DEAR APPLICANT:

PLEASE BE ADVISED, THAT IN ORDER FOR YOUR APPLICATION TO BE PROCESSED AND PLACED ON OUR CURRENT AGENDA, ALL DOCUMENTS PERTAINING TO THE PROJECT MUST BE IN THE PLANNING AND ZONING OFFICE, LAND USE DIVISION, AT LEAST (20) TWENTY DAYS PRIOR TO THE NEXT SCHEDULED MEETING DATE. ALL APPLICATIONS ARE SUBJECT TO A COMPLETENESS REVIEW PROCESS, PER ORDINANCE #2915, (aka-Checklist DCP Form#18).

PLEASE SUBMIT TO THIS OFFICE THE FOLLOWING:

1. ONE APPLICATION WITH ALL ORIGINAL SIGNATURES, AND RAISED ORIGINAL AND LEGIBLE SEALS;
2. THREE COPIES OF ORIGINAL APPLICATION;
3. A TOTAL OF FOUR SETS OF PLANS WITH ORIGINAL SIGNATURES AND SEALS;
4. FOUR SURVEYS OF THE PROPERTY IN QUESTION;
5. (REQUEST A COPY OF THE LATEST FEE ORDINANCE 17.52.010, & 17.052.020), FOR ACCURACY, AND TO CALCULATE FEES;
6. W-9, WITH ORIGINAL SIGNATURE, AND ID NUMBER, OR PROOF OF EXEMPTION FROM PAYMENT OF APPLICATION/ESCROW FEES;
7. ALL APPLICABLE FEES BY TWO SEPARATE CHECKS, ONE FOR ESCROW FEES FOR PROFESSIONAL SERVICES, AND ONE FOR APPLICATION FEES, (EACH PAYABLE to the CITY OF ELIZABETH);
8. PLEASE SUBMIT FOUR SEPARATE BUNDLES OF APPLICATION, AND FOLDED PLANS, COLLATED, AND NUMBERED IF POSSIBLE, WITH ALL PERTAINING DOCUMENTATION.

** If you have any questions regarding COAH and its requirements please consult with your attorney. Thank you in advance for your cooperation,

Sincerely,
Marta Rivera-Sullivan, LUA,
Principal Planning Aide/Board Clerk
908-820-4023 or Mrivera@elizabethnj.org

**Revised June 05, 2019**
ORDINANCE NO. 2915

AN ORDINANCE TO AMEND CHAPTER 40 OF THE CODE OF THE CITY OF ELIZABETH ENTITLED "LAND DEVELOPMENT CONTROL" FOR THE PURPOSE OF REVISING THE DEVELOPMENT APPLICATION COMPLETENESS CHECKLIST BY AMENDING SECTIONS 3 AND 83 AND REPEALING SECTIONS 91 THROUGH 93.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ELIZABETH:

WHEREAS, it is intended that the requirements for a complete application be simplified and made more relevant to the review process;

SECTION 1. Chapter 40 Section 83 is hereby amended to read as follows:

§40-83. Incomplete applications. An application for development shall be deemed to be complete for the purpose of commencing the period within which Board action is to be taken upon submission unless the Board or the Board's designee determines that it does not fulfill the criteria for a complete application. The Board may subsequently require corrections, additions or revisions to the documents as needed to make an informed decision as to whether the application is entitled to approval.

A. Notification. The Board or the Board's designee shall have notified the applicant in writing of the deficiencies of the submitted application within forty-five (45) days of such application.

B. Waivers. The applicant may request that one or more of the completeness requirements be waived, in which event the Board or its authorized committee shall grant or deny the request within forty-five (45) days.

C. Checklist. All applicants shall be provided with the criteria for a complete application which shall serve as a checklist.

D. Criteria for basic application documents shall be as follows.

1. All development applications shall include the following documents.
   a. Completed application forms with original signature of the applicant or an authorized representative and notarized;
   b. Evidence of payment of required fees;
   c. Disclosure Statement of all ownership interests pursuant to N.J.S.A. 40:55D-48.1 et seq.;
   d. A development proposal containing the minimum elements as required and specified herein (The approving authority may, at its discretion, require building elevation drawings with specifications of facade materials);
In addition, Final Major Subdivision and Site Plan applications shall include the following documents.

(a) A statement as to the fulfillment of all conditions imposed by preliminary approval to which is appended a certified copy of the approving resolution;
(b) Completed engineering plans;
(c) A statement as to the installation of required improvements indicating whether the improvements have been installed, or that guarantees have been posted, or that guarantees are to be a condition of approval to which is appended the certifications of the Municipal Engineer or Municipal Clerk as appropriate;
(d) Certification showing all current tax/water rents paid.

In addition, applications for other than Final Subdivision and Final Site Plan shall include the following additional documents.

(a) A statement as to the existence and nature of protective covenants and deed restrictions;
(b) A Tax Map sheet(s) showing the property in question and all properties within 2,000 feet;
(c) A current survey showing all property lines with dimensions and bearings and depicting existing conditions;

Development proposals shall contain the following minimum elements.

(1) Variances proposals shall include the following elements.
   (a) Building Layout Plan; and
   (b) other plans and schedules as required to demonstrate the nature of the relief sought.
   (c) Zoning Schedule;

(2) Minor Subdivision proposals shall include the following elements.
   (a) Zoning Schedule; and
   (b) Utility Plan;

(3) Preliminary Major Subdivision proposals shall include the following elements.
   (a) Zoning Schedule;
   (b) Proposed property lines with dimensions and bearings;
   (c) Building Layout Plan;
   (d) Drainage Schedule;
   (e) Drainage Plan;
   (f) Utilities Plan; and
   (g) for areas within the public rights-of-way:
      [1] Pavement Plan;
      [2] Lighting Schedule;
      [3] Landscape Schedule;
(4) Preliminary Site Plan proposals shall include the following elements.
(a) Zoning Schedule;
(b) Building Layout Plan;
(c) Drainage Schedule;
(d) Drainage Plan;
(e) Utilities Plan;
(f) Pavement Striping Schedule;
(g) Pavement Plan;
(h) Lighting Schedule;
(i) Landscape Schedule;
(j) Landscape Plan

F. Proposal elements shall be prepared in accord with the format and content specifications for plans and schedules as follows. Schedule shall clearly note items which are variances from zoning requirements or exceptions from design standards.

(1) Sheets for any drawing subject to site plan or subdivision approval shall conform to the following specifications.
(a) All engineering drawings shall have individual sheets folded to fit within an 8-1/2" x 11" area.
(b) All preliminary site plans, subdivision sketch plats and plot plans shall be submitted on standard 8-1/2" x 11" sheets.
(c) Maps to be recorded with the county shall be on a sheet size meeting one of four standards:
   [1] eight and one-half by thirteen (8-1/2 x 13) inches;
   [2] thirty by forty-two (30 x 42) inches;
   [3] twenty-four by thirty-six (24 x 36) inches;
   [4] of fifteen by twenty-one (15 x 21) inches;
(d) A title block shall contain:
   [1] title of proposal;
   [2] Name and address of applicant;
   [3] Name, address and seal of architect/engineer/surveyor;
   [4] Date prepared with revision dates and descriptions;
(e) Orientation shall be provided by
   [1] graphic scale,
   [2] numeric scale,
   [3] north arrow; and
   [4] key map with reference to all streets within three thousand (3,000) feet at a scale of not more than 2,500 feet to the inch to be provided on at least one sheet of any set;

(2) Zoning Schedules shall be titled and arranged in columns describing limits, proposed conditions, and compliance/variance status for:
(a) Building Height;
(b) Front street setback;
(c) Rear street setback;
(d) Property line setback;
(e) Building coverage;
(f) Parking;
(g) Loading;
(h) any other code requirements;

(3) Building Layout Plan drawings shall be titled and keyed to a legend depicting:
(a) Building lines with setback dimensions and heights;
(b) Building projection lines with dimensions, heights or clearances;
(c) New construction;
(d) Reconstruction;
(e) Demolition;

(4) Drainage Schedules shall be titled and arranged in columns describing:
(a) Runoff coefficient and limit;
(b) design storm frequency;

(5) Drainage Plan drawings shall be titled and keyed to a legend depicting:
(a) Drainage areas with discharge points and flow direction;
(b) Open and piped interconnections between areas;
(c) Location and height of terraced and bermed areas;
(d) Depth of sheet flow in pedestrian areas for design storm shown in one inch contours;
(e) Utilities Plan Drawings shall be titled and keyed to a legend depicting;
(f) Water service, hydrants and meters;
(g) Sanitary sewer service;
(h) Gas service and meters;
(i) Electric service and transformers;
(j) Heating fuel tanks;

(6) Pavement Striping Schedules shall be titled and arranged in columns describing:
(a) Parking stall category (resident, employee, customer-short term, customer-long term, wheelchair accessible)
(b) Parking stall width;
(c) Stall angle;
(d) Stall depth and overhang depth;
(e) Pedestrian aisle width along side of stalls;
(f) Driveway aisle width;

(7) Pavement Plan drawings for vehicular areas shall be titled and keyed to a legend depicting:
(a) Curbing with type of material;
(b) Driveway aprons and driveways within public rights-of-way with pavement type;
(c) Parking stalls, aisles and driveways outside public rights-of-way with pavement type;
(d) Sight distance triangle minimums for intersections of vehicular drives with streets, parking aisles, walls, building corners and walks.

(8) Lighting schedules shall be titled and arranged in columns describing:
(a) Functional area (parking/pedestrian area, driveway/aisle intersections, pedestrian hazards, building entry, loading dock);
(b) Level (peak, off-hour, late-night security);
(c) Minimum point illumination;
(d) Maximum uniformity ratio of average illumination to minimum;
(e) Maximum uniformity ratio of maximum illumination to minimum;
(f) Fixture type (Flood, spot, cut-off [minimum 81 degrees]);
(g) Height limit for features;

(9) Landscaping Schedules shall be titled and arranged in columns describing:
(a) Planting types (deciduous, coniferous, tree, shrub, groundcover)
(b) Minimum planting size;
(c) Planting condition (bare root, balled, canned)

(10) Landscape Plan drawings shall be titled and keyed to a legend depicting:
(a) Building entrances and exits;
(b) Walks, patios and other paved surfaces showing material type;
(c) Outdoor storage enclosures for refuse and recyclables;
(d) Exterior utilitarian appurtenances which require visual screening (air conditions, transformers, meters, etc.)
(e) Fences and walls with height and function (screening, security, or delineative and classified as decorative or utilitarian);
(f) Other landscape structures (patios, walks, pools)
(g) Existing trees over eighteen (18) inches' caliper;
(h) Shade tree canopy drip line at maturity;
(i) Screen planting areas with height at maturity;
(j) Ground cover planting areas;
(k) Decorative planting beds;

F. Engineering Plan drawings shall contain the following:
(1) For any street improvements: plans, cross sections and center-line profile;
(2) For any public utilities: plans and profiles with any easements delineated;
(3) For any pavement: profiles and material specifications;
(4) For any drainage facilities: contours or spot elevations, profiles and specifications including pipe sizes, invert elevations and capacity.
(5) For any exterior lighting: location, mounting, fixture type and specifications for wattage and isofootcandle pattern;

(6) For any walls or fences: profiles and specifications;

(7) For any planting: expanded planting schedule, including quantity, common and botanical name, height or caliper at time of planting, root condition, seasonal restrictions on installation; specifications for installation including profiles; and mixture of seeding.

SECTION 2. Chapter 40 Section 3 is hereby amended to delete the definition "Complete Application".

SECTION 3. Chapter 40 Sections 40-01 through 40-93 are hereby repealed in their entirety.

