

TOWNSHIP OF MAPLEWOOD



ORDINANCE

#2347-06

**AN ORDINANCE
TO AMEND
CHAPTER 271
OF THE CODE
OF THE TOWNSHIP OF MAPLEWOOD ENTITLED
ZONING AND DEVELOPMENT REGULATIONS@**

"Interpretive Statement"

This ordinance will raise certain Development Fees pursuant to the recommendation of the Planning and Engineering Committee.

BE IT ORDAINED, by the Township Committee of the Township of Maplewood, County of Essex, State of New Jersey, that Chapter 271 of the Code of the Township of Maplewood be and is hereby amended as follows:

**FIRST: Section 271-71
Development Fees; Exception; Violation and Penalties**

The applicant shall, at the time of filing an application for development, pay the following fees to the Township by check or bank money order. The application fee is non-refundable. Plats returned to the applicant which require substantial changes shall require the applicant to pay an additional fee of up to one-half (2) that required for the stage under review, with any amount less than one-half (2) to be determined by the approving authority based on the magnitude and nature of the revisions.

- A. Informal Review: \$ 75.00
- B. Subdivision
 - (1) Minor: \$ 150.00
 - (2) Major, preliminary plat: \$ 300.00, plus
\$ 50.00 per lot;
a minimum of \$ 700.00
 - (3) Major, final plat: \$ 150.00, plus
\$ 25.00 per lot;
a minimum of \$ 350.00
 - (4) Re-submission of a plat that was previously approved, but not filed, shall be one-half the required fee, provided that there are no changes.
 - (5) Lot line adjustment: \$ 150.00

- C. Site plans
 - (1) Minor: \$ 150.00
 - (2) Major, preliminary plat, nonresidential and mixed use:
 - \$ 200.00 per acre or fraction thereof,
 - Plus \$ 30.00 per 1,000 square feet of gross floor area.
 - (3) Major, preliminary plat, residential \$ 200.00, plus
 - \$ 30.00 per unit up to 10 units, plus
 - \$ 20.00 per unit from 11 to 100 units,
 - Plus \$ 10.00 per unit for over 100 units.
 - (4) Major final plat: \$ 150.00
- D. Conditional use application \$ 150.00
- E. Signs not submitted with site plans: \$ 50.00
- F. Variances and other appeals.
 - (1) Bulk variance: \$ 150.00
 - (2) Use variance: \$ 250.00
- G. Copies of records. Copies of minutes, decisions or other public documents at page size shall be available at a cost in accordance with N.J.S.A. 47:1A-1 et seq.
- H. List of property owners. The Building department, upon written request, shall make and certify a list from the current tax duplicates of names and addresses of owners of property within two hundred (200') feet of a specific lot. The fee shall be \$ 10.00 or \$0.25 per name, whichever is greater, for each list. The list shall be provided within seven (7) days, as set forth in the Municipal Land Use Law. The fees shall be paid separately to the Building Department and shall not be included in the total cost of Zoning or Planning Board application fees.
- I. (Reserved)
- J. Violations of provisions of this chapter shall be punishable by fines of \$1,000 maximum per offense or ninety (90) days in jail.
- K. Advertising fee: \$ 20.00
- L. Court stenographer. All applicants for a major subdivision, major site plan or seeking relief under the provisions of N.J.S.A. 40:55D-70(a), (b) or (d) must supply, at their expense, a court stenographer at each meeting before the Maplewood Planning Board or Maplewood Zoning Board of Adjustment. The Board Secretary shall arrange for the court stenographer and the ordering of the transcript. The bill for the court stenographer and the transcript will be sent directly to the applicant. If the transcript is not received by the Board Secretary at least 14 days prior to each scheduled hearing, any subsequent hearings will be delayed.
- M. Hear and decide appeals from the decision of the Administrative Officer:\$ 250.00.
- N. Special questions and interpretations of Zoning Maps or Zoning Ordinance:\$ 250.00.
- O. Request for a zoning change: \$1,000.00.

P. Applicants, as indicated below, before the Maplewood Planning Board or Maplewood Zoning Board of Adjustment shall be required to reimburse the Township for the cost of review of the application by the Township=s Engineer, Board=s Attorney, and any experts or consultants retained by the Township at the hourly rates determined by the Township from time to time and pursuant to N.J.S.A. 40:55D-53.2. The applicant will be required to deposit with the Township, an escrow to be used against the cost incurred in the review of the application.

(1) The escrows will be as follows:

<u>Review</u>	<u>Escrows</u>
Informal Review	To be estimated by Township Engineer
Use variances (N.J.S.A. 40:55D-70d)	\$ 1,000.00
Subdivisions	
Minor subdivision	\$ 1,000.00
Preliminary plat, major subdivision	\$ 1,500.00 plus \$ 250.00/lot
Final plat, major subdivision	\$ 750.00 plus \$ 150.00/lot
Site plans	
Minor site plan	\$ 1,000.00
Major site plan	\$ 1,500.00 plus \$ 250 per dwelling unit up to 10 units
	\$ 150.00 per dwelling unit from 11-100 units
	\$ 75.00 per dwelling unit for over 100 units

(2) All escrows will be held by the Township and will not be commingled with other Township funds. The Township will be entitled to payment for review services, as enumerated above, from the escrow funds. Should the escrow amount decrease by fifty (50%) percent or greater, the applicant will, upon notice from the Township including an itemization of charges withdrawn from the escrow, be required to deposit additional funds with the Township to increase the escrow to the full amount set forth above. After a final determination has been made as to the application, any unused escrow amounts will be returned to the applicant pursuant to N.J.S.A. 40:55D-53.1 with an itemization of all charges withdrawn from the escrow.

Q. Applicants, as indicated below, upon approval from the Maplewood Planning Board or Maplewood Zoning Board of Adjustment, shall be required to reimburse the Township for the cost of inspections by the Township Engineer and any experts and consultants retained by the Township at the hourly rates determined by the Township from time to time and pursuant to N.J.S.A. 40:55D-53.2. The applicant will be required to deposit with the Township, an escrow to be used against the cost incurred in performing inspections. After a final determination has been made as to the application, any unused escrow amounts will be returned to the applicant pursuant to N.J.S.A. 40:55D-53.1, with an itemization of all charges withdrawn from the escrow.

(1) The escrow will be the greater of \$500.00 or 5% of the cost of installing the improvements.

SECOND: Severability

If any section, paragraph, subparagraph, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the specific section, paragraph, subparagraph, clause or provision so adjudged and the remainder of the Ordinance shall be deemed valid and effective.

THIRD: Repeal of Prior Ordinances

Ordinances or parts of Ordinances inconsistent with the provisions of this Ordinance be and the same are hereby repealed to the extent of any such inconsistencies.

FOURTH: Effective Date

This Ordinance shall take effect after final passage and publication according to law.

PUBLIC NOTICE is hereby given that the foregoing proposed Ordinance was introduced and read by title for the first time at a meeting of the Township Committee of the Township of Maplewood, held on April 4, 2006 and that Committee met again on April 18, 2006, at 8:00 p.m. at the Municipal Building, 574 Valley Street, Maplewood, New Jersey, at which time and place the Committee proceeded to consider the said Ordinance on second reading and final passage.

ELIZABETH J. FRITZEN, R.M.C.
Township Clerk