

ORDINANCE NO. 2017-03
TOWNSHIP OF GREEN, COUNTY OF SUSSEX, STATE OF NJ

**AN ORDINANCE AMENDING AND SUPPLEMENTING THE LAND
USE APPLICATION FEES TO NOW BE INCLUDED IN
CHAPTER VIII "FEES" OF THE
CODE OF THE TOWNSHIP OF GREEN**

BE IT ORDAINED by the Township Committee of the Township of Green as follows:

SECTION 1: Article V of Chapter XIII "Fees" of the Code of the Township of Green is hereby repealed in its entirety.

SECTION 2: There is hereby established the following Land Use Development Fees to be new Article V of Chapter XIII "Fees" of the Code of the Township of Green to read as follows:

ARTICLE V

Land Use & Development, Chapter XXX and Soil Erosion and Sediment Control, Chapter XXVI

8-51 GENERAL

- A. Application fees and deposits for technical review shall be paid by every applicant for development within the Township of Green pursuant to N.J.S.A. 40:55D-1 et seq. Every application for development that includes a requirement for a deposit of funds to cover the cost of technical review shall be accompanied by two separate checks payable to the Township of Green: one for the application fees and the other for technical review fees. The Technical Review fees shall be deposited into an escrow account. Fees shall be paid by the applicant in accordance with the schedule in Sections 8-56 through 8-65 of this Chapter as follows.
- B. No application shall be deemed complete until and unless application fees and technical review fees are submitted in the amounts set forth in the schedules below.
- C. Permits, when required, shall not be issued until and unless the appropriate application fees and technical review fees are submitted in the amount set forth in the schedules below.
- D. All fees (application and technical review) are cumulative.
- E. It shall be understood that any application fees or technical review fees in Sections 8-56 through 8-65 of this Chapter that reference a per unit(s) fee (ex. Per 1000 sq. ft.) shall include by reference here "or fraction thereof."
- F. Application fees and technical review fees shall be applied and processed in accordance with N.J.S.A. 40:55D-1 et seq.

8-52 APPLICATION FEES

- A. Applicants shall pay application fees in accordance with the schedules below.
- B. No application shall be considered complete until application fees in the amounts set forth below are received by the municipality.
- C. Application fees shall be non-refundable.
- D. Application fees are used to cover, in part, the administrative costs associated with the Board in addition to defraying the cost of tuition for those persons required to take the course in land use law and planning.

8-53 TECHNICAL REVIEW / INSPECTION / BOND (ESCROW) FEES

- A. Applicants shall pay technical review fees in accordance with the schedules below.
- B. Technical review fees shall be used to pay fees incurred for the technical review of an application by the Township Engineer, Planner, Attorneys and any other professional expert or consultant whose review, study, research and reports and/or testimony is deemed necessary by the municipal

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agency in order to assure compliance with State and Township laws, ordinances, rules and regulations.

- C. Technical review fees shall be calculated in accordance with the actual time required for review at rates consistent with the professional’s contract with the Township.
- D. Each deposit for technical review fees shall be held in escrow by the Township in an account separate from the general funds of the Township.
- E. All interest earned on any account shall be retained in the account until paid over as hereinafter provided.
- F. All payments charged to the deposit shall be pursuant to vouchers from the professionals stating the hours spent, the hourly rate and the expenses incurred.
- G. In the event that the initial deposit made by an applicant is not sufficient to cover all technical review, report and/or testimony costs with respect to the application for which the deposit was made, upon request by the Township, the applicant shall make such further deposit or deposits as may be necessary to cover further technical review, report and/or testimony costs. The greater of \$250.00 or 25% of the original deposit shall be considered insufficient for this purpose and the applicant will be required to deposit additional funds in an amount to sufficiently increase the balance in the account to an amount equal to 50% of the initial deposit. Continuation of a project is dependent upon receipt of any such additional deposits as are requested.
- H. No final action shall be taken until and unless all escrow deposit fees in connection with the application shall have been paid in full. Every Resolution of memorialization adopted by any Board pursuant to N.J.S.A. 40:55D-10(g) shall be expressly conditioned upon the applicant making payment in full of all sums due to or to grow due on account of such escrow account within twenty (20) days of the date of being billed therefore by the Township.
- I. Close out procedure: The applicant shall send written notice by certified mail to the chief financial officer of the municipality, the Board Secretary, and to the relevant municipal professionals, that the application or the improvements, as the case may be, are completed. After receipt of such notice, the professional(s) shall review the application for completeness and render a status of the application within 15 days of the applicant’s request and which shall be sent simultaneously to the applicant. When an application is determined to be complete the professional(s) will submit a final bill within 30 days of the applicant’s request. Only when an application/project is determined to be complete by all applicable professionals shall the Board Secretary arrange for the refunding of any balance due within 45 days of receipt of professional(s) final bill.

8-54 through 8-55 (reserved for future use)

8-56 SITE DEVELOPMENT*

	APPLICATION	TECHNICAL REVIEW/INSPECTION
Site Plan Concept	\$250.00	\$2,000.00**
Minor Site Plan	\$250.00	\$5,000.00
Major Site Plan Preliminary	\$2,000.00 + \$100.00 per 1,000 sq. ft. of building area	\$3,000.00 + \$1,000.00 per 1,000 sq. ft. over 1,000 sq. ft.
Major Site Plan Final	50% of original application fee + \$100.00 per acre	50% of original deposit + \$100.00 per acre

* Soil Erosion/Sediment Control fees are likely to be required in accordance with subsection 8-65.

