



TOWNSHIP OF WEST ORANGE APPLICATION PACKAGE PLANNING BOARD OR ZONING BOARD OF ADJUSTMENT

1. Zoning/Planning Board Application
2. Checklists:
 - “C” and “D” Applications Interpretations and Appeals
 - Major/Minor Site Plan or Subdivision (52 Items)
 - Sustainability Checklist
3. Fee Schedules
4. W-9 Form
5. Zoning Board of Adjustment Meeting Schedule
6. Planning Board & Site Plan Review Advisory Board Meeting Schedule
7. Tree Removal Application Procedure
8. Tree Removal Application
9. Ordinance 2436-15 Amending Chapter 25, Sections 4, 51.6, 51.7, 51.8, 51.9, 51.10 & 51.15 (Revision of Various Zoning Ordinances)
Adopted 2/10/2015
10. Ordinance 2448-15 Amending Chapter 25, Section 51.16
Adopted 5/12/2015
11. Ordinance 2464-15 Amending Chapter 25, Sections, 8.4, 9.9, 9.10, & 11.10 & Chapter 32, Section 3 (Revision of Various Zoning Ordinances)
Adopted October 27, 2015

BEFORE preparing or submitting an Application, it is strongly suggested that you contact the Planning Board Secretary or Zoning Board Secretary. We will be happy to assist you or answer any questions pertaining to the filing of an application to the Planning Board (325-4111) or Zoning Board of Adjustment (325-4108).

PLEASE NOTE:

- ! The application must be typed or neatly printed.
- ! One original along with 4 paper copies and one digital copy shall be submitted - no exceptions.
- ! Each application, including the original must have attached any enclosures as required.
- ! Refer to the Zoning Ordinance for all application requirements.
- ! Application fees and escrow must be submitted at the time of filing.
(If an escrow fee is required, a completed W-9 form must accompany the fees).
- ! All experts must be licensed to practice in the State of New Jersey.
- ! Any additional documents submitted after the original filing of the Application must include one original and 4 paper copies and one digital copy to the Zoning Board or Planning Board and must be submitted at least 10 days before the Applicant's public meeting date.

Pursuant to Municipal Land Use Law, N.J.S.A. 40:55D-10(f), a verbatim recording of the proceedings shall be made. The Planning Board or Zoning Board of Adjustment shall furnish duplicate recording upon request from any interested party at the requesting party's expense which shall not exceed the actual cost of preparation. All transcripts which may be prepared from any such recording, whether prepared at the request of the Board or an interested party, shall be transcribed by a licensed New Jersey Court Reporter and certified in writing to be accurate.

After the Board hears the Application and renders a decision, a Resolution will be read and voted on at the next scheduled regular meeting. Upon receipt of the signed Resolution, the Applicant must submit eight (8) full size sets of final site plans, signed and sealed, to the Board Secretary for signatures. Once the Applicant receives a copy of the signed site plan, the Applicant may then apply for building permits.

TOWNSHIP OF WEST ORANGE APPLICATION FORM FOR THE PLANNING BOARD OR ZONING BOARD OF ADJUSTMENT

A. APPLICANT INFORMATION

Full Legal Name: Wonder Group, Inc.

Mailing Address: 399 ^(Last) Jefferson Road, Parsippany, NJ 07054 ^(First)

Telephone Number: (201) 638-7252 ^(Street) ^(City) ^(State) ^(Zip) Email: jbottcher@wonder.com

Is the Applicant an: ☐ Individual, ☒ Corporation, ☐ Partnership, ☐ Other _____

If the Applicant is a corporation or partnership, a list of the names and addresses of persons having a 10% interest or more in the corporation or partnership must be attached.

Relationship of the applicant to the property: ☐ Owner, ☒ Tenant or Lessee, ☐ Purchaser under contract
(with consent of owner, ☐ Other (please specify) _____)

If the applicant is not the owner of the property in question, the applicant must submit an affidavit with the owner(s) authorization to proceed with this process.

B. PROPERTY OWNER INFORMATION

☐ Check here if same as applicant. If the owner is not the applicant, please complete the following:

Owner's Name: Mayfair Holding Corp.

Address: 481 Eagle Rock Avenue, West Orange, NJ

Telephone Number: (____) _____ Email: _____

C. PROPERTY INFORMATION

Street Address: 481 Eagle Rock Avenue, West Orange, NJ

Block Number(s): 152.01; Lot Number(s): 1445.01

Tax Plate: _____; Zone of Property: B2

The location of the property is approximately 500 feet from the intersection of Co Rd 577 and Eagle Rock Avenue (closest intersection.)

Has there been any previous Zoning Board of Adjustment or Planning Board hearings involving this property?

☐ Yes, Date(s): _____ ☒ No

If yes, please attach copies of the written decisions adopted by the Board to each application.

Please attach a list of all contiguous or adjacent property owned by the applicant or owner ☒ None

Is this property listed in "The Historic Sites Survey" prepared by Robert Guter 7/9/1992 ☐ Yes ☒ No

D. TYPE OF APPLICATION

Indicate the type of application being submitted, check all boxes that apply. Note that more than one variance may be necessary, please indicate the number of each type needed:

- 1) ☒ Interpretation of ordinance or map.
- 2) ☐ Appeal of action of Zoning Officer.
- 3) ☐ Variance "C1" Reason: ☐ shape of property; ☐ physical features; ☐ exceptional situation.
- 4) ☐ Variance "C2".
- 5) ☒ Variance "D".
- 6) ☐ Subdivision without variances: ☐ major; ☐ minor; ☐ preliminary; ☐ final; ☐ preliminary and final.
- 7) ☐ Subdivision with variances: ☐ major; ☐ minor; ☐ preliminary; ☐ final; ☐ preliminary and final.
- 8) ☐ Site Plan: ☐ preliminary; ☐ final; ☐ preliminary and final; ☐ with variances; ☐ without variances.
- 9) ☐ Amended Site Plan.
- 10) ☐ Conditional Use.
- 11) ☐ Conceptual.
- 12) ☐ Home Professional Office.
- 13) ☐ Home Occupation.
- 14) ☐ Soil Removal Permit.

Please list the specific Sections of the Ordinance for which a variance is sought. If additional space is required, please attach a list.

Section: §25-7.1 (Att A); Proposed: Food Production; Description: See attached Statement of Principal Points

Section: _____; Proposed: _____; Description: _____

Section: _____; Proposed: _____; Description: _____

Section: _____; Proposed: _____; Description: _____

E. DESCRIPTION OF PROPERTY

Existing Use of the Property

Briefly describe the major elements of your proposal: (a more detailed description is required in Section G.)
See attached Statement of Principal Points.

The property is 476,210 (square feet); 10.93 (acres)

Impervious Surface Coverage: Present: 39.1%; Proposed: 39.3%

Building Coverage: Present: 6%; Proposed: No Change

Is the property located:

Within 200 feet of another municipality? ☐ Yes ☐ No

Adjacent to an existing or proposed county road? ☐ Yes ☐ No

Adjacent to other county land? ☒ Yes ☒ No

Adjacent to a state highway? ☐ Yes ☐ No

F. EXPERTS

The following information is respectfully requested to enable the Board to facilitate the processing of this application:

APPLICANT'S ATTORNEY: John McKeon, Esp.; James Fant, Esq.

Telephone Number: () 873-912-5222 Email: jfant@hkmpp.com

Address: 673 Morris Avenue, Springfield, NJ 07081

APPLICANT'S ENGINEER: Joseph Holzapfel, PE (Bohler Engineering)

Telephone Number: () 551-307-1400 Email: jholzapfel@bohlereng.com

Address: 30 Garber Square, Ridgewood, NJ 07450

APPLICANT'S ARCHITECT:

Telephone Number: () Email:

Address:

APPLICANT'S PLANNER: Matthew Seckler, PE, PP, PTOE (Stonefield Engineering)

Telephone Number: () 201-340-4468 Email: mseckler@stonefieldeng.com

Address: 92 Park Avenue, Rutherford, NJ 07070

OTHER EXPERT(S): Brian Stormwind (AECOM)

Telephone Number: () 978-905-2413 Email: brian.stormwind@aecom.com

Address: 250 Apollo Drive, Chelmsford, MA 01824

If necessary, please list any additional experts below, including address, telephone number and email address.

G. REQUIREMENTS FOR VARIANCES

- 4A) Please attach a written statement labeled **"PROPOSAL"**, describe the major elements of your proposal, and describe in detail the physical and use changes proposed.
- 4B) Please attach a written statement labeled **"REASONS FOR RELIEF"**, which fully answers 4C-1, 4C-2 or 4D (Special Reasons) **AND** part 4E (Negative Criteria).
- 4C-1) (*For C1 variances only*) The strict application of the provisions of the Zoning Ordinance would result in the peculiar and exceptional practical difficulties or exceptional undue hardship under *N.J.S.A. 40:55D-70c(1)*. List in detail wherein this case conforms to this requirement, including, if applicable, reference to the exceptional narrowness, shallowness, or shape of the property, or the exceptional topographical conditions affecting the property which applicant contends warrants the granting of the variance.
- 4C-2) (*For C2 variances only*) State how the purposes of the Municipal Land Use Law would be advanced by a deviation from the zoning ordinance requirements and the benefits of the deviation would substantially outweigh any detriment according to *N.J.S.A. 40:55D-70c(2)*. Please list all benefits of the deviation to the Township and any adverse effects. State how the benefits of the deviation would substantially outweigh any detriment to the Township.
- 4D) (*For D variances only*) State the special reasons under *N.J.S.A. 40:55D-70d* affecting this property.
- 4E) The granting of this variance will not be substantially detrimental to the public good and will not substantially impair the intent of the zone plan and zoning ordinance. List in detail the reasons, among others, why the variance can be granted without being materially detrimental to the welfare of the community or injurious to the property or improvements of others in the neighborhood and zone.

H. PLAT SUBMISSION

- 4F) Please list all maps and other exhibits accompanying this application. Attach an additional sheet if necessary.

ITEM	SIGNED BY	DATE/REVISION
Major Site Plan	Ben Crowder, PE	
Exhibit 1 - Zoning Map	n/a	8/7/2024 - Rev 1
Exhibit 2 - Parcel Map	n/a	8/7/2024 - Rev 1
Exhibit 3 - Aerial Map	n/a	8/7/2024 - Rev 1

I. NOTICE

Applicant is responsible to publish and serve notice of this application in accordance with Zoning Board of Adjustment/Planning Board requirements; however, notice may not be served until this application is certified as complete and the administrative officer has assigned the applicant a public hearing date.

J. VERIFICATION AND AUTHORIZATION

SIGNATURE IS REQUIRED FOR ALL OF THE FOLLOWING:

APPLICANT'S VERIFICATION

I hereby certify that the above statements made by me and the information contained in the papers submitted in connection with this application are true. I am aware that if any of the foregoing statements are willfully false, I am subject to punishment.

Applicant's Signature: _____

Auth. Rep. of
Erowear Group

Date: 8/29/24

CONTINUANCE

Should the Planning Board/Zoning Board of Adjustment have a full and heavy agenda, or discussion and meeting regarding this application requiring carrying the matter past the statute time limit, the applicant grants permission for such an extension.

Applicant's Signature: _____

Auth. Rep.
of Erowear Group

Date: 8/29/24

OWNER'S AUTHORIZATION - MUST BE SIGNED

I hereby certify that I reside at _____
in the County of Essex and the State of New Jersey;
and that I am the owner of all that certain lot, piece or parcel of land known as Block(s) 152.01;
Lot(s) 1445.01 on the Tax Map of West Orange which property is the subject of the above
application, and that said application is hereby authorized by me. Furthermore, I authorize inspection of the site
which is the subject of this application.

Owner's Signature: _____

Date: 8/26/24

THIS APPLICATION DOES NOT RELIEVE THE APPLICANT FROM COMPLYING WITH OTHER TOWNSHIP ORDINANCES SUCH AS THE TREE REMOVAL ORDINANCE AND OBTAINING THE NECESSARY APPROVALS AND PERMITS UNDER SUCH ORDINANCES.

**CHECK LIST OF REQUIRED ITEMS
“C” AND “D” APPLICATIONS
INTERPRETATIONS AND APPEALS**

APPLICATIONS FOR MAJOR/MINOR SITE PLAN OR SUBDIVISION MUST REFER TO THE SITE PLANS/SUBDIVISION CHECKLIST – 5 Paper copies and 1 Digital emailed to the Board Secretaries

All items below are required: please complete and submit to Board Secretary:

- **Completed Application Form – Original and 4 Paper and one Digital including:**
 - The written proposal
 - List of variances being requested
 - Property information
 - Applicant and owner information
 - Statement or legal brief which clarifies why the variance should be granted and specific reasons or hardship that pertains to the proposal, or
 - in the case of an appeal or interpretation, a statement or legal brief that clarifies the position of the applicant
- **Survey** – original signed and sealed by New Jersey licensed Land Surveyor – (original and 4 copies and one digital)
- **Site Plan, all dimensions**, including setbacks, must be shown and prepared by New Jersey licensed Professional except for an owner-occupied, single-family home, in which case the property owner may prepare the site plan (original and 4 copies and one digital)
- **Floor plans, all dimensions** must be shown-prepared by New Jersey licensed Architect except for an owner-occupied, single-family home, in which case the property owner may prepare the floor plan (original and 4 copies and one digital)
- **List of property owners** within 200' certified by the Municipal Tax Assessor (original and 4 copies and one digital)
- **Proof that taxes have been paid**, certified by the Municipal Tax Collector (original and 4 copies and one digital)
- **A 200' radius map**, (original and 4 copies and one digital)
- **Application fee** (non-refundable)
- **Elevations of three sides**, in case of an existing structure with no proposed structural changes, photographs may be used (original and 4 copies and one digital)
- **Height dimensions** to be included on all elevations (original and 4 copies and one digital)
- **All plans and documents** for West Orange COAH requirements
- **For all Major Subdivision applications**, major site plan applications and all applications applying for a “D” variance, a Planner’s report prepared by a New Jersey licensed Planner must be submitted (original and 4 copies and one digital)
- **For all Major Subdivision applications**, and major site plan applications, a Traffic Study prepared by a New Jersey licensed Engineer must be submitted (original and 4 copies and one digital)
- **All Site Plan applications** must submit a tree removal application and a tree replacement plan and provide a report according to Chapter 31 of the West Orange general ordinances (original and 4 copies and one digital)

Your application will not be deemed complete unless all of these items are included. It is absolutely necessary that all dimensions and elevations be shown on the site plan and floor plan.

