

INSTRUCTIONS & SUGGESTIONS TO APPLICANTS

Township of Barnegat Planning and Zoning Boards

SUBMITTING YOUR APPLICATION

1. **Read all instructions and follow all suggestions.** The application forms have been recently revised and simplified to request the minimum necessary information in order to review for completeness and for the Board to hear it. Fill out application carefully and completely. **Insufficient information may only delay your hearing. All plans/maps must be FOLDED, not rolled.**
 - “Land Use & Development Applicants” (Site Plans, Subdivisions, Conditional Use, etc., WITH OR WITHOUT VARIANCES & WAIVERS) submit **22 copies of Application, Completeness Checklist and Plans/Maps.**
 - “Bulk Variance Application” (for single and two-family uses **ONLY**, without any other relief or approval), submit **16 copies of Application, Completeness Checklist and Plot Plans/Surveys/Maps.**
 - “Change of Use Applications” (for single-family and two-family uses **ONLY**, without any other relief or approval), submit **16 copies of Applications, Completeness Checklists & Plot Plans/Surveys/Maps.**
 - FOR ALL OF THE ABOVE (except Exemption of Site Plan) apply to the Tax Assessor for a **Certified List of Property Owners Within 200 Feet.**

**APPLICATION FEES AND ESCROW DEPOSIT IN
SEPARATE CHECKS PAYABLE TO:**

Township of Barnegat

**MUST ACCOMPANY YOUR SUBMITTAL,
OR IT WILL NOT BE ACCEPTED**

OTHER SUBMISSION REQUIREMENTS

1. An original and 3 copies of a properly signed and executed **“Developers Escrow Agreement” must accompany all application submittals** (except Site Plan Exemption Application)
2. An original and 3 copies of a W-9
3. Obtain from Tax Collector **Tax Release (proof of paid taxes)** and submit an original and 3 copies with all applications.
4. An original and 3 copies of **Contribution Disclosure Statements**. Applicant/Developer and All Professionals providing legal representation, expert testimony or written reports in support of an application must submit.
5. An original and 3 copies of an **Affidavit of Non-Collusion** must accompany all “Land Use and Development Applications.”
6. Major Site Plans & Subdivisions: **2 copies** of any required **Reports and/or Impact Statements** (Traffic, Drainage, Environmental Impact, ect.)
7. Attach a copy of the *proposed Notice* to be published in an officially designated newspaper and to be mailed to the 200-ft surrounding properties. This Notice must specify the sections of the Ordinance from which relief is sought, if applicable.

COMPLETENESS REVIEW

1. The Administrative Officer will review your application package for compliance with the submission requirements, fees, escrow, and other administrative requirements.
2. The Board Engineer will perform a technical review of Site Plan, Subdivision and Variance applications, and will recommend whether or not your application may be deemed complete. *Requests for waivers from any checklist submission requirements must be accompanied by a written statement explaining the reasons justifying the request(s) or the application will be deemed incomplete.*
3. Your application will be deemed complete or incomplete within 45 days of submission according to law.

4. **When your application has been deemed complete**, the Board Secretary will inform you of a hearing date. Do not assume that you are on the next month's agenda.
5. Upon notification that your application is complete you are to publish and serve the Notice according to law:
 - **The publication of the Notice and the service on the affected owners must be accomplished at least ten calendar days PRIOR to the date of the hearing.**
 - Obtain an **Affidavit of Publication** from the newspaper and submit the original to the Board Secretary no later than 3 days before the hearing. **For the purposes of Notice you may publish in the Beacon, the Asbury Park Press or The Press of Atlantic City**
 - An original **Affidavit of Proof of Service** and the **white certified mail receipts** with the date stamped by the Post Office, along with a copy of the Assessor's 200-ft list must be submitted to the Board Secretary no later than 3 days before the hearing. **RETURN RECEIPT (GREEN CARDS) ARE OPTIONAL.**
 - If the subject property lies **within 200-ft of a County or State road**, the appropriate County or State agency must be served Notice.
 - **THE APPLICANT IS NOT TO GIVE PUBLIC NOTICE UNTIL THE APPLICATION IS DEEMED COMPLETE BY THE ADMINISTRATIVE OFFICER AND THE BOARD ENGINEER.**

PUBLIC HEARING PROCESS

1. The Planning or Zoning Board of Adjustment is hearing your application as a *quasi-judicial* body. At your hearing, you will be asked (under oath) to describe to the Board the development and/or changes you propose to make and, if applicable, why you are entitled to relief according to law. The burden of proofs is upon you, the applicant, to establish the elements of your case. The Board will reach a determination on your case based upon the findings of fact and, the proofs according to law.

2. You must appear in person and/or be represented by an Attorney at your public hearing(s). Any applicant other than a corporation may represent their own matter without representation by an Attorney. However, applicants are cautioned that particularly with **applications involving requests for Variances and Conditional Use Permits, there are specific requirements imposed by the Laws of the State of New Jersey** and you may wish to consider seeking adequate legal advise.
3. When your application has been considered fully, the Board will make a determination based upon testimony from the applicant, professionals and witnesses plus reports and reviews by various departments and outside agencies having jurisdiction over the matter. The Board Attorney will be asked to prepare a Resolution of approval or denial. **This Resolution will be memorialized (acted upon) at the following meeting.** You do not need to be present at the memorialization.

GENERAL INFORMATION

- MEETING DATES Zoning Board 2nd Monday of the Month*
 Planning Board 4th Tuesday of the Month*

***Please note:** Meeting dates are subject to change due to scheduling conflicts, holidays, adverse weather, cancellations, etc. Please inquire with the Planning and Zoning Board Office.

- WHEN A PROPERTY IS LOCATED WEST OF THE GARDEN STATE PARKWAY AND IS **UNDER THE JURISDICTION OF THE PINELANDS COMMISSION**, the local board has no jurisdiction to hear this application until the applicant has obtained a **Certificate of Filing** from the Pinelands Commission.
- ALL APPLICATION FEES AND ESCROW DEPOSITS must be paid up-to date in order to be heard and before any construction permits and/or certificates of occupancy can be issued following any approval. **Please refer to the Fee Ordinance for details of requirements relative to escrow accounts, inspections and guarantees.**

These Instructions and Suggestions are an attempt to assist the applicant, and are not intended to be a complete list of requirements pursuant to the Municipal Land Use Law, other State Statutes, and applicable Ordinances of the Township of Barnegat. The sole responsibility of presentation of the application and procedural requirements is upon the applicant.

**TOWNSHIP OF BARNEGAT
900 WEST BAY AVENUE
BARNEGAT, NJ 08005-1298
(609) 698-0080 x 155**

LAND USE AND DEVELOPMENT APPLICATION

Planning Board _____ Zoning Board _____

THIS SECTION TO BE COMPLETED BY TOWNSHIP STAFF ONLY

Date Filed: _____ Docket No.: _____

Application Fees: _____ Escrow Deposit: _____

Scheduled for: Review for Completeness _____ Hearing: _____

IMPORTANT NOTICE

A non-corporate applicant may represent his/her own matter. Corporate applicants must be represented by an attorney-at-law admitted to practice in the State of New Jersey. No case on behalf of any applicant may be presented by an engineer or any other person not admitted to law practice in the State of New Jersey.

Applicants are cautioned that the burden of proof showing justification for the requested development is upon the applicant under the Laws of the State of New Jersey. Applicants are further cautioned that particularly with applications involving requests for variances and conditional use permits, that there are specific legal requirements imposed by the Law of the State of New Jersey and applicants are, therefore, cautioned to consider seeking adequate legal advice.

TO BE COMPLETED BY APPLICANT:

1. APPLICANT

Name: _____

Address: _____

Telephone Number: Home: _____ Local: _____

Work: _____ Fax: _____

Applicant is a Corporation _____ Partnership _____ Individual _____

Other (Please specify) _____

2. SUBJECT PROPERTY: (Attach additional sheets if necessary.)

Location: _____

Tax Map Page _____ Block _____ Lot (s) _____

Tax Map Page _____ Block _____ Lot (s) _____

Total Area _____ Zoning District: _____

<u>Lot Size</u>	<u>Width</u>	<u>Frontage</u>	<u>Depth</u>	<u>Square Feet</u>
Required	_____	_____	_____	_____
Existing	_____	_____	_____	_____
Proposed	_____	_____	_____	_____

<u>Principal Building Setbacks</u>	<u>Front</u>	<u>Rear</u>	<u>One Side</u>	<u>Both Sides/Total</u>
Required	_____	_____	_____	_____
Existing	_____	_____	_____	_____
Proposed	_____	_____	_____	_____

<u>Principal Building Height</u>	<u>% Building (lot) Coverage</u>
Permitted _____	_____ %
Existing _____	_____ %
Proposed _____	_____ %