** May be waived when no professional review is specifically requested in writing.

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8-57 SUBDIVISION OF LAND*

		APPLICATION	TECHNICAL REVIEW/INSPECTION
Subdivision Concept Plan		\$250.00	\$2,000.00**
Minor Subdivision (1 – 3 lots)		\$750.00 + \$250.00 per lot on plan	\$5,000.00
Major Subdivision Preliminary:			
	Residential	\$1,000.00 + \$500.00 per lot	<10 units = \$5,000.00 <25 units = \$10,000.00 <50 units = \$30,000.00 >50 units - consult with Board Secretary
	Non-Residential	\$1,000.00 + \$500.00 per lot	\$10,000.00 for 1 – 3 lots \$20,000.00 for 3 + lots
Major Subdivision Final		50% of original application fee + \$100.00 per acre + \$100.00 per lot shown on plan	50% of original tech. review deposit + \$100.00 per acre
Amended Preliminary or Final Subdivision		50% of original application fee	50% of original tech. review deposit
Phasing Plan		\$1,000.00	\$1,500.00

* Soil Erosion/Sediment Control fees are likely to be required in accordance with subsection 8-65.

** May be waived when no professional review is specifically requested in writing.

8-58 VARIANCES

		APPLICATION	TECHNICAL REVIEW/INSPECTION
Application for appeals pursuant to N.J.S.A 40:55D-70(a)		\$750.00	\$2,000.00
Application for appeal when building does not abut an approved street		\$1,000.00	\$3,000.00
Application for interpretation pursuant to N.J.S.A 40:55D-70(b) (map, zoning Ordinance, decision):			
	Residential	\$750.00	\$3,000.00
	Non-Residential	\$1,000.00	\$3,000.00
Application for “C / Bulk” variance pursuant to N.J.S.A 40:55D-70(c)			
	Existing improved lot:		
	Additions	\$500.00	\$3,000.00
	Detached Accessory Structure	\$300.00	\$3,000.00
	Decks	\$200.00 + \$10.00 per sq. ft. over 280 sq. ft.	\$3,000.00
	New Construction on unimproved lot	\$1,000.00	\$3,000.00
	When C/bulk variance is part of	\$250.00 per variance	\$1,000.00 per variance

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subdivision	requested	requested
Application for "D/ Use" variance pursuant to N.J.S.A 40:55D-70(d)		
Residential	\$1,500.00	\$5,000.00
Multi-Family Residential		
1 – 2 units	\$1,500.00	\$5,000.00
3 – 5 units	\$2,000.00	\$8,000.00
6 – 10 units	\$3,000.00	\$18,000.00
Non-Residential	\$2,000.00	\$5,000.00
Use Variance in conjunction with subdivision, site plan, or conditional use (these fees in addition to applicable fees and deposits for subdivision, site plan, or conditional use)	\$1,000.00	\$5,000.00

8-59 MISCELLANEOUS

	APPLICATION	TECHNICAL REVIEW/INSPECTION	BOND
Certificate of Pre-Existing Non-Conforming Use (after 12 month grace period)	\$100.00	\$2,000.00	
Matters upon which a Board is empowered to act pursuant to N.J.S.A 40:55D-1 et seq not otherwise addressed in this Chapter			
Residential	\$750.00	\$3,000.00	
Non-Residential	\$1,000.00	\$3,000.00	
Time Extension of Approval	\$250.00	\$750.00	
Request for Amendment of previously adopted Resolution	\$500.00	\$1,000.00	
Request for Special Board meeting (must be written request at least 14 days prior to requested meeting date)	\$1,000.00	\$1,000.00	
Zone Change request (initial request to Township Committee)	\$5,000.00	\$1,000.00 per acre affected	
Land Disturbance	\$100.00		\$3.00 per sq yd of disturbance
Conditional Use (in addition to site plan fees)	\$500.00	\$100 per acre	

8-60 Through 8-64 (reserved for future use)

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8-65 SOIL EROSION AND SEDIMENT CONTROL, Chapter XXVI

	APPLICATION	TECHNICAL REVIEW/INSPECTION
In conjunction w/Minor Site Plan	\$100.00	\$500.00
In conjunction with Major Site Plan	\$200.00	\$1,000.00 + \$50.00 per acre
In conjunction with Minor Subdivision	\$100.00	\$1,000.00
In conjunction with Major Final subdivision	\$200.00	\$100.00 per lot
Single-family Home	\$100.00	\$800.00
Soil Removal	\$500.00	\$1,000.00 + \$50.00 per acre
Land Disturbance (w/o construction of improvements)	\$100.00	\$3.00 per sq. yd. of disturbance

8-66 through 8-70 (reserved for future use)

SECTION 3: All ordinances or parts of ordinances that are inconsistent with the provisions of this ordinance are hereby repealed to the extent of such inconsistency.

SECTION 4: This ordinance shall take effect after publication and passage as required by law.

ATTEST:

Mark Zschack, Clerk/Administrator

Margaret "Peg" Phillips

Record of Vote - Introduction:

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
Mr. Chirip	√		√			
Mr. Conkling		√	√			
Mr. Qarmout						√
Mrs. Raffay			√			
Mrs. Phillips			√			

Record of Vote - Adoption:

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
Mr. Chirip						
Mr. Conkling						
Mr. Qarmout						
Mrs. Raffay						
Mrs. Phillips						

INTRODUCED: January 18, 2017
ADVERTISED INTRODUCTION:
PUBLIC HEARING: February 22, 2017

ADOPTED:
ADVERTISED ADOPTION: