

**TOWNSHIP OF PISCATAWAY
APPLICATION FORM FOR
VARIANCE**



Application # _____

SECTION 1

Applicant Name _____ Telephone # _____

Applicant Address _____ City/State _____

The applicant is a Corporation () Partnership () Individual () Other ()

The subject of this application is property located at:

Street address _____ City/State _____

in a/an _____ Zone, found on Piscataway Tax Map Sheet # _____ and also known as

BLOCK _____, LOT (s) _____

BLOCK _____, LOT (s) _____

BLOCK _____, LOT (s) _____

The relationship of the applicant to the property in question is:

Owner _____ Tenant or Lessee _____ Purchaser under contract _____

Other _____ (Please specify for other) _____

AGENT FOR APPLICANT: (Person to whom all correspondence regarding this application will be sent.) If same as above, please so indicate. All Corporations must be represented by an Attorney.

Name _____ Telephone # _____

Address _____ City/State _____

SECTION 2

Nature of this application (Please check appropriate option)

_____ "C" Variance (Bulk)

_____ "D" Variance (Use)

_____ Appeal of Zoning Officer Decision

_____ Interpretation of Zoning Ordinance

_____ Certification of Non-Conforming Use

_____ Temporary Use

(See Chapter 21, Section 501 of Piscataway Township Codification's to determine "C" Variance regulations or Chapter 21, Section 619 to determine fence regulations, or Chapter 21, Section 617 to determine swimming pool regulations.

Other applications which accompany this variance:

Site Plan _____ Subdivision _____ Other, please specify _____

SECTION 4

Verification and Authorization (TO BE SIGNED BY BOTH APPLICANT AND OWNER). Not to be signed by Applicant's Attorney.

1) APPLICANT'S VERIFICATION:

I hereby certify that the above statements made by me and contained in the paper submitted by me as part of this application are true and correct. I am aware that if any of the foregoing statements are willfully false, I am subject to punishment

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

Applicant's Signature

Notary Public or Attorney at Law of New Jersey

2) OWNER'S AUTHORIZATION:

I HEREBY CERTIFY THAT I RESIDE AT _____
in the County of _____ and State of _____, and
that I am the owner of the Lot (s), piece or parcel of land known as Block (s) _____
Lot (s) _____ on the Tax Map of Piscataway Township which property is the sub-
ject of the above application and that said application is hereby authorized by me.

Owner's Signature

Please list if applicable

Applicant's Attorney _____

Address _____ Telephone # _____

Applicant's Engineer _____

Address _____ Telephone # _____

Applicant's Architect _____

Address _____ Telephone # _____

Other _____

Address _____ Telephone # _____

VARIANCE CHECK LIST

Applicant must check off and submit the following:

- 1 (Original) Application, signed before a Notary Public
- 13 Copies of signed application
- 1 (Original) duly executed property survey (Plot Plan) showing:
 - a. All structures on adjacent (surrounding) properties, with distances from property lines shown.
 - b. All proposed additions, changes, alterations to the property in question with accurate dimensions and distances from property lines.
 - c. All improvements to the property (trees, curbs, gutters, sidewalks, sewer locations, water and fire hydrant locations) shown.
 - d. Dimensions of adjacent right-of-way (s) and easements shown. (Can be determined from current tax maps found in the Township Engineering Office)
- 13 Copies of Original property survey (Plot Plan)
- List of Property Owners or copy of request filed with Tax Assessor (Request List from Clerk). (The list will have to be updated at the time of noticing, if said list is more than 4 months old).
- Copy of Proposed Notice to Newspaper
- Copy of Proposed Notice to surrounding property owners.
- List of other to be serviced with notice (See Notice Form).
- Fees
- Form showing proof to tax payment to date of filing.
- Three (3) sets of building plans and elevations and floor plan
- Copy of deed for property plus executed copy of contract for purchase of the property, if acceptable.
- Duly executed statement giving owner's consent to proceed, if applicable.

TITLE SEARCHES MAY BE REQUIRED IN SOME INSTANCES.

**NOTICE TO ALL APPLICANTS
PLANNING & ZONING BOARD OF ADJUSTMENT**

No application will be accepted unless all paperwork is enclosed at the time of submission. If items are missing, the application will be refused at the counter or returned without review if sent by mail. Upon acceptance of the application, the Administrative Officer has **45 days** to review the paperwork for completeness. Once ruled complete, the application will be scheduled for the next available meeting date or workshop agenda. **Expedited review is not possible.** The applications are examined in the order they are submitted. You will be notified in writing of the date to which you are assigned. If that date is not acceptable, you may request an alternate date at a later time and the Board will make every effort to honor your request. There is no “last date” to submit or “cut off date” to submit by to be guaranteed a spot at a specific meeting. Every effort will be made to complete necessary staff reviews in as timely a manner as possible, thus assuring every applicant the earliest available scheduling.