<u>Accessory Building Setbacks</u>	<u>Front</u>	<u>Rear</u>	<u>One Side</u>	<u>Both Sides/Total</u>
Required	_____	_____	_____	_____
Existing	_____	_____	_____	_____
Proposed	_____	_____	_____	_____

<u>Accessory Building Height</u>	<u>% Building (lot) Coverage</u>
Permitted _____	_____ %
Existing _____	_____ %
Proposed _____	_____ %

3. DISCLOSURE STATEMENT:

Pursuant to N.J.S.A. 40:55D-48.1, the names and addresses of all persons owning 10% of the stock in a corporate applicant or 10% interest in any partnership applicant must be disclosed. In accordance with J.J.S.A. 40:55D-48.2 that disclosure requirement applies to any corporation or partnership which owns more than 10% interest in the applicant followed up the chain of ownership until the names and addresses of the non-corporate stockholders and partners exceeding 10% ownership criterion have been disclosed. **(Attach pages as necessary to fully comply.)**

Name _____	Address _____	Interest _____
Name _____	Address _____	Interest _____
Name _____	Address _____	Interest _____
Name _____	Address _____	Interest _____

4. OWNERSHIP:

If the Owner(s) is other than the applicant, provide the following information on the Owner(s)
SEE ALSO ITEM # 18

Owner's Name: _____

Address: _____

Telephone Number Home: _____ Work: _____ Local: _____

Relationship of the applicant to the property in question:

Owner _____ Lessee _____ Purchaser under Contract _____ Other _____

5. PROPOERTY INFORMATION:

Deed restrictions, covenants, easements, rights of way, association by-laws or other dedication existing or proposed on the property:

Yes (Attach copies) _____ No _____ Proposed _____

Note: All deed restrictions covenants, easements, rights of way association by-laws, or other dedications existing and proposed must be submitted for review.

Site plan, and/or conditional use applicants:

Proposal for: New structure _____ Expanded area _____ Alteration _____

Expansion of structure _____ Change of Use _____ Sign _____

Other (please specify) _____

Has this property been the subject of any prior application (s) to the Planning Board or Zoning Board of Adjustment? Yes _____ No _____

If so, please attach a copy of the resolution (s).

Type of Application/Relief sought _____

Date (s) _____ Disposition _____

Is the subject property located on:

A County road: Yes _____ No _____; A State road: Yes _____ No _____;

Within 200 feet of a municipal boundary: Yes _____ No _____

Present use of the premises: _____

6. APPLICATION REPRESENTS A REQUEST FOR THE FOLLOWING:

SUBDIVISION:

_____ Minor subdivision approval
_____ Subdivision approval (Preliminary) [Phases (if applicable) _____]
_____ Subdivision approval (Final) [Phases (if applicable) _____]
_____ Amendment or Revision to an Approved Subdivision Plan
Number of lots to be created _____
Number of proposed dwelling units (if applicable) _____
Area and dimensions of each proposed lot _____

SITE PLAN:

_____ Minor site plan approval
_____ Preliminary site plan approval [Phases (if applicable) _____]
_____ Final site plan approval [Phases (if applicable) _____]
_____ Amendment or revision to an approved site plan
_____ Conditional use approval [N.J.S.A. 40:55D-67]
Area to be disturbed (square feet) _____
Total number of proposed dwelling units (if applicable) _____

APPEALS, VARIANCES, OTHER:

_____ Appeal decision of an Administrative Officer [N.J.S.A. 40:55d70a]
_____ Map or ordinance Interpretation/Special Question [N.J.S.A. 40:55D-70b]
_____ Variance relief (hardship) [N.J.S.A. 40:55-D70c (1)]
_____ Variance relief (substantial benefit) [N.J.S.A. 40:55-D70c (2)]
_____ Variance relief (use) [N.J.S.A. 40:55-D70d]
_____ Direct issuance of a permit for a structure in bed of a mapped street, public
drainage way, or flood control basin [N.J.S.A. 40:55D-34]
_____ Direct issuance of a permit for a lot lacking street frontage [N.J.S.A. 40:55D-35]

7. SECTION (S) OF ORDINANCE FROM WHICH A VARIANCE IS REQUESTED:

**8. WAIVERS REQUESTED OF DEVELOPMENT STANDARDS AND/OR
SUBMISSION REQUIREMENTS: (attach additional pages as needed)**

9. ATTACH A COPY OF THE PROPOSED NOTICE to appear in the official newspaper of the municipality and to be mailed to the owners of all real property, as shown on the current tax duplicate, located within the State and within 200 feet in all directions of the property which is the subject of this application. The Notice must specify the sections of the Ordinance from which relief is sought if applicable. ALL APPLICATIONS EXCEPT INFORMALS REQUIRE NOTICE.

The publication and the service on the affected owners must be accomplished at least 10 days prior to the date scheduled by the Administrative Officer for the hearing. THE APPLICANT IS NOT TO GIVE PUBLIC NOTICE UNTIL SUCH TIME AS THE APPLICATION IS DEEMED COMPLETE BY THE ADMINISTRATIVE OFFICER AND THE BOARD ENGINEER.

An affidavit of service on all property owners and a proof of publication must be filed before the hearing date. These items must be submitted in advance for an application to be placed on the agenda and the hearing to proceed.

10. EXPLAIN IN DETAIL THE EXACT NATURE OF THE APPLICATION and the changes to be made at the premises, including the proposed use of the premises: [attach pages as needed]_____

11. Is a PUBLIC WATER line available?_____

12. Is public SANITARY SEWER available?_____

13. Are any OFF-TRACT IMPROVEMENTS required or proposed?_____

14. Is the SUBDIVISION to be filed by DEED OR PLAT?_____

15. Attach CERTIFICATION FROM THE TAX COLLECTOR that all taxes due on the subject property have been paid.

16. Attach executed DEVELOPER'S ESCROW AGREEMENT.

17. Attach a LIST OF PROFESSIONALS & CONSULTANTS (if applicable).

18. List of maps, reports and other materials accompanying the application (attach additional pages as required for complete listing).

QUANTITY

DESCRIPTION OF ITEM

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

19. **CERTIFICATION:**

I certify that the foregoing statements and the materials submitted are true, and waive all applicable time limits until the first public hearing of this application. 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.] The applicant (or agent) hereby further certifies and allows that agents of the Township and affiliated agencies to enter onto the property which is the subject of this application.

DATE

SIGNATURE OF APPLICANT

DATE

SIGNATURE OF OWNER

20. **AUTHORIZATION BY OWNER:** (If anyone other than above owner is making this application, the following authorization must be executed.)

To the approving Board of the Township of Barnegat:

_____ is hereby
(name of designee)
authorized to make the within application.

DATE

SIGNATURE OF OWNER

TOWNSHIP OF BARNEGAT
OCEAN COUNTY, NEW JERSEY

COMPLETENESS CHECK LIST
for
APPEAL OF DECISION BY ZONING OFFICER
APPLICATION

Notice To Applicants: This form must be completed and returned to the Administrative Officer when an Appeal of Decision by Zoning Officer Application is filed with the Zoning Board of Adjustment. The applicant is required to address all items set forth on this Completeness Check List. Failure to address each item will result in the application being deemed incomplete. *(Please type or print clearly.)*

Applicant: _____ **Owner:** _____

Name of Project: _____

Location of Project:

Block: _____ **Lot(s):** _____

Street Address: _____ **Zoning District:** _____

Signature of person who prepared Check List _____ Date _____

Name and Title of person who prepared Check List (Please Type or Print)

For Zoning Board Use Only:

Docket No. _____ **Date Received by Board:** _____

<u>APPEAL OF DECISION BY ZONING OFFICER APPLICATION</u>	<u>Provided or Shown</u>	<u>Waiver Requested</u>
<u>I. General Requirements</u>		
Submission of completed Application Form and Check List (13 copies).	☐	☐
Payment of application fees and escrow deposit.	☐	☐
Submission of written certification from Tax Collector that all taxes and assessments are paid to date.	☐	☐
Submit a copy of the decision of the Zoning Officer by which the applicant feels aggrieved and from which the applicant requests relief.	☐	☐
Submission of plats, plans or survey of property (13 sets) as necessary to show the relief which is requested by the applicant. All plans submitted by the applicant shall be signed and sealed by a N.J.P.L.S., N.J.P.E., N.J.P.P., N.J.R.A. or N.J.C.L.A. as required, and folded with title block revealed.	☐	☐
<u>II. Plat Details</u>		
The applicant shall submit to the Board whatever plans are necessary to show the proposed construction which is proposed by the applicant and for which the Zoning Officer has issued a decision contrary to that requested by the applicant.	☐	☐
The applicant shall provide to the Board a written statement which sets forth the facts regarding the matter before the Board, and which details the reasons for which he is requesting relief from the decision of the Zoning Officer,	☐	☐

AFFIDAVIT OF NON-COLLUSION

STATE OF NEW JERSEY

COUNTY OF OCEAN

SS

_____ being duly
Name of Applicant(s)

sworn, according to law, upon my/our oath depose and say:

1. I am/We are the applicant(s) in connection with a proposed site plan/subdivision/variance of property know as

Block _____ Lot(s) _____

Block _____ Lot(s) _____

Block _____ Lot(s) _____

Block _____ Lot(s) _____

2. There has been no collusion between me/us and any member of the Barnegat Planning/Zoning Board or any officials of the Township of Barnegat with respect to said application.

Sworn to and subscribed before

me this _____ day of

_____, 20____

**BARNEGAT TOWNSHIP
CONTRIBUTION DISCLOSURE STATEMENT**

Pursuant to Ordinance 2005-04 dated February 22, 2005, Ethics Code of Article 10-19, requiring Contribution Disclosure Statements in Land Use Applications, the following contributions were made in Barnegat Township, Ocean County, NJ:

Item 1: No contributions were made within one (1) year of the filing of the referenced application:

Signature

Print Name and Title

Date

Sworn and subscribed before me this
_____ Day of _____, 20____

Notary Public

Item 2: The following contributions were made within one (1) year of the filing date of the referenced application:

Signature

Print Name and Title

Date

Sworn and subscribed before me this
_____ Day of _____, 20____

Notary Public

Township of Barnegat

COUNTY OF OCEAN

Kristen Peel, CTA
Tax Assessor
609-698-0080 X 146
assessor@barnegat.net



900 West Bay Avenue
Barnegat NJ 08005
Fax: 609-698-6988
web: www.barnegat.net

REQUEST FOR 200 FT. PROPERTY LIST

Date: _____

Docket # _____
(IF KNOWN OR APPLICABLE)

TO: The Barnegat Twp. Assessor

SUBJECT: Planning/Zoning Board _____
DEP/CAFRA _____
Pinelands _____
Other _____

Kindly compile and provide me, within seven days of receipt of this request, with a **Certified List of Property Owners within 200 feet of the site (s) described below:**

BLOCK:	LOTS (S):
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

FEES: A minimum deposit of ten (\$10.00) dollars is required upon submission of this request. The total fee to be collected prior to issuing the list shall be **the greater of \$10.00 or \$0.25 per line item (property on the list).**

PHONE: (____) _____

SIGNATURE OF APPLICANT _____

EMAIL: _____

NAME (PLEASE PRINT) _____

FAX: (____) _____

MAILING ADDRESS _____

CITY, STATE, ZIP CODE _____

List of Professionals & Consultants

Applicants Name: _____

Address: _____

Email: _____

Telephone Number: _____ Fax Number: _____

1. Attorney: _____

Address: _____

Email: _____

Telephone Number: _____ Fax Number: _____

2. Engineer: _____

Address: _____

Email: _____

Telephone Number: _____ Fax Number: _____

3. Planning Consultant: _____

Address: _____

Email: _____

Telephone Number: _____ Fax Number: _____

4. Architect: _____

Address: _____

Email: _____

Telephone Number: _____ Fax Number: _____

§ 55-80.1. Fees. [Amended 11-20-95 by Ord. No. 1995-49 § 1; 11-20-95 by Ord. No. 1995-50 § 2; 12-16-96 by Ord. No. 1996-58 §§ 1, 2; 12-16-96 by Ord. No. 1996-59 §§ 1, 2; 12-16-96 by Ord. No. 1996-60 § 29]

- A. Every application for development or appeal shall be accompanied by payment to the Township of Barnegat in accordance with the following Schedule of Application Fee and Escrow Account Deposits. Where one application includes several approval requests, the sum of the individually required application fees and escrow account deposits shall be paid, with separate checks for the total Application Fees and the total Escrow Account Deposits. Fees and copies of requested items, special meetings, and other items are also included in the fee schedule. Escrow account deposits are minimums required, promulgated on the basis of the applicant submitting a complete application and plans. The applicant shall be responsible and pay the Township of Barnegat upon notification, for any additional costs for professional services involved with the review, reports, expert advice or testimony, or other information required in the process of an application before a municipal agency. [Amended 7-16-01 by Ord. No. 2001-29; 8-2-04 by Ord. No. 2004-39; 4-3-2018 by Ord. No. 2018-12; 6-9-2022 by Ord. No. 2022-11; 7-5-2022 by Ord. No. 2022-17]

		Application Fees	Escrow Account + Deposits
(1)	Informal Reviews		
	(a) One (1) fifteen (15) minute appearance	\$150	None required
	(b) Any additional appearance and/or Sketch Plat Review	\$200	\$750
(2)	Subdivisions		
	(a) Minor Subdivision (by Plat or Deed)	\$400	\$500 per lot
	(b) Preliminary Major Subdivision Plat	\$700	\$3,000 (first 5 lots) plus \$75/each additional lot
	(c) Final Major Subdivision Plat	\$400	\$1,500 (first 5 lots) plus \$50/each additional lot
	(d) Amended Minor, Preliminary Major and/or Final Major Subdivision Plat	50% of original application fees	50% of original escrow account deposit
	(e) Request for Reapproval	\$200	\$50 per lot
	(f) Request for Extension of Time	\$200	\$500
(3)	Site Plans		
	(a) Minor Site Plan	\$400	\$1,500
	(b) Site Plan Waiver Request	\$250	\$1,000
	(c) Site Plan Exemption Request	\$200	None required
	(d) Preliminary Major Site Plan (Other than residential)	\$700	\$3,500/first acre or part thereof plus \$500/each additional acre or part thereof

§ 55-80.1

§ 55-80.1

		Application Fees	Escrow Account + Deposits
	Preliminary Major Site Plan (residential and cluster development)	\$700 (Residential and cluster development)	\$100/dwelling unit for multi-family and/or cluster development (\$2,500 minimum)
(e)	Final Major Site Plan (Other than residential)	\$400	\$1,750/first acre or part thereof plus \$250/each additional acre or part thereof
	Final Major Site Plan (residential and cluster development)	\$400 (Residential and cluster development)	\$50/dwelling unit for multi-family and/or cluster development (\$1,500 minimum)
(f)	Amended Minor, Preliminary Major and/or Final Major Site Plan	50% of original application fee	50% of original escrow account deposit
(g)	1. Request for Reapproval	\$200	50% of original Escrows
	2. Request for Extension of Time	\$200	\$500
(h)	Field Change	\$200	\$1,000
(4)	Conditional Uses (In addition to fees for required Site Plan or Subdivision review)	\$200	\$250
(5)	Variances		
(a)	Appeals (40:55D-70a) (single-family use)	\$200	None required
(b)	Interpretation of Zoning Regulations or Map (40:55D-70b)	\$1200	\$750
(c)	Bulk Variances (40:55D-70c) (existing single-family use)	\$200	\$500
	(Existing two-family use)	\$250	\$500
	(All other uses)	\$300	\$400/first variance plus \$50/each additional variance
(d)	Use and Others (40:55D-70d) (single or two-family use)	\$250	\$500
	(All other uses)	\$800	\$2,500
(e)	Building Permit in Conflict With Official Map or for a lot not related to a Street (40:55D-34 & 35)	\$200	\$500
(f)	Sign and Fence not in compliance with ordinance requirements	\$150	\$250

§ 55-80.1

§ 55-80.1

			Application Fees	Escrow Account + Deposits
(6)		Waivers	\$150	\$75/first waiver plus \$25/each additional waiver
(7)		Preparation of Resolution (preliminary and/or final approval or denial)		\$150 each resolution
		(All other approvals or denials)		\$150
(8)		Requested Special Meeting	\$500	\$1,500
(9)		Holdover Meeting	\$50/regular meeting \$500/special meeting	None required
(10)		Certified List of Property Owners and Public Utilities	\$0.25/name or \$10 whichever is greater	None required
(11)		Transcript of Meeting/Hearing	None required	Billed at cost (\$500 minimum deposit)
(12)		Copy of Tape of Meeting/Hearing	Billed at cost	None required
(13)		Use of Tape Recording (by interested party, applicant or their stenographer)	Billed at cost	None required
(14)		Certificate of Subdivision	\$100	None required
(15)		Certificate of Non-Conformity (N.J.S.A. 40:55D-68)	\$100	None required
	(a)	Within one (1) year of ordinance adoption	\$100	None required
	(b)	After one (1) year of ordinance adoption	\$100	\$250
(16)	Zoning Permits			
	(a)	Residential (new dwellings and additions)	\$50 per dwelling unit	None required
		(Residential accessory structures including, but not limited to detached garages, sheds, decks, patios and swimming pools)	\$30	None required
	(b)	Business, Commercial, Industrial and Institutional		
		(New principal buildings)	\$100	None required
		(Alterations and additions)	\$100	None required
		(Accessory structures including, but not limited to signs, sheds, and decks)	\$100	None required
	(c)	Temporary Event Use	\$100	None required
	(d)	All Other Zoning Permits	\$50	None required

§ 55-80.1

§ 55-80.1

		Application Fees	Escrow Account + Deposits
(e)	On-site Construction Trailers (first year)	\$100	None required
	(Annual renewal fee)	\$75	None required
(f)	Preliminary zoning permit (in accordance with requirements of 55-279.1)	\$50	
(g)	Bulkhead permit	\$50	\$450
(17)	Forestry permits: Permit application for cutting of trees and shrubs. (See Section 55-292)	\$100	\$25

- B. The application fees are flat fees to cover the costs of processing the application and are non-refundable.
- C. The escrow account deposits are required to pay the costs of professional services including engineering, planning, legal and other expenses connected with the review of submitted materials, including any traffic engineering review of the submitted materials, or any special analysis related to the Planning Board or Zoning Board of Adjustment's review of the submitted materials, or any necessary studies regarding off-tract improvements. An applicant is responsible to reimburse the Township of Barnegat for all expenses of professional personnel incurred and paid by the Township for the review process of an application for development and/or appeal before a municipal agency, such as, but not limited to:
- (1) Charges for reviews by professional consultants and/or professional personnel of applications, plans and accompanying documents;
 - (2) Issuance of reports by professional consultants and/or professional personnel to the municipal agency setting forth recommendations resulting from the review of any documents submitted by the applicant;
 - (3) Charges for any telephone conference or meeting requested or initiated by the applicant, his attorney or any of his experts or representatives;
 - (4) Review of additional documents submitted by the applicant and issuance of reports relating thereto;
 - (5) Review of proposed or prior easements, developer's agreements, deeds, resolutions or the like;
 - (6) Preparation for and attendance at all meetings by professionals such as Planning Consultant, Traffic Engineer or other experts as required; and
 - (7) The cost of expert advice or testimony obtained by the municipal agency for the purpose of corroborating testimony of applicant's experts.
 - (8) The use of a court reporter or transcriber is at the discretion of the applicant. The applicant bears the responsibility of retaining a court reporter or transcriber if the applicant deems such services to be necessary. If a transcript of any proceeding is made, the applicant shall provide a copy of same to the Township free of charge.

§ 55-80.1

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D. Procedural Requirements.

- (1) An application to the Site Plan Review Subcommittee or other review committee shall deposit all escrow account deposits called for in the within section before the applicant's appearance before that committee. An applicant appearing initially before the Planning Board or the Zoning Board of Adjustment shall deposit all escrow account deposits called for in the within section before said appearance. No meeting or hearing with the applicant shall be held by said boards or committees until all escrow account deposits and required fees have been deposited in accordance with this section. The escrow sums must be in the form of cash, certified check or money order made payable to THE TOWNSHIP OF BARNEGAT. All escrow account deposits shall be given to the Administrative Officer of the Township.
- (2) The Chief Financial Officer of the Township shall make all of the payments to professionals for services rendered to the Township for review of applications for development, review and preparation of documents, inspection of improvements or other purposes under the provisions of the Municipal Land Use Law, N.J.S.A. 40:55D-1 et seq. Such fees or charges shall be based upon a schedule established by a resolution adopted by the Township Committee.
- (3) Escrow account deposits shall be placed in an interest bearing account and the same shall be administered in accordance with the requirements of N.J.S.A. 40:55D-53.1.
- (4) All disbursements to consulting professionals, Township consulting professionals and Township employed professionals for services involved in processing an application which requires escrow account deposits shall be charged against the escrow account.
- (5) The Chief Financial Officer shall prepare and send to the applicant a statement which shall include an accounting of funds listing all deposits, interest earnings, disbursements, and the cumulative balance of the escrow account. This information shall be provided on a quarterly basis, if monthly charges are one thousand (\$1,000.00) dollars or less, or on a monthly basis, if monthly charges exceed one thousand (\$1,000.00) dollars.
- (6) Each payment charged to the deposit for review of the application, review and preparation of documents and inspection of improvements shall be pursuant to a voucher from the professional. Said voucher shall identify the personnel performing the service, the date, the services performed, the hours spent to one-quarter hour increments, the hourly rate and the expenses incurred. All professionals shall submit vouchers to the Chief Financial Officer of the Township on a monthly basis in accordance with schedules and procedure established by the Chief Financial Officer of the Township.
- (7) If the services are provided by a Township employee, the employee shall prepare and submit to the Chief Financial Officer a statement containing the same information as required on the voucher, on a monthly basis. The professional shall send an informational copy of all vouchers or statements submitted to the Chief Financial Officer of the Township simultaneously to the applicant.
- (8) No resolution approving any development application which is subject hereto shall be passed by either the Planning Board or Zoning Board of Adjustment until all fees and escrow sums required herein have been paid in full.
- (9) The application review and inspection charges shall be limited only to professional charges for review of applications, review and preparation of documents and inspections of developments under construction and review by outside consultants when an application is of a nature beyond

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the scope of the expertise of the professionals normally utilized by the Township.

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- (10) The only costs that shall be added to any such charges shall be actual out-of-pocket expenses of any such professional or consultants including normal and typical expenses incurred in processing applications and inspecting improvements. The Township shall not bill the applicant, or charge an escrow account or deposit, for any Township clerical or administrative functions, overhead expenses, meeting room charges, or any other costs and expenses except as provided for in this section, nor shall a Township professional add any such charges to his bill.
- (11) A professional shall not review items which are subject to approval by any State agency and not under municipal jurisdiction except to the extent that consultation with a State agency is necessary due to the effect of State approval on the subdivision or site plan.
- (12) Inspection fees shall be charged only for actual work shown on a subdivision or site plan required by the Township. Professionals inspecting improvements under construction shall charge only for inspections that are reasonably necessary to check the progress and quality of the work and such inspections shall be reasonably based on the approved development plans and documents.
- (13) If the Township retains a different professional or consultant in the place of the professional originally responsible for development application review or inspection of improvements, the Township shall be responsible for all time and expenses of the new professional to become familiar with the application or project and shall not bill the applicant or charge the deposit or the escrow account for any such services.
- (14) If the salary, staff support and overhead for the Township professional are provided by the municipality, the charge shall not exceed two hundred percent (200%) of the sum of the product resulting from multiplying (1) the hourly base salary of the professional by (2) the number of hours spent by the respective professional upon review of the application for development or inspection of the developer's improvements, as the case may be. For other professionals, the charge shall be at the same rate as all other work of the same nature by the professional for the municipality when fees are not reimbursed or otherwise imposed on applicants or developers.
- (15) For those developments for which the reasonably anticipated fees are ten thousand (\$10,000.00) dollars or greater, fees may, at the option of the developer, be paid in four (4) installments. The initial amount deposited by a developer shall be twenty-five percent (25%) of the reasonably anticipated fees. When the balance drops to ten percent (10%) of the reasonably anticipated fees because the amount deposited by the developer has been reduced by the amount paid to the Municipal Engineer for inspection, the developer shall make additional deposits of twenty-five percent (25%) of the reasonably anticipated fees. The Municipal Engineer shall not perform any inspection if sufficient funds to pay for those inspections are not on deposit.

E. Refund of Moneys in Escrow Account. When the Planning and Zoning Office determines that there is no longer any need to retain an escrow account in which to maintain funds pursuant to §§ 55-80.3 and 55-80.4, the applicant shall be entitled to the return of any moneys which remain in that account. The following close out and refund procedure shall apply to all deposits and escrow accounts established under the provisions of the Municipal Land Use Law, N.J.S.A. 40:55D-1 et seq., and shall commence after the Township has granted final approval and signed the subdivision plat or site plan, in the case of application review escrows and deposits, or after the improvements have been approved, in the case of improvement inspection escrows and deposits:

- (1) The applicant shall send written notice by certified mail to the Chief Financial Officer and to

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the relevant Township professional, that the application or the improvements are completed.

- (2) After receipt of such notice, the professional shall render a final bill to the Chief Financial Officer within thirty (30) days and shall send a copy simultaneously to the applicant.
- (3) The Chief Financial Officer shall render a written final accounting to the applicant on the uses to which the escrow account deposit was put within forty-five (45) days after the receipt of the final bill.
- (4) Any balances remaining in the deposit or escrow account, including interest in accordance with the requirements of N.J.S.A. 40:55D-53.1, shall be refunded to the developer along with the final accounting.