Please note: other materials may be requested by the Planning Director or Board Members

TOWNSHIP OF WEST ORANGE

Site Plan/Subdivision Checklist

APPLICANT:

ALL DOCUMENTS MUST BE PREPARED, SIGNED AND SEALED BY NEW JERSEY LICENSED PROFESSIONAL		Pre-Application - Concept Plan	Major Application						COMPLETE	INCOMPLETE	WAIVER REQUESTED	
			Minor Application		General Development Plan	Subdivision		Site Plan				
			Subdivision	Site Plan		Preliminary	Final	Preliminary				Final
Item Number	Description											
1. PROJECT-PLAT INFORMATION												
1. Item:	Name, address of owner and applicant.	X	X	X	X	X	X	X	X	☒		
2. Item:	Name, signature, license number, seal and address of engineer, land surveyor, architect, professional planner, and/or landscape architect, as applicable, involved in preparation of plat.	X	X	X	X	X	X	X	X	☒		
3. Item:	Title block denoting type of application, tax map sheet, county, name of municipality, block & lot, and street location.	X	X	X	X	X	X	X	X	☒		
4. Item:	A key map at specified scale showing location of tract with reference to surrounding properties, streets, municipal boundaries, etc., within 500' <u>Comment:</u> Describes setting; may be less detailed in pre-application-concept plan and GDP stages.	X	X	X	X	X	X	X	X	☒		
5. Item:	A schedule of required and provided zone district(s) requirements including lot area, width, depth, yard setbacks, building coverage, open space, parking, etc. <u>Comment:</u> Schedule may be less detailed in pre-application-concept plan stages.	X	X	X	X	X	X	X	X	☒		
6. Item:	North arrow and scale.	X	X	X	X	X	X	X	X	☒		
7. Item:	Proof that taxes are current.		X	X	X	X	X	X	X	☒		
8. Item:	Signature blocks for Chairman, Secretary and Municipal Engineer.		X	X	X	X	X	X	X	☒		
9. Item:	Appropriate certification blocks as required by Map Filing Law.		X			X	X			☒		
10. Item:	Monumentation as specified by Map Filing Law <u>Comment:</u> Monumentation required only for final subdivision.		X				X					
11. Item:	Date of current property survey. <u>Comment:</u> Required by Map Filing Law for final subdivision and site plan; necessary for vesting on GDP.		X	X	X	X	X	X	X	☒		

ALL DOCUMENTS MUST BE PREPARED, SIGNED AND SEALED BY NEW JERSEY LICENSED PROFESSIONAL.		Pre-Application - Concept Plan	Major Application						COMPLETE	INCOMPLETE	WAIVER REQUESTED	
Item Number	Description		Minor Application		General Development Plan	Subdivision		Site Plan				
			Subdivision	Site Plan		Preliminary	Final	Preliminary				Final
12.	<u>Item:</u> One (1) of four (4) standardized sheets: 30" x 42", 24" x 36", 15" x 21", 8.5" x 13" <u>Comment:</u> Required by Map Filing Law for minor and major subdivisions.		X	X		X	X	X	X	☒		
13.	<u>Item:</u> Metes and bounds description showing dimensions, bearings, curve data, length of tangents, radii, arcs, chords and central angles for all centerlines and right-of-way, and centerline curves on streets.		X				X		X	☒		
14.	<u>Item:</u> Affidavit of ownership. <u>Comment:</u> Map Filing Law for minor and major subdivision.	X	X	X	X	X	X	X	X	☒		
15.	<u>Item:</u> Acreage of tract to the nearest tenth of an acre (for GDP--to nearest acre).		X	X	X	X	X	X	X	☒		
16.	<u>Item:</u> Date of original and all revisions. <u>Comment:</u> Item necessary for continuity-history of project.		X	X	X	X	X	X	X	☒		
17.	<u>Item:</u> Size and location of any existing or proposed structures with all setbacks dimensioned. <u>Comment:</u> Item important for detailed planning.	X	X	X	X	X	X	X	X	☒		
18.	<u>Item:</u> Location and dimensions of any existing or proposed streets (for GDP and pre-application- concept plan -- general locations). <u>Comment:</u> Item important for detailed planning.	X	X	X	X	X	X	X	X		☒	*
19.	<u>Item:</u> All proposed lot lines and area of lots in square feet.		X	X		X	X	X	X		☒	**
20.	<u>Item:</u> Copy and/or delineation of any existing or proposed deed restrictions or covenants. €	X	X	X	X	X	X	X	X		☒	*
21.	<u>Item:</u> Any existing or proposed easement or land reserved for or dedicated to public use. €	X	X	X	X	X	X	X	X		☒	***
22.	<u>Item:</u> Development stages or staging plans (for GDP--general staging). <u>Comment:</u> Not applicable at pre-application- concept plan stage; minor plans usually not built in stages.				X	X	X	X	X		☒	*

* Waiver Requested - The proposed improvements are generally minor in nature and the limits of the improvements are within a small portion of the site and in previously impaired areas of the rear of the existing building, mostly within an existing gravel parking area.

** Waiver Requested - The proposed improvements are generally minor in nature and in a small portion of the existing site. An 'Aerial Exhibit' plan has been included within the submission to illustrate the general outline of the property.

*** Waiver Requested - Not applicable, improvements are within an existing parking area internal to the site.

ALL DOCUMENTS MUST BE PREPARED, SIGNED AND SEALED BY NEW JERSEY LICENSED PROFESSIONAL.		Pre-Application - Concept Plan			Major Application				COMPLETE	INCOMPLETE	WALVER REQUESTED	
Item Number	Description		Minor Application		General Development Plan	Subdivision		Site Plan				
			Subdivision	Site Plan		Preliminary	Final	Preliminary				Final
23.	<u>Item:</u> List of required regulatory approvals or permits. <u>Comment:</u> Basic planning information. €		X	X	X		X		X	☒		
24.	<u>Item:</u> List of variances required or requested. € <u>Comment:</u> Basic planning information.		X	X		X	X	X	X	☒		
25.	<u>Item:</u> Requested or obtained design waivers or exceptions. € <u>Comment:</u> Describes location of all adjacent structures; not necessary at pre-application-concept plan stages; required at site plan stages; required at site plan only if notice is required by ordinance.		X	X		X	X	X	X	☒		
26.	<u>Item:</u> Payment of application fees. <u>Comment:</u> Fee not imposed for pre-application conference.	X	X	X	X	X	X	X	X	☒		
27.	<u>Item:</u> Property owners and lines of all parcels within 200' identified on most recent tax map sheet. <u>Comment:</u> Describes location of all adjacent structures; not necessary at pre-application-concept plan stages; required at site plan only if notice is required by ordinance.			X	X	X	X	X	X	☒		
28.	<u>Item:</u> All existing street, water courses, flood plains, wetlands or other environmentally sensitive areas on and within 200' of site. <u>Comment:</u> while detailed specification of environmentally sensitive areas may not be necessary at pre-application-concept plan and GDP stages, general specification of and sensitivity to such conditions is an important planning consideration.	X		X	X	X	X	X	X	☒		
29.	<u>Item:</u> Existing right-of-way and/or easements on and within 200' of tract. <u>Comment:</u> Rights-of-way and easements are often unknown at the pre-application-concept (see however, item 28).	X		X	X	X	X	X	X	☒		
30.	<u>Item:</u> Topographical features of subject property from U.S.G.S. map. <u>Comment:</u> More detailed topographic information is needed for major subdivision.	X		X	X							

ALL DOCUMENTS MUST BE PREPARED, SIGNED AND SEALED BY NEW JERSEY LICENSED PROFESSIONAL.		Pre-Application - Concept Plan			Major Application				COMPLETE	INCOMPLETE	WAIVER REQUESTED	
Item Number	Description		Minor Application		General Development Plan	Subdivision		Site Plan				
			Subdivision	Site Plan		Preliminary	Final	Preliminary	Final			
31.	<u>Item:</u> Existing and proposed contour intervals based on U.G.S. & G.S. datum. Contours to extend at least 200' beyond subject property as follows: up to 3% grade - 1' 3% + grade - 2' <u>Comment:</u> Major site plan and subdivision requires level of detail of Item 31 as opposed to Item 30.					X	X	X	X	☒		
32.	<u>Item:</u> Boundary, limits, nature and extent of wooded areas, specimen trees, and other significant physical features (detail may vary). <u>Comment:</u> Basic for good planning.	X	X	X	X	X	X	X	X	☒		
33.	<u>Item:</u> Existing system of drainage of subject site and of any larger tract or basin of which it is a part. <u>Comment:</u> See Item 31. Extensive level of detail required only for major subdivision and site plan.					X	X	X	X	☒		
34.	<u>Item:</u> Drainage Area Map. <u>Comment:</u> Necessary for major application; inapplicable at GDP stage.					X	X	X	X			☒
35.	<u>Item:</u> Drainage Calculations. <u>Comment:</u> Required for minor applications if deemed necessary by Planning Board; not required at GDP stage because storm water management evaluated at major subdivision and site plan stage.		X	X		X	X	X	X			☒
36.	<u>Item:</u> Proposed utility infrastructure plans, including sanitary sewer, water, storm water management, telephone, electric & cable TV. <u>Comment:</u> Information necessary for minor site plan because of potential effect on utility systems. Only general location for electric, telephone and cable TV required.		X	X		X	X	X	X			☒
37.	<u>Item:</u> Proposed utility infrastructure plans, including sanitary sewer, water, storm water management, telephone, electric and cable TV. <u>Comment:</u> Information necessary for minor site plan because of potential effect on utility systems. Only general location for telephone, electric and cable TV required.			X	X	X	X	X	X			☒

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* Waiver Requested - The proposed improvements are generally minor in nature and the limits of the improvements are within a small portion of the site and in previously impaired areas of the rear of the existing building, mostly within an existing gravel parking area.

