORMATION ABOUT EXPERTS

The following information, although not required, is respectfully requested to enable the Board to facilitate the processing of this application:

(A) Applicant's Attorney: _____ Phone No. _____
Name: _____
Address: _____

(B) Applicant's Engineer: _____ Phone No. _____
Name: _____
Address: _____

(C) Applicant's Architect: _____ Phone No. _____
Name: _____
Address: _____

(D) Applicant's Planner: _____ Phone No. _____
Name: _____
Address: _____

(E) Other Experts: _____ Phone No. _____
Name: _____
Address: _____

Name: _____
Address: _____

APPENDIX B

APPLICATION CHECKLIST

SCHEDULE G
ZONING VARIANCES
(Township of Lower Alloways Creek)

Applicants for zoning variances pursuant to N.J.S.A. 40:55D-70.c. or d. shall submit all information required in Checklist Schedule A and Checklist Schedule D, even if a site plan is not being sought. In addition, applicants for such zoning variances shall supply the following:

1. When the property was acquired by the applicant.
2. Indicate the prevailing zoning at the time of acquisition.
3. State the nature and disposition of any previous appeal, request or application to this or any other Township Board, or the Zoning or Construction Official involving this property.
4. Identify by letter and number, the subsection(s) of N.J.S.A. 40:55D-70 and the Lower Alloways Creek Land Development Ordinance under which the variance is sought.
5. Set forth and describe in detail the EXCEPTIONAL conditions or situation of the property preventing applicant from complying with the zoning ordinance and any peculiar and exceptional difficulties or exceptional and undue hardships claimed by applicant as a result of such condition or situation of the property.
6. Describe how the proposed deviation from the zoning ordinance requirements would advance the purposes of the Municipal Land Use Law, if that is a claimed basis for the variance.
7. Supply a statement of facts showing why the variance can be granted without substantial detriment to the public good and will not impair the intent and purpose of either the zone plan or zoning ordinance.
8. In the case of an application for a variance under N.J.S.A. 40:55D-70.d, set forth with particularity the "special reasons" asserted for granting the variance. (Ord. No. 97-5)

APPENDIX B APPLICATION CHECKLISTS

SCHEDULE A GENERAL REQUIREMENTS (Township of Lower Alloways Creek)

The following requirements apply to all development applications submitted to either the Planning Board or the Zoning Board of Adjustment.

A. Administrative Items. All applications submitted shall include one (1) original and eighteen (18) copies of the following information, in addition to the plat details noted in Subsection B. below, and as required in the following checklists for the specific application type.

1. The appropriate application form(s), completely filled in and signed by the applicant, the subdivision plan or site plan, and supporting information. If any item is not applicable to the application, it should be so indicated on the application form(s) or checklist.
2. Certificate from the Tax Collector that all taxes are paid.
3. Receipt from the Planning Board Secretary indicating that all application and escrow fees are paid.
4. Affidavit of ownership. If applicant is not the owner, applicant's interest in land, i.e., tenant, contract-purchaser, lienholder, etc., and an executed copy of the document creating that interest.
5. If a corporation or partnership, list the names and addresses of all stockholders or individual partners owning at least ten (10) percent of its stock of any class as required by N.J.S.A. 40:55D-48.1 et seq.
6. Names and addresses of witnesses and their expertise, if any.
7. A list of any checklist requirement(s) for which waiver approval is sought with a statement justifying the need for said waiver(s).
8. A list of any design standards, zoning requirements or other information for which either waiver or variance approval is sought, accompanied by a separate statement explaining the basis and reason for the relief sought.
9. Documentation from the NJDEP Division of Coastal Resources regarding coastal permit jurisdiction under CAFRA, the Wetlands Act of 1970, and all other applicable waterfront development statutes.

Schedule A - Cont.

10. Documentation from the Federal Emergency Management Agency (FEMA) regarding stream encroachment permits if the subject property is within the A-4 Flood Zone.

11. Other Information. The Planning Board or Zoning Board, may require such additional information not specified herein, or any revisions in the accompanying documents, as are reasonably necessary to make an informed decision as to whether the requirements necessary for approval of the application have been met. The application shall not be deemed incomplete for lack of any such additional information or any revisions in the accompanying documents so required by the Planning Board or Zoning Board.

12. If an on-site septic system is proposed, the results and location(s) of all percolation or permeability tests and test borings shall be shown on the plan, for each proposed building lot and a report from the Salem County Health Department as to the suitability of each proposed building lot for an on-site septic disposal system.

13. The location, described by metes and bounds, of any and all wetland areas and required wetlands transition areas as required by the "Freshwater Wetlands Protection Act Rules" (N.J.A.C. 7:7A), or an NJDEP Letter of Interpretation indicating that the proposed development does not require a wetlands permit or delineation.

