

**Green Township Board of Adjustment**  
**APPLICATION**

**Part One**

(List of contents, Applicable meeting dates, Instruction sheets)

# **GREEN TOWNSHIP BOARD OF ADJUSTMENT APPLICATION**

## **VARIANCE, APPEAL and/or INTERPRETATION**

**This application package contains the following information & forms:**

### **Yearly Meeting Dates**

### **Application Instruction Sheets**

- **FORM #1 - APPLICATION**
- **FORM #2 - Application Checklists**
- **FORM #3 - Request for Certification of Property Taxes Paid**
- **FORM #4 - Request for List of Property Owners**
- **FORM #5 - List of Property Owners and Manner Served**
- **FORM #6 - Affidavit of Applicant / Affidavit of Ownership**
- **FORM #7 - Applicable to Corporations or Partnerships**
- **FORM #8 - Site Inspection Authorization / Application Fee Statement**
- **FORM #9 - Publication Requirements**
- **FORM #10 - Notice of Public Hearing**
- **FORM #11 - Affidavit of Proof of Service of Notice of Hearing**
- **FORM #12 - FAR Calculations**
- **Appendix A - N.J.S.A. 40:55D-11 - Notice of Applications**
- **Appendix B - Filing Fee Calculation Sheet**
- **Appendix C - Requirements for Nonconforming, i.e Substandard Lots**
- **Appendix D - Zoning Schedule & Map**
- **Appendix E - NJ Herald Legal Notice Requirements**

**There are several municipal employees who can notarize affidavits.  
Call #908-852-9333 and speak to the Receptionist for availability.**

**GREEN TOWNSHIP BOARD OF ADJUSTMENT APPLICATION  
YEARLY MEETING DATES – 2015**

Regular Meetings convene at 7:30 PM, the first Thursday of each month, unless otherwise indicated below at the Township Municipal Building, 150 Kennedy Road, Green Township, NJ.

**Thursday, January 15, 2015**

**Thursday, February 5, 2015**

**Thursday, March 5, 2015**

**Thursday, April 2, 2015**

**Thursday, May 7, 2015**

**Thursday, June 4, 2015**

**Thursday, July 2, 2015**

**Thursday, August 6, 2015**

**Thursday, September 3, 2015**

**Thursday, October 1, 2015**

**Thursday, November 5, 2015**

**Thursday, December 3, 2015**

**Thursday, January 7, 2016**

**IT IS ADVISED NOT TO CONTACT BOARD MEMBERS DIRECTLY  
ABOUT PENDING APPLICATIONS. THE BOARD SECRETARY WILL  
PROVIDE ASSISTANCE AND CAN BE REACHED, AS FOLLOWS:**

Desiree L. Dunn, Secretary  
Planning Board & Board of Adjustment  
Address: PO Box 65 (150 Kennedy Road), Tranquility, New Jersey 07879

**PUBLIC HOURS:**

**Wednesdays and Fridays – 12 to 3 PM; Thursdays - 1:30 to 3:30 PM  
SUMMER HOURS: Tuesdays and Wednesdays - 11 to 3:30 PM; Thursdays - 1:30 - 3:30 PM  
Phone #: 908-852-9333 ext. 13 / Fax #: 908-852-1972**

## **APPLICATION INSTRUCTION SHEET (Page 1 of 2)**

**Applicant must be legal or beneficial owner of any lot included in this application.**  
**(N.J.S.A. 40:55D-4)**

**Attorney Representation:** At the time of the Hearing the applicant must appear in person or be represented by an attorney licensed in to practice in New Jersey. Corporations, partnerships or limited liability companies (LLCs) must appear only through an attorney.

**Status of Property Taxes is required.** Submit **FORM # 3** to the Green Township Tax Collector requesting Statement at least fifteen (15) days prior to the due date of submission to the Planning and Zoning Office. All taxes must be paid in full and certification / proof of payment must be presented to the Board.

### **Application Submittal -**

At least 30 days prior to the Hearing, the applicant **MUST** submit the following to the Board of Adjustment Secretary:

1. Original plus twenty (20) copies\* of **FORM # 1: APPLICATION.**
2. Original plus twenty (20) copies\* of **FORM #2: Application Checklist.**
3. Original plus one (1) copy of **FORM #3, #6, #7, #8 and #12.**
3. Original plus twenty (20) copies\* of any plans and items required by the checklist.
4. All applicable forms herein included.
5. Two (2) separate checks for application and escrow fees, as required. (Insufficient payments may cause the Board Secretary to reject application package. See **APPENDIX B** for guidance)

**Zoning Officer's Denial** - It is recommended that you receive a written determination from the Township Zoning Officer thereby stating which variance(s) will be required and stating which Ordinances are applicable.