ALL DOCUMENTS MUST BE PREPARED, SIGNED AND SEALED BY NEW JERSEY LICENSED PROFESSIONAL.		Pre-Application - Concept Plan	Major Application						COMPLETE	INCOMPLETE	W/AVUER REQUESTED		
Item Number	Description		Minor Application		General Development Plan	Subdivision		Site Plan					
			Subdivision	Site Plan		Preliminary	Final	Preliminary				Final	
38.	<u>Item:</u> Soil Erosion and Sediment Control Plan. <u>Comment:</u> Required for soil disturbance over 5,000 sq. ft.			X		X	X	X	X			☒	
39.	<u>Item:</u> Spot and finished elevations at all property corners, corners of all structures or dwellings, existing or proposed first floor elevations. <u>Comment:</u> Not required for minor subdivision because not involving construction of buildings.			X	X	X	X	X	X	☒			
40.	<u>Item:</u> Construction details as required by ordinance. <u>Comment:</u> Such level of detail necessary only for major applications.					X	X	X	X			☒	
41.	<u>Item:</u> Road and paving cross-sections and profiles. <u>Comment:</u> See Item 40.					X	X	X	X			☒	*
42.	<u>Item:</u> Proposed street names. <u>Comment:</u> Applicable only when new road is proposed.					X	X	X	X			☒	*
43.	<u>Item:</u> New block and lot numbers confirmed with local assessor or municipal designee. <u>Comment:</u> Needed whenever a new lot is created.			X			X						
44.	<u>Item:</u> Lighting plan & details. <u>Comment:</u> Not applicable for minor subdivision because just creating lots.			X		X	X	X	X			☒	*
45.	<u>Item:</u> Landscape plan & details prepared by a professional landscape architect <u>Comment:</u> Required for site plans because of magnitude of required landscaping.			X				X	X			☒	*
46.	<u>Item:</u> Solid waste management plan. <u>Comment:</u> Site plan consideration only; see Item 44.			X				X	X			☒	*
47.	<u>Item:</u> Site identification signs, traffic control signs, and directional signs. <u>Comment:</u> See Item 44.			X		X	X	X	X			☒	*

* Waiver Requested - The proposed improvements are generally minor in nature and the limits of the improvements are within a small portion of the site and in previously impaired areas of the rear of the existing building, mostly within an existing gravel parking area.

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			Minor Application		General Development Plan	Subdivision		Site Plan				
			Subdivision	Site Plan		Preliminary	Final	Preliminary				Final
Item Number	Description		Subdivision	Site Plan		Preliminary	Final	Preliminary	Final			
48.	<u>Item:</u> Sight triangles. <u>Comment:</u> Necessary even for minor applications because sight triangle easement created.		X	X		X	X	X	X			☒
49.	<u>Item:</u> Vehicular and pedestrian circulation patterns (less detail necessary for pre-application-concept plan and GSP stages). <u>Comment:</u> See Item 44.	X		X	X	X	X	X	X			☒
50.	<u>Item:</u> Parking plan showing spaces, size and type, aisle width, curb cuts, drives, driveways, and all ingress and egress areas and dimensions. <u>Comment:</u> See Item 44.			X		X	X	X	X			☒
51.	<u>Item:</u> Preliminary architectural plan and elevations. <u>Comment:</u> Not required where building is not proposed.			X				X	X			☒
52.	<u>Item:</u> Plans and legal documents for compliance with West Orange COAH Ordinances.		X	X	X	X	X	X	X	☒		

* ☐

* ☐

* ☐

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⊕ Proposed restrictions or covenants do not have to be included for pre-application-concept plan and GDP.

⊖ Conditional approval may be granted subject to other regulatory approvals.

ALL DOCUMENTS MUST BE PREPARED, SIGNED AND SEALED BY NEW JERSEY LICENSED PROFESSIONAL.

REVISED: 8/30/05 aw

F:\Forms & Awards\PB-ZBAPP\FRM\CHECKLIST\CHECKLIST.FRM

* Waiver Requested - The proposed improvements are generally minor in nature and the limits of the improvements are within a small portion of the site and in previously impaired areas of the rear of the existing building, mostly within an existing gravel parking area.

SUSTAINABILITY CHECKLIST FORM

	APPLICANT – PRINT OR TYPE – ALL SECTIONS TO BE COMPLETED:	TOWNSHIP OK (Date)
SUSTAINABLE BUILDING AND DESIGN STANDARDS		
Name of LEED Accredited Professional working on project:		
List of Energy Star and WaterSense appliances, fixtures and construction techniques:		
List of green and recycled building materials in new construction, renovation, and maintenance:		
Waste Management Plan for recycling and/or reuse of 60 percent of all construction and demolition of waste generated in projects larger than \$25,000:		
Use of any water efficient landscaping:		
Use of any on-site renewable energy systems such as: (i) Solar (ii) Wind (iii) Geothermal		
Details of roofing materials designed to reduce the urban heat island effect such as: (i) Construction of roof top gardens to reduce solar gain in summer and insulate in winter (ii) Use of roofing materials that are no darker than a light gray or demonstrate how alternate roofing materials reduce the urban heat island effect		
Details of any sustainable stormwater systems employed such as: (i) Bioswales/ raingardens (ii) Permeable surfaces (iii) Grey water systems (iv) Retention and detention facilities (v) Continuous trenching		
A list of native and well adapted species used in landscaping to eliminate the need for fertilization and pesticides:		

Note: Please indicate for each of the sustainable building/design items listed, the extent to which the measure is being incorporated in the project or, alternatively, indicate the reason(s) why it is not being incorporated in the project.

The procedure for applying for and issuance of a Soil Removal Permit shall be as follows:

a.

Form of Application. On forms prescribed and supplied by the Planning Board or the Zoning Board of Adjustment, the applicant shall set forth, in duplicate:

1.

His or her name and address.

2.

The description of the lands in question.

3.

The name and address of the owner of the lands.

4.

The purpose or reason for moving the soil and whether it will be done in connection with a proposed subdivision; if so, the date of filing of the application for subdivision.

5.

The kind and quantity in cubic yards of soil to be moved.

6.

In case of removal, the place to which the soil is to be removed, and the kind and quantity of soil to be removed.

7.

The proposed date of completion of the work.

8.

A certification that he/she has had a licensed land surveyor place or caused to be placed stakes at each corner of the lands from which soil is to be removed, and further that he/she has had a licensed professional engineer place or caused to be placed grade stakes at the existing elevation points designated on the topographical map pursuant to the provisions of paragraph c of this section, clearly marked to indicate the soil cuts or fill.

9.

Other pertinent data which the Planning Board or the Zoning Board of Adjustment may, by resolution, require.

b.

Signatures. The application shall bear the signature of the applicant and the endorsement of the owner or owners of the lands signifying approval of the application, consent to the applicant to perform the proposed work, and consent to the Township, in the event of failure of the applicant to do so, to cause the proposed work to be completed or otherwise terminated in keeping with the purposes and objectives of this chapter.