OR

The locations of any and all wetland areas and required wetlands transition areas within the proposed development as required under the Freshwater Wetlands Protection Act and rules and regulations promulgated by the NJDEP indicating that the proposed activity within the subdivision requires no wetlands permit or delineation; provided, however, in the case of a minor subdivision, the Township Engineer may waive this requirement if the applicant submits a signed statement by a New Jersey licensed engineer, surveyor or planner that:

- a. He/she has personally visited the subject property and conducted a site investigation as necessary to determine that there are not freshwater wetlands or transition areas on the subject property; and
- b. He/she has examined the National Wetlands Inventory map; and
- c. He/she has reviewed the soils on the site as set forth in the Salem County Soil Survey; and
- d. He/she has certified that there are no freshwater wetlands or transition areas on the subject property.

Schedule A - Cont.

14. A copy of any protective covenants or deed restrictions applying to the land.

15. Photographs of the property where necessary to show any unusual topographic, environmental or physical aspect of the site. This would include but not be limited to vegetation, natural drainageways, wetlands and existing structures and improvements.

16. Survey map dated and prepared not more than one (1) year from the date of application by a licensed surveyor of New Jersey, showing boundaries of the properties, lines of all existing streets and roads, easements, rights-of-way, and areas dedicated to public use within two hundred (200) feet of the development. These shall be dimensioned and where applicable, referenced as to direction.

17. An environmental impact statement as required by Section 4.11.

B. Plan Details. All plans submitted shall contain the following information, in addition to the specific plat details as required in the accompanying application checklists.

1. Title block denoting type of application, tax map sheet, name of county and municipality, block and lot numbers, and street address.
2. Name, address and signature of landowner and applicant. If a corporation is landowner or applicant, the principal office address, name and signature of the president and secretary, shall be included.
3. Name, address and professional license number and seal of the professional(s) preparing documents and drawings. All plats, except those prepared at the concept stage, shall be signed and sealed as required by applicable State statute.
4. Signature lines for the Planning Board or Zoning Board Chairman and Secretary, Municipal Clerk and Municipal Engineer, as appropriate.
5. North arrow, drawing scale, date of plat and any modifications thereto.
6. All plans shall be based on accurate information at a scale of not more than one inch equals sixty feet (1" = 60') to enable the entire tract to be shown on one sheet.
7. A location map at a scale of one inch equals one thousand feet (1" = 1,000') or larger scale, showing the entire tract and its relation to the neighborhood within one thousand (1,000) feet giving the accurate location of all existing and proposed property and street lines. This map should also show any contiguous lot in which the applicant has any direct or indirect interest, and the nature of the applicant's interest.

Schedule A - Cont.

8. The location, architectural design and approximate age of existing houses, buildings and other structures within the subject site and within two hundred (200) feet thereof, with accurate dimensions from all existing and proposed lot lines, and notations as to whether the houses, buildings and other structures will be retained or removed.

9. The location of existing and proposed streets, roads, vehicle accessways, easements, utility easements, public rights-of-way, streams, bridges, drainage ditches, pipes and culverts, watercourses and floodplains in and within five hundred (500) feet of the subject site.

10. The existing and proposed lot layout and lot dimensions with the lot area of each lot in square feet and acreage, all required setback lines, and any other areas restricted by municipal zoning regulations. Lot acreage shall be based on an outbound survey performed by a New Jersey Licensed Surveyor.

11. The zoning classification of the site and all adjoining lands, including the quantitative aspects of the proposal such as improvement coverage, number of units, square feet of construction, value of construction, density, coverage, number of employees, number of residents and area of land, etc. Specifically identified on the plan, in tabular form, shall be pertinent zoning data, indicating the bulk/area requirements of the zone in which the proposed development is located and how the proposed development corresponds to the zoning requirements.

12. Contours at five (5) foot intervals for slopes averaging ten (10%) percent or greater, and at two (2) foot intervals for land of lesser slope. Contours shall be in the United States Coast and Geodetic Control Survey Datum. Existing contours are to be indicated by short dashed lines. Proposed contours shall be indicated by bold, solid lines. Location of existing high points, watercourses and drainageways, depressions, ponds, marshes, wetlands and buffers, vegetation, wooded areas and other significant existing features including previous flood elevations of watercourses, ponds and areas as determined by survey.

13. Boundary limits, nature and extent of wooded areas, location of all trees with a diameter at breast (dbh) of ten (10) inches or greater, historic sites and structures, and other significant physical features.

14. Vehicular and pedestrian circulation patterns, including the proposed location of at least one possible driveway or other entrance onto a public street for each dwelling unit or principal structure, and the size and location of driveways, sidewalks, fire lanes and curb cuts.

15. Parking plan (where applicable) showing spaces (size and type), aisle width, curb cuts, driveways, and ingress and egress with dimensions.

Schedule A - Cont.