PLEASE BE ADVISED THAT A W-9 FORM AND A \$500.00 FEE WILL BE REQUIRED AT THE TIME OF SUBMISSION FOR ALL APPLICATIONS THAT REQUIRE ESCROW. THIS ESCROW FEE WILL ENABLE US TO BEGIN THE REVIEW PROCESS. UPON REVIEW OF THE APPLICATION, THE APPLICANT WILL BE ADVISED OF THE REMAINING ESCROW FEE THAT IS REQUIRED.

APPLICATIONS CAN BE SUBMITTED IN PERSON OR MAILED TO:

**THE TOWNSHIP OF PISCATAWAY
PLANNING DIVISION
505 SIDNEY ROAD
PISCATAWAY, NEW JERSEY 08854**

**APPLICATION FILING PROCEDURES
PISCATAWAY TOWNSHIP
PLANNING BOARD / ZONING BOARD OF ADJUSTMENT**

INSTRUCTIONS:

The following items must be turned in with every application:

- 14 sets of duly executed, folded plans
- 14 applications (signed original plus 13 copies)
- 1 checklist for each application
- Filing fees
- 1 proof of ownership document, preferably a deed. If owner is not the applicant, a statement of consent from the owner allowing the applicant to proceed, and a copy of the contract of sale, if possible.
- (Pursuant to N.J.S.A. 40:55D-48.1) – A corporation or partnership applying for permission to subdivide a parcel of land into six or more lots, or applying for a variance to construct a multiple dwelling of 25 or more family units or for approval of a site to be used for commercial purposes must list the names and addresses of all stockholders or individual partners owning at least 10% of its stock of any class or at least 10% of the interest in the partnership, as the case may be.
- (Pursuant to N.J.S.A. 40:55D-48.2) – If a corporation or partnership owns 10% or more of the stock of a corporation, or 10% or greater interest in a partnership, subject to disclosure pursuant to stockholders holding 10% or more of its stock or of 10% or greater interest in the partnership, as the case may be, and this requirement must be followed by every corporate stockholder or partner in a partnership, until the name and addresses of the non-corporate stockholders and individual partners, exceeding the 10% ownership criterion established within the Municipal Land Use Law, have been listed.
- Proposed form of notice for publication and service, unless application is for a minor subdivision with no variances or for a conventional site plan with no use or other variances or for final approval.
- Submission to Middlesex County Planning Board, 40 Livingston Avenue, New Brunswick, NJ, is required for all subdivision and site plan applications. A letter stating the results of the County review is required to be submitted to the appropriate reviewing Board of the Township.
- Affidavit of publication (obtained from newspaper) where notice is required.
- Affidavit of service if notice is required. Signed property list must be attached if property owners were personally served, or, certified letter return receipts must be attached if certified mail was used.
- Property list may need to be requested if notice is required. These take seven (7) to ten (10) days to process.

FOR SUBDIVISIONS:

- A green application, labeled “Classification” must be filled out. This will allow the Board to classify an application as a major or a minor, and if a minor, will suffice to effect a minor subdivision by the Planning Board or Board of Adjustment (fee required). If a minor subdivision approval is granted, a deed preferably with both tracts described on the same deed, along with any required deed conveying a dedication to the Municipality, must be returned to the Office of the Division of Planning and Development. The deed (s) will be checked for accuracy and will be returned to the applicant/attorney upon all Municipal parties being satisfied as to the wording of the deed (s). The applicant/attorney has 190 days from the APPROVAL date of the application by the respective Board (s) to file the deed (s) with the Middlesex County Clerk at the Courthouse in New Brunswick, New Jersey.
- If determined a major, a Preliminary Major Subdivision application must be filled out. A public hearing is required, and notices must be sent to all property owners within a 200 foot radius of the property in question, as well as publication in the Star Ledger or Courier News at least ten (10) full days in advance of the hearing. Preliminary major subdivision approval is good for three (3) years.
- If a Preliminary Major Subdivision approval is granted, the applicant must submit an application for Final Major Subdivision, to be heard and granted after ALL conditions of the Preliminary have been met and bonds and certified checks in the amount of 120% of the improvements plus 5% engineering and inspection fees have been submitted to cover the required cost. This estimate is to be submitted by applicant and approved by the Township Engineering staff. The applicant will then bring three (3) mylar and two (2) linen copies of the final map to the Municipality to be checked by the Engineering Department. Once in order, appropriate Municipal signatures will be affixed to the map, and the applicant may file the maps with Middlesex County. When one (1) mylar and one (1) linen copy of the filed maps are returned to the Engineering Department, permits can be issued. (Maps must be filed within 95 days of the date of the Municipal signatures)

FOR SITE PLANS:

- Preliminary and final site plan may be heard concurrently or separately, as requested by the applicant.
- Preliminary site plan approval is good for three years. Final site plan approval is good for two years.

FOR VARIANCES:

- The same application form is used for the Planning Board and Zoning Board of Adjustment.
- All signatures must be notarized.
- Advice of the Zoning Officer should be sought prior to submission of the application to insure that all variances have been properly listed.
- All applications for a variance require notice to surrounding property owners within 200 feet of the property in question, and publication of the notice in:

THE STAR LEDGER
1 STAR LEDGER PLAZA.
NEWARK, NJ 07102
Attn: Legal Advertising
(973) 877-4141

COURIER NEWS
92 EAST MAIN ST.
SOMERVILLE, NJ 08876
(732) 643-3741

Publish at least ten (10) full days prior to the public hearing.

CONDITIONAL USE APPLICATIONS:

- Must be requested where use in the zone is conditional. (Can be ascertained by looking in the Township Zoning Ordinance.)
- Notice to surrounding property owners within 200 feet of the subject property and notice publication in the Star Ledger or Courier News is required 10 days prior to the hearing date for this application.

PLANNING BOARD applications which have been ruled complete at least 10 days prior to the meeting will be scheduled for public hearings at the site plan/subdivision committee meeting (a work session), the fourth Wednesday of each month at 2:30 p.m. **BOARD OF ADJUSTMENT** applications which have been ruled complete will be scheduled for the first available hearing date in the order in which they have been ruled upon for completeness

All decisions by both boards must be reduced to writing, then adopted by the respective Board. The resolution is adopted at the next regular meeting from the date the decision was made. (This is usually a one-month time period).

Note: The legal notice, required to be published after the Board's decision, will be published by Piscataway Township for any and all single-family residential uses. In accordance with 19A-3.9, all other applicants shall be required to arrange for such publication at their own cost and expense. The period of time in which an appeal of a decision may be made shall run from the publication of the decision.

WAIVER REQUEST

APPLICANT NAME _____

APPLICATION # _____

=====

This form must be filled out if the applicant is requesting waivers from the design criteria expressly spelled out in the provisions of the Site Plan and Subdivision Codes. The application WILL NOT be ruled complete until the Board acts upon the requested waivers.

A waiver is requested from Code provision _____

where required is _____

and proposed is _____

REASON FOR REQUEST _____

SIGNATURE OF PERSON SIGNING ON BEHALF OF
APPLICANT OR APPLICATION

PRINT NAME OF PERSON WHOSE SIGNATURE
APPEARS ABOVE

CERTIFICATE OF OWNERSHIP OF APPLICANT
AS REQUIRED BY NEW JERSEY LAW
P.L. 1977, CHAPTER 336

Listed below are names and addresses of all owners of 10% or more of the stock/interest* in the undersigned applicant corporation/partnership:

<u>NAME</u>	<u>ADDRESS</u>
1. _____	_____
2. _____	_____
3. _____	_____
4. _____	_____
5. _____	_____
6. _____	_____
7. _____	_____
8. _____	_____
9. _____	_____
10. _____	_____

*Where corporations/partnerships own 10% or more of the stock/interest in the undersigned or in another corporation / partnership so reported, this requirement shall be followed until the names and addresses of the non-corporate stockholders/individual partners exceeding the 10% ownership criterion have been listed.

Signature of Officer/Partner Date

Name of Applicant
Corporation/ Partnership

APPLICATION FOR SITE PLAN REVIEW
TOWNSHIP OF PISCATAWAY

APPLICANT _____

PROPERTY ADDRESS _____

BLOCK _____ LOT(S) _____

DATE RECEIVED _____

IN ACCORDANCE WITH TOWNSHIP ORDINANCE 06-01, ALL SITE PLANS ARE TO BE REVIEWED BY THE FIRE PREVENTION OFFICE FOR FIRE SAFETY.

(1) SET OF PLANS AND APPLICATION ARE TO BE DELIVERED TO THE FIRE PREVENTION OFFICE LOCATED IN THE PUBLIC SAFETY BUILDING, 555 SIDNEY ROAD, PISCATAWAY, NJ.

FEE: \$40.00 -- CHECK MADE PAYABLE TO:

PISCATAWAY TOWNSHIP FIRE PREVENTION BUREAU

PLANS: APPROVED _____

DENIED _____

COMMENTS:

- () PLANNING BOARD
- () ZONING BOARD OF ADJUSTMENT

ROBERT GORR
FIRE OFFICIAL

NOTICE INSTRUCTIONS
NOTICE MUST BE GIVEN NO LATER THAN TEN (10) DAYS PRIOR TO THE
HEARING BY BOTH PUBLICATION AND PERSONAL SERVICE

1. By publication in one of the following newspapers:

THE STAR LEDGER
1 Star Ledger Plaza
Newark, New Jersey 07102
Attention: Legal Advertising, Telephone # (973) 877 - 4141

Legal/Bids are currently published every day except Sunday. Items must be received 3 business days before publication, at 3:00 p.m.

COURIER NEWS
92 East Main Street
Somerville, New Jersey 08876
Attention: Legal Advertising, Telephone # (732) 643 - 3741

2. By personal service or certified mail, return receipt requested:
- a. To OWNERS OF PROPERTY WITHIN 200 feet of the subject property in accordance with list prepared by the Township Tax Assessor. This list must be no more than four (4) months old at the time the notice is served upon adjoining property owners. Personal service is not proper if handed to someone other than the property owner or placed into the mailbox. Signatures and dates on the property list are required if hand-serving.
 - b. To the Middlesex County Planning Board (if application is for property adjacent to an existing County road or proposed road shown on the official County map or on the County master plan, or adjoining other County land or situated within 200 feet of a Municipal boundary).
 - c. To the CLERK of the adjoining municipality and OWNERS OF PROPERTY in the municipality WITHIN 200 feet of the subject property (if applicable) in accordance with a property list prepared by a duly authorized official of said municipality.
 - d. To the New Jersey State Commissioner of Transportation (if property is adjacent to a State Highway).
 - e. To the utility and cable companies listed.

AFTER COMPLETING THE ABOVE NOTIFICATION PROCEDURES, SIGN THE ATTACHED AFFIDAVIT IN FRONT OF A NOTARY PUBLIC. TURN IT IN TO THE BOARD CLERK WITH ALL ATTACHMENTS PRIOR TO THE ASSIGNED DATE FOR THE HEARING.

***** BY LAW, IF EITHER NOTICE IS NOT SATISFIED 10 DAYS PRIOR TO THE HEARING, THE BOARD MUST RESCHEDULE THE APPLICATION FOR A LATER HEARING DATE. *****

TOWNSHIP OF PISCATAWAY UTILITIES – MARCH 2013, REVISED APRIL 2013

The following public and/or Local Utilities and Cable Companies have registered with the Municipality and must receive notice by certified mail of applications for development within Piscataway Township:

1. Public Service Electric & Gas Company
40 Rock Avenue
Plainfield, NJ 07063
Attention: Raymond Boyd

2. Sunoco Logistics
525 Fritztown Road
Sinking Spring, PA 19608
Attention: Michael M. Baker

3. Cablevision
275 Centennial Avenue
Piscataway, NJ 08854
Attention: Craig McLeod

4. New Jersey American Water Company, Inc.
c/o General Tax Dept.
PO Box 5627
Cherry Hill, NJ 08034

RE: _____

DAWN CORCORAN-GARDELLA
Zoning Officer

TOWNSHIP OF PISCATAWAY
PUBLIC WORKS COMPLEX
505 SIDNEY ROAD
PISCATAWAY, NEW JERSEY 08854

TO: () SEND

PHONE NUMBER _____

DATE: _____

SUBJECT: _____

CERTIFIED LIST OF PROPERTY OWNERS within 200 ft. of premises known as:

BLOCK/S: _____

() CALL FOR PICK UP

LOT/S: _____

NAME _____

PROPERTY ADDRESS: _____

PHONE () _____

\$10.00 Fee received by: _____

DATE: _____

TAX MAP PREPARED BY: _____

DATE: _____

TAX MAP SHEET/S _____

LIST PREPARED BY: _____

DATE: _____

NOTICE FORM

This form is to be used for both Newspaper Publication and service to surrounding Property Owners.

Today's Date _____

TO: (Newspaper) _____

TO: (Property Owner) _____ of, Block _____ Lot _____

PISCATAWAY TOWNSHIP TAKE NOTICE THAT

(Applicant's Name)

(Property Address)

has requested the granting of _____, Application # _____
(application type)

to appeal/permit/seek relief from the Piscataway Township Zoning Code,

_____, where required is _____, and proposed is _____,
(Chapter/Section)

_____, where required is _____, and proposed is _____,
(Chapter/Section)

_____, where required is _____, and proposed is _____,
(Chapter/Section)

for the purpose of _____

at premises located at _____ listed as Block _____ Lot _____

on Tax Map Number _____

The applicant also requests any and all other variances/relief the Board may deem necessary.

