



Development Application Checklist

Township of Toms River
33 Washington Street
Toms River, NJ 08753
732 341-1000

Planning Board _____ *Zoning Board* _____

Schedule "A" Submission Requirements

- () 1. Original and five copies of the Unified Land Development Application form, fully completed, signed and notarized
- () 2. Fees in accordance with §348-3.4
- () 3. Form W-9 and Escrow Replenishment Agreement
- () 4. Original and 8 copies of signed and sealed property survey less than one year old
- () 5. 10 copies of plot plan showing proposed improvements; or 8 sets of subdivision plats or site plans; **Electronic copy of subdivision plans or site plans in PDF format** (11 sets of 11x17 required five days prior to Board meeting)
- () 6. 10 sets of architectural floor plans and façade elevations (if any)
- () 7. Completed Schedule "B" checklist and a list of any waiver requests, together with a statement of reasons why waivers should be granted.
- () 8. One of the following
 - () a. A letter of interpretation from the N.J. D.E.P. indicating the absence of freshwater wetlands, or indicating the presence and verifying delineation of the boundaries of freshwater wetlands and related transition areas
 - () b. A finding by the Board Engineer, on applications for principal or accessory structures on existing single-family or two-family lots, that there are no freshwater wetlands on the lot or within 200 feet thereof
- () 9. If a corporation, limited liability company, or partnership, list the names and addresses of all parties owning at least 10% of the entity as required by N.J.S.A. 40:55D-48.1 et seq. (Blank disclosure forms are available at the Board office.)
- () 10. Copy of application filed with Ocean County Planning Board (except bulk variances)
- () 11. Copy of application filed with Toms River Municipal Utilities Authority (except bulk variances)
- () 12. Copy of application filed with Ocean County Soil Conservation District (except bulk variances)
- () 13. Statement of operations (except bulk variances)
- () 14. If tree removal is involved, a Tree Management Plan, with fees
- () 15. Evidence of filing with water company (United Water or NJ American)(except bulk variances)
- () 16. Flood Zone Certification Form – For any area in a Flood Zone, for Board of Adjustment Applications only
- () 17. Evidence of filing with electric utility (Jersey Central Power & Light), for Board of Adjustment Applications only

Reviewed by:

Application Name: _____

Block: _____; Lot(s) _____

Date: _____

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Application:

Schedule B Checklist

Planning Board _____

Block _____ Lot(s) _____

Township of Toms River

Zoning Board _____

		Minor Site Plan	Prelim. Major Site Plan	Final Major Site Plan	Minor Subdivision	Prelim. Major Subdivision	Final Major Subdivision	Bulk Variance	Use Variance	Applicant submission	Board Receipt	Not Applicable	Waiver (Attach Reason)
Plat Specifications													
1	Clear, legible plat at a scale of not less than 1" = 60'.	X	X	X	X	X	X	X	X				
2	Signature, seal, address, license number of professional preparing plat.	X	X	X	X	X	X	X	X				
3	Plat based on land survey less than 12 months old.	X	X	X	X	X	X	X	X				
4	Sheet size up to 30"x42".	X	X	X	X	X	X	X	X				
5	Each sheet numbered and titled.	X	X	X	X	X	X	X	X				
General Information													
6	Existing and proposed lot lines with dimensions, bearing and curve data.	X	X	X	X	X	X	X	X				
7	Key map: showing site location and streets, street names, and zone boundaries within 500 ft.	X	X	X	X	X	X	X	X				
8	Title block: applicant name, name of development, preparer, tax sheet, lot and block numbers, date prepared, application type, and zoning district.	X	X	X	X	X	X	X	X				
9	Names, addresses and block and lot numbers of all owners within 200 feet.	X	X	X	X	X	X	X	X				
10	Date of original and all revisions.	X	X	X	X	X	X	X	X				
11	Written and graphic map scale.	X	X	X	X	X	X	X	X				
12	North arrow with reference meridian.	X	X	X	X	X	X	X	X				
13	Date and signature as per the "Map Filing Law".				X	X	X						
14	Table of zoning requirements, showing existing conditions, nonconformities and proposed variances.	X	X	X	X	X	X	X	X				
15	Area of the tract and of each lot.	X	X	X	X	X	X	X	X				
Natural Features													
16	For proposed site improvements, regrading or disturbance over 150 sq. ft., existing and proposed contours at one foot intervals showing surface drainage and topography within 50 ft.	X			X			X					
17	Existing and proposed contours at one foot intervals showing surface drainage and topography within 200 ft.		X	X		X	X	X					
18	All existing watercourses and related areas that are subject to 100 year floods under FEMA standards.	X	X	X	X	X	X	X					
19	Wetlands and wetland transition area boundaries	X	X	X	X	X	X	X	X				
20	Features required for Tree Management Plan under the provisions of Chapter 348-12.	X	X	X	X	X	X	X	X				
Man-made Features													
21	Show existing structures and setbacks from existing and proposed property lines, indicating those to be modified or removed or to remain.	X	X	X	X	X	X	X	X				
22	Location of proposed buildings, first floor and basement or cellar elevations	X	X	X	X	X	X	X	X				
23	Building and impervious coverage calculations.	X	X	X				X	X				
24	Existing and proposed easements, rights-of-way and their purposes.	X	X	X	X	X	X	X	X				
25	Existing and proposed manholes, sewer lines, stormwater management facilities, waterlines, fire hydrants, and utility poles within 200 feet.	X	X	X	X	X	X	X	X				
26	Location of existing wells and septic systems.	X	X		X	X		X	X				

Reviewed by: _____

Rev. 10/20/10

Date: _____

		Minor Site Plan	Prelim. Major Site Plan	Final Major Site Plan	Minor Subdivision	Prelim. Major Subdivision	Final Major Subdivision	Bulk Variance	Use Variance	Applicant submission	Board Receipt	Not Applicable	Waiver (Attach Reason)
27	Plans and profiles of proposed utility layouts, including sewers, storm drains, water, gas, and electric, showing feasible connections to existing or proposed utility systems as well as channel section details, pipe sizes, types and inverts, road crowns and slopes.		X	X		X	X						
28	Monumentation required as per the "Map Filing Law"				X	X	X						
29	Off-street parking and loading spaces required and proposed, and location and dimensions of access drives, aisles, and parking stalls.	X	X	X				X	X				
Streets													
30	Location, names and widths of all existing and proposed streets, sidewalks and street widenings within 200 feet of the site.	X	X	X	X	X	X						
31	Plans, profiles and cross-sections of paved areas, curbs and sidewalks.	X	X	X	X	X	X						
Miscellaneous													
32	Soil boring logs in accordance with Chapter 348-6 9B(24) or 348-6.10B(16).		X	X		X	X						
33	Exterior lighting plan showing the location, direction of illumination, amount of illumination expressed in horizontal foot candles, wattage and drawn details of all outdoor lighting standards and fixtures.	X	X	X		X	X						
34	Landscaping and buffering plan showing the location, type of tree or shrub and the location, type and amount of each type of ground cover.	X	X	X	X	X	X						
35	Soil erosion and sediment control plan consistent with the requirements of the local Soil Conservation District.	X	X		X	X							
36	Stormwater system maintenance plan including: specific preventive maintenance tasks and schedules; cost estimates including the estimated cost of sediment, debris, and trash removal; and the name, address and telephone number of the party responsible for maintenance.	X	X	X		X							
37	Maintenance manual in book form for NJDEP "major" stormwater projects, which includes one or more acres of site disturbance or 0.25 acres or more of additional impervious surface. Submit three copies.	X	X	X	X	X	X	X	X				
38	Storm drainage calculations.		X			X							
39	Stormwater management facilities showing all aspects of the stormwater system on the grading plan.	X	X	X		X	X						
40	All sign locations and drawn details showing the size, construction type, height, and content of all signs.	X	X	X									
41	Drawn details of screening to be used for the refuse storage areas, outdoor equipment and bulk storage.	X	X	X									
42	Drawings, details and written descriptions, as needed, to address the management of solid waste, recyclables and any hazardous materials requiring special handling under State or Federal codes.	X	X	X									

TOWNSHIP OF TOMS RIVER

33 Washington Street, P.O. Box 728
Toms River, NJ 08754

Department of Engineering and Community Development
732-341-1000 Phone . 732-341-0828 Facsimile



Flood Zone Certification Form

This form shall be filled out and certified for all projects in flood zones at the time of application for a zoning permit and at submittal of a foundation as-built for release to frame.

Street Address: _____

Block: _____ Lot: _____

Base Flood Elevation:.....		
Base Flood Zone (A/V).....		
Description	Design	Foundation As-Built
Existing Finished Floor Elevation.....		Note to surveyor – proposed finished floor shall be top of block plus approved framing height.
Proposed Finished Floor Elevation (note if addition is different)		
Crawl Space Elevation.....		
Garage Floor Elevation		
Garage – Lowest Horizontal Member.....		
A Zone only:		
Square Footage of Enclosed Area in Flood Zone		
Number of Flood Vents (1 Sq. In. per Sq. Ft. Required)		
Lowest Elevation of Flood Vent (Max 12" Above LAG).....		
Square Inches of Flood Vents.....		
Lowest Adjacent Grade (LAG).....		
Highest Adjacent Grade (HAG).....		
Lowest Elevation Mechanical Equipment.....		
V Zone Only:		
Lowest Horizontal Member.....		

SEAL

SEAL

Signature of New Jersey Professional Engineer/ Registered Architect	Signature of New Jersey Professional Land Surveyor
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Township Office Use Only		
	Approved / Denied (Circle One) Engineering	Approved / Denied (Circle One) Zoning
		Approved / Denied (Circle One) Engineering (If different than proposed)

VARIANCE PROCEDURE

TOWNSHIP OF TOMS RIVER ZONING BOARD OF ADJUSTMENT

TO REQUEST A BULK OR USE VARIANCE FROM THE BOARD OF ADJUSTMENT:

To Appeal to the Zoning Board of Adjustment for a Bulk or Use Variance from the Township Code you must submit the following to the Zoning Board of Adjustment office at 33 Washington Street, PO BOX 728, Toms River, NJ 08754-0728 with the following information:

1. Obtain a Zoning Permit Denial from the Zoning Office and submit a copy of the denial with the variance application.
2. Completed Unified Land Development Application form completely filled out, signed and notarized. (If applicant is not the owner of the property than the owner must sign the application as well as the applicant).
3. Ten (10) copies of a survey of the property dated within the past (1) year one of which must include the surveyor's raised seal (as per 10/12/06 resol.)
4. Ten (10) copies of a plot plan or survey marked at the appropriate scale to show the proposed pool, addition, fence, etc., Plot Plans prepared by architects must include the reference to the Professional Land Surveyor as required by State Statutes and Administrative Codes.
5. In the case of applications involving construction, addition or alteration related to structures such as sheds or dwellings, the applicant shall furnish ten (10) copies of the building plans showing elevations and floor areas (including dimensions).
6. An initial non-refundable application fee in the sum of \$100 for pools and accessory structures and \$250 for an addition, one or two family structure.
7. EDUCATIONAL FEE

Pursuant to N.J.S.A. 40:55D-8(b) the following fees shall be due and payable in connection with the following categories of land use development applications submitted to the Township Planning Board and Board of Adjustment (Hereinafter referred collectively as "the Board"). The fee shall supplement the Administrative Fees currently charged to Applicants and shall be non-refundable and shall be used solely to offset

requisite educational fees incurred by “the Board”. The fee denoted as “Educational Fee” shall be utilized exclusively to offset the cost of continuing educational costs and fees incurred by members of the Board as necessitated in order to maintain valid board status. No application may be deemed complete until all applicable non-refundable educational fees have been paid as follows:

Major Subdivision Site Plan Approval	\$50	Due and payable at the time of application for preliminary approval
Variances pursuant to <u>N.J.S.A. 40:55D-70(d)</u>	\$50	Due and payable at the time of application for conditional use permit
Minor Subdivision Minor Site Plan Approval	\$25	Due and payable at time of submission of application
Variance pursuant to <u>N.J.S.A. 40:55D-70(c)</u> Not connected with any Other approval	\$25	Due and payable at time of submission of application

8. An initial escrow application fee paid by separate check in accordance with the following schedule:

a) In ground pool and detached garages	\$600
b) Accessory structures (deck, shed, fence and other similar structures)	\$150
c) Addition, one or two family structure	\$1,500
d) Use Variance	See fee ordinance 3980-05

Application fees noted above are determined as per Section 348-3.4. Payment may be in form of a check made payable to Township of Toms River or cash in the exact amount.

9. W-9 form completed to match the check submitted. (Form attached).

OBTAINING A ZONING PERMIT DENIAL

To obtain a Zoning Permit Denial from the Zoning Officer you must submit the following to the Zoning Office.

1. Zoning permit application form filled out completely with one (1) copy of the survey, one (1) copy of the plot plan and one (1) copy of the architectural plans.
2. Zoning Permit Fee (\$50 for permit relating to decks, fences, pools, sheds under 150 square feet. Also additions, single or two -family dwellings over 150 square feet is \$100.00)

REQUESTING A 200' PROPERTY OWNER'S LIST

A property owner's list request must be submitted to the Toms River Township Engineering Department along with a \$10.00 200' property owner's list fee in cash or a check payable to the Township of Toms River. This fee covers the first 40 property owners – After 40 property owners an additional fee of \$.25 per line item will be charged. Note: This list will be used to give notice to all real property owners located in the State and within 200 feet in all directions of the property which is the subject of a hearing.

After furnishing the Board of Adjustment office with the VARIANCE APPLICATION and all submittals required above, the Zoning Board Planner and Engineer will perform a variance analysis of the application and list the variances required for the proposed work to be done. You will be receiving a copy of a report from both the Zoning Board Planner and Zoning Board Engineer.

*(All corporations must be represented by an Attorney). *

A separate check must be submitted for escrow fees and must be accompanied by a completed W-9 form. If the funds fall below 30% of the total required escrow, an additional 30% of the initial escrow shall be deposited. In order for work to continue on said application, these funds must be deposited.

GIVING PUBLIC NOTICE

Pursuant to N.J.S.A. 40:55D-12 all applications being heard by the Township of Toms River Board of Adjustment require a Public Hearing and must give Public Notice of said hearing in accordance with the requirements of the Municipal Land Use Law and Township of Toms River Land Use and Development Regulations. This means that the applicant, his agent or attorney shall **at least ten (10) calendar days prior to the hearing date scheduled** give written notice by

Certified Mail to all homeowners within 200' of the applicant's property and publish a legal notice in the newspaper. (e.g. - Hearing date is January 12, then notices should be out by January 2). All white certified receipts must be **stamped & dated** by the post office at least the **10th day** prior to the hearing.

The blank "Public Notice" form shall be completed by the applicant showing what kind of work is proposed and which variances are required. This Notice shall also show the date, time and place of such hearing. This is the form which will be mailed or delivered to all property owners within 200', published in the newspaper and forwarded to utilities as described below.

Where the applicant's property fronts on a County road, adjoins County land or is situated within 200' of the Township of Toms River Municipal boundary, Public Notice shall also be given in writing to the Ocean County Planning Board, 129 Hooper Ave., PO Box 2191, Toms River, NJ 08754-2191. If said property fronts upon a State road or adjoins State land, a "Public Notice" shall be given to the N.J. Department of Transportation, 1035 Parkway Ave., Trenton, NJ 08625.

Additionally, if the applicant's property is within 200' of an adjoining Municipality, Notice of Hearing shall be given to the Clerk of such Municipality along with all property owners located within the 200'.

Pursuant to N.J.S.A. 40:55D-12, "Public Notice" must also be given to the following utilities: **This Tax Assessors office will provide you with these addresses.**

1. Toms River Water Company
2. New Jersey American Water Company, Inc.
3. New Jersey Natural Gas Company
4. Comcast Cable Communications
5. Verizon New Jersey, Inc.

In addition to the above the applicant must also publish a legal notice in either the Ocean County Observer, or the Asbury Park Press, both located at 8 Robbins St., Toms River, NJ 08753. Said notice must be published for one day only and must be published at least ten (10) days prior to the date of the hearing. An "Affidavit of Publication" must be obtained from the newspaper in which the notice was published. The "Public Notice" form should be used for the legal notice of hearing.

ITEMS TO BE BROUGHT TO THE BOARD OFFICE PRIOR TO HEARING

After all notices have been delivered the following items must be provided the Board of Adjustment Office **prior to 4:30 PM on the Friday before the scheduled hearing.**

- White certified receipts date stamped by the post office or completed "Proof of Service List
- Original "Affidavit of Publication" of the legal notice placed in the newspaper.
- "Proof of Service" form signed and notarized.
- A copy of the Public Notice sent or hand delivered to the property owners and utilities.
- A copy of the property owners list prepared by the Engineering Dept.

THE MEETING

On the evening of the public hearing meeting, the applicant, owner, contract purchaser or person having a real interest in the property, his agent or attorney, shall appear before the Board to submit or present proof in support of the application. A contractor/builder may not represent an applicant, but may accompany applicant as a builder. In the event that said applicant, his agent or attorney fails to appear at the scheduled hearing, the application shall be dismissed. If the applicant, his agent or attorney is unable to appear before the Board at the appointed time, they shall notify the Board of Adjustment Office no later than 4:00 PM on the date of the public hearing to inform the Board of an absence and the Board office will confirm with the same person a future date at which time the public hearing can be heard by the Board. At the time of the public hearing, and for applications involving variances for undersized lots, the applicant should be prepared to provide proof of an attempt to purchase additional property to make the lot conform and/or an attempt to sell the subject property to the adjoining owners for reasonable compensation.

Failure to comply with any of the above shall result in the cancellation of the applicant's public hearing and possible dismissal.

THE RESOLUTION

Should the Board of Adjustment take action on your application, the Board has 45 days to adopt a Resolution from the date of the approval memorializing the action taken. A copy of said resolution will be mailed to the applicant and/or their attorney. If there is an email on file the Board Secretary will email all parties.

If the application is approved, the applicant will obtain a blank "Notice of Decision" form and blank "Real Estate Tax Affidavit" form along with the Resolution. It is the applicant's responsibility to publish a Notice of Decision in one of the above noted newspapers after the resolution is adopted. If the

application is denied, the Board will publish a notice of decision to deny the application.

OBTAINING A "RESOLUTION COMPLIANCE CERTIFICATE"

To obtain a Resolution Compliance Certificate, the applicant must provide the Board of Adjustment office with the following proofs:

1. Proof of compliance with all conditions listed within the Resolution of Approval adopted by the Board of Adjustment.
2. Original "Affidavit of Publication" from the newspaper. Application form is available in the Zoning Board Office.
3. Copy of a completed Real Estate Tax Affidavit form, which will also be forwarded along with the resolution.
4. For any applications including escrow, it must be determined that all final bills have been submitted from both professionals.

The Zoning Board Engineer will determine whether or not the applicant has satisfied conditions imposed by the Board. The Zoning Board Engineer will issue a Resolution Compliance Certificate after you have satisfied the Board's conditions.

OBTAINING A BUILDING PERMIT

Upon receipt of the Zoning Permit from the Zoning Officer, the applicant may file an application with the Building Department. The applicant must provide the Building Department with a copy of the Zoning Permit and two (2) sets of plans signed by the Zoning Officer

Any questions regarding this procedure should be directed to:
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(732) 341-1000 ext. 8370

Last revised May 16, 2017
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Request for Taxpayer
Identification Number and Certification

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

Print or type
See Specific Instructions on page 2.

Name

Business name, if different from above

Check appropriate box: ☐ Individual/
Sole proprietor

☐ Corporation

☐ Partnership

☐ Other ▶

☐ Exempt from backup
withholding

Address (number, street, and apt. or suite no.)

Requester's name and address (optional)

City, state, and ZIP code

List account number(s) here (optional)

Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. For individuals, this is your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the Part I instructions on page 3. For other entities, it is your employer identification number (EIN). If you do not have a number, see How to get a TIN on page 3.

Note: If the account is in more than one name, see the chart on page 4 for guidelines on whose number to enter.

Social security number								

or

Employer identification number								

Part II Certification

Under penalties of perjury, I certify that:

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

Certification instructions. You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the Certification, but you must provide your correct TIN. (See the instructions on page 4.)

Sign
Here

Signature of
U.S. person ▶

Date ▶

Purpose of Form

A person who is required to file an information return with the IRS, must obtain your correct taxpayer identification number (TIN) to report, for example, income paid to you, real estate transactions, mortgage interest you paid, acquisition or abandonment of secured property, cancellation of debt, or contributions you made to an IRA.

U.S. person. Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN to the person requesting it (the requester) and, when applicable, to:

1. Certify that the TIN you are giving is correct (or you are waiting for a number to be issued),
2. Certify that you are not subject to backup withholding, or
3. Claim exemption from backup withholding if you are a U.S. exempt payee.

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

Foreign person. If you are a foreign person, use the appropriate Form W-8 (see Pub. 515, Withholding of Tax on Nonresident Aliens and Foreign Entities).

Nonresident alien who becomes a resident alien.

Generally, only a nonresident alien individual may use the terms of a tax treaty to reduce or eliminate U.S. tax on certain types of income. However, most tax treaties contain a provision known as a "saving clause." Exceptions specified in the saving clause may permit an exemption from tax to continue for certain types of income even after the recipient has otherwise become a U.S. resident alien for tax purposes.

If you are a U.S. resident alien who is relying on an exception contained in the saving clause of a tax treaty to claim an exemption from U.S. tax on certain types of income, you must attach a statement that specifies the following five items:

1. The treaty country. Generally, this must be the same treaty under which you claimed exemption from tax as a nonresident alien.
2. The treaty article addressing the income.
3. The article number (or location) in the tax treaty that contains the saving clause and its exceptions.
4. The type and amount of income that qualifies for the exemption from tax.
5. Sufficient facts to justify the exemption from tax under the terms of the treaty article.

Township of Toms River, NJ
Thursday, February 1, 2018

Chapter 348. Land Use and Development Regulations

§ 348-3.4. Fees.

[Amended 2-9-1982 by Ord. No. 2068; 9-14-1982 by Ord. No. 2116; 5-22-1984 by Ord. No. 2244-86; 6-9-1987 by Ord. No. 2494-87; 1-26-1988 by Ord. No. 2539-88; 1-26-1988 by Ord. No. 2541-88; 8-14-1991 by Ord. No. 2848-91; 12-26-1991 by Ord. No. 2881-91; 4-8-1992 by Ord. No. 2906-92; 6-28-1995 by Ord. No. 3110-95; 9-24-1996 by Ord. No. 3196-96; 9-12-2000 by Ord. No. 3551-00; 7-23-2002 by Ord. No. 3713-02; 9-28-2004 by Ord. No. 3899-04; 11-9-2004 by Ord. No. 3915-04; 12-27-2005 by Ord. No. 3980-05]

- A. Application and escrow review fees.
[Amended 5-25-2010 by Ord. No. 4268-10; 3-10-2015 by Ord. No. 4476-15; 2-21-2017 by Ord. No. 4534-17]
- (1) The following fees shall be due and payable in connection with the following categories of land use development applications submitted to the Township Planning Board and Board of Adjustment (hereinafter referred collectively as "the Board"). The fee denoted as "Application Fee" shall be nonrefundable and shall be used solely to cover the administrative and overhead costs associated with the processing of the application. The fee denoted as "Escrow Review Fee" shall be utilized exclusively to cover the cost of professional reviews of the application by the engineers, planners, attorneys and other professionals retained by the respective reviewing Board and other reviewing agencies of the Township. No application may be deemed complete until all applicable nonrefundable application fees and escrow review fee deposits have been paid. Both the applicant and the landowner shall sign the escrow replenishment agreement, which provides, in part, that in the event there is a failure to replenish the escrow account in accordance with the terms of the agreement, the Township has the right to withhold the zoning permit or the issuance of a certificate of occupancy until the deficiency is paid, and if the escrow review fees are not paid within 30 days of the billing date, the Township shall have the right to lien the property in the amount of the deficiency.

(2) All volunteer fire and first aid squads located within the Township of Toms River serving the residents of the Township of Toms River which are holders of tax-exempt status under the Federal Internal Revenue Code of 1954 [26C U.S.C. § 501(c) or (d)] and the Toms River Regional Board of Education, the Toms River Municipal Utilities Authority, The Board of Fire Commissioners (Toms River Township District Number 1 and 2), any municipal agency, the County of Ocean, the State of New Jersey and the federal government or any of their agencies are hereby exempt from the payment of any fee charged pursuant to this section.

Application Category	Nonrefundable Application Fee	Escrow Review Fee Deposit
Administrative Approvals		
Development/zoning permits	\$50	0

Application Category	Nonrefundable Application Fee	Escrow Review Fee Deposit
Single-family residential accessory structures, fences and additions not exceeding 150 square feet		
New single-family residential dwellings and additions exceeding 150 square feet	\$100	o
All other categories	\$100	o
Subdivision certificate	\$50	o
Nonconforming use certificate (N.J.S.A. 40:55D-68)		
Zoning Officer Review	\$100	o
Board of Adjustment Review	\$100	\$1,000
Subdivision exemption certificate	\$50	o
Zoning regulation compliance certificate	\$100	o
Street/easement vacation request	\$250	\$750
Subdivisions		
Minor	\$750	\$1,000
Resubdivisions (lot line adjustment (no additional lots created))	\$300	\$500
Preliminary major	\$750, plus \$25 per lot	\$2,500, plus \$50 per lot
Final major	\$750	\$1,000
Map filing review (all subdivisions)	\$50	o
Fire safety review fee		
Minor	\$100 150	o
Preliminary major	\$150 200	o
Tax Map maintenance fee		
Minor	\$100	o
Final major	\$20 per lot/unit (minimum \$250)	o
Site plans		
Conditionally exempt	\$300	\$500
Minor	\$500	\$1,000
Preliminary major	\$1,500	\$2,500 plus \$100 per acre or portion thereof
Site plan exemption request	\$300	\$500
Note: In cases where only a portion of the parcel or site are to be involved in the proposed site plan, site area charge shall be based upon an area extending 20 feet outside the limits of all construction, including grading and landscaping, but not beyond the site limits.		

Application Category	Nonrefundable Application Fee	Escrow Review Fee Deposit
Final major	\$500	\$1,000
Fire safety review		
Minor site plan	\$100	0
Major site plan	\$150	0
Tax map maintenance fee (if required)	\$20 per lot/unit (minimum \$250)	0
Variances		
N.J.S.A. 40:55D-70c		
Single- or two-family in-ground pools and detached garages	\$100	\$600
All other single- or two-family residential accessory structures (decks, sheds, fences and other similar structures)	\$100	\$150
Undersized/nonconforming lots or principal structures, additions and other single- or two-family residential applications	\$250	\$1,500
Commercial/multifamily residential/residential subdivisions	\$750	\$2,000
N.J.S.A. 40:55D-70d		
One single- or two-family residential dwelling	\$250	\$1,500
Commercial/multifamily residential/variances related to residential subdivisions	\$500	\$2,000
N.J.S.A. 40:55D-34 40:55D-35	\$300	\$1,000
Other		
Appeals (N.J.S.A. 40:55D-70a)	\$100	\$750
Interpretation (N.J.S.A. 40:55D-70b)	\$100	\$750
Conditional use	\$500	\$1,000
Zone change request	\$500	\$1,500
Informal review of proposed site plan/subdivision or landscape/architectural review not in conjunction with site plan	\$300	\$500
Note: If application for development for preliminary plat of a major site plan or subdivision is filed within one year from the date of approval of a sketch plat, the application fees paid for the sketch plat may be deducted from the above fees.		
Amended applications requiring formal hearing	\$50% of total base fee(s)	50% of total base fee (s)

Application Category	Nonrefundable Application Fee	Escrow Review Fee Deposit
Note: For the purpose of this subsection, "base fee" include all prior fees including variances, design exception and plat waivers.		
Amended application not requiring Board approval/field changes	\$100	\$250
Amended resolution	\$100	\$300
Request for waiver of design standards (Article V or VII)	\$100 per waiver	o
Requests for waiver of map details (Article VI)		
Minor subdivision or site plan	\$50 per wavier/\$250 max.	o
Major subdivision or site plan	\$50 per waiver/\$750 max.	o
Requests for extension of approval or time (per year or portion thereof.		
Minor subdivision and minor site plan:	\$500	\$500
Major subdivision and major site plan:	\$500	\$500
(a) Reproduction fees: \$25 per sheet of the subdivision map(s) to be filed.		
(b) Special meetings (requested by applicant): \$2,000 per meeting, (3 hours maximum), excluding escrow review fees		
(3) Amended application (formal hearing). After the Planning Board or Zoning Board of Adjustment has granted approval, an applicant may request amended approval. An amended approval shall be required for any request to increase the approved number of lots or units; to increase the floor area of any commercial or multifamily residential structure; increase the number of required or proposed parking spaces; to substantially modify any significant design detail, including but not limited to grading, drainage, street design or layout, landscaping or architectural design, curbs and sidewalks; to eliminate or modify any condition of approval; or create any new variance or design waiver relief.		
(4) Amended application/field change approval (Board review required). Where minor changes in the plans have been made by the applicant or requested by other governmental agencies, whose approval was a condition of the Board's approval, involving no additional building area, parking or significant change in design and where such changes are technical in nature and do not affect the basis upon which the approval was granted, and do not require changes in any condition of approval, the applicant, through the Board Engineer, may request that the Board administratively approve the changes. Said administrative approval shall be considered during the next available Board meeting. Additional copies of the plat incorporating the changes as necessary for distribution must be submitted to the Board Engineer.		
B. Resolution compliance review fee. As a condition of any approval granted by the Board, the applicant shall post an additional escrow fee deposit in an amount equal to 25% of the base escrow fee under Subsection A, unless the Board Clerk determines that funds exist in the applicant's escrow account greater than or equal to 25% of the base escrow fee. Said additional		

fee shall be posted at the time that the plans, which have been revised in accordance with the resolution of approval, are submitted for compliance review.

- C. Bond estimate preparation fee. Upon determination by the Board professionals that the plans have been revised in conformance with the resolution of approval, the applicant shall submit a quantity estimate and request the Township Engineer to prepare an estimate of the installation costs of the associated improvements of the approved development. The cost of the preparation of this estimate shall be reimbursed from the escrow review fees previously paid by the applicant.
- D. Disposition of escrow review fees. The Chief Financial Officer (hereinafter "CFO") of the Township shall segregate the escrow review fees in individual accounts pursuant to N.J.S.A. 40:55D-53.2. Thereafter, the reviewing professionals shall prepare and submit vouchers to the CFO on a monthly basis in accordance with the schedules and procedures of the Township. Said voucher shall identify the personnel performing the service, the date the service was performed, the hours spent to one-quarter-hour increments, the hourly rate and the expenses incurred. If the services are provided by a municipal employee, said employee shall prepare and submit to the CFO on a monthly basis a statement containing the same information as required on a voucher. The municipal employee shall charge the escrow account an amount equal to 200% of the sum of the product resulting from multiplying the hour base rate of the employee by the number of hours spent by the employee in reviewing the application or the inspection of the developer's improvements. The method of the notification to the applicant of the charges applied against the escrow account and the close-out procedure relating to the escrowed funds shall be in accordance with the provisions of N.J.S.A. 40:55D-53.2c and d, respectively.
- E. Disposition of escrow review fees in excess of \$5,000. Whenever an amount of money in excess of \$5,000 shall be deposited by an applicant with a municipality for professional services employed by the Township to review applications for development, for municipal inspection fees in accordance with N.J.S.A. 40:55D-53h or to satisfy the guarantee requirements of N.J.S.A. 40:55D-53a, 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 in this section, shall continue to be the property of the applicant and shall be held in trust by the Township. Money deposited shall be held in escrow. The municipality receiving the money shall deposit it in a banking institution or savings and loan association in this state insured by an agency of the federal government, or in any other fund or depository approved for such deposits by the state, in an account bearing interest at the minimum rate currently paid by the institution or depository on time or savings 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 be required to refund an amount of interest paid on a deposit which does not exceed \$100 for the year. If the amount of interest exceeds \$100, that entire amount shall belong to the applicant and shall be refunded to him by the municipality annually or at the time the deposit is repaid or applied to the purposes for which it was deposited, as the case may be; except that the municipality may retain for administrative expenses a sum equivalent to no more than 33 1/3% of that entire amount, which shall be in lieu of all other administrative and custodial expenses.
- F. Escrow deficiency/replenishment. When it has been determined by the Board Clerk that an escrow account has been depleted by 75% of the original fee or that there exists a deficiency in the escrow account, the Township shall so notify the applicant of the same, via first class mail, and the applicant shall pay any deficiency and replenish the escrow account in an amount equal to 50% of the original escrow deposit. Said payment shall be made to the Township within 10 days following the mailing of the notice. Failure of the applicant to pay any deficiency and/or replenish the escrow account within this time period shall result in the suspension of all work associated with the review, processing and/or inspection of the application until the required

payment is made. Notice of the suspension of the review shall be sent to the applicant in a subsequent mailing via first class mail. In the event that said deficiency/replenishment payment is not received by the Township within 20 days of said subsequent mailing, then the Board may dismiss the pending application without prejudice without further notice to the applicant. Any resubmission of an application so dismissed will require the submission of a new complete application, including all associated nonrefundable application fees and escrow deposits.

G. Refund of escrow deposits.

- (1) Upon completion of the application and at the time that the applicant posts all required inspection fees (see Subsection H below), any unused escrow deposits shall be refunded to the applicant. Prior to the execution of a subdivision map or site plan by the appropriate Board officials or the issuance of a zoning permit or building permit, the Board Clerk shall require written confirmation from the Board professionals that there are no outstanding fees in conjunction with the application that are to be charged to the escrow account. In the event that additional fees to be charged to the escrow account are submitted and there is not sufficient funds to pay said fees, the applicant shall be notified to post such additional escrow deposit prior to the execution and release of the subdivision maps or site plan or the issuance of a zoning or building permit.
- (2) In the event an application is denied, all unused escrow deposits shall be refunded to the applicant within 90 days of the date of the adoption of the resolution of denial.

H. Applicant notification to dispute charges and appeal.

- (1) An applicant shall notify in writing the governing body with copies to the Chief Financial Officer, the approving authority and the professional whenever the applicant disputes the charges made by a professional for service rendered to the municipality in reviewing applications for development, review and preparation of documents, inspection of improvements or other charges made pursuant to the provisions of this section. The governing body, or its designee, shall within a reasonable time period attempt to remediate any disputed charges. If the matter is not resolved to the satisfaction of the applicant, the applicant may appeal to the County Construction Board of Appeals established under N.J.S.A. 52:27D-127 any charge to an escrow account or a deposit by any municipal professional or consultant or the cost of the installation of improvements estimated by the Municipal Engineer pursuant to N.J.S.A. 40:55D-53.4. An applicant or his authorized agent shall submit the appeal in writing to the County Construction Board of Appeals. The applicant or his authorized agent shall simultaneously send a copy of the appeal to the municipality, approving authority and any professional whose charge is the subject of the appeal. An applicant shall file an appeal within 45 days from receipt of the informational copy of the professional's voucher required by this section, except that if the professional has not supplied the applicant with an informational copy of the voucher, then the applicant shall file his appeal within 60 days from receipt of the municipal statement of activity against the deposit or escrow account. An applicant may file an appeal for an ongoing series of charges by a professional during a period not exceeding six months to demonstrate that they represent a pattern of excessive or inaccurate charges. An applicant making use of this provision need not appeal each charge individually.
- (2) During the pendency of any appeal, the municipality or approving authority shall continue to process, hear and decide the application for development, and to inspect the development in the normal course, and shall not withhold, delay or deny reviews, inspections, signing of subdivision plats or site plans, the reduction or the release of performance or maintenance guarantees, the issuance of construction permits or certificates of occupancy, or any other approval or permit because an appeal has been filed or is pending under this subsection. The Chief Financial Officer of the municipality may pay

charges out of the appropriate escrow account or deposit for which an appeal has been filed. If a charge is disallowed after payment, the Chief Financial Officer of the municipality shall reimburse the deposit or escrow account in the amount of any such disallowed charge or refund the amount to the applicant. If a charge is disallowed after payment to a professional or consultant who is not an employee of the municipality, the professional or consultant shall reimburse the municipality in the amount of any such disallowed charge.

l. Inspection fees.

- (1) Prior to the signing and recording of the final subdivision plat or the signing and release of the final site plan map or as a condition to the issuance of a zoning permit for the proposed development, the developer shall post a performance guarantee in favor of the Township in an amount equal to 120% of the estimated cost of the associated improvements and shall also post a deposit in the escrow fund to cover the Township's cost for inspecting said improvements in an amount equal to the greater of \$500 or 5% of the estimated cost of said improvements.
- (2) For those developments for which the inspection fees are less than \$10,000, the inspection fees may, at the option of the developer, be paid in two installments. When the balance on deposit drops to 10% of the total inspection fee amount because the deposit paid by the developer has been reduced by the amount paid to the Municipal Engineer for inspection, the developer shall deposit the remaining 50% of the inspection fee. For those developments for which the inspection fees are \$10,000 or greater, fees may, at the option of the developer, be paid in four installments. The initial deposit shall be 25% of the inspection fees. When the balance on deposit drops to 10% of the total inspection fee amount because the deposit paid by the developer has been reduced by the amount paid to the Municipal Engineer for inspection, the developer shall make additional deposits of 25% of the total inspection fee amount. The Municipal Engineer shall not perform any inspection if sufficient funds to pay for those inspections are not on deposit.
- (3) In the event that the development project has been approved in phases or sections pursuant to N.J.S.A. 40:55D-38, the provisions of this section shall be applied by phases or sections.

J. Educational fee. Pursuant to N.J.S.A. 40:55D-8(b), the following fees shall be due and payable in connection with the following categories of land use development applications submitted to the Township Planning Board and Board of Adjustment (hereinafter referred collectively as "the Board"). The fee shall supplement the administrative fees currently charged to applicants and shall be nonrefundable and shall be used solely to offset requisite educational fees incurred by the Board. The fee denoted as "educational fee" shall be utilized exclusively to offset the cost of continuing educational costs and fees incurred by members of the Board as necessitated in order to maintain valid Board status. No application may be deemed complete until all applicable nonrefundable educational fees have been paid as follows:

[Added 10-24-2006 by Ord. No. 4046-06]

- (1) Major subdivision, site plan approval: \$50, due and payable at the time of application for preliminary approval.
- (2) Variances pursuant to N.J.S.A. 40:55D-70(d): \$50, due and payable at the time of application for a conditional use permit.
- (3) Minor subdivision, minor site plan approval: \$25, due and payable at time of submission of application.
- (4) Variance pursuant to N.J.S.A. 40:55D-70(c) not connected with any other approval: \$25, due and payable at time of submission of application.

TOWNSHIP OF TOMS RIVER
DEPARTMENT OF ENGINEERING AND COMMUNITY DEVELOPMENT
DIVISION OF LAND USE REGULATION
UNIFIED LAND DEVELOPMENT APPLICATION

PLEASE PRINT OR TYPE:

1. APPLICANT

NAME:

ADDRESS:

PHONE:

FAX:

E-MAIL:

2. OWNER (IF DIFFERENT FROM APPLICANT)

NAME:

ADDRESS:

PHONE:

FAX:

E-MAIL:

3. SUBJECT PROPERTY

STREET ADDRESS: _____

TAX MAP SHEET _____

TAX LOT _____ TAX BLOCK _____

APPROXIMATE SIZE _____ ACRES OR _____ SQ. FEET

ZONING DISTRICT _____

EXISTING USE OF PROPERTY: _____

COPY OF DEED ATTACHED? YES _____ NO _____

DEED RESTRICTIONS: YES _____ NO _____
(IF YES, PLEASE PROVIDE COPY)

4. BRIEF DESCRIPTION OF APPLICATION:

5. REQUESTED APPROVAL (CHECK ALL THAT APPLY)

DEVELOPMENT PERMIT	_____
SUBDIVISION CERTIFICATION	_____
(N.J.S.A. 40:55D-56)	
NON-CONFORMING USE CERTIFICATION	_____
(N.J.S.A. 40:55D-68)	
SUBDIVISION EXEMPTION CERTIFICATE	_____
(N.J.S.A. 40:55D-7)	
MINOR SUBDIVISION	_____
PRELIMINARY MAJOR SUBDIVISION	_____
FINAL MAJOR SUBDIVISION	_____
CONDITIONALLY EXEMPT SITE PLAN	_____
MINOR SITE PLAN	_____
PRELIMINARY MAJOR SITE PLAN	_____
FINAL MAJOR SITE PLAN	_____
CONDITIONAL USE	_____
SPECIAL REASONS VARIANCE FOR COMMERCIAL USE, MULTI-FAMILY USE OR RESIDENTIAL SUBDIVISIONS	_____
SPECIAL REASONS VARIANCE FOR SINGLE OR TWO FAMILY RESIDENTIAL USE	_____
(N.J.S.A. 40:55D-70d)	
SITE PLAN OR SUBDIVISION ANCILLARY VARIANCE	_____
(N.J.S.A. 40:55d-70c)	
SINGLE UNDERSIZED RESIDENTIAL LOT VARIANCE	_____