SECTION 4. Applications filed prior to the effective date of this ordinance and not found to be incomplete prior to action by the Planning Board, Zoning Board or City Council shall not be governed by the provisions of this ordinance.

SECTION 5. All ordinances or parts of ordinances inconsistent with the provisions of this ordinance shall be and are hereby, to the extent of such inconsistency, repealed.

SECTION 6. If any portion or clause of this ordinance is declared invalid for any reason whatsoever, same shall not affect the validity or constitutionality of any other part or portion of this ordinance.

SECTION 7. The effective date of this ordinance shall be twenty (20) days after its final passage by City Council and approval by the Mayor and publication and filing with the Union County Planning Board and in the manner provided by law.
BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ELIZABETH:

SECTION 1. That Chapter 40, Section 195 is amended to read as follows:

§40-195. Fees for professional services; deposits with municipality; escrow; interest

A. Fees for professional services. Prospective developers shall bear the cost of professional services in connection with land development matters under consideration by the Planning Board, Zoning Board or the City Council.

(1) Said development matters shall include but not be limited to appeals, interpretations, application approvals, amendments to the Land Development Control Ordinance and amendments to the Land Use Element of the Master Plan.

(2) Said professional services shall be those services which are provided on a contractual basis rather than by City employees and shall include but not be limited to inspections, investigations, reviews and attendance at meetings by planners, engineers, architects, landscape architects and other personnel and experts deemed necessary with respect to action on said land development matters.

(3) Payment of said costs shall be based on a schedule adopted by resolution and shall be in addition to other fees established pursuant to the Land Development Control Ordinance.

(4) These provisions shall not be construed to prevent the Planning Board, Zoning Board or City Council from accepting voluntary donations, contributions or reimbursements for services in connection with land development matters.

B. Exemptions. Prospective developers shall be exempt from fees and deposits from Routine Professional Service Charges.

1. Professional Service Charges shall be considered Routine where a land development matter does not require:

   (a) A subdivision approval to create more than two (2) new building lots; or

   (b) A site plan approval to increase parking by more than three (3) spaces; or

   (c) A use variance for a residential development proposing more than two (2) dwelling units on any lot; or
(d) a variance for development of a parcel with more than one hundred-twenty (120) feet of frontage on one street; or

(e) development approvals for a parcel larger than one acre gross area; or

(f) Construction of stormwater detention/retention facilities; or

(g) Construction of off-site improvements; or

(h) Grade changes which are subject to site plan approval; or

(i) amendment of either the Land Development Control Ordinance, the Zoning Map, the Official Map or the Master Plan.

(2) Professional Service Charges shall be considered Non-routine for all other matters or for such matters for the additional services specifically needed to investigate or evaluate special conditions, to corroborate testimony, to review revisions to filed plans, to provide technical assistance or to prepare public documents.

C. Deposits. Prospective developers shall deposit funds sufficient to cover the cost of professional services.

(1) Applications for development for which charges will be considered Non-routine shall be accompanied by an initial deposit of One-Thousand Dollars (\$1,000.00). No deposit shall be required with development applications for which charges will be considered routine. This amount shall be required for development applications as follows:

(a) Subdivisions which propose three lots or less;

(b) Site plans which propose an area to be developed of twenty-five thousand (25,000) square feet or less and construction of a building with a floor area of ten-thousand (10,000) square feet or less and not more than one driveway opening per street.

(2) In the case of other Land Development matters, the amount of the initial deposit shall be Two-Thousand Dollars (\$2,000.00).

(3) An additional deposit shall accompany all amendment, resubmission, or supplement to filed plans and documents.
D. Escrow. All moneys deposited shall be placed in an escrow account and administered in accordance with procedures established by the Chief Financial Officer in accordance with P.L. 1991 c.256, P.L. 1975 c.217, and P.L. 199 6.32 as amended.

E. Appeals. Appeals shall be made to the Governing Body in accordance with state law and shall be remediated by the Director of Neighborhood Services acting as its designee.
F. Non-payment. Action on land development matters shall be deferred where a prospective developer has not complied with the requirements of this section. Municipal action on the related development matter shall not be delayed as a result of any appeal. Where deposits have not been made or where fees have not been paid in accordance with this section:

(a) Approving authorities shall not process applications, conduct hearing or take action on an application;

(b) Signatures of municipal officials shall not be affixed to any subdivision plat or deed, site plan, zoning permits, building permits or certificate of occupancy.

Section 2. All ordinances or parts of ordinances inconsistent with the provisions of this ordinance shall be and are hereby, to the extent of such inconsistency, repealed.

Section 3. If any portion or clause of this Ordinance is declared invalid for any reason whatsoever, same shall not affect the validity or constitutionality of any other part or portion of this Ordinance.

Section 4. Professional services performed in connection with Land Development matters before the Planning Board, Zoning Board or City Council after the effective date of this ordinance shall be governed by the provisions of this ordinance.

Section 5. The effective date of this Ordinance shall be twenty days (20) after its final passage by City Council, approval by the Mayor, publication according to law, and a filing of this Ordinance with the Union County Planning Board in the manner provided by law.

PASSED: ____________________________

ANGELO A. PATERNOSTER
PRESIDENT OF CITY COUNCIL

APPROVED: ____________________________
17.52.010 - Public hearings.

Fees for hearings before the planning and zoning boards shall be as follows:

A. Where a public notice is required, eight hundred forty dollars ($840.00) to accompany the application;

B. Where a public notice is not required, six hundred dollars ($600.00) to accompany the application;

C. Where a hearing is adjourned to a subsequent session, eight hundred forty dollars ($840.00) to be paid prior to commencement of the adjourned hearing.

(Ord. No. 4149, § 59, 8-24-2010; Ord. 3764 § 1 (part), 2005: prior code § 40-186)

17.52.020 - Municipal fees for applications for development.

Municipal fees for application for development shall be paid upon filing of an application for development. Such fees shall be as follows:

A. Direction to issue a building permit pursuant to Section 17.08.100 of this title, four hundred eighty dollars ($480.00);

B. Revisions, amendments, resubmissions or otheralterations of required documents or exhibits, maps or technical reports, six hundred dollars ($600.00), other documents, two hundred forty dollars ($240.00);

C. All other applications as per the table below:

<table>
<thead>
<tr>
<th>Item</th>
<th>Municipal Application Fees</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minor Subdivisions</td>
<td></td>
</tr>
<tr>
<td>Residential</td>
<td></td>
</tr>
<tr>
<td>Two-lot minor subdivision, lot line adjustment</td>
<td>$600.00</td>
</tr>
<tr>
<td>Nonresidential, commercial/industrial</td>
<td></td>
</tr>
<tr>
<td>Subdivisions include minors</td>
<td>Same as major subdivisions</td>
</tr>
<tr>
<td>Major Subdivisions</td>
<td>Preliminary</td>
</tr>
<tr>
<td>Major subdivision, three lots and greater</td>
<td>Final</td>
</tr>
<tr>
<td>Residential</td>
<td></td>
</tr>
<tr>
<td></td>
<td>$720.00</td>
</tr>
<tr>
<td>Nonresidential, commercial/industrial</td>
<td>$900.00 base, plus $65.00 per each additional lot</td>
</tr>
<tr>
<td>-------------------------------------</td>
<td>--------------------------------------------------</td>
</tr>
<tr>
<td>Subdivisions include minors</td>
<td>$960.00 base, plus $120.00 per each additional lot</td>
</tr>
<tr>
<td>Site Plan Applications</td>
<td></td>
</tr>
<tr>
<td>Residential</td>
<td></td>
</tr>
<tr>
<td>1 to 6 dwelling units</td>
<td>$960.00</td>
</tr>
<tr>
<td>6 to 20 dwelling units</td>
<td>$1,080.00</td>
</tr>
<tr>
<td>20 to 50 dwelling units</td>
<td>$1,440.00</td>
</tr>
<tr>
<td>over 50 dwelling units</td>
<td>$2,400.00</td>
</tr>
<tr>
<td>Nonresidential, commercial/retail/industrial</td>
<td></td>
</tr>
<tr>
<td>Lot area shall be calculated by the total lot area of property</td>
<td></td>
</tr>
<tr>
<td>0 to 20,000 square feet</td>
<td>$960.00</td>
</tr>
<tr>
<td>20,000 to 50,000 square feet</td>
<td>$1,200.00</td>
</tr>
<tr>
<td>50,000 to 100,000 square feet</td>
<td>$1,440.00</td>
</tr>
<tr>
<td>over 100,000 square feet</td>
<td>$2,400.00</td>
</tr>
<tr>
<td>Concept Plan</td>
<td></td>
</tr>
<tr>
<td>Residential minor and major subdivision</td>
<td>$600.00 (no hearing fee required)</td>
</tr>
<tr>
<td>Commercial and all nonresidential site plans</td>
<td>$1,200.00 (no hearing fee required)</td>
</tr>
<tr>
<td>General Development Plans</td>
<td>$960.00</td>
</tr>
<tr>
<td>Variances</td>
<td></td>
</tr>
<tr>
<td>1. All use &quot;D&quot; variances, bulk &quot;C&quot; variances and conditional use applications under N.J.S.A. 40:55D-70 not requiring a site plan or subdivision approval shall be nine hundred sixty dollars ($960.00).</td>
<td></td>
</tr>
<tr>
<td>2. Use &quot;D&quot; variance, &quot;C&quot; variance and conditional use applications when requested along with a site plan or subdivision, an additional six hundred dollars ($600.00).</td>
<td></td>
</tr>
<tr>
<td>3. Site plans or subdivisions submitted which require a design waiver, an additional three hundred sixty dollars ($360.00).</td>
<td></td>
</tr>
</tbody>
</table>

(Ord. No. 4149, § 60, 8-24-2010; Ord. 3764 § 1 (part), 2005: prior code § 40-187)

17.52.030 - Subdivision certificates.

Fees for certificates of subdivision shall not be in excess of those provided under N.J.S.A. 54:5-14 and 54:5-15.

(Prior code § 40-188)
17.52.040 - List of adjoining property owners.

The fee for a list of property owners to be notified of a public hearing shall be a sum not to exceed twenty-five cents ($0.25) per name, or ten dollars ($10.00), whichever is greater.

(Ord. No. 4392, § 1, 7-23-2013; Ord. No. 4149, § 61, 8-24-2010; Ord. 3764 § 1 (part), 2005: prior code § 40-189)

17.52.050 - Duplicate recordings of hearings.

The fee for a duplicate recording of a hearing shall be twelve dollars ($12.00) per session.

(Ord. No. 4149, § 62, 8-24-2010; prior code § 40-190)

17.52.060 - Fee schedule certificates of occupancy for existing uses.

A.

The fee for a certificate of continued occupancy for existing uses shall be:

<table>
<thead>
<tr>
<th>For residential or commercial uses the fee shall be</th>
<th>$60.00</th>
</tr>
</thead>
<tbody>
<tr>
<td>Each additional unit shall be</td>
<td>$20.00 per unit</td>
</tr>
<tr>
<td>Industrial shall be</td>
<td>$0.0012 per sq. ft. of floor area, including all floor and basements, the minimum fee shall be fifty dollars ($50.00), the maximum fee shall be eight hundred fifty dollars ($850.00)</td>
</tr>
</tbody>
</table>

(Ord. No. 4149, § 63, 8-24-2010; prior code § 40-191)

17.52.065 - Fees for zoning permits.

A.

Twenty dollar ($20.00) nonrefundable fee for all single and two (2) family homes.

B.

One hundred dollar ($100.00) nonrefundable fee for all other zoning permits.

(Ord. No. 4764, § 2, 10-25-2016)

17.52.070 - Documents.