The _____ Board will conduct a public hearing to obtain testimony on the application. The hearing will take place during a meeting of the Board which will be called to order at 7:30 P.M. on the _____ day of _____, 20____, in the Meeting Room of the Public Works Center, 505 Sidney Road, Piscataway, N.J.

Maps and documents pertaining to this application are available to the public for inspection Monday through Friday, 8:30 A.M. to 4:30 P.M. at the Public Works Center, Municipal Complex, 505 Sidney Road, Piscataway, N.J.

Note to the property owners:

Letters and petitions presented to the board may not be considered unless the persons who sign such letters or petitions appear at the hearing.

AFFIDAVIT

STATE OF NEW JERSEY:

COUNTY OF MIDDLESEX:

I, _____, being duly sworn according to law, depose and say: I have given written notice of a public hearing in accordance with the requirements set forth on the notice instructions provided by the Township of Piscataway in the form attached hereto, to all such parties as are listed on the attached certified property list, of the property known as (street address) _____, Block _____, Lot _____.

Said notice was given by (either/both) certified mail, return receipt requested (and/or) personal service.

I have also caused said notice to be published in the _____, which is an Official Newspaper of the Township of Piscataway. The affidavit of publication, provided to me by the Newspaper, is attached as evidence of said publication.

All notices were given at least ten days prior to the date of said hearing to be held before the

_____ of the Township of Piscataway.
(Board Name)

_____(Applicant Sign)

Sworn and subscribed before me

this _____ day of _____, 20_____(Notary Sign)

TEXAS EASTERN TRANSMISSION CORPORATION
A Unit of Pittsburgh Eastern Corporation

RECEIVED

1996 MAR 27 11 3 28

W. Mark Davis
Division Manager
Transmission

ENGINEERING DIVISION

March 22, 1996

Lenore Slothower, Director of Community Development
Piscataway Township
455 Hoos Ln.
Piscataway, NJ 08854

Re: Contractor Assistance - R/W Encroachments

Dear Ms. Slothower:

Texas Eastern Transmission Corporation (Texas Eastern) owns, operates and maintains six (6) high pressure natural gas pipelines through Piscataway Township. The safety of the general public and our employees and the preservation of our pipeline system are our major objectives.

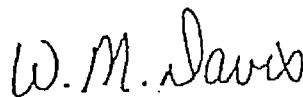
Over the past years we have received numerous requests for our list of requirements for construction in the vicinity of our pipelines. We have been requested to respond to building and other permit applications as they affect our pipelines. We are asking for your assistance during the permitting process. If our pipelines are on the property being developed, the applicant should contact our South Plainfield Office at 501 Coolidge Street, South Plainfield, NJ 07080, at which time we will arrange for a site visit and marking of our pipelines and right-of-way.

We also request that you direct the developers to contact Garden State Underground Plant Location Services (GSUPLS) in the early planning stages of their project as the law requires. The GSUPLS phone number is 1-800-272-1000. They will in turn notify each underground utility operator located in your Township of the developer's planned activities.

If your jurisdiction does not include permitting but are frequently contacted by individuals or developers inquiring about development requirements, we are hopeful that you will share the enclosed pipeline information with them and direct them to GSUPLS or Texas Eastern for further information.

We are most hopeful that a partnership between your Township and Texas Eastern can produce a safe environment for the general public. If you have any additional questions or if we can help in any way, please feel free to contact Thomas V. Wooden, Jr., South Plainfield Area Superintendent, at (908) 757-1215, or me at (717) 540-8311.

Sincerely,



W. M. Davis

WMD:lfb

Enclosure
General Requirements

19A-6 Fees for Board of Adjustment, Planning Board and Administrative Determinations. [Added 8-17-93 by Ord. No. 93-54]

a. *Development Application Fees.* The developer shall, at the time of filing an application, pay a nonrefundable fee to the Township of Piscataway by cash, check, certified check or bank draft in accordance with the fees contained herein. The fee to be paid shall be the sum of the fees for the component elements of the plat or plan. Proposals requiring a combination of approvals, such as subdivision, site plan, and/or variance, shall pay a fee equal to the sum of the fee for each element. Additional fees may be assessed for extraordinary review costs not otherwise covered.