SINGLE OR TWO FAMILY RESIDENTIAL
DETACHED GARAGE OR INGROUN
POOL VARIANCE

ALL OTHER SINGLE OR TWO FAMILY
RESIDENTIAL ACCESSORY STRUCTURES
(POOL, SHED, ETC,)

FENCE VARIANCE

SINGLE FAMILY ADDITION VARIANCE

APPEAL (N.J.S.A. 40:55D-70(A))

INTERPRETATION
(N.J.S.A. 40:55d-70(B))

EXTENSIONS OF PRIOR APPROVAL

INFORMAL MEETING

AMENDED RESOLUTION

SIGN VARIANCE

N.J.S.A. 40:55d-34/35 VARIANCE

ZONING CHANGE REQUEST

6. NUMBER OF PROPOSED LOTS

7. LIST ALL VARIANCES REQUIRED: (USE SEPARATE SHEET, IF
NECESSARY)

8. LIST ALL DESIGN WAIVERS REQUESTED:

9. ATTORNEY:

NAME:

ADDRESS:

TELEPHONE:

FAX:

E-MAIL

10. ENGINEER:

NAME:

ADDRESS:

TELEPHONE:

FAX:

E-MAIL

11. ARCHITECT:

NAME:

ADDRESS:

TELEPHONE:

FAX:

E-MAIL

12. OTHER EXPERTS (USE ADDITIONAL SHEET IF NECESSARY)

NAME:

ADDRESS:

TELEPHONE:

FAX:

E-MAIL

13. PUBLIC WATER LINE AVAILABLE? YES _____ NO _____

14. PUBLIC SANITARY SEWER AVAILABLE? YES _____ NO _____

15. DOES APPLICATION PROPOSE A WELL AND SEPTIC? YES ____ NO ____

16. DESCRIBE ANY OFF TRACT IMPROVEMENT REQUIRED OR PROPOSED:

17. LIST ALL REQUIRED OUTSIDE AGENCY APPROVALS AND STATUS OF
SAME:

_____	_____
_____	_____
_____	_____

18. LIST OF ALL MAPS, REPORTS AND OTHER MATERIALS SUBMITTED:

QUANTITY	DESCRIPTION OF ITEM	DATE OF ITEM
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

19. APPLICANT'S CERTIFICATION:

I CERTIFY THAT THE FOREGOING STATEMENTS AND THE MATERIALS SUBMITTED ARE TRUE. I FURTHER CERTIFY THAT I AM THE INDIVIDUAL APPLICANT OR THAT I AM AN OFFICER OF THE CORPORATE APPLICANT AND THAT I AM AUTHORIZED TO SIGN THE APPLICATION FOR THE CORPORATION OR THAT I AM A GENERAL PARTNER OF THE PARTNERSHIP APPLICANT.

(IF THE APPLICANT IS A CORPORATION THIS MUST BE SIGNED BY AN AUTHORIZED CORPORATE OFFICER. IF THE APPLICANT IS A PARTNERSHIP, THIS MUST BE SIGNED BY A GENERAL PARTNER.)

SWORN TO AND SUBSCRIBED BEFORE ME THIS

_____ DAY OF _____, 20__

NOTARY PUBLIC

SIGNATURE OF APPLICANT

20. OWNER'S CERTIFICATION:

I CERTIFY THAT I AM THE OWNER OF THE PROPERTY WHICH IS THE SUBJECT OF THIS APPLICATION, THAT I HAVE AUTHORIZED THE APPLICANT TO MAKE THIS APPLICATION AND THAT I AGREE TO BE BOUND BY THE APPLICATION, THE REPRESENTATIONS MADE AND THE DECISION IN THE SAME MANNER AS IF I WERE THE APPLICANT.

(IF THE OWNER IS A CORPORATION THIS MUST BE SIGNED BY AN AUTHORIZED CORPORATE OFFICER. IF THE OWNER IS A PARTNERSHIP, THIS MUST BE SIGNED BY A GENERAL PARTNER.)

SWORN TO AND SUBSCRIBED BEFORE ME THIS

_____ DAY OF _____, 20__

NOTARY PUBLIC

SIGNATURE OF OWNER



TOWNSHIP OF TOMS RIVER

DEPARTMENT OF ENGINEERING AND COMMUNITY DEVELOPMENT

DIVISION OF LAND USE REGULATION

ESCROW REPLENISHMENT AGREEMENT

This agreement is made between the Township of Toms River ("Township") and _____ ("Applicant"), and _____ ("Property Owner" if different from applicant), pursuant to the provisions of N.J.S.A. 40:55D-53.2(c).

The parties to this agreement acknowledge that the applicant has submitted an application for land development to the Toms River Township Planning Board or Board of Adjustment. In accordance with the requirements of the Toms River Township Escrow Fee Ordinance, the applicant has deposited the sum of \$_____ with the Township of Toms River to cover the cost and expenses of all reviews by the professionals retained by the applicable Board regarding the submitted application.

The applicant agrees that upon notification by mail from the Board Clerk that whenever the amount remaining in the escrow accounts drops to 25% of the original escrow fee, the applicant will agree to replenish the escrow account within ten (10) days from the date of the mailing of the notice to an extent equal to 50% of the original escrow fee. The applicant also agrees to pay any deficiencies in said account simultaneously. The applicant acknowledges that he/she has been provided with a copy of the Township Ordinance relating to the payment and replenishment of the aforesaid escrow review fees and agrees to otherwise fully comply with the requirements of the same.

In the event there is a failure to replenish the escrow account in accordance with the terms of the Agreement, the Township has the right to withhold the zoning permit or the issuance of Certificate of Occupancy until the deficiency is paid, and if the escrow review fees are not paid within 30

days of the billing date, the Township shall have the right to lien the property in the amount of the deficiency.

TOWNSHIP OF TOMS RIVER

APPLICANT SIGNATURE

By _____
Board Secretary

Print Applicant's Name

OWNER'S SIGNATURE
(if applicant is not property owner)

Print Owner's Name