

#6

Variance

Township of Plainsboro

PLANNING/ZONING BOARDS Procedure For Filing Application

**Department of Planning and Zoning
Township of Plainsboro
641 Plainsboro Road
Plainsboro, New Jersey 08536
(609) 799-0909 ext. 217**

TOWNSHIP OF PLAINSBORO

**PLANNING/ZONING APPLICATIONS
PROCEDURE FOR FILING APPLICATION**

1. You are encouraged to discuss your application with the Planning and Zoning Department for referral to the proper Board for the approvals needed.
2. All application forms and plans should be completed and returned to the Board Secretary by the first Wednesday of each month, so that the application may be reviewed for completeness.
3. The Planning and Zoning Director or designee, Planning Consultant, and the Township Engineer shall jointly be responsible for determining applications to be complete or incomplete, and a time frame in which they must be heard. Applicants shall be notified by mail after a determination has been made. Once an application has been deemed complete, plans must be submitted to the Township Planner. The Planning and Zoning Director or designee shall schedule the application for a Development Review Committee (DRC) meeting.
4. The DRC shall review all applications, except for concept review and rezoning applications, according to rules and policy set forth on the next page.
5. All concept plans shall be reviewed by the Planning and Zoning Director or designee, Planning Consultant, and the Township Engineer, and then scheduled for Board review. Applicants are required to mail concept plans to all Board Members, Board Attorney, Township Planner, and Board Secretary ten (10) days prior to scheduled meeting date.
6. All notices must be served in accordance with the "Requirements for Public Hearing".
7. If it is desired to present additional information, attach additional sheets or documents.
8. All reviews and applications shall be based upon Chapters 85 and 101 of the Code of Plainsboro Township. Copies are available at the Township Clerk's Office.
9. All checklists shall be filled out by applicant(s) and returned with the application in order to determine completeness. All items determined to be necessary and/or missing shall be addressed by the applicant.

PLEASE FOLD PLANS TO 8 1/2" X 11"

- A. Four (4) copies of the plans, applications, and fees to determine completeness.
- B. Four (4) copies of concept plans, applications, and fees, to be reviewed by the Planning and Zoning Director or designee, Planning Consultant, and the Township Engineer.
- C. If deemed complete, fifteen (15) copies of the plans and applications to be reviewed by the Development Review Committee (DRC).
- D. After DRC review, fifteen (15) copies of the plans and applications, (including any revisions requested), for Zoning Board of Adjustment review.
 1. All Zoning Board of Adjustment applications and plans to be filed with the Planning and Zoning Department for distribution.
- E. After DRC review, seventeen (17) copies of plans and applications, (including any revisions requested), including concept for Planning Board review.
 1. All Planning Board applications and plans to be mailed to Planning Board members and made available to the public.
- F. All plans must be prepared by a licensed engineer, architect, or land surveyor of the State of New Jersey. All information required by ordinance must be indicated on plans and checklists (Forms 11 thru 14).
- G. The Following sample block must be printed in the upper right hand corner of the top sheet. Please print horizontal and large enough for signatures.

APPROVED	
PLAINSBORO TOWNSHIP PLANNING/ZONING BOARD	
NUMBER _____	DATE _____
CHAIRMAN _____	
SECRETARY _____	

10. At the hearing, any party may appear for himself or by a licensed planner or an attorney-at-law. Corporations must be represented by an attorney-at-law. All attorneys must be licensed to practice in the State of New Jersey.
11. All taxes, liens, and assessments due to the Township must be paid prior to any application being filed.
12. Affidavit of Service of Notice and Affidavit of Publication must be presented to the Planning and Zoning Department or Board Secretary two (2) days prior to the time of the hearing, together with a copy of the tax list, certified to be a true copy by the Planning and Zoning Director or designee.
13. Copies of plans may also need to go to the following (contact Planning and Zoning Department for direction):
 - A. Middlesex County Planning Board
 - B. Delaware and Raritan Canal Commission
 - C. Freehold Conservation Service
14. If you have used Forms 6 through 10, only 1 copy is required.
15. AFTER APPROVAL IS GRANTED, PLEASE SUBMIT 9 COPIES OF ALL REVISED PLANS TO THE BOARD SECRETARY FOR SIGNING.

REQUIREMENTS FOR PUBLIC HEARING

WHEN REQUIRED – Public notice and a public hearing is required to be given for hearings on bulk variances, use variances, appeals on the decision of the administrative officer, interpretation of the zoning map or ordinance, preliminary and final subdivisions, preliminary and final subdivisions, preliminary and final site plans, and conditional uses where permitted.

Obtain from the Secretary of the Board the date and the time set for the public hearing of the application.

METHODS OF NOTICE – At least ten (10) days prior to the hearing date, the applicant for any of the above-noted applications is responsible for serving the notice by:

1. Publication in the official newspaper (The Princeton Packet, The Trenton Times and/or The Home News and Tribune); and
2. Serving all property owners within 200' of the site of the application and any other persons or officials required by law by personal service or by certified mail. (See Section 20-29 of The Land Use Procedures Ordinance).

LIST OF PROPERTY OWNERS – A list of all property owners who must be notified (including the property and officials of adjacent municipalities) shall be furnished by the Township Planning and Zoning Director or designee to the applicant within seven (7) days of the date of the receipt of the fee for this list. (See section 20-30 of The Land Use Procedures Ordinance)

COMBINED APPLICATIONS – Where an application is made for more than one approval, such as a use variance and site plan, all requested approvals must be stated on the notice forms.

QUESTIONS – If you have any questions on filling out the forms or on the notice requirements, you may consult with the Township Planner or Board Secretary at 609-799-0909 ext. 217. It is extremely important that the notice be made out and filed properly, as the application and hearing may be voided if it is not done properly.

SUGGESTED WORDING FOR NOTICES

Newspaper

Take notice that (applicant) has applied to the (Board of Adjustment/Planning Board) of the Township of Plainsboro for approval of a (type of application) for (describe application briefly) located on Block ____, Lot ____, (address).

A hearing on said application will be held by the (Board of Adjustment/Planning Board) which time any interested person may be heard concerning said application.

A copy of the proposed plans is on file in the office of the above Board for public inspection during business hours.

NOTICE TO BE SERVED ON PROPERTY OWNERS – See Form No. 10

REVIEW NOTICE

Policy

- A. The DRC shall schedule one (1) meeting per month and another meeting to handle overflow as necessary.
- B. During DRC review it shall determine the following:
 - Specify plan pages to be mailed to Board members at least ten (10) days before the meeting.
 - Provide one set for public review at the Plainsboro Community Development Department at
 - As directed by DRC, make display plans, sketched, etc. available in Town Hall by 7:15 for public review. Applicant to provide representative to answer questions.
 - May determine those plans minor in nature that can be handled in one meeting with public notice waived.
- C. The Planning Board will schedule three (3) meetings a month. The first and second meetings will both be publicly noticed action meetings. The third will be retained, as much as possible, for in house matters such as Master Plan review and ordinance work. The Zoning Board meetings are scheduled once a month as needed when applications are submitted.
- D. It is the Planning Board's goal to end their meetings at 11:00 p.m.
- E. It is suggested that applicants provide a brief overview of their projects and offer appropriate expert testimony and comment on DRC items of disagreement only in order to expedite the public hearing process. Applicants are urged to orient their presentation to the public. The Planning and Zoning Director, Township Planner, Planning Consultant, and the Township Engineer will address their comments to the effect on the Township, compliance with the Master Plan, and any other special concerns.
- F. The Planning Board Attorney will be instructed to draft a resolution of memorialization to be acted on at a subsequent Board meeting.

DEVELOPMENT REVIEW COMMITTEE (DRC)

- A. The Development Review Committee shall review all applications for development, except informal review of concept plans and rezoning application. The DRC may review variance applications and applications for development to the Zoning Board of Adjustment which would require site plan or subdivision approval upon referral of that application to the Zoning Board Secretary.
- B. The Development Review Committee shall conduct informal meetings each month to review development applications. Applicants may appear on their own behalf or may appear through a licensed planner, attorney-at-law, architect, or engineer. The Planning and Zoning Director or designee will serve as Chairman of the Committee.
- C. The Development Review Committee shall present a written report on each application which it reviews covering the following subjects:
 - The time period for Board action
 - Notice, public hearing, and waivers, for minor site plans and minor subdivisions
 - Simultaneous reviews of the preliminary and final subdivisions and site plans
 - A schedule or proposed meeting dates for processing each application
 - The findings on the proposed application, including potential violations, necessary variances and specific site plan and subdivision considerations and recommendations of the Committee for Board approval.
- D. The report of the Development Review committee shall be distributed to the Secretary of the Board, where the formal application is to be presented, and to the applicant. The DRC report shall not be binding on the Planning Board or Zoning Board of Adjustment, nor shall the applicant be relieved of any requirements or regulations which have not been included in the report.