1. Application for development permit
 - (Zoning permit, residential)..... \$ 20.00
 - non-residential.....\$40.00
 [Amended 11-9-93 by Ord. No. 93-75]
2. Conceptual review\$500.00
3. Minor subdivision application
 - (a) Application fee.....\$350.00
4. Major subdivision application
 - (a) Preliminary application fee.....\$500.00
plus \$50.00/ lot
 - (b) Final application fee.....50% of preliminary
application fee
5. Minor site plan application (less than
10,000 square feet of additional construction
plus additions over 10,000 square feet.....\$450.00
[Amended 4-5-94 by Ord. No. 94-12]
6. Major site plan application
 - (a) Preliminary application fee.....\$500.00
 (1) Residential (including multifamily and
planned residential but not including
sheltered care, nursing homes or other medical/institutional uses)-
the sum of:
 - (i) For each new dwelling unit plus.....\$75.00
 (2) Uses other than residential:
 [Amended 4-5-94 by Ord. No. 94-12]
 - (i) For each square foot of new
construction up to 1,000
square feet.....\$1.00 per s/f
 - (ii) For each 1,000 square feet
thereafter.....\$10.00 per 1,000 s/f
 - (iii) For each proposed new or
additional parking space
(only if no new construction).....\$20.00 / space
 - (iv) For each proposed free standing
sign.....\$50.00
 - (b) Final application fee..... 50% of the total
preliminary fee

Rev. Ord. Supp. 12/93

- 7. Appeals of decisions of administrative official.....\$150.00
- 8. Interpretation of the land use and development regulations or zoning map.....\$350.00
- 9. Certification as to prior nonconforming use
 - (a) application to administration officer (up to one year from adoption of ordinance).....\$10.00
[Amended 11-9-93 by Ord. No. 93-75]
 - (b) Application to board of adjustment.....\$500.00
[Amended 3-5-96 by Ord. No. 96-9]
- 10. Variances
 - (a) Hardship or bulk variance..... \$350.00
 - (1) Except residential additions, including sheds, decks, porches, garage conversions, rooms, etc..... \$50.00
 - (b) Use variance.....\$500.00
 - (c) Variance for frontage on unimproved road..... \$300.00
- 11. Conditional uses..... \$500.00
- 12. Extension of approval.....\$100.00
- 13. Publication Fee, Single Family/Residential Development.....\$25.00

b. *Miscellaneous Fees.*

- 1. Reproduction of records
 - (a) Duplication of tape recordings\$25.00/meeting
 - (b) Prints from microfilm..... \$50.00
- 2. Continued hearings (other than use variances)..... 10% of original filing fee for all hearings continued beyond initially scheduled hearing date
- 3. Continued hearings (use variances).....\$650.00 per meeting or portion thereof
- 4. Special meeting (where granted).....\$1,500.00
- 5. Fee for extension of time requested by applicant..... \$25.00
[Added 4-5-94 by Ord.No.94-12]

19A-7 Fees for Certificates of Occupancy and Code Enforcement.
[Added 8-17-93 by Ord. No. 93-54]

Each application for a certificate of occupancy shall be accompanied by a fee in accordance with the following schedule:

- a. Mandatory code enforcement letter.....\$15.00
- b. State Uniform Construction Code Enforcement Fees.....See section 13-3.3

ORDINANCE NO. 04-13.

**AN ORDINANCE AMENDING ARTICLE XIX-A (LAND USE PROCEDURES) OF
THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF
PISCATAWAY, MIDDLESEX COUNTY, NEW JERSEY**

BE IT ORDAINED, by the Township Council of the Township of Piscataway, County of Middlesex and State of New Jersey, that *Article XIX -A, Section 19A-8* be and is hereby amended, repealed and supplemented to read as follows:

SECTION ONE:

19A-8. ESCROW FUNDS FOR PROFESSIONAL SERVICES

Fees: The escrow deposit fees are established to cover the costs of professional services, including but not limited to: engineering, legal, planning, landscaping, traffic, environmental and other expenses incurred by the Township for the review of submitted materials for specific development applications.

1. Escrow Deposits for Professional Services.

- (a) The Township of Piscataway, acting through its Planning Board and/or Board of Adjustment shall require fees for technical and/or professional services and testimony employed to the Board in reviewing an application. Fees required for this purpose shall be held in an escrow account by the Township.
- (b) Fees for technical and/or professional services shall be in addition to any and all other required fees.
- (c) The applicant shall pay for professional review services which are reasonably necessary for the review, processing, research and/or memorialization of any application for development.

These services include, but shall not be limited to, an attorney, professional planner, professional engineering, traffic engineer, environmental consultant and/or other professional as deemed necessary by the reviewing Board.