**COMPLETENESS REVIEW** - The Engineer, Planner and/or Attorney for the Board, i.e. Board Professionals, or a Board subcommittee, will be asked to review **FORM #1 - APPLICATION** and **FORM #2 - Checklists** to provide information regarding the completeness of an application (the escrow account will be charged for this service). This process is allowed to take up to 45 days following submittal of a properly prepared application to the Board Secretary. The application will then be placed on the next available Board Agenda (providing all requirements are satisfied and proper notice is served as described below), wherein the Board will review the report(s) from the designated professional and you may choose to attend said meeting to hear first-hand about any deficiencies.

*\*You may elect to submit the ORIGINAL plus seven (7) copies initially, if you choose to wait for the Engineering review before submitting all copies; this would be done with the understanding that revisions may be required and a full complement of 15 copies, plus an original, must be submitted at least 14 days of the next Board meeting, where the Board will decide Completeness. It is incumbent upon the applicant to fully address any deficiencies.*

### **HEARINGS**

- A. Once **FORM #1 - APPLICATION** has been deemed COMPLETE by the Board and a Hearing date assigned, the Board Secretary shall send a notice of the date. Having this notice will allow you to serve proper notice, utilizing **FORMS 4, 5, 9, 10 and 11.**
- B. Once the application is scheduled for a Hearing, a completed and signed copy of **Notice of Public Hearing -FORM #10** MUST be served upon each landowner shown on the **List of Property Owners - FORM #4**, completed by the Township Tax Assessor; and upon the Sussex County Planning Board, Commissioner of Transportation of the State of New Jersey, Director of the Division of State and Regional Planning of New Jersey; and the Municipal Clerk of all adjoining municipalities, when required by law (see Appendix A: N.J.S.A. 40:55D-12, Notice of Applications). Applicant shall use **FORM #5** to list the names and addresses of all property within 200 feet of any part of the entire property affected by this

application of appeal and when and how they were notified according to the New Jersey Revised Statutes. Block and Lot numbers and addresses can be secured from the Tax Assessor. **FORM 11** must be notarized and thereby attest that applicants complied with Notice requirements.

**-Properties fronting on County road or adjoins any other County land** - The Sussex County Planning Board should be listed and notified.

**-Properties within 200 feet of a municipal boundary** - Such Municipal Clerk and the Sussex County Planning Board should be listed and notified.

**-Properties adjacent to State Highways** - The Commissioner of the New Jersey Department of Transportation should be listed and notified.

**-If development exceeds 150 acres and/or 500 dwelling units** - The Director of the Division of State and Regional Planning should be listed and notified.

***Please Note:*** *These notices MUST be Served at least ten (10) days before the date of Hearing upon such parties either by handing a copy thereof to such parties, or by sending to said parties a copy thereof by certified mail, to their address as shown on the list of property owners secured from the Tax Assessor, and on all others by certified mail or personal service.*

- C. **Proof of Service – FORM 11**, along with the various proofs described herein MUST be supplied to the Board Secretary at least one (1) day before the scheduled Hearing for crosschecking.
- D. **Newspapers** - State Law requires a public notice of all applications to be published in the official newspaper at least ten (10) days prior to the date of the hearing. The official newspaper is the NJ Herald. The applicant shall utilize **FORM 9** to form the public notice and make the necessary arrangements with the newspaper to publish the notice within the required time. (See **Appendix E**)
- E. **Publication in the Newspaper** - Proof of Publication of Public Notice in the official newspaper MUST BE PRESENTED at time of Hearing in the form of an affidavit from the newspaper and submit same to the Board Secretary at the time of the Hearing. *If the newspaper cannot supply said affidavit in time, the Board will accept a full sheet torn from the newspaper wherein the notice appears at the start of the Hearing for this application.*
- F. **Non-conforming Lots** - In applications involving a non-conforming lot, documented proof that bona fide reasonable offers have been made to sell the subject property to one or more adjoining owners for its fair market value and to purchase additional land of any qualified adjoining lands that would make the applicant's lot conforming or more nearly so, may be an important element of the case. (**APPENDIX C**)
- G. **Advice to generally understand the process & procedures:** It should be understood that once an application has been heard before the Board and a decision has been rendered, a request for a second hearing on the same case may be denied. Therefore, an applicant who is unfamiliar with the proceedings of the Board of Adjustment, and who will not be represented by an attorney is advised to become familiar with the Green Township Land Development Ordinances (available for sale or review at the Town Hall), the general Town ordinances applicable to the case, as well as applicable New Jersey Statutes.
- H. **Hearing Order** - Applicants will be heard in the order in which the applications are filed with the Board Secretary and procedures pending to determine completeness. This Board reserves the right to carry over to another meeting any hearing or unheard applications continuing beyond 10:00 PM.