PLANNING/ZONNING BOARDS

File _____
(Applicant's name)

Date Application Received _____

DISPOSITION

Date Application Complete _____

Approved _____

Date of Public Hearing _____

Approved with Conditions _____

Extension of Time Granted _____

Disapproved _____

Fee Collected \$ _____

Date Decision Published _____

Date Collected _____

Planning Board _____

Board of Adjustment _____

(DO NOT WRITE ABOVE THIS LINE)

I. SCHEDULE

Pursuant to the Township of Plainsboro Municipal Code and applicable New Jersey State Law, application is made to the Township of Plainsboro for the following:

Check Applications(s) Requested	Type of Application	Fee \$	Check Applications Requested	Type of Application	Fee \$
<input type="checkbox"/>	1. Appeal of Administrative decision	<input type="checkbox"/> _____	<input type="checkbox"/>	9. Final Approval of Major Subdivision	<input type="checkbox"/> _____
<input type="checkbox"/>	2. Interpretation	<input type="checkbox"/> _____		Date of Preliminary Approval _____	
<input type="checkbox"/>	3. Bulk Variance	<input type="checkbox"/> _____	<input type="checkbox"/>	10. Preliminary Site Plan Approval	<input type="checkbox"/> _____
<input type="checkbox"/>	4. Use Variance	<input type="checkbox"/> _____	<input type="checkbox"/>	11. Final Site Plan Approval	<input type="checkbox"/> _____
<input type="checkbox"/>	5. Conditional Use	<input type="checkbox"/> _____	<input type="checkbox"/>	12. Minor Site Plan Approval	<input type="checkbox"/> _____
<input type="checkbox"/>	6. Classification of sketch plat	<input type="checkbox"/> _____	<input type="checkbox"/>	13. Concept	<input type="checkbox"/> _____
<input type="checkbox"/>	7. Approval of Minor Subdivision	<input type="checkbox"/> _____			
<input type="checkbox"/>	8. Preliminary Approval of Major Subdivision	<input type="checkbox"/> _____			
	Date classified as Major _____				

TOTAL FEE _____

II. FOR VARIANCE ONLY

Check forms No. 2 through 5 for additional information.

III. GENERAL DATA

Name of Applicant _____

Address _____

City _____ State _____ Zip _____ Phone _____

Applicant Interest in property (owner, lessee, etc) _____

When acquired _____

Street Address of Property _____

Tax Map Sheet _____ Block _____ Lot _____ Date filed with County Recorder _____

- Is the property served by a public sewer system? Yes _____ No _____
- Is the property served by a public water system? Yes _____ No _____
- Is applicant willing to dedicate land for the widening of roads in compliance with the Township and/or County Master Plan? Yes _____ No _____

Is the proposed use on a Municipal _____, County _____, or State _____ road?

Area of property _____ acres or _____ sq. ft. Frontage on an improved street _____ ft. No. of proposed lots _____

Present Zoning _____

Present Use of Property: _____ Proposed Use of Property: _____

Description of all present structures: _____

Number of proposed Buildings _____ Floor area of all structures _____ sq. ft.
 Percentage of coverage by buildings _____ By impervious cover _____
 Estimated Costs: Building \$ _____ Site Work \$ _____
 Bulk Restrictions provided: Front Yard _____ Side Yard _____
 Rear Yard _____ Height _____
 Has a subdivision previously been granted? _____ Date _____
 Has a variance previously been granted? _____ Date _____
 Parking spaced required _____
 Are there any existing or proposed covenants or deed restrictions on the property? _____
 Explain _____
 • Is a variance requested? _____
 • Describe in detail section of zoning ordinance from which applicant seeks relief: _____
 Other Data (ATTACH SHEET IF NECESSARY) _____

IV. PLANS

Attach list of all plans and other exhibits submitted, indicating names, address, license #, and phone numbers of preparer.

V. CERTIFICATION

I hereby certify that the information and exhibits herewith submitted are true and correct to the best of my knowledge and that I am to file this application and act on behalf of the signatories of the above authorization. I further authorize Township Officials to inspect the site note above.

Signature of Owner	Date
Signature of Applicant	Title

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

 Notary

Persons to be contacted regarding matters pertaining to this
 application, if other than myself.
 Name _____
 Phone _____

**AGREEMENT TO PAY FOR PROFESSIONAL REVIEW
 Plainsboro Township**

Date _____

Applicants Address _____

Block _____ Lot _____

 Name of Developer

Agree(s) to pay for any professional review necessary
 for the above construction.

Signed _____ Title _____

APPROVED
 PLAINSBORO TOWNSHIP PLANNING/ZONING BOARD

NUMBER _____ DATE _____

CHAIRMAN _____ SECRETARY _____



TOWNSHIP OF PLAINSBORO

**Department of Planning and Zoning
641 Plainsboro Road
Plainsboro, NJ 08536
609-799-0909 ext. 1502**

**Form No. 3
File No. _____**

REQUEST FOR INTERPRETATION OF ZONING REGULATIONS OR MAP (See R.S. 40:55D-70b Zoning Ordinance)

- 1. Request is hereby made for an interpretation of the following provisions of the Zoning Ordinance or Map in their application to the following case:
(State facts of case, parts of Zoning Ordinance involved, and questions propounded)**



TOWNSHIP OF PLAINSBORO

Department of Planning and Zoning
641 Plainsboro Road
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609-799-0909 ext. 1502

Form No. 4
File No. _____

**PLANNING/ZONING BOARDS
APPLICATION FOR BULK VARIANCE
(See R.S. 40:55D-70(c) and Zoning Ordinance)**

1. Application is hereby made for a variance from the strict application of the following provisions of the Zoning Ordinance: (specify parts of Ordinance involved):

2. Applicant requests a variance to the following extent: (set forth specific variances requested).

3. The strict application of said provisions would result in: (complete one or both of the following in detail)
 - A. The following peculiar and exceptional practical difficulties.

 - B. The following exceptional and undue hardship:

4. Said difficulties or hardship are by reason of:

5. Said reasons are unique and peculiar to the lands or buildings for which the variance is sought and do not apply generally to lands or buildings in the neighborhood, because;

6. The request variance is the minimum reasonable needed, because:



TOWNSHIP OF PLAINSBORO

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Form No. 5
File No. _____

**PLANNING/ZONING BOARDS
APPLICATION FOR A USE VARIANCE
(See R.S. 40:55D-70(d) and Zoning Ordinance)**

- 1) Application is hereby made for the granting of a variance from the Zoning Ordinance to allow the following structures or uses:

- 2) Said structures or uses are proposed to be located in _____ Zoning District, which is restricted against same by the following provisions of the Zoning Ordinance:

- 3) This application is based upon the following special reasons:

- 4) Said reasons are unique and peculiar to the lands or buildings for which the variance is sought and do not apply generally to land or building in the neighborhood, because:

- 5) The strict application of the regulations prohibiting said structure or use would deprive applicant of the reasonable use of the lands or buildings involved, because:

- 6) The requested variance is the minimum reasonably needed, because:



TOWNSHIP OF PLAINSBORO

Department of Planning and Zoning
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AFFIDAVIT OF OWNERSHIP

_____, attest that I/we reside at _____
(Property Owner/s)
in the _____ of _____ in the County of _____, and State
of _____ that _____ is/are the owners in fee of all that certain lot,
(Property Owner/s)
piece or parcel of land situated, lying and being in the Township of Plainsboro, New Jersey, and
known and designated as Block _____, Lot _____.

(Signature of Property Owner/s)

Notary Seal

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

(Signature of Notary)

AUTHORIZATION

(If anyone other than above owner is making this application, the following authorization must be executed).

_____ is hereby authorized to
make the within application.

Dated: _____, 20____. _____
(Owners/s to sign here)



TOWNSHIP OF PLAINSBORO

Department of Planning and Zoning
641 Plainsboro Road
Plainsboro, NJ 08536
609-799-0909 ext. 1502

Form No. 9
File No. _____

PLANNING/ZONING BOARDS AFFIDAVIT OF PROOF OF SERVICE (Please Print Response)

Print name of Applicant or authorized agent here: _____, being dually sworn according to law, upon oath deposes and says that notice was served, of which the attached is a true copy, upon each of the persons hereinafter listed (all are owners of property within two hundred (200) feet of the subject property) on the dates and in the manner hereinafter indicated:

See attached copy of written notice, certified list of properties (and others) required to receive written notice and the certified mail receipts (or copy of same) and Affidavit of Publication.