Fees for all documents shall be established as part of the rules and regulations of the appropriate agency.

(Prior code § 40-192)
17.52.080 - Special meeting.

When a hearing is conducted at a special meeting session, a fee of one thousand two hundred fifty dollars ($1,250.00) shall be paid prior to commencement of the special meeting. When two (2) or more hearings are conducted at a special session, the fee shall be prorated among the applicants based on hearing duration.

(Ord. No. 4149, § 64, 8-24-2010; prior code § 40-193)

17.52.090 - Exemptions.

A.

The required escrow deposit will be reduced by fifty (50) percent for applications that will serve the public good. Qualifying organizations, holding a tax-exempt status under the Federal Internal Revenue Code of 1954 (26 U.S.C. Section 501(c) or (d)), are as follows: public organizations and/or agencies, charitable and/or philanthropic organizations, fraternal and/or religious nonprofit organizations.

B.

Development or improvement of a single-family dwelling or one two-family dwelling which does not need a waiver, exemption or variance shall be exempt from escrow deposit.

C.

Residential fencing, decks, sheds, pools and minor residential building additions of less than five hundred (500) square feet of gross floor area shall be exempt from escrow deposit requirements.

D.

The following uniform standards are to apply to the exemption granted hereunder:

1.

All applicants for exemption must provide written evidence of tax exemption, as required in this section at the time of making application.

2.

All applicants must provide written evidence of the organizational structure thereof signed by appropriate individuals and officers of the applicant. In the case of a corporation, the corporate officer authorized to do so on behalf of the corporation shall file the application attested to by the corporate secretary.

3.

All supporting documentation referred to in subsections (D)(1) and (2) of this section shall be approved as to terms and conditions by the zoning administrator and as to for by the city attorney.

(Ord. 3764 § 1 (part), 2005; prior code § 40-194)
PUBLIC NOTICE
CITY OF ELIZABETH, NEW JERSEY
NOTICE OF PUBLIC HEARING

Notice is hereby given that the following proposed ordinance was introduced and passed on its first reading at a meeting of City Council of the City of Elizabeth, the County of Union, held on the 8th day of November, 2016 and that said ordinance will be taken up for further consideration for final passage at their meeting of the City Council to be held in the City Council Chamber, City Hall, Winfield Scott Plaza, Elizabeth, New Jersey, on the 22nd day of November, 2016 at 7:30 P.M. or as soon thereafter as the matter can be reached, at which time and place all persons who may be interested therein will be given an opportunity to be heard concerning the ordinance.

A copy of this ordinance has been posted on the bulletin board upon which public notices are customarily posted in the City Hall, and a copy is available up to and including the time of said meeting to the members of the general public of the City who shall request same, at the City Clerk's Office, City Hall, Elizabeth, New Jersey.

YOLANDA M. ROBERTS, R.M.C.
CITY CLERK
**Request for Taxpayer Identification Number and Certification**

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

Go to www.irs.gov/FormW9 for instructions and the latest information.

1. Name (as shown on your income tax return). Name is required on this line; do not leave this line blank.

2. Business name/disregarded entity name, if different from above.

3. Check appropriate box for federal tax classification of the person whose name is entered on line 1. Check only one of the following seven boxes.
   - Individual/solo proprietor or single-member LLC
   - Corporation
   - Partnership
   - Trust/estate
   - Limited liability company. Enter the tax classification (C=Corporation, S=Single, P=Partnership) on line 5. Note: Check the appropriate box in the line above for the tax classification of the single-member owner. Do not check LLC if the LLC is classified as a single-member LLC that is disregarded from the owner unless the owner of the LLC is another LLC that is not disregarded from the owner for U.S. federal tax purposes. Otherwise, a single-member LLC that is disregarded from the owner should check the appropriate box for the tax classification of its owner.
   - Other (see instructions)

4. Exemptions (codes apply only to certain entities, not individuals; see instructions on page 2):
   - Exempt payee code (if any)
   - Exemption from FATCA reporting code (if any)

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

6. City, state, and ZIP code

7. List account number(s) here (optional)

---

**Part I Taxpayer Identification Number (TIN)**

Enter your TIN in the appropriate box. The TIN provided must match the name given on line 1 to avoid backup withholding. For individuals, this is generally your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the instructions for Part I, later. For other entities, it is your employer identification number (EIN). If you do not have a number, see How to get a TIN, later.

Note: If the account is in more than one name, see the instructions for line 1. Also see What Name and Number To Give the Requester 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. citizen or other U.S. person (defined below); and
4. The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

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 for Part II, later.

**Sign Here**

Signature of U.S. person

Date

**General Instructions**

Section references are to the Internal Revenue Code unless otherwise noted.

Future developments. For the latest information about developments related to Form W-9 and its instructions, such as legislation enacted after they were published, go to www.irs.gov/FormW9.

**Purpose of Form**

An individual or entity (Form W-9 requester) who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) which may be your social security number (SSN), individual taxpayer identification number (ITIN), adoption taxpayer identification number (ATIN), or employer identification number (EIN), to report on an information return the amount paid to you, or other amount reportable on an information return. Examples of information returns include, but are not limited to, the following.

- Form 1099-DIV (dividends, including those from stocks or mutual funds)
- Form 1099-MISC (various types of income, prizes, awards, or gross proceeds)
- Form 1099-B (stock or mutual fund sales and certain other transactions by brokers)
- Form 1098-S (proceeds from real estate transactions)
- Form 1098-K (merchandise card and third party network transactions)
- Form 1098 (home mortgage interest), 1098-E (student loan interest), 1098-T (tution)
- Form 1099-C (canceled debt)
- Form 1099-A (acquisition or abandonment of secured property)

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN.

If you do not return Form W-9 to the requester with a TIN, you might be subject to backup withholding. See What is backup withholding, later.
ORDINANCE NO. 4779

Ordinance Amending & Superseding
Section 17.52.100 of the Land
Development Ordinance of the City of Elizabeth

PREAMBLE

WHEREAS, the City of Elizabeth is desirous of amending Section 17.52.100 of its Land Development Ordinance.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Elizabeth, County of Union and State of New Jersey, as follows:

SECTION ONE

Section 17.52.100 "Fees for professional services—Deposits with municipality—Escrow—Interest" shall be amended as follows:

Paragraph B.1 shall be repealed and replaced with the following:

B. Deposits. Prospective developers shall supply initial escrow funds to cover the cost of professional services per the table listed in this subsection. These are initial deposits; certain applications because of their complexity may require additional funding. No application shall be deemed complete unless the following fees are submitted:

1. Initial Escrow Fees,

<table>
<thead>
<tr>
<th>Item</th>
<th>Initial Escrow to Be Posted</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minor Subdivisions</td>
<td></td>
</tr>
<tr>
<td>Without a site plan review</td>
<td></td>
</tr>
<tr>
<td>Residential</td>
<td></td>
</tr>
<tr>
<td>Two-lot minor subdivision, lot line adjustment</td>
<td>$1,500.00</td>
</tr>
<tr>
<td>Nonresidential, commercial/industrial</td>
<td></td>
</tr>
<tr>
<td>Subdivisions include minors</td>
<td>Same as major subdivisions</td>
</tr>
<tr>
<td>Major Subdivisions</td>
<td></td>
</tr>
<tr>
<td>Major subdivision, three lots and greater</td>
<td></td>
</tr>
<tr>
<td>Residential</td>
<td>$2,500.00 base, plus $450.00 per each additional lot</td>
</tr>
<tr>
<td>Nonresidential, commercial/industrial</td>
<td></td>
</tr>
<tr>
<td>Subdivisions include minors</td>
<td>$2,600.00 base, plus $900.00 per each additional lot</td>
</tr>
<tr>
<td>Site Plan Applications</td>
<td></td>
</tr>
<tr>
<td>Residential</td>
<td></td>
</tr>
<tr>
<td>1 to 3 dwelling units</td>
<td>$3,500.00</td>
</tr>
<tr>
<td>3 to 20 dwelling units</td>
<td>$5,600.00</td>
</tr>
<tr>
<td>Lot area shall be calculated by the total lot area of property</td>
<td>Concept Plan</td>
</tr>
<tr>
<td>---------------------------------------------------------------</td>
<td>--------------</td>
</tr>
<tr>
<td>0 to 20,000 square feet</td>
<td>$5,000.00</td>
</tr>
<tr>
<td>20,000 to 50,000 square feet</td>
<td>$6,000.00</td>
</tr>
<tr>
<td>50,000 to 100,000 square feet</td>
<td>$12,000.00</td>
</tr>
<tr>
<td>over 100,000 square feet</td>
<td>$20,000.00</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Residential minor and major subdivision</th>
<th>Commercial and all nonresidential site plans</th>
<th>General Development Plans</th>
<th>Variances</th>
</tr>
</thead>
<tbody>
<tr>
<td>$1,000.00</td>
<td>$2,000.00</td>
<td>$2,000.00</td>
<td>All variances under N.J.S.A. 40:65D-70 and conditional use applications not requiring a site plan or subdivision approval shall be $2,500.00.</td>
</tr>
</tbody>
</table>

SECTION TWO

If any section or provision of this ordinance shall be held invalid in any court the same shall not affect the other sections or provisions of this ordinance except as far as the section or provision so declared invalid and shall be inseparable from the remainder of any portion thereof.

SECTION THREE

All ordinances or parts of ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

SECTION FOUR

If any portion or clause of this ordinance is declared invalid for any reason whatsoever, same shall not affect the validity or constitutionally of any other part or portion of the ordinance.

SECTION FIVE

The effective date of this ordinance shall be twenty (20) days after its final passage by City Council and approved by the Mayor at the time in the manner provided by law.
C. Escrow. All moneys deposited shall be placed in an escrow account and administered in accordance with procedures established by the municipal chief financial officer. Escrow deposits must be submitted to the administrative officer prior to the application being resolved for completeness. An application will not be considered to be complete or placed on the agenda for public hearing until the required escrow deposit has been satisfied.

D. Appeals. Appeals shall be made to the governing body in accordance with state law and shall be remedied by the commissioner of planning and zoning.

E. Nonpayment. Action on land development matters shall be deferred where a prospective developer has not complied with the requirements of this section. Municipal action on the related development matter shall not be deferred or appealed as a result of any appeal, where deposits have not been made or where fees have not been paid in accordance with this section:

1. Approving authorities shall not process applications, conduct hearings or take action on an application;

2. Signatures of municipal officials shall not be affixed to any subdivision plat or deed, site plan, zoning permit, building permit or certificate of occupancy.

(Ord. 3764 §1 (part) 2003; prior code § 40-185)
Section 17.36.110 "Yard Dimensions" shall be amended as follows:
Paragraph A and sub-sections A.1, A.2 and A.3 shall be repealed and replaced with the following:
A. The following requirements for yard dimensions shall apply to residential projects in the R-1, R-2, R-3, R-5A, R-4, C-1, C-2, C-3, C-3A, C-4, M-1 and M-2 Zones:
1. Front yard setback: Twenty (20) feet minimum measured from the street line to the most outward front building projection, excluding projections permitted under Paragraph B.
2. Side yard setback minimum twelve (12) percent of required lot width but not less than (8'1") feet.
3. Rear yard setback twenty five (25) percent of the lot depth but not less than twenty five (25) feet measured from the rear lot line to the most outward rear building projection, excluding projections permitted under Paragraph B.
4. Requirements for corner lots (corner lots shall be considered to have two front yards, one rear yard and one side yard):
   a. Front Yard setback twenty (20) feet minimum measured from the shortest street line to the most outward rear building projection, excluding projections permitted under Paragraph B.
   b. Interfer side yard setback minimum twelve (12) percent of required lot width but not less than three (3') feet.
   c. Corner side yard setback fifteen (15) feet minimum or eighteen (18) feet minimum for corner side yards containing a driveway.
   d. Rear yard: twenty five (25) percent of the lot depth but not less than twenty five (25) feet measured from the rear lot line to the most outward rear building projection, excluding projections permitted under Paragraph B.
5. The following requirements for yard dimensions apply to nonresidential projects in the C-1, C-2, C-3, C-3A, C-4, M-1 and M-2 Zones:
   a. Minimum front yard setback prevailing.
   b. Minimum side yard setback prevailing with a 20' minimum when adjacent to a residential zone, noncommercial use or a non-industrial use.
   c. Minimum rear yard setback prevailing with a 25' minimum when adjacent to a residential zone, non-commercial use or a non-industrial use.

The following paragraphs shall be added:
E. Impervious lot coverage: maximum severity (70) percent of lot area for residential lots and seventy-five percent (75) for commercial and industrial lots. Impervious surface is defined as a surfaces that is resistant to infiltration by water, including but not limited to roofs, pavement and sidewalks.
F. Building coverage:
   1. Principal buildings and structures: forty percent (40) of lot area for residential lots and sixty five (65) percent of lot area for commercial and industrial lots.
   2. Accessory buildings and structures: ten (10) percent of lot area.

Paragraph D shall be repealed and replaced with the following:
A. Open space shall be provided for all projects containing three or more dwelling units. Mixed use projects shall provide open space for the residential component.
B. Open space for all residential units except one and two family dwellings, shall be 500 square feet per unit.
C. Open space shall be limited to the following:
   1. Exterior yards, courts and recreational areas, not devoted to auto usage, with a minimum dimension of twenty (20) feet in width or length.
   2. Balconies and porches with a minimum linear dimension of five (5') feet in depth.
   3. Interior multi-family communal spaces, exclusive of passageways, with a minimum dimension of ten (10') feet.
D. A minimum of fifty (50) percent of the required open space is required to be exterior or lawn area suitable for recreational use.
E. An exception to building height shall be permitted up to one story and ten (10') feet for rooftop structures solely for the purpose of providing open space.

SECTION FIVE

Section 17.36.130 "Visibility at Intersections" shall be amended as follows:
At all street intersections, no obstruction to vision between a point three feet above the established grade of the street at the property line and a plane ten (10') feet above said grade shall be erected on a lot within a triangle. This sight triangle shall be created by measuring 25 feet along each Right of Way (ROW) line from the intersecting points. A typical sight triangle at a 90 degree intersection shall be 25'x25'x25' 35 feet being the diagonal line.

SECTION SIX

Section 17.40.040 "Number of parking and loading spaces required" shall be amended as follows:
1. Residential Subsection of Table I shall be repealed and replaced with the following:
   All development shall comply with the requirements of the Residential Site Improvement Standards. Off-street parking may be permitted for dwelling structures containing no more than thirty dwelling units. No more than two parking spaces shall be permitted to be included in the site plan. Curbside parking shall be permitted to be provided toward the required parking at the discretion of the planning board. Zoning board of adjustment or the administrative authority. Curbside parking which exists only along the frontage of the property in question may be counted.

SECTION SEVEN

Schedule III "Conditional Uses" shall be amended as follows:
1. Paragraphs A, B and C shall be repealed in their entirety.

SECTION EIGHT

If any section of provision of this ordinance shall be held invalid in any court the same shall not affect the other sections or provisions of this ordinance except as far as the section or provision so declared invalid and shall be inseparable from the remainder of any portion thereof.
APPLICATION IS HEREBY MADE FOR:

1. Appeal of Administrative Action Pursuant to Section C.40:55-70a (Attach Form #01)
2. Appeal for Interpretation Pursuant to Section C.40:55D-70b (Attach Form #02)
3. Application for Hearing (Attach Form #00)
4. Relief from Zoning Requirements Pursuant to Section C.40:55D-70c (Attach Form #03)
5. Use Variance Pursuant to Section C.40:55D-70d (Attach Form #04)
6. Conditional Use Authorization Pursuant to Section C.40:55D-67 (Attach Form #05)
7. Approval of Subdivision (Attach Form #06)
8. Final Approval of Major Subdivision (Attach Form #07)
9. Preliminary Approval of Site Plan (Attach Form #08)
10. Final Approval of Site Plan (Attach Form #09)
11. Direction to Issue a Building Permit Pursuant to Section 602 or 604 of the Elizabeth Development Control Ordinance
12. Hearing Application Checklist (Attach Form #18)

NOTE: IF AN APPLICATION FOR DEVELOPMENT HAS BEEN SUBMITTED FOR THIS PROPERTY WITHIN THE LAST TEN YEARS, PLEASE PROVIDE THE FOLLOWING INFORMATION:

<table>
<thead>
<tr>
<th>DATE OF APPLICATION</th>
<th>TYPE OF DEVELOPMENT</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
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<tr>
<td></td>
<td></td>
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<td></td>
<td></td>
</tr>
</tbody>
</table>
APPLICATION FOR BOARD ACTION
Planning Board
Zoning Board

APPLICATION FOR BOARD HEARING (cont.)

PROJECT'S GENERAL INFORMATION

PROPERTY:
Address
Owner(s)
Address(es)
Date of Purchase
Property Tax Account #

APPLICANT:
Name
Address
Contact Person
Telephone ( )

PROPOSED OWNERSHIP STATUS*:
Proprietorship ___ Partnership ___ Corporation ___
Lessee ___ Contingent Purchaser ___
Other ___ (Explain)

PROJECT'S ATTORNEY:
Name
Firm
Address
Telephone ( )

PROJECT'S ARCHITECT:
Name
Firm
Address
New Jersey License #

PROJECT'S ENGINEER:
Name
Firm
Address
New Jersey License #
Telephone ( )

PROJECT'S LAND SURVEYOR:
Name
Firm
Address
New Jersey License #
Telephone ( )

*Note: If the applicant is not the proprietor, then the applicant is required to submit a letter signed by the property owner, authorizing the filing and processing of this application (attach Form #13). Corporations and partnerships must attach Form #14. CORPORATIONS MUST BE REPRESENTED BY AN ATTORNEY.
APPLICATION FOR BOARD ACTION  Planning Board  Application #
DCP FORM #00, PAGE 3 of 5  Zoning Board  Date Filed
(Revised March 14, 1988)  Received by  Hearing Date

PHYSICAL DEVELOPMENT INTENT

Property Description
Address
Owner(s)
Property Tax Account #
Zoning

Lot Area  S. F.  Tract Area

FRONTAGE:

STREET

LINEAR FEET

TABLE: STRUCTURES:

<table>
<thead>
<tr>
<th>INTENT*</th>
<th>STORIES</th>
<th>CONSTRUCTION TYPE</th>
<th>USE**</th>
<th>FLOOR AREA (Sq. Ft.)</th>
<th>EFF. UNITS</th>
<th># OF BR / UNIT</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lot 10-2138:</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Note:** Definition of Intent
A: Addition to Existing
B: New Construction
C: Existing to Remain
D: To Be Demolished

**Note:** Definition of Use Type
R: Residential
C: Commercial
W: Warehousing
M: Manufacturing
A: Accessory
I: Institutional
O: Office

BUILDING LOTS
(Please complete if property is to be subdivided):

<table>
<thead>
<tr>
<th>LOT AREA (Sq. Ft.)</th>
<th>LOT FRONTAGE (Sq. Ft.)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>
CERTIFICATION FOR EXEMPTION FROM SITE PLAN APPROVAL  (Please complete for projects other than one or two family residence):

NOT APPLICABLE

<table>
<thead>
<tr>
<th>YES</th>
<th>NO</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td></td>
</tr>
<tr>
<td>2.</td>
<td></td>
</tr>
<tr>
<td>3.</td>
<td></td>
</tr>
<tr>
<td>4.</td>
<td></td>
</tr>
<tr>
<td>5.</td>
<td></td>
</tr>
<tr>
<td>6.</td>
<td></td>
</tr>
<tr>
<td>7.</td>
<td></td>
</tr>
</tbody>
</table>

Note: A Yes response to one or more of the above questions indicates the need for a site plan review or, a certification from the City Engineer, City Planner and Zoning Administrator that improvements meet the criteria for exemption from site plan hearing requirements.
APPLICATION FOR BOARD ACTION
Planning Board
Zoning Board

Application #
Date Filed
Received by
Hearing Date
Final Hearing

APPLICATION FOR BOARD HEARING (cont')

Present Use Category:
Principal Use (s):
Major Accessory Use (s):
Proposed Use Category:
Principal Use (s)
Major Accessory Use (s)

USE:
Describe the PRESENT USE of the property including both indoor and outdoor activities:

Describe the PROPOSED USE of the property including both indoor and outdoor activities:

REQUIRED ATTACHMENTS:

YES NO
1. ______ ______ Is a new public street right-of-way proposed? If yes, please attach description.
2. ______ ______ Are off-tract facilities proposed? If yes, please attach description.
3. ______ ______ Are there any deed restrictions which affect the subject property in effect or contemplated? If yes, please attach description.
4. ______ ______ Is the subject property located in "A" Flood Hazard Area? If yes, please attach copy of necessary permit or waiver.
5. ______ ______ Is the subject property within 500 feet of a tidal water body? If yes, please attach a copy of the necessary permit or waiver.

I hereby depose and say that all the statements contained in these papers submitted herewith are true and correct. I also authorize City Officials and Board members to have physical access to the property and any structures on the property as necessary for the purpose of gathering information relevant to this application.

_________________________  ___________________________
NOTARY PUBLIC             APPLICANT'S SIGNATURE
DATE: ______________________ DATE: ______________________

_________________________
STAMP OF NOTARY PUBLIC
Appeal is hereby made, pursuant to Section 40:55D-70.4 of the New Jersey Municipal Land Use Law, of an Administrative Action based on or made in the enforcement of the Zoning Article of the Development Control Ordinance of the City of Elizabeth.

1. Administrative Officer (being appealed)

2. Officer's Decision (being appealed)

3. Listing of all papers and plans constituting record:

4. The following arguments are urged in support of this appeal:

NO NOTIFICATION OF HEARING IS REQUIRED FOR THIS APPEAL
Appeal for interpretation of the Zoning Article, Zoning Map or Official Map Article of the Development Control Ordinance of the City of Elizabeth pursuant to Section 40:55D-70.b of the New Jersey Municipal Land Use Law.

1. Specific Provisions for Interpretation:

2. Description of Circumstances Involved and Drawings or Plans Submitted:

3. Listing of Papers, Plans, and Maps Constituting Record:

4. The Following Arguments are Urged in Support of this Appeal:
Appeal is hereby made, pursuant to Section C.40: 55D-70c of the New Jersey Municipal Land Use Law, for permission to vary requirements of the zoning article of the Development Control Ordinance of the City of Elizabeth as follows:

<table>
<thead>
<tr>
<th>SECTION</th>
<th>REQUIREMENTS</th>
<th>RELIEF REQUESTED</th>
</tr>
</thead>
</table>

Arguments must be submitted in support of the requested relief. On a separate sheet, for each variance requested, explain fully how the physical characteristics of the property in question prevents compliance with the strict application of the code requirements creating an undue hardship for the applicant.

2. Public Hearing Notification Information:

Notice shall be given by the applicant at least ten (10) days prior to the date of the hearing to the following parties where applicable. Notice shall be by personal service or certified mail. An affidavit of proof of service demonstrating compliance with this requirement shall be filed with the city agency holding the hearing at least two (2) days prior to the date of the hearing.

<table>
<thead>
<tr>
<th>a)</th>
<th>Is the subject property located within two hundred (200) feet of any municipal boundary? If yes, City Clerk of adjacent municipality and County Planning Board shall be notified of hearing by applicant. (Note 1)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Yes</td>
</tr>
<tr>
<td>b)</td>
<td>Is the subject property adjacent to an existing or proposed county road or adjoining other County land? If yes, County Planning Board shall be notified of hearing by applicant. (Note 1)</td>
</tr>
<tr>
<td></td>
<td>Yes</td>
</tr>
<tr>
<td>c)</td>
<td>Is the subject property adjacent to a State highway? If yes, applicant shall notify the Commissioner of Transportation of the hearing. (Note 2)</td>
</tr>
<tr>
<td></td>
<td>Yes</td>
</tr>
</tbody>
</table>

THE APPLICANT SHALL NOTIFY ALL OWNERS OF PROPERTY LOCATED IN THE STATE AND WITHIN TWO HUNDRED (200) FEET IN ALL DIRECTIONS OF PROPERTY IN QUESTION.

3. Disclosure Information

Is applicant and/or owner a corporation or partnership and does the application involve variances to construct a multiple dwelling of 25 or more family dwellings? If yes, submit disclosure of all stockholders holding 10% or more stock or partners with 10% or greater interest in the partnership pursuant to NJSA 40:55D-48.1 et. seq. (Form #14)

| Disclosure Information | Yes | No |
NOTES:

"1" Union County Planning Board, Attn: Union County Department of Engineering and Planning, Union County Administration Building, Elizabeth Plaza, Elizabeth, NJ 07207

"2" New Jersey Department of Transportation, 1035 Parkway Avenue, P.O. Box 101, Trenton, NJ 08625
Arguments in support of "c" variance

The lot width, and the proposed variances for rear yard, (75'.0'" and right side, (3'.4'" and 3'.1'" for the left side) yard, provide ample space between principal structures on each lot. These were unavoidable in order to provide adequate access to the rear of the property and to maintain a proper distance between both new structures. This will provide a larger open space area for the applicant.
Request is hereby made pursuant to Section C.40:55D-70d of the New Jersey Municipal Land Use Law to the Board for permission to permit the construction of
as a use in an ___ Zone which is specifically prohibited by the Development Control Ordinance of the City of Elizabeth.

1. Arguments must be submitted in support of the requested “Use Variance”. On a separate sheet, describe reasons why the requested use variance should be granted by the Board

2. Public Hearing Notification Information
Notice shall be given by the applicant at least ten (10) days prior to the date of the hearing to the following parties where applicable. Notice shall be by personal service or certified mail. An affidavit of proof of service demonstrating compliance with this requirement shall be filed with the city agency holding the hearing at least two (2) days prior to the date of the hearing.

   Yes or No

   a) Is the subject property located within two hundred feet (200') of any municipal boundary? If yes, City Clerk of adjacent municipality and County Planning Board shall be notified of hearing by applicant. (Note #1).

   b) Is the subject property adjacent to an existing or proposed county road or adjoining other county land? If yes, County Planning Board shall be notified of hearing by applicant. (Note #1).

   c) Is the subject property adjacent to a state highway? If yes, applicant shall notify the Commissioner of Transportation of the hearing. (Note #2)

THE APPLICANT SHALL NOTIFY ALL PROPERTY OWNERS LOCATED IN THE STATE AND WITHIN TWO HUNDRED (200) FEET IN ALL DIRECTIONS OF PROPERTY IN QUESTION.
Note #1: If the subject property is located within two-hundred (200) feet of a municipal boundary, or if the subject property is adjacent to a county road or land, the applicant should file Form #15 and submit it to:

Union County Planning Board
Union County Department of Engineering & Planning
Union County Administrative Building
Elizabethtown Plaza
Elizabeth, NJ 07201

Note #2: If the subject property is located adjacent to a state highway or property, the applicant should file Form #15 and submit it to:

New Jersey Department of Transportation
1035 Parkway Avenue
P.O. Box 101
Trenton, NJ 08625
DO NOT WRITE ABOVE THIS LINE

Request is hereby made pursuant to Section C.17:36.070 of the New Jersey Municipal Land Use Law to the
Board for authorization of ______________________ as a use in __ Zone which is
conditionally permitted by the Development Control Ordinance of the City of Elizabeth.

1. The following is a description of the proposed use:

2. Does the proposed use meet all required conditions of the Development Control Code of the City of Elizabeth?

3. Public Hearing Notification Information
   Notice shall be given by the applicant at least ten (10) days prior to the date of the hearing to the following parties where applicable. Notice shall be by personal service or certified mail. An affidavit of proof of service demonstrating compliance with this requirement shall be filed with the city agency holding the hearing at least two (2) days prior to the date of the hearing.

   a) Is the subject property located within two hundred (200) feet of any municipal boundary? If yes, City Clerk of adjacent municipality and County Planning Board shall be notified of hearing by applicant.

   b) Is the subject property adjacent to a state highway? If yes, applicant shall notify the Commissioner of Transportation of the hearing (Form #15)

THE APPLICANT SHALL NOTIFY ALL PROPERTY OWNERS LOCATED IN THE STATE AND WITHIN TWO HUNDRED (200) FEET IN ALL DIRECTIONS OF PROPERTY IN QUESTION.
NOTE 1: If the subject property is located within two-hundred (200) feet of a municipal boundary, or if the subject property is adjacent to a county road or land, the applicant should file Form #15 and submit it to:

Union County Planning Board
Union County Department of Engineering & Planning
Union County Administrative Building
Elizabeth Plaza
Elizabeth, N.J. 07207

NOTE 2: If the subject property is located adjacent to a state highway or property, the applicant should file Form #15 and submit it to:

New Jersey Department of Transportation
1035 Parkway Avenue
P.O. Box 101
Trenton, N.J. 08625
Application is hereby made for approval of the proposed Subdivision Plat for the land herein described.

1. Plan Description  Prepared by  Date  For Official Use Only

2. Classification of Subdivision.  Indicate major or minor

ANY YES RESPONSE INDICATES THAT IT IS A MAJOR SUBDIVISION.

   a) Does the subdivision involve the creation of more than two lots?  Yes  No
   b) Does the subdivision involve the creation of any new streets?  
   c) Does the subdivision involve the extension of any off-tract improvements?

3. Notification Information.

Notification of the hearing shall be given to the Union County Planning Board by the applicant and a copy of the sub-division submitted to the Union County Planning Board by the local Board.

4. Public Hearing Notification Information. - If Public Hearing has been waived omit this section.

Notice shall be given by the applicant at least ten (10) days prior to the date of the hearing to the following parties where applicable. Notice shall be by personal service or certified mail. An affidavit of proof of service demonstrating compliance with this requirement shall be filed with the City agency holding the hearing at least two (2) days prior to the date of the hearing.

   a) Is the subject property located within two hundred feet (200') of any municipal boundary?  If yes, City Clerk of adjacent municipality and County Planning Board shall be notified of hearing by applicant.
   b) Is the subject property adjacent to a state highway?  If yes, applicant shall notify the Commissioner of Transportation of the hearing (Form #15)
   c) THE APPLICANT SHALL NOTIFY ALL PROPERTY OWNERS LOCATED IN THE STATE AND WITHIN TWO-HUNDRED FEET (200') IN ALL DIRECTIONS OF PROPERTY IN QUESTION.

5. Disclosure Information:
Is the applicant and/or owner a corporation or partnership and does the subdivision involves six (6) or more lots?  If yes, submit disclosure of all stockholders holding 10% or more stock or partners with 10% or greater interest in the partnership pursuant to N.J.S.A. 40:55D-48.1 et. Seq. (Form #14)
APPLICATION IS HEREBY MADE FOR FINAL APPROVAL OF A PROPOSED SUBDIVISION AS SHOWN AND DESCRIBED ON THE ACCOMPANYING MAPS AND DOCUMENTS.

1. Date of preliminary approval: __________. Date of any extensions granted (attach documentation):

   Pursuant to N.J.S.A. 40:55D-49, preliminary approvals of major subdivisions expire three years from the date of preliminary approval. The applicant may apply to the reviewing Board for extensions for additional periods of at least one (1) year but not to exceed a total extension of two (2) years.

2. Does the plat follow exactly the plat granted preliminary approval in regards to development plans, area covered, and other details? If not, indicate material changes (attach copy if necessary).

3. Have all conditions of preliminary approval been met? (Yes or No) __________. Attach evidence of compliance if not included on plat. If conditions have not been met, specify reasons.

4. Are there any deed restrictions that apply or are contemplated? (Yes or No) __________. If yes, attach copy.

5. Person to whom signed documents is to be issued:

   Name: ____________________________
   Address: __________________________
   Phone: (______)

   Check One:

   __ Applicant will pick up
   __ Documents should be mailed
Application is hereby made for approval of the proposed Site Plan for the land herein described:

1. Plan Description
   Site Plan
   Prepared by
   architect
   Date
   For Official Use only

2. Notification Information
   Does the proposed development provide or is it required to provide five (5) or more parking spaces and located adjacent to an existing or proposed county road? If yes, County Planning Board shall be notified of hearing by the applicant and a copy of the site plan shall be submitted to the County Planning Board by the local Board.

3. Public Hearing Notification Information
   (If Public Hearing has been waived omit this section)
   Notice shall be given by the applicant at least ten (10) days prior to the date of the hearing to the following parties where applicable. Notice shall be by personal service or certified mail. An affidavit of proof of service demonstrating compliance with this requirement shall be filed with the city agency holding the hearing at least two (2) days prior to the date of the hearing.

   a) Is the subject property located within two hundred (200) feet of any municipal boundary? If yes, City Clerk of adjacent municipality and County Planning Board shall be notified of hearing by applicant.

   b) Is the subject property adjacent to a state highway? If yes, applicant shall notify the Commissioner of Transportation of the hearing (Form #15)

   THE APPLICANT SHALL NOTIFY ALL PROPERTY OWNERS LOCATED IN THE STATE AND WITHIN TWO HUNDRED (200) FEET IN ALL DIRECTIONS OF PROPERTY IN QUESTION.

4. Disclosure Information
   Is applicant and/or owner a corporation or partnership and does the subdivision involve six (6) or more lots? If yes, submit disclosure of all stockholders holding 10% or more stock or partners with 10% or greater interest in the partnership pursuant to NISA 40:55D-48.1 et. seq. (Form #14)
Application is hereby made for final approval of the proposed site plan for the land hereinafter more particularly described.

1. Date of preliminary approval: __________. Date of any extensions granted (attach documentation): __________. Preliminary site plan approval pursuant to N.J.S.A. 40:55D-49, expire three years from the date of preliminary approval. The applicant may apply to the reviewing Board for extensions for additional periods of at least one (1) year but not to exceed a total extension of two (2) years.

2. a. Drainage Plan
   b. Paving Plan
   c. Utility Plan
   d. Landscaping Plan
   e. Sign Plan
   f. Lighting Plan
   g. Elevation Drawing

   Contact Persons       Phone

3. Does the final plan follow exactly the plan granted preliminary approval in regard to development plans, area covered, and other details? (Yes or No) __________. If not, indicate material changes (attach copy if necessary).

4. Have all conditions of preliminary approval been met? (Yes or No) __________. Attach evidence of compliance if not included on plans. If conditions have not been met, specify reasons.

NO CONDITIONS WERE IMPOSED BY THE BOARD DURING THE PRELIMINARY SITE PLAN APPROVAL PROCESS.

5. Person to whom final approved plan is to be issued:

   Name: ____________________________
   Address: ____________________________
   Phone: (________) __________________

   Check One:
   __________ Applicant will pick up
   __________ Documents should be mailed
REQUEST FOR LIST OF PROPERTY OWNERS

DO NOT WRITE ABOVE LINE

REQUEST IS HEREBY MADE FOR A LIST OF PROPERTY OWNERS WITHIN TWO HUNDRED FEET (200') IN ALL DIRECTIONS OF PROPERTY HEREAFTER DESCRIBED.

Location:

Applicant's Name:

Tax Account #:

Signature of Applicant

Date
APPLICATION FOR BOARD ACTION  Planning Board  Application #
DCP FORM #12, PAGE 1 of 1  Zoning Board  Date Filed
(Revised March 14, 1988)  Received by  Hearing Date

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY SERVED UPON YOU THAT AN APPLICATION FOR DEVELOPMENT
(APPLICATION # ______) FOR THE PREMISES IN AN _______ ZONE, AND LOCATED AT
______________________________ HAS BEEN SUBMITTED BY

______
OWNER ______ / LESSEE _______ / CONTINGENT PURCHASER _______ / OTHER _______

(Explain)

WHICH INVOLVES

______________________________

AND REQUIRES THE GRANTING OF  BULK VARIANCES AS FOLLOWS:

Pursuant

TO SECTION C.40-55D-70C THE BOARD MAY DEEM NECESSARY

THE ELIZABETH PLANNING BOARD __X__ / ZONING BOARD OF ADJUSTMENTS ___ WILL
CONDUCT A PUBLIC HEARING ON THIS MATTER ON Thursday, March 23, 2006, AT 7:30 P.M.,
AT THE ELIZABETH CITY COUNCIL CHAMBERS, CITY HALL, 50 WINFIELD SCOTT PLAZA,
ELIZABETH, NEW JERSEY. ANY PERSON AFFECTED BY THIS APPLICATION WILL HAVE
THE OPPORTUNITY TO PRESENT ANY OBJECTIONS TO THE PROPOSED DEVELOPMENT.
HOWEVER, THE BOARD RESERVES THE RIGHT TO EXCLUDE REPETITIVE TESTIMONY.
ALL DOCUMENTS RELATING TO THIS APPLICATION MAY BE INSPECTED BY THE PUBLIC
MONDAY THROUGH FRIDAY, BETWEEN THE HOURS OF 9:00 A.M. AND 4:00 P.M. IN THE
OFFICE OF THE BOARD, DIVISION OF ZONING AND LAND USE CONTROL, 50 WINFIELD
SCOTT PLAZA, 4TH FLOOR, ELIZABETH, NEW JERSEY 07201.

SIGNATURE OF APPLICANT ___________________________ DATE: ____________________

PUBLIC HEARING NOTIFICATION INFORMATION:  NOTICE SHALL BE GIVEN BY THE
APPLICANT NO LATER THAN ___________. THE APPLICANT SHALL NOTIFY ALL OWNERS
ON PROPERTY LOCATED IN THE STATE AND WITHIN TWO HUNDRED (200) FEET IN ALL
DIRECTIONS OF PROPERTY IN QUESTION.  NOTICE SHALL BE GIVEN BY THE APPLICANT
AT LEAST TEN (10) DAYS PRIOR TO THE DATE OF THE HEARING.  NOTICE SHALL BE BY
PERSONAL SERVICE OR CERTIFIED MAIL. AN AFFIDAVIT OF PROOF OF SERVICE
DEMONSTRATING COMPLIANCE WITH THIS REQUIREMENT SHALL BE FILED WITH THE CITY
AGENCY HOLDING THE HEARING NO LATER THAN AUGUST 3, 2004 WHICH IS AT
LEAST TWO (2) DAYS PRIOR TO THE DATE OF THE HEARING.
APPLICATION FOR BOARD ACTION
DCP FORM #13, PAGE 1 of 1
(Revised March 14, 1988)

Planning Board

Zoning Board

Application #
Date Filed
Received by
Hearing Date
Final Hearing

OWNER'S CONSENT FORM

I, _____________________________ AM THE OWNER OF THE PREMISES
KNOWN AS __________________________, Elizabeth, NJ, TAX ACCOUNT NUMBER BL______
Lot(s), ________________________________ FOR WHICH AN
APPLICATION OF DEVELOPMENT HAS BEEN SUBMITTED
BY _________________________________, OWNER ______/LESSEE ______/
CONTINGENT PURCHASER ______/OTHER ______ (EXPLAIN) _______________________

WHICH INVOLVES

__________________________________________

AND REQUIRES THE GRANTING OF

I HEREBY CERTIFY THAT I HAVE READ THE APPLICATION AND GRANT PERMISSION TO
THE APPLICANT TO PROCEED BEFORE THE PROPER BOARD. I FURTHER CERTIFY THAT I
AM AWARE THAT THE ENTIRE PROPERTY IS SUBJECT TO THE ACTIONS OF THE
REVIEWING BOARD WHICH MAY AFFECT THE PROPERTY RIGHTS OF MYSELF OR MY
SUCCESSORS, AND THAT, AS THE OWNER OF SAID PROPERTY, I AM ULTIMATELY
RESPONSIBLE FOR COMPLYING WITH ANY AND ALL CONDITIONS IMPOSED BY THE
REVIEWING BOARD.

I FURTHER CERTIFY THAT I AM AWARE THAT INFORMATION REGARDING THE
APPLICATION AND ANY PROSPECTIVE CONDITIONS OF APPROVAL WILL BE AVAILABLE
FOR PUBLIC INSPECTION FOR TEN (10) DAYS PRIOR TO THE HEARING AND THAT THE
ACTUAL DECISION CONTAINING THE CONDITIONS IMPOSED WILL BE AVAILABLE FOR
PUBLIC INSPECTION NOT LATER THAN TEN (10) DAYS AFTER SAID HEARING.
INFORMATION IS AVAILABLE DURING NORMAL BUSINESS HOURS AT THE OFFICE OF THE
DIVISION OF ZONING AND LAND USE CONTROL, 50 WINFIELD SCOTT PLAZA, 4th FLOOR,
ELIZABETH, NEW JERSEY 07201.

______________________________
NOTARY PUBLIC

DATE:

______________________________
OWNER'S SIGNATURE

DATE:

______________________________
STAMP OF NOTARY PUBLIC
DISCLOSURE AFFIDAVIT

PURSUANT TO THE REQUIREMENTS OF NEW JERSEY STATUTE 40:55D-48.1 ET SEQ., I, (NAME & TITLE)__________________________, HEREBY CERTIFY THAT THE FOLLOWING IS A TRUE AND COMPLETE LIST OF THE NAMES AND ADDRESSES OF ALL INDIVIDUALS WHO OWN TEN PERCENT (10%) OR MORE STOCK OR OTHER INTEREST IN (NAME OF CORPORATION/PARTNERSHIP)__________________________________, WHICH IS A CORPORATION/PARTNERSHIP WITH OWNERSHIP INTERESTS IN THE PROPERTY LOCATED AT __________________________, Elizabeth, New Jersey FOR WHICH AN APPLICATION HAS BEEN FILED WITH THE CITY OF ELIZABETH PLANNING BOARD __X__ / ZONING BOARD ___. I FULLY UNDERSTAND THAT FAILURE TO DISCLOSE ANY AND/OR ALL OWNERSHIP PARTIES WITH TEN PERCENT (10%) OR MORE INTEREST IN THE CORPORATION / PARTNERSHIP OR DELIBERATELY MISREPRESENTING ANY FACTS THEREON IS SUFFICIENT GROUNDS FOR DISAPPROVAL OF THE APPLICATION BY THE BOARD AND CAN RESULT IN A FINE AS PROVIDED FOR BY THE STATUTE.

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NOTE: If Additional Space is Required, please attach separate sheet

DATE: __________________________

OWNER’S SIGNATURE
DATE: __________________________
NOTICE OF HEARING TO STATE COMMISSIONER OF TRANSPORTATION

Application No.

TO: STATE COMMISSIONER OF TRANSPORTATION
New Jersey Department of Transportation
1035 Parkway Avenue, P.O. Box 101
Trenton, NJ 08625

PLEASE TAKE NOTICE

That ____________________________, the undersigned is an applicant the ____________________________ of the City of Elizabeth for Relief from ____________________________. To permit ____________________________, which property fronts upon a state highway. A hearing in this matter will be held on ____________________________, at _______ p.m. at ____________________________. Applicant is seeking a hardship ______, Use Variance ______, Subdivision ______, Site plan____, conditional use ______ approval. This notice is given pursuant to the provisions N.J.S.A. 40:55D-12.

Applicant's Signature

NOTE: Notice shall be given by the applicant no later than ____________________________, which is at least ten (10) days prior to the date of the hearing. Notice shall be by personal service or certified or registered mail. An affidavit of proof of service demonstrating compliance with this requirement shall be filed with the City agency holding the hearing no later than ____________________________, which is at least two (2) days prior to the date of the hearing.
AN ORDINANCE TO AMEND ORDINANCE
NO. 506-99 ENTITLED "AN ORDINANCE
ESTABLISHING LAND DEVELOPMENT
STANDARDS FOR THE COUNTY OF
UNION," ADOPTED BY THE UNION
COUNTY BOARD OF CHOSEN
FREEHOLDERS ON SEPTEMBER 9, 1999.

WHEREAS, in accordance with the County Planning Enabling Act (N.J.S.A.
40:27 et seq.), the Board of Chosen Freeholders of the County of Union did adopt on
September 23, 1999, by Ordinance No. 506-99, the Land Development Standards
providing for the review of subdivisions and site plans for land development in the
County of Union by the County Planning Board; and

CONTINUED ...

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<th>INTRODUCTION</th>
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APPROVED AS TO FORM

COUNTY ATTORNEY

I hereby certify the above is an original ordinance adopted by the Board of
Chosen Freeholders of the County of Union on the aforementioned date.

CLERK

I hereby certify this is a true copy of an ordinance adopted by the Board of
Chosen Freeholders of the County of Union on the aforementioned date.

CLERK
WHEREAS, said Ordinance established a fee schedule for the review of both subdivisions and site plans; and

WHEREAS, the Union County Planning Board and the Department of Engineering, Public Works and Facilities Management have sought changes to the application process; and

WHEREAS, the County Planning Board has researched fees charged by other counties within the State of New Jersey for the review of subdivisions and site plans; and

WHEREAS, in order to establish a fee schedule consistent with the cost involved by County staff in the review of subdivisions and site plans, as well as with other counties, the County Planning Board has approved the following fee schedule:

300. SUBMISSION AND APPROVAL PROCEDURES

301. Review and Approval Required – Subdivision

All applications for the subdivision of land within Union County, pursuant to N.J.S.A. 40:27-6.2 et al major or minor, and notwithstanding the form used for recording with the county recording officer, shall be submitted to the County Planning Board for review and, where required, approval prior to approval by the local municipal approving authority. Subdivision approval is required for those subdivisions affecting County roads or drainage facilities. The municipal approving authority shall either defer taking final action until receipt and consideration of the report of the County’s Bureau of Planning and Economic Development or approve the application subject to the conditions affecting County roads or drainage facilities. Such review or approval shall be in accordance with the procedures and engineering and planning standards as set forth in this Ordinance.

A deed to be filed in lieu of a final plat for subdivision shall not be recorded until the Union County Planning Board has given preliminary approval and any stipulated conditions have been complied with.

Deeds for subdivisions that are to be recorded in lieu of final plats must be in substantial conformance with the preliminary plat approved by the County Planning Board, and based on a field survey of the subdivided parcel referencing the name of the land surveyor and the date of the survey.