- (d) The review services of these professionals shall be charged at the hourly rate authorized or paid by the Township for professional services based upon the current fee schedule.
- (e) Each applicant shall provide the Township with a federal tax identification number or federal social security number.
- (f) All payments charged to the individual application escrow deposit shall be pursuant to charges from the professionals stating the hours spent, the hourly rate and the expenses incurred. The municipality shall render a written final accounting to the developer on the uses to which the escrow deposit was put. Thereafter, the municipality shall, upon written request, provide copies of the vouchers to the developer.
- (g) If the salary, staff support and overhead for a professional review are provided by the municipality,

the charge to the escrow deposit shall not exceed two hundred percent (200%) of the sum of the products resulting from multiplying the hourly base salary of each of the in-house professionals and support staff by the number of hours spent on the respective review of the application for development. For other professionals, the charge to the deposit shall be at the same rate as all other work of the same nature by the professionals for the municipality.

2. Submission of Escrow Deposit.

- (a) The applicant shall submit the required escrow deposit to the Administrative Officer prior to the applicant being reviewed for completeness. No application shall be determined complete, reviewed by professional staff or placed on the agenda for public hearing until the required escrow deposit is paid.
- (b) Required escrow deposits shall be in the form of cash, money order or check payable to the Township of Piscataway.

3. Escrow for Informal Review.

- (a) Whenever an applicant requires an informal review of an application for development,

involving technical or professional advisors, an escrow deposit shall be required in accordance with the schedule for formal applications. The deposit must be received prior to professional review. There shall be a fee assessed for each informal review that might be required for any reason.

(b) Any escrow deposit received for informal review shall be in addition to the required escrow deposit for formal applications. The cost for professional services involved in the informal review shall be considered part of the formal application review and charged to the escrow account.

(c) **The professional escrow deposit for a capital project review shall be one thousand two hundred dollars (\$1,200.00).**

4. Schedule of Required Fees for Escrow Deposit. The following **minimum** sums are required to be deposited in an escrow account for applications to the Planning Board and/or Board of Adjustment. Where the initial escrow deposit required exceeds \$5,000., the Director of Community Development may, in his discretion, limit the initial deposit to \$5,000. and require the balance or a portion thereof upon written notice to the applicant.

Immediately following is the schedule of fees.

SUBDIVISION FEES

Minor Subdivision

Number of Lots

2 Lots or fewer:

Fee

\$250 per lot

Major Subdivision (Preliminary)

Number of Lots

3 to 10 lots:

\$2,000.00

11 to 25 lots:

\$3,000.00

26 to 50 lots:

\$4,000.00

51 to 100 lots:

\$6,000.00

101 to 250 lots:

\$8,000.00

251 to 500 lots:

\$10,000.00

Over 500 lots:

\$12,000.00

Final Subdivision

3 to 25 lots:

\$1,000.00

26 to 100 lots:

\$2,000.00

101 to 500 lots:

\$3,000.00

Over 500 lots:

\$4,000.00

SITE PLAN FEES

Preliminary

Residential Site Plan

Number of Units

1 to 9

\$1,500.00

10 to 25

\$3,000.00

26 to 50

\$4,500.00

51 to 100

\$6,000.00

101 to 250

\$7,500.00

251 to 500

\$10,000.00

over 500

\$12,000.00

Non-Residential Site Plan

Principal Building Over 1000 S.F.

Gross Floor Area (S.F.)

Fee

1,000 to 2,500

\$1,500.00

2,501 to 5,000

\$2,500.00

5,001 to 10,000

\$4,000.00

10,001 to 15,000

\$6,000.00

15,001 to 20,000

\$8,000.00

20,001 to 25,000

\$10,000.00

25,001 to 100,000

\$12,500.00

over 100,000

\$15,000.00

**Principal Building Less than 1000
S.F.**

Lot Area

Fee

Up to an acre

\$1,500.00

1 – 5

\$2,500.00

6 – 10

\$4,000.00

Over 10

\$5,000.00

Final for Residential/Non-Residential Site Plan

20% of preliminary escrow fee or a minimum of \$1,000.00, whichever is greater

Minor Site Plan

(see above)

Concept Plans

Residential Site Plan/Subdivision: A minimum of \$500.00 shall be deposited. \$50.00 per unit for the first 200 units and \$10.00 per unit for the remaining units.

Non-Residential Site Plan/Subdivision: A minimum of \$500.00 shall be deposited. \$.05 per sq.ft. for the first 200,000 sq.ft. & \$.025 for the remaining square feet. For subdivisions, the fee shall be based on allowable coverage.