(Signature of Applicant)

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

Notary Seal

(Signature of Notary)



TOWNSHIP OF PLAINSBORO

Department of Planning and Zoning
641 Plainsboro Road
Plainsboro, NJ 08536
609-799-0909 ext. 1502

~ Sample Notice ~

NOTICE

Take notice that _____ **(name of applicant)** _____ has applied to the Zoning Board of Adjustment of the Township of Plainsboro for approval of _____ **(Bulk or Use Variance)** to _____ **(explain in detail the variance or variances being requested and the amount of relief being sought)** _____ for the property at _____ **(provide the address and the tax map block and lot number)** _____ located in a _____ **(identify the zone district of the property)** _____. The applicant is also requesting any other relief that may be determined to be required by staff during the review of the application and plans or during the public hearing for the proposed addition.

A hearing on said application will be held by the Zoning Board of Adjustment on _____ **(scheduled date of ZBA hearing)** _____ at 7:30 pm in the Township, Municipal Building Court Room at 641 Plainsboro Road, Plainsboro, New Jersey, at which time any interested person may be heard concerning said application. A copy of proposed plans and application materials are on file in the Planning and Zoning Department in the Municipal Building for public inspection during regular business hours (Monday – Friday, 8:30 AM – 4:30 PM, excluding scheduled holidays).



TOWNSHIP OF PLAINSBORO

Department of Planning and Zoning
641 Plainsboro Road
Plainsboro, NJ 08536
609-799-0909 ext. 1502

TAXES COLLECTED

FILE NUMBER: _____

RE: Taxes Collected

ON: Block _____ Lot _____

This is to certify that all taxes levied have been collected on the above property for the period ended _____.

Signed _____ Date _____
Municipal Tax Collector

Roll Back taxes have/have not been paid. Date _____

Request for Taxpayer Identification Number and Certification

Give form to the requester. Do NOT send to the IRS.

Please print or type	Name (If joint names, list first and circle the name of the person or entity whose number you enter in Part I below. See instructions on page 2 if your name has changed.)	
	Business name (Sole proprietors see instructions on page 2.)	
	Please check appropriate box: <input type="checkbox"/> Individual/Sole proprietor <input type="checkbox"/> Corporation <input type="checkbox"/> Partnership <input type="checkbox"/> Other	
	Address (number, street, and apt. or suite no.)	Requester's name and address (optional)
	City, state, and ZIP code	

Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. For individuals, this is your social security number (SSN). For sole proprietors, see the instructions on page 2. For other entities, it is your employer identification number (EIN). If you do not have a number, see **How To Get a TIN** below.

Note: If the account is in more than one name, see the chart on page 2 for guidelines on whose number to enter.

Social security number
+
OR
Employer identification number
+

List account number(s) here (optional)

Part II For Payees Exempt From Backup Withholding (See Part II instructions on page 2)

Part III Certification

Under penalties of perjury, I certify that:

- The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me), and
- I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding.

Certification Instructions.—You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because of underreporting interest or dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, the acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally payments other than interest and dividends, you are not required to sign the Certification, but you must provide your correct TIN. (Also see Part III instructions on page 2.)

Sign Here	Signature ▶	Date ▶
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Section references are to the Internal Revenue Code.

Purpose of Form.—A person who is required to file an information return with the IRS must get your correct TIN to report income paid to you, real estate transactions, mortgage interest you paid, the acquisition or abandonment of secured property, cancellation of debt, or contributions you made to an IRA. Use Form W-9 to give your correct TIN to the requester (the person requesting your TIN) and, when applicable, (1) to certify the TIN you are giving is correct (or you are waiting for a number to be issued), (2) to certify you are not subject to backup withholding, or (3) to claim exemption from backup withholding if you are an exempt payee. Giving your correct TIN and making the appropriate certifications will prevent certain payments from being subject to backup withholding.