302. No Change

303. Filing

Each subdivision and site plan application shall be submitted to the County’s Bureau of Planning and Economic Development. The applicant shall inform the associated municipal planning official of their submission to the County. However, an application may be submitted by the applicant or his authorized agent who shall be required to sign a statement to the effect that the applicant has been duly filed with the appropriate municipal approval authority.

304. Fees

(A) Application fees shall be charged for the review of all land subdivision and site plans submitted to the County’s Bureau of Planning and Economic Development in accordance with the following schedule:
Subdivision:

A minor subdivision which does not abut a county road or affect a county drainage facility $200
A minor subdivision which abuts a county road or affects a county drainage facility $300
A major subdivision which does not abut a county road or affect a county drainage facility $400
A major subdivision which abuts a county road or affects a county drainage facility $500 plus $20 per lot

Site Plan:

A site plan which does not abut a county road or affect a county drainage facility and includes less than one acre of impervious surface $200
Site plan not abutting a county road or affecting a county drainage facility which contains one (1) or more acres of impervious surface $600
A site plan which abuts a county road or affects a county drainage facility $500 plus $10 per parking space
(Warehouse use: $350.00 + $5.00 per 1000 sq. ft. of floor area)

Revisions: Revised site plan and subdivision plans shall be subject to the following revision fee schedule if submitted within one year from date of original action:
1st Revision: 25% of Original Fee
2nd Revision and all subsequent revisions: 50% of the Original Fee.

Application fees shall not exceed $20,000.00.

(B) A fee will not be charged for informal reviews and any comments shall be non-binding.

(C) The applicant shall make payment by check or money order payable to the "County of Union, N.J." Application fees shall be non-refundable. However, the fee may be returned to the applicant upon written request if the application in question was not reviewed and provided that a formal request was not made by the County's Bureau of Planning and Economic Development for a time extension to continue its review. Development review fees may only be collected by the associated county planning office.

(D) Fees shall not be charged for the review of plans submitted by state, county, municipal governments, and public agencies. Churches, hospitals, and non-profit institutions exempt from the local application fee will be exempt from any county review fee.

(E) A site plan application shall be exempt from review if the development is proposing a use change to an existing facility that does not require or include any new structures, additions to existing structures, or any site changes associated to utilities, parking, drainage, or site access/circulation.

(F) Paper copies of the Land Development Standards and Design Standards will be available from the County for a fee of $5.00. A digital copy of the land development standards and design standards are available on the County's website: www.UCNJ.org - free of charge.
(G) Submitted applications should be accompanied by one hard/paper copy of the plans, plats, drawings, application, checklist, and any associated reports including but not limited to drainage calculations, stormwater reports, and traffic reports. A digital copy of the plans and associated documents in Adobe PDF format should also be provided. Any subsequent revisions shall provide the same.

305. No Change

306. No Change

307. Distribution and Review of Plans

A copy of the application for subdivision or site plan approval shall be submitted to county staff for evaluation in accordance with the standards and criteria established in this Ordinance. The County’s Division of Policy and Planning shall not act on said application until a report from the County’s Division of Engineering is received. Said report shall contain recommendations for County requirements and the amount of performance guarantees, payments in lieu of improvements and applicant’s proportionate share of the cost of installation of required County off-site and off-tract improvements, if any, as well as the recommendations and comments of the Bureau of Planning and Economic Development will be made and incorporated into the report to the municipality and applicant.

308. Time to Act

Within 30 days from the receipt of a complete subdivision or site plan application, the County’s Bureau of Planning and Economic Development shall notify the appropriate municipal approval authority, in writing, of its action on the application. A copy of said report shall be transmitted to the applicant or his designated agent and shall set forth all conditions required for County approval and if disapproved or withheld, all reasons for such action. It may also contain non-binding advisory comments.

309. Changes After Approval

When approval is granted, no changes or alterations shall be made in any portion of the plan over which the County has approval power without approval of said changes or alterations by the County.

In the event it becomes necessary to deviate from the approved plan due to site conditions which first appear during construction and which would affect a County road or a County drainage facility, the applicant shall notify and obtain the approval of the County Engineer before such deviation shall be made.

In the event that site conditions deviate from the approved plan, which would affect a County road or County drainage facility, the County shall contact the applicant to revise the plans to reflect the deviation.

Major deviations that substantially revise the approved plan shall be approved by the County’s Bureau of Planning and Economic Development prior to proceeding with the site work proceeding.

309. No Change

310. No Change

311. Installation of Improvements

The County Engineer shall be notified no less than 72 hours prior to the installation of the itemized improvements. Such notification shall be in writing and shall be accompanied by an inspection fee of 2% of the estimated costs of the improvements as denoted on the itemized list. The inspection fee shall be payable by checks or money orders and made out to the County of Union.
If the County's Bureau of Planning and Economic Development fails to report to the municipal approval authority within the 30-day period, the application shall be deemed to have been approved unless, by mutual agreement between the County's Bureau of Planning and Economic Development the 30-day period shall be extended for an additional 30-day period, and any such extension shall so extend the time within which a municipal approval authority shall be required by law to act thereon.

312. Approval Time Period

Subdivision and site plan approvals granted by the County's Bureau of Planning and Economic Development under the terms of this Ordinance shall be valid for the following time periods in accordance with the Municipal Land Use Law (N.J.S.A. 40:55D-1 et.seq.):

(A) Minor Subdivision — 190 days from the date of municipal approval.
(B) Preliminary Major Subdivision—three (3) years from the date of municipal approval.
(C) Final Major Subdivision — two (2) years from the date of municipal approval.
(D) Site Plan — three (3) years from the date of approval if said application has received preliminary approval only from the municipal approval authority, and two (2) years from the date of approval if the applicant has received final approval from the municipal approval authority.
(E) Extensions shall be granted consistent with the Municipal Land Use Law.

313. Appeals

In the event an applicant for site plan review and approval or subdivision review and approval is aggrieved by an action taken by the County Engineer and staff, said applicant may file an appeal in writing to the County Planning Board within ten days after the date of said action, by certified mail. Any person aggrieved by the action of the County Planning Board, in regard to site plan review and approval or subdivision review and approval may file an appeal in writing to the Board of Chosen Freeholders within ten days after the date of notice by certified mail of such action. The County Planning Board or the Board of Chosen Freeholders to which an appeal is taken shall consider such an appeal at a regular or special public meeting within forty-five days from the date of its filing.

Notice of said hearing shall be made by certified mail by the applicant at least ten days prior to the hearing and to such of the following officials as deemed appropriate for each specific case: the municipal clerk, municipal planning board, board of adjustment, building inspector, zoning officer, Board of Chosen Freeholders, and the County Planning Board. The board to which appeal is taken shall render a decision within 30 days from the date of the hearing.

314. No Change

315. No Change

316. No Change

317. Performance Guarantees and Maintenance Bonds

As a condition to the approval of subdivision, the County may require the applicant to submit to the County a performance guarantee and, where deemed appropriate, a maintenance bond, in a form approved by the County Counsel. The amount of any performance guarantee or maintenance bond shall be set by the County's Bureau of Planning and Economic Development upon the advice of the County Engineer and shall not exceed the full cost of the facility and installation costs.

In lieu of providing any required drainage easement, a cash contribution may be deposited with the County to cover the cost of the proportionate share thereof for securing said easement. In lieu of installing any such required facilities exterior to the proposed subdivision, a cash contribution may be deposited with the County to cover the cost or proportionate share thereof
for the future installation of such facilities. Said share to be determined by the County.

Any monies or guarantees required by the County shall not duplicate bonds or other guarantees required by municipalities for municipal purposes. Any and all monies received by the County to insure performance and to meet the requirements established for subdivisions under this Ordinance shall be paid to the County Treasurer, who shall provide a suitable depository thereof. Such funds shall be used only for County roads or other facilities for which they are deposited. If such projects are not initiated for a period of ten years, at which time said funds shall be transferred to the General Fund of the County.

The applicant shall assume all liabilities associated with construction and maintenance of required improvements until such time as improvements are accepted by the County.

Following approval or conditional approval of a preliminary plat, but prior to submission of a final plat, an applicant shall submit and obtain approvals of all performance guarantees, maintenance bonds, payments in lieu of improvements to County roads, or easements or dedications as may have been specified by the County in its preliminary plat approval.

Prior to submission of a final plat, but in lieu of the submission of performance and maintenance bonds, the applicant may submit and request approval of evidence that all improvements for which performance guarantees and maintenance bonds had been required have been installed in accordance with designs and specifications required by the County Planning Board and approved by the County Engineer.

Upon application to return or release any performance guarantee or maintenance bond, the County Planning Board shall authorize such return or release after receiving the following: (1) In case of a performance guarantee, certification from the County Engineer that all improvements required by this Ordinance have been inspected and found to be completed in accordance with the approved subdivision plan and approved construction standards; (2) In the case of a maintenance bond, certification from the County Engineer that all improvements covered by the bond have been inspected and found to be functioning properly in conformance with the standards and specifications for this Ordinance and terms and conditions of the maintenance bond.

NOW, THEREFORE, BE IT ORDAINED by the Board of Chosen Freeholders of the County of Union that:

A. Ordinance No. 566-99 is hereby amended by removing and adding fee schedules as approved by the County Planning Board.

B. That the Clerk of the Board is hereby authorized to publish a notice in the appropriate newspaper of such introduction and of a public hearing on October 11, 2018 and shall forward one certified copy, upon final passage, to each Clerk of all Municipalities located within the County of Union.

C. That the Clerk shall give notice of the Public Hearing and a copy of this Ordinance by certified mail or delivery to the Municipal Clerk and Secretary of the Municipal Planning Board in each Municipality in the County of Union at least 10 days prior to the date set for public hearing.

D. That this Ordinance shall take effect at the time and in the manner provided by law.
Union County, New Jersey
Department of Economic Development – Land Development Application

DEVELOPMENT REVIEW APPLICATION FORM

COUNTY OF UNION, NEW JERSEY

NOTICE TO APPLICANT: Please forward one paper copy of the plan, supporting documentation and this application form & checklist along with one electronic (PDF) copy of the plans and associated reports on a compact disk /USB drive to the Union County Bureau of Land & Facilities Planning, Department of Economic Development, Administration Building, 2nd Floor, Elizabethtown Plaza, Elizabeth, NJ, 07207, Telephone: (908) 527-4268.

1. TYPE OF DEVELOPMENT: (check one)
   A. Subdivision: ____________
      ____________ Minor Exempt Subdivision
      ____________ Minor Subdivision
      ____________ Major Subdivision

   B. Site Plan: ____________
      Is this a revised plan/plat? Yes ( ) or No ( ) Circle One: Plan or Plat

2. LOCATION OF DEVELOPMENT: Municipality: _________________
   Street or Road: _________________
   Tax Map: Block # ____________ Lot # ____________

3. APPLICANT:
   Address: _________________
   Telephone #: ____________ Email Address: _________________

4. PROPERTY OWNER:
   Address: _________________
   Telephone #: ____________ Email Address: _________________

5. ATTORNEY:
   Address: _________________
   Telephone #: ____________ Email Address: _________________

6. ENGINEER:
   Address: _________________
   Telephone #: ____________ Email Address: _________________

7. ARCHITECT:
   Address: _________________
   Telephone #: ____________ Email Address: _________________

8. LAND SURVEYOR:
   Address: _________________
   Telephone #: ____________ Email Address: _________________
9. DEVELOPMENT INFORMATION:

a. Project Name (if any): ________________________________

b. No. of existing lots* ____________ No. of proposed lots* ____________

c. Area of entire tract _______________________________________

d. Area conveyed by present owner or other * _______________________

e. Area of impervious surface (sq. ft.) ___________________________

f. No. of parking spaces _______________________________________

g. Zoning district _____________________________________________

h. Existing use ______________________________________________

i. Proposed use _____________________________________________

j. No. of housing lots for sale* __________________________________

k. No. of multi-family residential units ___________________________

l. Sq. ft. of building area for commercial use _______________________

m. Sq. ft. of building area for industrial use _______________________

k. Sq. ft. of building area of other use ___________________________

l. When did you apply to the municipality for this development? ____________

m. Status of Municipal Review: Approved ; Pending ; Denied ____________

n. Municipal Site Plan/Subdivision Approval (Resolution) Date: ____________

o. Has the Applicant or Developer previously applied to the Union County Planning Board for approval of the proposed development? Yes ( ) or No ( ) If so, when ____________ and what was the County Application# ____________
10. **Signatures**

APPLICANT SIGNATURE: ____________________  DATE: ______

OWNER SIGNATURE: ________________________ DATE: ______

Any additional information, which the applicant may wish to note may be provided on a separate sheet.