C.

Topographical Map. Accompanying the application shall be eight prints of a topographical map of the lot with minimum two-foot contour intervals upon which the proposed soil moving operations are to be conducted and of all surrounding lands within 200 feet of the perimeter of the lot, prepared and certified by a licensed professional civil engineer or land surveyor of the State of New Jersey, on a scale of not less than one inch to 100 feet and referring to United States Coast and Geodetic Survey data, showing both as to the lot and as to all of the surrounding lands.

1.

The dimensions of the lot, and the lot and block number of the lot and of each lot in the surrounding lands and the present ownership of each as shown on the tax assessment map of the Township.

2.

The existing elevations of all lands on the 100-foot grid layout.

3.

The existing elevations of all buildings, structures, streets, streams, bodies of water and watercourses, natural or artificial.

4.

All existing surface and subsurface water drainage conditions and provisions therefor.

5.

All wooded areas and all trees having a diameter of six inches or more at the base.

6.

The limits of the area or areas within the lot or lots in question within which the soil moving operations are to be conducted, and the existing elevations of the limits at intervals of not more than 100 feet.

7.

The proposed final elevation at each point where existing elevations shown on the map are to be changed as a result of completion of the proposed work.

8.

Proposed slopes showing a minimum of two-foot contour intervals and lateral supports at the limits of the area upon completion of the soil moving operations.

9.

Proposed provisions and facilities for surface water drainage and where applicable channels of any streams, bodies of water and watercourses, natural or artificial, including detailed cross sections showing proposed channel widths, bank slopes, and method of erosion and control thereof.

10.

Accurate cross sections showing the locations and quantities, in cubic yards of soil to be moved.

11.

All proposed elevations in enclosed rectangular boxes, and all existing elevations to be indicated without any kind of enclosure.

12.

Other pertinent data which the Planning Board or the Zoning Board of Adjustment may, by resolution, require.

d.

Permit Fee. The application shall be submitted to the Secretary of the Planning Board or the Zoning Board of Adjustment with a permit fee to the order of the Township in an amount computed at the rate of \$0.05 per cubic yard multiplied by the number of cubic yards to be moved, as stated in the application and certified on the topographical map. In no event shall the fee be less than \$125. In the event of refusal to issue a Soil Removal Permit, as hereinafter provided in this section, the aforesaid fee paid by the applicant shall be refunded, except that all monies and costs incurred by the Township for engineering surveys and reports, inspection fees and legal fees shall be retained by the Township and the balance remaining shall be refunded to the applicant, together with a statement of the costs and expenses incurred by the Township in the processing of the soil application.

e.

Inspection of Site. The Township Engineer shall make an inspection of the site from which soil is to be moved and shall make such engineering studies as may

be required to determine the effect of the removal of soil from the location as it relates to:

1.

Soil erosion by water and wind.

2.

Surface and subsurface water drainage.

3.

Soil fertility.

4.

Lateral support of abutting streets and lands.

5.

Public health and safety.

6.

Sidewalks, curbs, roads, storm sewers, etc.

7.

Such other factors as may bear upon or relate to the coordinated, adjusted and harmonious physical development of the Township.

The Township Engineer shall also inspect the site to determine whether stakes have been placed on each corner thereof and whether grade stakes have been placed at the existing elevation points designated on the topographical map pursuant to the provisions of paragraph a of this section.

f.

Hearing. The Planning Board or the Zoning Board of Adjustment shall, within a reasonable time after receipt of the application, fix a date for a hearing for the purpose of considering the application and shall give to the applicant, by registered mail, notice of the time and place of the hearing. The applicant shall, at least 10 days prior to the date appointed for the hearing, serve written notice either in person or by registered mail upon such persons as are shown on the Township tax records to be the owner so the lots within 200 feet of the property in question. The applicant shall, at the hearing, present to the Planning Board or the Zoning Board of Adjustment satisfactory proof, in affidavit form of the service of the notices.

g.

Factors to Be Considered in Determining Application. In considering the application, the Planning Board and/or the Zoning Board of Adjustment shall be

guided by the general purpose of municipal planning, and shall take into consideration the following factors:

1.

Soil erosion by water and wind.

2.

Surface and subsurface water drainage.

3.

Soil fertility.

4.

Lateral support of abutting streets and lands.

5.

Public health and safety.

6.

Land values and uses.

7.

Effects on sidewalks, curbs, roads, storm sewers, etc.

8.

Other factors which may bear upon or relate to the coordinated, adjusted, and harmonious physical development of the Township.

h.

Decision. The Planning Board or the Zoning Board of Adjustment shall review and consider the application and shall render its report and recommendation to the Secretary of the Planning Board or the Zoning Board of Adjustment, who shall grant or refuse the permit in accordance with the recommendation. The report and recommendation shall be made within 60 days after the receipt of the application.

i.

Appeal. In the event of refusal by the Planning Board, the applicant may, not later than 30 days after the date of such refusal, appeal to the Township Council. The Township Council may by a majority vote of the members present sustain or by a 2/3 vote of the entire membership overrule the recommendations of the Planning Board.

FEE SCHEDULES:

25-55 ESCROW DEPOSITS FOR APPLICATIONS.

The Planning Board and/or Zoning Board of Adjustment shall require fees and escrow deposits in accordance with the provisions of this chapter. Such funds shall be utilized to pay the cost of professional fees, including for engineering, legal, planning and/or traffic experts, and certified shorthand reporting fees incurred for review of and/or testimony concerning an application for development submitted by an applicant. (Ord. No. 2357-12 § 25-55)

25-55.1 Escrow Schedule.

- a. Subject to the provisions of paragraph b. hereof, each applicant shall prior to the application being ruled complete pursuant to the provisions of the Municipal Land Use Law, submit the following sum(s) to be held in escrow in accordance with the provisions hereof:

1. Residential and Nonresidential Dwelling Units or Lots

3-25	\$ 4,000.00
26-100	4,500.00
101-500	6,500.00
501-1000	9,000.00
1000 +	11,000.00

2. Commercial/Industrial

1,250-2,500 square feet gross floor area	\$2,500.00
2,501-20,000 square feet gross floor area	3,500.00
20,000-50,000 square feet gross floor area	6,500.00
Over 50,000 square feet gross floor area	\$.10 each additional square feet

3. Preparation of Resolution of Approval or Denial: up to \$1,500.00.

When deemed necessary the Planning/Zoning Board may require an escrow for minor development matters.

- b. Within thirty (30) days after the filing of an application for development the Planning Board and/or Zoning Board of Adjustment as the case may be, shall, in conjunction with appropriate representative of the staff of the Township, review the application for development to determine whether the escrow amount set forth in paragraph a. above is adequate. In conducting such review the Board shall consider the following criteria.

1. The presence or absence of public water and/or sewer servicing the site.
2. Environmental considerations, including but not limited to geological, hydrological and ecological factors.
3. Traffic impact of the proposed development.

4. Impact of the proposed development on existing aquifer and/or water quality.

Upon completion of the review and within the thirty (30) day period the Board shall adopt a Resolution specifying whether the escrow amount specified in paragraph a. is sufficient, excessive or insufficient. In the event the Board shall determine that the amount is excessive it shall in the Resolution specify the amount that shall be deemed sufficient. In the event the Board shall determine the amount specified in paragraph a. is insufficient it shall so specify and shall further set forth the amount required to be posted in light of the criteria specified herein.