Note: If a requester gives you a form other than a W-9 to request your TIN, you must use the requester's form if it is substantially similar to this Form W-9.

What Is Backup Withholding?—Persons making certain payments to you must withhold and pay to the IRS 31% of such

payments under certain conditions. This is called "backup withholding." Payments that could be subject to backup withholding include interest, dividends, broker and barter exchange transactions, rents, royalties, nonemployee pay, and certain payments from fishing boat operators. Real estate transactions are not subject to backup withholding.

If you give the requester your correct TIN, make the proper certifications, and report all your taxable interest and dividends on your tax return, your payments will not be subject to backup withholding. Payments you receive will be subject to backup withholding if:

- You do not furnish your TIN to the requester, or
- The IRS tells the requester that you furnished an incorrect TIN, or
- The IRS tells you that you are subject to backup withholding because you did not report all your interest and dividends on your tax return (for reportable interest and dividends only), or
- You do not certify to the requester that you are not subject to backup withholding under 3 above (for reportable

interest and dividend accounts opened after 1983 only), or

5. You do not certify your TIN. See the Part III instructions for exceptions.

Certain payees and payments are exempt from backup withholding and information reporting. See the Part II instructions and the separate Instructions for the Requester of Form W-9.

How To Get a TIN.—If you do not have a TIN, apply for one immediately. To apply, get Form SS-5, Application for a Social Security Number Card (for individuals), from your local office of the Social Security Administration, or Form SS-4, Application for Employer Identification Number (for businesses and all other entities), from your local IRS office.

If you do not have a TIN, write "Applied For" in the space for the TIN in Part I, sign and date the form, and give it to the requester. Generally, you will then have 60 days to get a TIN and give it to the requester. If the requester does not receive your TIN within 60 days, backup withholding, if applicable, will begin and continue until you furnish your TIN.

**TOWNSHIP OF PLAINSBORO
PLANNING AND ZONING BOARD
SCHEDULE OF FEES**

	<u>Application Fee</u>	<u>Escrow to be Deposited</u>
<u>1. Subdivision Fees.</u>		
(a) Minor Subdivision	\$400	\$600 per lot
(b) Preliminary Plat	\$500	Up to 20 lots - \$200 per lot; 20 or more lots - \$150 per lot
(c) Final Plat	\$500	\$100 per lot
(d) Subdivision Certificate Of Approval	\$100	None required
(e) Time Extension	\$100	Utilize existing escrow
<u>2. Site Plan Fees</u>		
(a) Residential Concept Plan	\$400	A minimum of \$1,000 shall be deposited. \$50 per unit for the first 200 units and \$10 per unit for the remaining units
(b) Nonresidential Concept Plan	\$400	A minimum of \$1,000 shall be deposited. .05 per sq. ft. for the first 200,000 square feet and \$.025 for the remaining sq. ft.
(c) Minor Plan	\$400	\$1,000
(d) Preliminary Plan	\$500	A minimum of \$750 shall be deposited. Calculation of escrow fee shall be as follows: \$75 per acre or part thereof. In addition, for residential: \$5.00 per dwelling; for commercial: \$.10 per sq.

ft. or part thereof of total proposed building area up to an including 20,000 sq.ft., and \$.07 per sq.ft. for every additional sq. ft. or part thereof over 20,000 sq.ft.

(e)	Final Plan	\$500	A minimum of \$375 shall be deposited. Calculation of escrow fee shall be as follows: \$35 per acre or part thereof. In addition, for residential: \$3.00 per dwelling, for commercial: \$.05 per sq. ft. or part thereof of total proposed building area up to an including 20,000 sq.ft., and \$.03 per sq.ft. for every additional square foot or part thereof over 20,000 sq. ft.
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(f)	Time Extension	\$100	Utilize existing escrow
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3. Other Submissions

(a)	General development Plans	\$500	Same as preliminary plan.
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(b)	All other conditional use approvals	\$250	\$2,500
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(c)	Appeals under 40:55D-70a	\$200	\$500
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(d)	Interpretation or special questions under 40:55D-70b	\$200	\$500
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(e)	Hardship variances Under 40:55D-70C		
	• Residential	\$100	\$500
	• Non-residential	\$250	\$2,000

(f)	Use variances	\$250	\$2,500 for each variance
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and the production of relevant evidence, including witnesses and documents presented by the parties, and the provisions of the County and Municipal Investigations Law, P.L. 1953, c. 38 (N.J.S.A. 2A:67A-1 et seq.) shall apply.