VARIANCE FEES

Appeals under 40:55D-70a

\$350.00

Interpretation or special questions under 40:55D-70b

\$350.00

Variations under 40:55D-70c

Residential 1 lot: no charge
All Others: \$250.00 each
Nonresidential: \$500.00 each

Variations under 40:55D-70d

\$1,000.00

Conditional Use

\$1,000.00, in addition to site plan

PLANNED UNIT DEVELOPMENT

Fees shall be as for a simultaneous major site plan & major subdivision application, with fees for residential & nonresidential development computed separately, and thereafter cumulatively upon the applicant

Extension of Approval

\$500.00

5. Review of Escrow Deposit Amount.

(a) Prior to making a determination of completeness upon any application, the Administrative Official shall review said application to determine whether the escrow amount set forth above is sufficient. If the amount set forth is determined insufficient by the Administrative Official or reviewing Board to cover professional costs anticipated for the application, additional funds in the amount of one third (1/3) of the initially required escrow fee shall be deposited by the applicant prior to declaring the application complete. The application shall not be declared complete or placed on the agenda for public hearing until such additional escrow deposit is received.

(b) **At any time after a determination of completeness, the Administrative Officer may, in his or her discretion, require an increase or decrease in the escrow amount, based upon an estimate of the need for professional services.**

6. Escrow deposit submission. The escrow amount shall be deposited by the Township into an official depository of the Township in a separate interest-bearing escrow account in the name of the Township and the applicant. The custodian of the account shall be the Director of Finance. The custodian shall notify the applicant, in writing, of the name and address of the depository and the amount of the deposit. Disbursements for professional review services shall be made in accordance with state law and Township procedures. Deposit amounts shall be transmitted pursuant to state statute and applicable Township regulations and ordinances. When charges for review fees are received by the custodian of the escrow account, the amounts shall be transferred to the general fund of the Township for approval and disbursements. In accordance with *N.J.S.A. 40:55D-53.1*, sums not utilized in the review process shall be returned to the applicant. If additional sums are deemed necessary, the applicant shall be notified of the required additional amount and shall add such sum to the escrow as detailed elsewhere in this submission.

7. Escrow Amounts Over Five Thousand Dollars

(\$5,000.00), Conditions. Pursuant to *N.J.S.A.*

40:55D- 53.1, whenever an amount of money in excess of five thousand dollars (\$5,000.00) shall be deposited by an applicant in the Township for professional services employed by the Township to review applications, the money, until repaid or applied to the purposes for which it is deposited, including the applicant's portion of the interest earned thereon, except as otherwise provided for therein, shall continue to be the property of applicant and shall be held in trust by the municipality. Money deposited shall be held in escrow in an account bearing interest at the minimum rate currently paid by the institution or depository on time or saving deposits. The Township shall notify the applicant in writing of the name and address of the institution or depository in which the deposit is made and the amount of the deposit. The Township shall not refund an amount of interest paid on a deposit which does not exceed one hundred (\$100.00) dollars for the year. If the amount of interest exceeds one hundred (\$100.00) dollars, that entire amount shall belong to the applicant and shall be refunded to him by the Township at the time that the unexpended deposit is repaid or applied to the purpose for which it was deposited, as the case

may be; except that the Township shall retain for administrative expenses a sum equivalent to no more than thirty-three and one-third (33 1/3%) percent of that entire amount which shall be in lieu of all other administrative and custodial expenses.

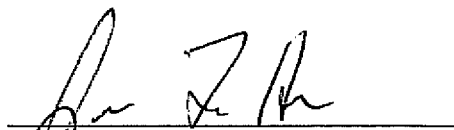
8. Refunds. All escrow funds described herein shall be utilized by the appropriate Board to pay the cost of any technical and/or professional services incurred by the Board for review and/or testimony in connection with the particular application. All funds not expended shall be refunded to the applicant within one hundred eighty (180) days after the final determination by the appropriate Board with respect to such application.
9. Rules & Regulations. A dispute or appeal as to charges of a professional, or, issues concerning an accounting shall be governed by *N.J.S.A. 40:55D-53.1, 53.2 and 53.2A,*

ATTEST:

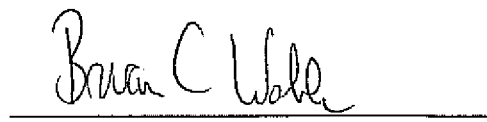


ANN NOLAN, Township Clerk

Adopted, First Reading: February 3, 2004.
Publication Date: February 6, 2004.
Adopted, Second Reading: February 17, 2004.
Publication Date; February 20, 2004.



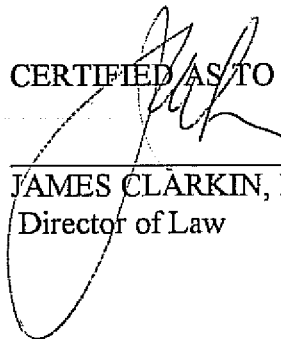
JAMES F. HUBEN.
Council Vice-President



BRIAN C. WAHLER, Mayor

Dated: 2-20-04

CERTIFIED AS TO FORM AND LEGALITY:



JAMES CLARKIN, III ESQ.
Director of Law