- c. This paragraph adopts and creates a payment schedule for consultants and/or employees for special Planning Board or Zoning Board meetings paid out of escrow funds paid by the applicant who is heard at said special Planning or Zoning Board Meeting. The schedule is as follows:

1. Schedule.

- (a) Attendance/all meeting preparation, post-meeting duties/minutes for Secretary: \$350.00
- (b) Attendance for Public Advocate: \$500.00
- (c) Attendance of transcriber: \$500.00
- (d) Attendance of Board Attorney: \$750.00
- (e) Attendance of Planner: \$500.00
- (f) All other expenses such as newspaper notices: \$100.00
- (g) The Board also has the right to hire other consultants if deemed necessary by the Board for regular or special meetings such as traffic or environmental consultants. If the Board deems additional work is needed that is not part of the preparation, meeting and post duties an hourly rate will be paid. The following is the hourly rate: Secretary— \$75.00/hr.; transcriber—\$125.00/hr.; any other professionals—\$150.00/hr.

2. A ten (10) day written notice with a breakdown of the expenses shall be given to the applicant before funds are removed.
(Ord. No. 2357-12 § 25-55.1)

25-55.2 Posting of Escrow Funds.

No major application for development shall be deemed complete until such time as the applicant shall have posted with the Township in cash or certified check the amount of escrow deposit determined by the Planning Board and/or Board of Adjustment to be required in accordance with the provisions of this chapter.

All such escrow funds shall be utilized by the appropriate Board to pay the cost of professional services, including certified shorthand reporting fees, incurred by the

Board for review and/or testimony in connection with the particular application for development. All sums not actually so expended shall be refunded to the applicant within thirty (30) days after the final determination by the appropriate Board with respect to such application. (Ord. No. 2357-12 § 25-55.2)

25-55.3 Deposit of Escrow Fund - Interest Bearing Account.

The Township shall deposit all funds pending completion and review of the development application. The money shall be placed in an interest-bearing account. In the event that a refund is to be made to the applicant, the municipality shall refund with prorated interest the amount within thirty (30) days from the date of final approval. (Ord. No. 2357-12 § 25-55.3)

25-56 APPLICATION FEES.

25-56.1 Minor Subdivision Application Fees.

		<i>Fee</i>	<i>Escrow</i>
a.	Resub division where no new lots are created	\$100.00	N/A
b.	<i>Other</i>		
	Base fee	\$200.00	N/A
	Plus per lot fee	50.00	

(Ord. No. 2357-11 § 25-56.1)

25-56.2 Major Subdivision Application Fees.

a.	<i>Sketch/Plat Concept Application</i>		
	Base fee	\$150.00	N/A
	Plus per lot fee	50.00	
b.	<i>Preliminary Application</i>		
	Base fee	\$250.00	(1)
	Plus per lot fee	75.00	
c.	<i>Final Application</i>		
	Base fee	\$375.00	(1)
	Plus per lot fee	50.00	

(Ord. No. 2357-11 § 25-56.2)

25-56.3 Site Plans - Nonresidential Application Fees.

a.	<i>Sketch Plat/Conceptual</i>		
	Fee	\$500.00	N/A
b.	<i>Preliminary Application</i>		
	Base fee (minimum)	\$450.00	(1)
	Plus floor area fee	.03/sq. ft.	
	Plus parking space fee	.75/space	
	Plus acreage fee	\$75.00/acre	

The preliminary fee shall be calculated by adding to the base fee one (1) of the three (3) remaining sub-fees. The total fee shall represent the maximum fee possible.

c.	Final Application	75% of preliminary fee	(1)
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(Ord. No. 2357-11 § 25-56.3)

25-56.4 Site Plans - Residential Application Fees.

a.	<i>Sketch Plat</i>		
	Fee	\$100.00	N/A
b.	<i>Preliminary Application</i>		
	Base fee	\$300.00	(1)
	Plus unit fee	75.00	
c.	<i>Final Application</i>		
	Base fee	\$150.00	(1)
	Plus unit fee	50.00	

(Ord. No. 2357-11 § 25-56.4)

25-56.5 Variances and Conditional Use Application Fees.

a.	<i>"D" Variances</i>		
	Nonresidential	\$500.00	(1)
	Residential		
	1-2 family (owner occupied)		\$100.00
	1-2 family (non- owner occupied)		150.00
	Other		200.00
	Public/Quasi public		125.00

b. "C" Variances

Nonresidential	\$350.00	
Residential		
	1-2 family (owner occupied)	\$100.00
	1-2 family (non- owner occupied)	150.00
	Other	350.00
	Public/Quasi public	125.00

c. Interpretations and Appeals

Fee	\$200.00
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d. Conditional Uses

Fee	\$450.00
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Separate fee(s) shall be required for each application type. Therefore, if an application package consists of a "D" variance, "C" variance and site plan, the total fee shall be the sum of the fees for each separate application. The escrow charge shall be the maximum for any one type of application.

Where disbursements from the escrow account leave less than ten (10%) percent of the original deposit, the applicant shall replenish the account in an amount equal to the original deposit. (See Section 25-55, Escrow Deposits for Applications. If less than ten (10%) percent remains in escrow account, applicant shall post additional escrow in amounts equal to original deposit.) (Ord. No. 2357-12 § 25-56.5)

25-56.6 Fee for Digitizing Zoning Board of Adjustment and Planning Board Applications, Exhibits and Drawings.

a. Residential Site Plan and Subdivision Fees.

Concept Plan:	0-20 lots/units:	\$125.00 per lot or unit
	21+lots/units:	\$2,500.00 + \$75.00 per lot/unit in excess of 20
Minor Subdivision:		\$300.00 + \$125.00 per lot
Site and/or Major Subdivision: Preliminary:	0-10 units or lots:	\$750.00 + \$150.00 per lot or unit
	11-30 units or lots:	\$1,500.00 + \$125.00 per lot or unit
	31 or more units or lots:	\$3,500.00 + \$100.00 per lot or unit

Final:	0–10 units or lots:	\$500.00 + \$150.00 per lot or unit
	11–30 units or lots:	\$750.00 + \$125.00 per lot or unit
	31 or more units or lots:	\$1,250.00 + \$100.00 per lot or unit

b. *Commercial/Industrial Development Application.*

Concept Plan:	0–3 lots:	\$500.00 + \$150.00 per lot
	4 or more lots:	\$3,000.00 + \$500.00 per lot

If an application involves ten (10) or more acres, an additional \$125.00 for each acre, or fraction thereof, in excess of ten (10) acres.

c. *Commercial/Industrial Development Application Involving New Building Area:*

Concept Plan:	\$1,500.00
Preliminary Site Plan:	
0–1,999 square feet:	\$1,500.00
2,000–19,999 square feet:	\$1,500 + \$200.00 per each 1,000 square feet of gross floor area
20,000+ square feet:	\$3,500.00 + \$150.00 per each 1,000 square feet above 20,000 square feet of gross floor area

Final:	
0–1,999 square feet:	\$1000.00
2,000–19,999 square feet:	\$3,500.00
20,000+ square feet:	\$2,000 + \$0.15 per square foot

d. *Other Submissions.*

Conditional use approval:	\$1000.00
Appeals under N.J.S.A. 40:55D-70a:	
Interpretation or special questions under N.J.S.A. 40:55D-70b:	\$150.00
One- or two-family residences-hardship variances under N.J.S.A. 40:55D-70C: (Decks, home addition)	\$75.00

All other hardship variances under N.J.S.A. 40:55D-70c:	\$1000.00
Single Family Residence:	\$ 300.00
Multi-family Residence:	\$ 300.00 + \$200.00 per unit
All other use variances N.J.S.A. 40:55D-70d:	\$700.00

e. Amended Submissions.

Revised or amended plans or submission for single- or two-family dwellings:	An amount not to exceed 50% of the original fee requirement
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Revised or amended plans or submission in all other categories:	An amount not to exceed 50% of the original fee
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A separate check payable to the Township of West Orange shall be submitted for all the above application types.
(Ord. No. 2357-12 § 25-56.6)

The procedure for applying for and issuance of a Soil Removal Permit shall be as follows:

a.

Form of Application. On forms prescribed and supplied by the Planning Board or the Zoning Board of Adjustment, the applicant shall set forth, in duplicate:

1.