16. Sight triangles and curb radii at all intersections.
17. All existing and/or proposed front property corners shall be staked in the field to clearly identify the limits of existing and proposed lots.
18. For any application where found necessary by the Planning Board to assure that there is no adverse effect on the development or provisions of access to the remainder of the tract, a rough indication of an acceptable layout of the remainder of the tract.
19. All land to be dedicated to the municipality or to be reserved for specific use.
20. The location of any municipal boundary within two hundred (200) feet of the site.
21. The names and addresses of all property owners within two hundred (200) feet of the site, including their block and lot, and use classification, as disclosed by the most recent municipal tax records.
22. Any existing protective covenants, easements or deed restrictions applying to the land shall be shown graphically.
23. A statement of the impact of the development upon any structure of historic significance on or within 200 feet of the subject site.
24. Size, height and location of all proposed buildings (including grades), structures, signs and fences, including details for any signs, fences and trash enclosures.
25. The proposed location, height, direction of illumination, power and type of proposed outdoor lighting including details of lighting poles and luminaires, hours and time of lighting.
26. Identification of each abutting parcel of land that is assessed as farmland qualified under the New Jersey Farmland Assessment Act.
(Ord. No. 97-5)

ARTICLE VII
FEES

Section 4.38 Fees.

A. The following fees shall be charged an applicant for review of an application for development by a municipal agency:

1. Variance pursuant to N.J.S.A. 40:55D-70d: \$500.00 plus review fee deposit as set forth below.
2. Any other type of variance or request made to the Board of Adjustment: \$75.00 plus review fee deposit as set forth below.
3. Direction pursuant to N.J.S.A. 40:55D-34 or 40:55D-36 (building lot in bed of mapped street, etc., or not abutting an improved street): \$100.00 plus review Fee deposit as set forth below.
4. Conditional Use: \$500.00 plus review fee deposit as set forth below.
5. Minor Subdivision: \$100.00 per lot created, excluding anyone parcel to be retained, plus review fee deposit as set forth below.
6. Preliminary Major Subdivision: \$300.00 plus \$100.00 per lot created, plus review fee deposit as set forth below.
7. Final Major Subdivision: \$300.00 plus \$100.00 per lot, plus review fee deposit and inspection fee deposit as set forth below.
8. Appeals from Planning Board to Governing Body: \$1,000.00.
9. Site Plan Review: \$1,000.00 plus review fee deposit and inspection fee deposit as set forth below.
10. Temporary Use Permit: \$1.00 per square foot per month for any structure or land use granted a temporary use permit.
11. Subdivision Certification: \$25.00.

CODE OF LOWER ALLOWAYS CREEK

12. Concept Plan Review with Nonbinding Comments (fees for informal review shall be credited toward fees for application for development)
- a. Subdivision of three (3) or less lots: \$25.00.
 - b. Subdivision of more than three (3) lots: \$350.00.
 - c. Commercial/Industrial Use: \$100.00.
13. Zoning Permit Application: \$35.00.
14. Resubmission or Revision of any Application: For any resubmission or revision of a development plan or application, there shall be paid the same fees and deposits as for a new application, which shall be in addition to the amounts paid or owed for the original application and for any previous resubmissions and revisions. Fees and deposits on account of a revised plan or application shall, at the discretion of the reviewing agency, not be required for any revision not necessary for approval but which is requested by the reviewing agency, nor for any revision not involving any additional costs of review by professional personnel or hearing expenses.
15. Review Fee Deposit: (Amended 11-20-2007 by Ordinance 2007-16)
- a. Whenever a review fee is required, the developer shall deposit with the Municipal Treasurer, a sum of money which the Municipal Treasurer shall, in turn, deposit in a separate escrow account and carry under the municipality's trust fund section of accounts on the books of the municipality as a review fee escrow fund. The amount of money so deposited, exclusive of all other fees, shall be as follows:
 - (1) For major subdivisions at preliminary application and again at final application, \$800.00 per lot to be created. At the time of application for final approval any amounts remaining on deposit after the preliminary application review fees have been paid shall be credited to the deposit for the final approval review fee deposit.
 - (2) For minor subdivisions: \$300.00 per first lot created, and \$200.00 for each additional lot, including any parcel to be retained.
 - (3) For site plan review: \$1,000.00 per first acre or part thereof, plus \$200.00 each additional acre or part thereof.
 - (4) For variance pursuant to N.J.S.A. 40:55D 70d for a land mine: \$2,000.00 per first acre or part thereof plus \$250.00 each additional acre or part thereof.
 - (5) For variance pursuant to N.J.S.A. 40:55D-70d other than for a land mine: \$2,000.00 per first acre or part thereof plus \$150.00 each additional acre or part thereof.