- C. Testimony. The testimony of all witnesses relating to an application for development shall be taken under oath or affirmation by the presiding officer, and the right of cross-examination shall be permitted to all interested parties through their attorneys, if represented, or directly, if not represented, subject to the discretion of the presiding officer and to reasonable limitations as to time and number of witnesses.
- D. Evidence. Technical rules of evidence shall not be applicable to the hearing, but the Board may exclude irrelevant, immaterial or unduly repetitious evidence.
- E. Records. Each Board shall provide for the verbatim recording of the proceedings by either stenographic, mechanical or electronic means. The Board shall furnish a transcript or duplicate recording in lieu thereof on request to any interested party at his expense.

§ 20-29. Notice requirements for hearing.

- A. Whenever a notice of hearing is required on an application for development pursuant to N.J.S.A. 40:55D-1 et seq., the applicant shall give notice thereof as follows:
 - (1) Public notice shall be given by publication in the official newspaper of the municipality at least ten (10) days prior to the date of the hearing.
 - (2) Notice shall be given to all owners of real property as shown on the current tax duplicate located in the state and within two hundred (200) feet in all directions of the property which is the subject of the hearing, provided that this requirement shall be deemed satisfied by a notice to the condominium association, in the case of any unit owner whose unit has a unit

above or below it, or to the horizontal property regime, in the case of any co-owner whose apartment has an apartment above or below it. Notice shall be given by serving a copy on the property owner, as shown on the current tax duplicate, or his agent in charge of the property, or by mailing a copy thereof to the property owner at his address as shown on the current tax duplicate. It is not required that a return receipt be obtained. Notice is deemed complete upon mailing (N.J.S.A. 40:55D-14). Notice to a partnership owner may be made by service upon any partner; notice to a corporate owner may be made by service upon its president, vice president, secretary or other person authorized by appointment or by law to accept service on behalf of the corporation. Notice to a condominium association, horizontal property, community trust or homeowner's association, because of its ownership of common elements or areas located within two hundred (200) feet of the property which is subject of the hearing, may be made in the same manner as to a corporation without further notice to unit owners, co-owners or homeowners on account of such common elements or areas. [Amended 6-9-80 by Ord. No. 0-80-6]

- (3) Notice of all hearings on applications for development involving property located within two hundred (200) feet of an adjoining municipality shall be given by personal service or certified mail to the Clerk of such municipality, which notice shall be in addition to the notice required to be given pursuant to Subsection A(2) of this section to the owners of lands in such adjoining municipality which are located within two hundred (200) feet of the subject premises.
- (4) Notice shall be given by personal service or certified mail to the County Planning Board of a hearing on an application for development of property adjacent to an existing county road or proposed road shown on the Official County Map or on the County Master Plan,

adjoining other county land or situated within two hundred (200) feet of a municipal boundary.

- (5) Notice shall be given by personal service or certified mail to the Commissioner of Transportation of a hearing on an application for development of property adjacent to a state highway.
 - (6) Notice shall be given by personal service or certified mail to the Director of the Division of State and Regional Planning in the Department of Community Affairs of a hearing on an application for development of property which exceeds one hundred fifty (150) acres or five hundred (500) dwelling units. Such notice shall include a copy of any maps or documents required to be on file with the Municipal Clerk pursuant to Section 6b of Chapter 291 of the Laws of New Jersey 1975.¹
- B. All notices hereinabove specified in this section shall be given at least ten (10) days prior to the date fixed for hearing, and the applicant shall file an affidavit of proof of such service with the Board holding the hearing on the application for development.
- C. Any notice made by certified mail as hereinabove required shall be deemed complete upon mailing in accordance with the provisions of N.J.S.A. 40:55D-14.
- D. Form of notice. All notices required to be given pursuant to the terms of this chapter shall state the date, time and place of the hearing, the nature of the matters to be considered and identification of the property proposed for development by street address, if any, or by reference to lot and block numbers as shown on the current tax duplicate in the Municipal Tax Assessor's office, and the location and times at which any maps and documents for which approval is sought are available as required by law.

¹ Editor's Note: See N.J.S.A. 40:55D-10b.