His or her name and address.

2.

The description of the lands in question.

3.

The name and address of the owner of the lands.

4.

The purpose or reason for moving the soil and whether it will be done in connection with a proposed subdivision; if so, the date of filing of the application for subdivision.

5.

The kind and quantity in cubic yards of soil to be moved.

6.

In case of removal, the place to which the soil is to be removed, and the kind and quantity of soil to be removed.

7.

The proposed date of completion of the work.

8.

A certification that he/she has had a licensed land surveyor place or caused to be placed stakes at each corner of the lands from which soil is to be removed, and further that he/she has had a licensed professional engineer place or caused to be placed grade stakes at the existing elevation points designated on the topographical map pursuant to the provisions of paragraph c of this section, clearly marked to indicate the soil cuts or fill.

9.

Other pertinent data which the Planning Board or the Zoning Board of Adjustment may, by resolution, require.

b.

Signatures. The application shall bear the signature of the applicant and the endorsement of the owner or owners of the lands signifying approval of the application, consent to the applicant to perform the proposed work, and consent to the Township, in the event of failure of the applicant to do so, to cause the proposed work to be completed or otherwise terminated in keeping with the purposes and objectives of this chapter.

C.

Topographical Map. Accompanying the application shall be eight prints of a topographical map of the lot with minimum two-foot contour intervals upon which the proposed soil moving operations are to be conducted and of all surrounding lands within 200 feet of the perimeter of the lot, prepared and certified by a licensed professional civil engineer or land surveyor of the State of New Jersey, on a scale of not less than one inch to 100 feet and referring to United States Coast and Geodetic Survey data, showing both as to the lot and as to all of the surrounding lands.

1.

The dimensions of the lot, and the lot and block number of the lot and of each lot in the surrounding lands and the present ownership of each as shown on the tax assessment map of the Township.

2.

The existing elevations of all lands on the 100-foot grid layout.

3.

The existing elevations of all buildings, structures, streets, streams, bodies of water and watercourses, natural or artificial.

4.

All existing surface and subsurface water drainage conditions and provisions therefor.

5.

All wooded areas and all trees having a diameter of six inches or more at the base.

6.

The limits of the area or areas within the lot or lots in question within which the soil moving operations are to be conducted, and the existing elevations of the limits at intervals of not more than 100 feet.

7.

The proposed final elevation at each point where existing elevations shown on the map are to be changed as a result of completion of the proposed work.

8.

Proposed slopes showing a minimum of two-foot contour intervals and lateral supports at the limits of the area upon completion of the soil moving operations.

9.

Proposed provisions and facilities for surface water drainage and where applicable channels of any streams, bodies of water and watercourses, natural or artificial, including detailed cross sections showing proposed channel widths, bank slopes, and method of erosion and control thereof.

10.

Accurate cross sections showing the locations and quantities, in cubic yards of soil to be moved.

11.

All proposed elevations in enclosed rectangular boxes, and all existing elevations to be indicated without any kind of enclosure.

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Permit Fee. The application shall be submitted to the Secretary of the Planning Board or the Zoning Board of Adjustment with a permit fee to the order of the Township in an amount computed at the rate of \$0.05 per cubic yard multiplied by the number of cubic yards to be moved, as stated in the application and certified on the topographical map. In no event shall the fee be less than \$125. In the event of refusal to issue a Soil Removal Permit, as hereinafter provided in this section, the aforesaid fee paid by the applicant shall be refunded, except that all monies and costs incurred by the Township for engineering surveys and reports, inspection fees and legal fees shall be retained by the Township and the balance remaining shall be refunded to the applicant, together with a statement of the costs and expenses incurred by the Township in the processing of the soil application.

e.

Inspection of Site. The Township Engineer shall make an inspection of the site from which soil is to be moved and shall make such engineering studies as may

be required to determine the effect of the removal of soil from the location as it relates to:

1.

Soil erosion by water and wind.

2.

Surface and subsurface water drainage.

3.

Soil fertility.

4.

Lateral support of abutting streets and lands.

5.

Public health and safety.

6.

Sidewalks, curbs, roads, storm sewers, etc.

7.

Such other factors as may bear upon or relate to the coordinated, adjusted and harmonious physical development of the Township.

The Township Engineer shall also inspect the site to determine whether stakes have been placed on each corner thereof and whether grade stakes have been placed at the existing elevation points designated on the topographical map pursuant to the provisions of paragraph a of this section.

f.

Hearing. The Planning Board or the Zoning Board of Adjustment shall, within a reasonable time after receipt of the application, fix a date for a hearing for the purpose of considering the application and shall give to the applicant, by registered mail, notice of the time and place of the hearing. The applicant shall, at least 10 days prior to the date appointed for the hearing, serve written notice either in person or by registered mail upon such persons as are shown on the Township tax records to be the owner so the lots within 200 feet of the property in question. The applicant shall, at the hearing, present to the Planning Board or the Zoning Board of Adjustment satisfactory proof, in affidavit form of the service of the notices.

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guided by the general purpose of municipal planning, and shall take into consideration the following factors:

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2.

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4.

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Land values and uses.

7.

Effects on sidewalks, curbs, roads, storm sewers, etc.

8.

Other factors which may bear upon or relate to the coordinated, adjusted, and harmonious physical development of the Township.

h.

Decision. The Planning Board or the Zoning Board of Adjustment shall review and consider the application and shall render its report and recommendation to the Secretary of the Planning Board or the Zoning Board of Adjustment, who shall grant or refuse the permit in accordance with the recommendation. The report and recommendation shall be made within 60 days after the receipt of the application.

i.

Appeal. In the event of refusal by the Planning Board, the applicant may, not later than 30 days after the date of such refusal, appeal to the Township Council. The Township Council may by a majority vote of the members present sustain or by a 2/3 vote of the entire membership overrule the recommendations of the Planning Board.

FEE SCHEDULES:

25-55 ESCROW DEPOSITS FOR APPLICATIONS.

The Planning Board and/or Zoning Board of Adjustment shall require fees and escrow deposits in accordance with the provisions of this chapter. Such funds shall be utilized to pay the cost of professional fees, including for engineering, legal, planning and/or traffic experts, and certified shorthand reporting fees incurred for review of and/or testimony concerning an application for development submitted by an applicant. (Ord. No. 2357-12 § 25-55)

25-55.1 Escrow Schedule.

- a. Subject to the provisions of paragraph b. hereof, each applicant shall prior to the application being ruled complete pursuant to the provisions of the Municipal Land Use Law, submit the following sum(s) to be held in escrow in accordance with the provisions hereof:

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20,000-50,000 square feet gross floor area	6,500.00
Over 50,000 square feet gross floor area	\$.10 each additional square feet

3. Preparation of Resolution of Approval or Denial: up to \$1,500.00.

When deemed necessary the Planning/Zoning Board may require an escrow for minor development matters.

- b. Within thirty (30) days after the filing of an application for development the Planning Board and/or Zoning Board of Adjustment as the case may be, shall, in conjunction with appropriate representative of the staff of the Township, review the application for development to determine whether the escrow amount set forth in paragraph a. above is adequate. In conducting such review the Board shall consider the following criteria.

1. The presence or absence of public water and/or sewer servicing the site.
2. Environmental considerations, including but not limited to geological, hydrological and ecological factors.
3. Traffic impact of the proposed development.

4. Impact of the proposed development on existing aquifer and/or water quality.

Upon completion of the review and within the thirty (30) day period the Board shall adopt a Resolution specifying whether the escrow amount specified in paragraph a. is sufficient, excessive or insufficient. In the event the Board shall determine that the amount is excessive it shall in the Resolution specify the amount that shall be deemed sufficient. In the event the Board shall determine the amount specified in paragraph a. is insufficient it shall so specify and shall further set forth the amount required to be posted in light of the criteria specified herein.