- (6) For conditional use: \$2,000.00 per first acre or part thereof plus \$150.00 for each additional acre or part thereof.
- (7) Acreage for the purpose of computing the fee for a land mine development application shall include all area within the mandatory buffer area, the buffer area itself plus any improvements outside the buffer area.
- (7.1) All other review fees not specifically mentioned above: \$2,000.00.
- (8) Said fund is to be used to pay the fees of any professional or technical personnel retained or employed by the Township to assist in processing, reviewing, making recommendations and testifying concerning the subject application.
- (9) Within forty-five (45) days after the filing of an application for development, the Planning Board shall review said application for development to determine whether the escrow amount set forth above is adequate. In conducting such review said Board shall consider the following criteria:
- (a) The presence or absence of public water and/or sewer servicing the site.
 - (b) Environmental considerations, including but not limited to geological, hydrological and ecological factors.
 - (c) Traffic impact of the proposed development.
 - (d) Impact of the proposed development on existing aquifer and/or water quality.
 - (e) Impact of the proposed development on off tract facilities.
 - (f) Surface drainage impact on the site or on surrounding properties of facilities.
- (10) Upon completion of said review and within said forty-five (45) day period, the Board shall adopt a resolution specifying whether the escrow amount specified above is sufficient, excessive or insufficient. In the event the Board shall determine that said amount is excessive, it shall in the resolution specify the amount that shall be deemed sufficient. In the event the Board shall determine that the amount specified above is insufficient, it shall so specify and shall further set forth the amount required to be posted in light of the criteria specified herein. In the event the Board shall determine that it is appropriate that no escrow be posted, it shall so specify in its resolution.
- (11) No application for development shall be deemed complete until such time as the applicant shall have posted with the Township of Lower Alloways Creek in cash, certified check or money order the amount of escrow deposit determined by the Planning Board to be required in accordance with the provisions of this ordinance.
- (12) If at any time it becomes evident that the escrow fund is, or will become, insufficient to cover all reasonable fees for the required professional or technical services, the applicant shall increase the fund as determined by the reviewing agency.

(13) All sums not actually so expended for professional or technical services shall be refunded to the applicant within one hundred twenty (120) days after certification by the Board Chairman that said application has been finally determined. "Finally determined" shall be

- (1) denial of preliminary approval; or
- (2) denial of final approval; or
- (3) compliance with all conditions following final approval; or
- (4) withdrawal of application; or
- (5) expiration of approval.

16. Inspection Fees: Prior to final approval of the subdivision or site plan, the developer shall deposit with the Municipal Treasurer, a sum of money which the Municipal Treasurer shall, in turn, deposit in a separate escrow account and carry under the municipality's trust fund section of accounts on the books of the municipality as an inspection fee escrow fund. The amount of money so deposited, exclusive of all other fees shall equal four (4%) percent of the cost of all improvements required as a condition of subdivision, site plan, land mining or earth extraction approval as such cost is estimated by the Municipal Engineer. However, there shall be a minimum inspection fee escrow deposit of \$300.00 even though the aforesaid computation produces a lesser amount, unless there are no improvements required for the subdivision or site plan approval, in which case there shall be no inspection fee escrow fund established.

- a. Said escrow fund shall be used to pay the fees of professional personnel employed to inspect and approve the construction of the improvements required for subdivision or site plan approval. Any excess of funds in the escrow at the time when all improvements have been finally accepted or approved shall be returned to the developer. If at any time it becomes evident that the escrow fund is or will be insufficient to cover said inspection fees, the developer shall increase the fund as required by the approving municipal agency.
- b. All fees shall be paid by the applicant or appellant to the Secretary or Clerk of the municipal agency to which the application or appeal is being made at the same time as the application is submitted or the appeal is filed. Said fee shall then be turned over to the Municipal Treasurer within forty-eight (48) hours of receipt.
- c. Whenever a term is used in this ordinance which is defined in the "Municipal Land Use Law," such term is intended to have the meaning set forth in the definition of such term found in such statute, unless a contrary intention is clearly expressed from the context of this ordinance.
- d. All ordinances or parts of ordinances which are inconsistent with the provisions of this ordinance are hereby repealed to the extent of such inconsistency.
- e. The fee for the purchase of the Land Use Ordinance of the Township of Lower Alloways Creek is hereby set in the amount of sixty (\$60.00) dollars.

- f. When an amount of money in excess of \$5,000.00 shall be deposited by an applicant in escrow for review fees or inspection fees, the Township shall not refund an amount of interest earned on such deposit which does not exceed \$100.00 per year. If the amount of interest exceeds \$100.00 per year, that entire amount shall belong to the applicant and shall be refunded to him by the Township annually or at the time the deposit is repaid or applied to the purposes for which it was deposited, as the case may be; except, that the Township may retain thirty-three and one-third (33 1/3%) percent of such interest for administrative and custodial expenses.

(Ord. No.97-8; Ord. No.2000-9; Ord. No.2001-6)