- c. This paragraph adopts and creates a payment schedule for consultants and/or employees for special Planning Board or Zoning Board meetings paid out of escrow funds paid by the applicant who is heard at said special Planning or Zoning Board Meeting. The schedule is as follows:

1. Schedule.

- (a) Attendance/all meeting preparation, post-meeting duties/minutes for Secretary: \$350.00
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- (e) Attendance of Planner: \$500.00
- (f) All other expenses such as newspaper notices: \$100.00
- (g) The Board also has the right to hire other consultants if deemed necessary by the Board for regular or special meetings such as traffic or environmental consultants. If the Board deems additional work is needed that is not part of the preparation, meeting and post duties an hourly rate will be paid. The following is the hourly rate: Secretary— \$75.00/hr.; transcriber—\$125.00/hr.; any other professionals—\$150.00/hr.

2. A ten (10) day written notice with a breakdown of the expenses shall be given to the applicant before funds are removed.
(Ord. No. 2357-12 § 25-55.1)

25-55.2 Posting of Escrow Funds.

No major application for development shall be deemed complete until such time as the applicant shall have posted with the Township in cash or certified check the amount of escrow deposit determined by the Planning Board and/or Board of Adjustment to be required in accordance with the provisions of this chapter.

All such escrow funds shall be utilized by the appropriate Board to pay the cost of professional services, including certified shorthand reporting fees, incurred by the

Board for review and/or testimony in connection with the particular application for development. All sums not actually so expended shall be refunded to the applicant within thirty (30) days after the final determination by the appropriate Board with respect to such application. (Ord. No. 2357-12 § 25-55.2)

25-55.3 Deposit of Escrow Fund - Interest Bearing Account.

The Township shall deposit all funds pending completion and review of the development application. The money shall be placed in an interest-bearing account. In the event that a refund is to be made to the applicant, the municipality shall refund with prorated interest the amount within thirty (30) days from the date of final approval. (Ord. No. 2357-12 § 25-55.3)

25-56 APPLICATION FEES.

25-56.1 Minor Subdivision Application Fees.

		<i>Fee</i>	<i>Escrow</i>
a.	Resub division where no new lots are created	\$100.00	N/A
b.	<i>Other</i>		
	Base fee	\$200.00	N/A
	Plus per lot fee	50.00	

(Ord. No. 2357-11 § 25-56.1)

25-56.2 Major Subdivision Application Fees.

a.	<i>Sketch/Plat Concept Application</i>		
	Base fee	\$150.00	N/A
	Plus per lot fee	50.00	
b.	<i>Preliminary Application</i>		
	Base fee	\$250.00	(1)
	Plus per lot fee	75.00	
c.	<i>Final Application</i>		
	Base fee	\$375.00	(1)
	Plus per lot fee	50.00	

(Ord. No. 2357-11 § 25-56.2)

25-56.3 Site Plans - Nonresidential Application Fees.

a.	<i>Sketch Plat/Conceptual</i>		
	Fee	\$500.00	N/A
b.	<i>Preliminary Application</i>		
	Base fee (minimum)	\$450.00	(1)
	Plus floor area fee	.03/sq. ft.	
	Plus parking space fee	.75/space	
	Plus acreage fee	\$75.00/acre	

The preliminary fee shall be calculated by adding to the base fee one (1) of the three (3) remaining sub-fees. The total fee shall represent the maximum fee possible.

c.	Final Application	75% of preliminary fee	(1)
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(Ord. No. 2357-11 § 25-56.3)

25-56.4 Site Plans - Residential Application Fees.

a.	<i>Sketch Plat</i>		
	Fee	\$100.00	N/A
b.	<i>Preliminary Application</i>		
	Base fee	\$300.00	(1)
	Plus unit fee	75.00	
c.	<i>Final Application</i>		
	Base fee	\$150.00	(1)
	Plus unit fee	50.00	

(Ord. No. 2357-11 § 25-56.4)

25-56.5 Variances and Conditional Use Application Fees.

a.	<i>"D" Variances</i>		
	Nonresidential	\$500.00	(1)
	Residential		
	1-2 family (owner occupied)		\$100.00
	1-2 family (non- owner occupied)		150.00
	Other		200.00
	Public/Quasi public		125.00

b. "C" Variances

Nonresidential	\$350.00	
Residential		
	1-2 family (owner occupied)	\$100.00
	1-2 family (non- owner occupied)	150.00
	Other	350.00
	Public/Quasi public	125.00

c. Interpretations and Appeals

Fee	\$200.00
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d. Conditional Uses

Fee	\$450.00
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Separate fee(s) shall be required for each application type. Therefore, if an application package consists of a "D" variance, "C" variance and site plan, the total fee shall be the sum of the fees for each separate application. The escrow charge shall be the maximum for any one type of application.

Where disbursements from the escrow account leave less than ten (10%) percent of the original deposit, the applicant shall replenish the account in an amount equal to the original deposit. (See Section 25-55, Escrow Deposits for Applications. If less than ten (10%) percent remains in escrow account, applicant shall post additional escrow in amounts equal to original deposit.) (Ord. No. 2357-12 § 25-56.5)

25-56.6 Fee for Digitizing Zoning Board of Adjustment and Planning Board Applications, Exhibits and Drawings.

a. Residential Site Plan and Subdivision Fees.

Concept Plan:	0-20 lots/units:	\$125.00 per lot or unit
	21+lots/units:	\$2,500.00 + \$75.00 per lot/unit in excess of 20
Minor Subdivision:		\$300.00 + \$125.00 per lot
Site and/or Major Subdivision: Preliminary:	0-10 units or lots:	\$750.00 + \$150.00 per lot or unit
	11-30 units or lots:	\$1,500.00 + \$125.00 per lot or unit
	31 or more units or lots:	\$3,500.00 + \$100.00 per lot or unit

Final:	0–10 units or lots:	\$500.00 + \$150.00 per lot or unit
	11–30 units or lots:	\$750.00 + \$125.00 per lot or unit
	31 or more units or lots:	\$1,250.00 + \$100.00 per lot or unit

b. *Commercial/Industrial Development Application.*

Concept Plan:	0–3 lots:	\$500.00 + \$150.00 per lot
	4 or more lots:	\$3,000.00 + \$500.00 per lot

If an application involves ten (10) or more acres, an additional \$125.00 for each acre, or fraction thereof, in excess of ten (10) acres.

c. *Commercial/Industrial Development Application Involving New Building Area:*

Concept Plan:	\$1,500.00
Preliminary Site Plan:	
0–1,999 square feet:	\$1,500.00
2,000–19,999 square feet:	\$1,500 + \$200.00 per each 1,000 square feet of gross floor area
20,000+ square feet:	\$3,500.00 + \$150.00 per each 1,000 square feet above 20,000 square feet of gross floor area

Final:	
0–1,999 square feet:	\$1000.00
2,000–19,999 square feet:	\$3,500.00
20,000+ square feet:	\$2,000 + \$0.15 per square foot

d. *Other Submissions.*

Conditional use approval:	\$1000.00
Appeals under N.J.S.A. 40:55D-70a:	
Interpretation or special questions under N.J.S.A. 40:55D-70b:	\$150.00
One- or two-family residences-hardship variances under N.J.S.A. 40:55D-70C: (Decks, home addition)	\$75.00

All other hardship variances under N.J.S.A. 40:55D-70c:	\$1000.00
Single Family Residence:	\$ 300.00
Multi-family Residence:	\$ 300.00 + \$200.00 per unit
All other use variances N.J.S.A. 40:55D-70d:	\$700.00

e. Amended Submissions.

Revised or amended plans or submission for single- or two-family dwellings:	An amount not to exceed 50% of the original fee requirement
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Revised or amended plans or submission in all other categories:	An amount not to exceed 50% of the original fee
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A separate check payable to the Township of West Orange shall be submitted for all the above application types.
(Ord. No. 2357-12 § 25-56.6)