NOTE: Submission of this application to Union County does not exclude the possibility for the need of any technical studies or reports to support or substantiate the proposed development identified in this application. Any application information requested would be provided by the applicant. Our acknowledgement of the application as complete does not exclude the possibility of a need for any future technical studies.

*Subdivision applications only.*

Please call the Union County Bureaus of Planning & Economic Development at (908) 527-4268 or (908) 527-4197.
2018 Update

UNION COUNTY LAND DEVELOPMENT STANDARDS FEE SCHEDULE

Application fees (*) shall be charged for the review of all land subdivisions and site plans submitted to the County’s Bureau of Planning and Economic Development in accordance with the following:

Subdivisions

A minor subdivision which does not abut a county road or affect a county drainage facility $200

A minor subdivision which abuts a county road or affects a county drainage facility $300

A major subdivision which does not abut a county road or affect a county drainage facility $400

A major subdivision which abuts a county road or affects a county drainage facility $500 plus $20 per lot

Site Plans

A site plan which does not abut a county road or affect a county drainage facility and includes less than one acre of impervious surface $200

Site plan not abutting a county road or affecting a county drainage facility which contains one (1) or more acres of impervious surface $600

A site plan which abuts a county road or affects a county drainage facility $500 plus $10 per parking space (Warehouse use: $350.00 + $5.00 per 1000 sq. ft. of floor area)

* Note: The Land Development application fee schedule was revised according to the Union County Board of Chosen Freeholders Resolution #799-2018.
Fee Schedule - Continued

Notes:

1. Plan Revisions (if submitted within one year from date of original action)
   
   1st revision: 25% of original fee
   2nd and each subsequent revision: 50% of original fee

2. A fee will not be charged for informal reviews and any comments shall be non-binding.

3. The applicant shall make payment by check or money order payable to the “County of Union, NJ”. Application fees shall be non-refundable. However, the fee may be returned to the applicant upon written request if the application in question was not reviewed and provided that a formal request was not made by the County Bureaus of Planning and Economic Development for a time extension to continue its review. Development review fees may only be collected by the associated county planning office.

4. Application fees shall not exceed $20,000.

5. Fees shall not be charged for the review of plans submitted by state, county, municipal governments and public agencies. Churches, hospitals and non-profit institutions exempt from the local application fee will be exempt from any county review fee.

6. A site plan application shall be exempt from review if the development is proposing a use change to an existing facility that does not require or include any new structures, additions to existing structures, or any site changes associated to utilities, parking, drainage, or site access/circulation.

7. Paper copies of the Land Development Standards and Design Standards will be available from the County for a fee of $5.00. A digital copy of the land development standards and design standards are available on the County’s website: www.UCNJ.org - free of charge.

8. Submitted applications should be accompanied by one hard/paper copy of the plans, plats, drawings, application, checklist, and any associated reports including but not limited to drainage calculations, stormwater reports, and traffic reports. A digital copy of the plans and associated documents in Adobe PDF format should also be provided. Any subsequent revisions shall provide the same.
COUNTY OF UNION, NEW JERSEY

DEVELOPMENT REVIEW CHECKLIST FOR SUBDIVISIONS

Applicant’s Name & Address

Phone #: __________________________ Fax #: __________________________ Assigned File #: __________________________

Name of Subdivision: __________________________ Location (Municipality): __________________________

Address: __________________________ Date of Plans: __________________________

Block/Lot #: __________________________

The Land Development Standards of the County of Union

Subdivision Checklist

The Applicant’s engineer shall complete each item on the Check List as follows:
Yes (Y), No (N) or Not Applicable (N/A) under the corresponding applicant column.

Section 402. Sketch Plat Details
(Scale not less than 1 in. = 200 ft.)

<table>
<thead>
<tr>
<th>Applicant Verification</th>
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<tbody>
<tr>
<td>( ) ( ) A) Proper sheet size as permitted by the New Jersey Map Filing Act</td>
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<tr>
<td>( ) ( ) B) Key Map – Subdivided area, proposed street pattern &amp; entire tract relative to entire area</td>
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<tr>
<td>( ) ( ) C) Location Map – proposed subdivision relative to entire tract</td>
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<tr>
<td>( ) ( ) D) Existing structures – to remain/ to be demolished</td>
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<tr>
<td>( ) ( ) E) Name &amp; address of owner, developer and applicant</td>
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<tr>
<td>( ) ( ) F) Name &amp; address of adjoining property owners within 200 ft.</td>
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<tr>
<td>( ) ( ) G) Tax map sheet, block and lot numbers</td>
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<tr>
<td>( ) ( ) H) Existing/proposed streets within/ adjoining the proposed subdivision</td>
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<tr>
<td>( ) ( ) I) Proposed lot lines and lot lines to be eliminated</td>
</tr>
<tr>
<td>( ) ( ) J) Existing &amp; proposed utilities easements</td>
</tr>
</tbody>
</table>
Union County, New Jersey
Department of Economic Development – Land Development Application

County
Applicant Verification

( ) ( ) K) Location, size & direction of flow of all waterways & drainage structures in the area to be subdivided or within 200 ft. of the subdivision

( ) ( ) L) North arrow with reference meridian

( ) ( ) M) Acreage of entire tract & area being subdivided

( ) ( ) N) Plat scale with Graphic Scale

( ) ( ) O) Date of plan and revision(s)

Section 404. Preliminary Plat Details
(Scale not less than 1 in. = 200 ft.)

County
Applicant Verification

( ) ( ) A) Proper sheet size

( ) ( ) B) Key Map of entire subdivision, proposed streets, surrounding areas

( ) ( ) C) Name of subdivision, tax map sheet, block & lot numbers, date revision date, north arrow with reference meridian & graphic scale

( ) ( ) D) Name & address of owner, developer & preparer of plat, maps & reports

( ) ( ) E) Acreage of the subdivided tract

( ) ( ) F) Location of existing & proposed: property lines; bldg. setback lines; structures; identification of structures to be demolished & retained and location & extent of wooded areas

( ) ( ) G) Profile & cross-sections of proposed roadways & existing roadways within the subdivision and abutting the subdivision within 200 ft.

( ) ( ) H) Existing & proposed contours at 2 foot intervals

( ) ( ) I) Metes & bounds of entire tract & proposed subdivision line(s) and street frontage in feet

( ) ( ) J) Existing water courses accompanied with:

1) NJDEP permit application if alteration, relocation or improvement is proposed or when a drainage structure is proposed on a stream

2) Cross-sections of water courses & extent of flood plain, mean water level and elevations at following locations:
   a) 50 ft. intervals 300 ft. upstream & downstream of proposed culvert or bridge
   b) At any point where water courses cross subdivision boundary
   c) Immediately upstream/downstream of any stream confluences

3) Method of slope stabilization, siltation & erosion control with sections and profiles if water courses are altered, improved or relocated.

4) Boundary of flood plain within and adjacent to the
subdivision
5) Identification of Wetlands
6) Total acreage of drainage basin for all water courses running through or adjacent to the subdivision in the area upstream of the subdivision
7) Total acreage of the drainage basin to the nearest downstream drainage structure and subdivision acreage which drains to the structure
8) Drainage & conservation easements and stream encroachment lines
9) Existing & proposed lakes & ponds with water level elevations

K) Existing and proposed drainage system plans, profiles, computations and direction of flow within 200 ft. of the subdivision

( ) ( ) L) Existing & proposed sanitary sewer facilities

( ) ( ) M) Existing & proposed water mains

( ) ( ) N) Identification of lands to be dedicated or reserved for public use

( ) ( ) O) Other underground utilities and related easements

Section 500. Design Standards

Section 501. Design Standards - General

500.1 Dedication of Road Right-Of-Way

County Applicant Verification

( ) ( ) R.O.W. dedication to the Municipality for required County road width

500.2 Streets

At the proposed intersections of roads and driveways, sight triangles shall be clearly indicated, with any obstruction, including trees of 8 in. diameter or greater, within the County R.O.W.

( ) ( ) A) Minimum direct access to County road from interior roads

( ) ( ) B) Proposed road in direct alignment with County road or 150 ft. offset

( ) ( ) C) Proposed road intersects County road at 90 degrees, but not less than 60 degrees

( ) ( ) D) Minimum radius of 25 ft. between County and Municipal R.O.W.s

( ) ( ) E) Maximum grade of 2% at intersection of proposed road with County road for a minimum of 100 ft. from centerline of County road

( ) ( ) F) Sufficient highway pavement shoulder width provided along County road where curb required abutting proposed subdivision
(4) (G) Driveway intersecting County road requires County Road Opening Permit 1) Number of Driveways-
frontage less than 300 ft. – Two (2) frontage 300
ft. & greater – by County Engineer
2) Location of Driveways- as per Section 501.5(G) of the County Land Development Standards. Sight Triangle required with
minimum sight distance as per Section 501.5(G)(b) of County Land Development Standards 3)
Driveway Angle - a) two way operation- 90 degrees, minimum 60 degrees
b) one way operation- right turn only, minimum 45 deg. 4)
Driveway Dimensions as per Section 501.5(G)(4) 5) Driveway Surfacing as per Section 501.5(G)(5)

Section 502. Design of Off Street Parking Areas 502.1 Off

Street Parking

(4) (4) Off Street Parking located behind the existing or proposed County R.O.W. including sidewalk areas.

(4) (4) Off street parking areas designed to prevent the necessity of vehicles backing into County Road

502.2 Off Street Loading Spaces and Areas

(4) (4) Off Street Loading Spaces and Areas located behind the existing or proposed County R.O.W.
including the sidewalk area. Graphic proof furnished demonstrating truck movement compliance.

502.3 Customer Service Areas

(4) (4) Customer Service Areas located behind the existing or proposed County R.O.W.

502.4 Curbing

Curbing is required along the entire property frontage of the county road.

(4) (4) A) Alignment and grade

(4) (4) B) Depressed Curbs 1) Existing curbs 2) New depressed curb 3) Height above pavement – 1 in.

(4) (4) C) Horizontal Transition

502.5 Shoulder Paving

(4) (4) Proposed paving for area between existing edge of pavement and new curb
501.3 Sidewalks

May be required at the discretion of the County Planning Board.

County Applicant Verification

A) Sidewalks - 4000 psi Portland cement concrete, 6% air-entrained Class B, 4" thick, 6" thick at residential driveways,
   12" thick at commercial/industrial driveways
B) Sidewalks - minimum 4 ft. width and located within R.O.W., placed 1 foot from the property line, except in commercial areas where can extend from bldg.
   line to curb line
C) Sidewalks-Minimum cross slope \( \frac{1}{4} \)" per foot rising from top of curb

501.4 Curbs

Each site plan shall install curbs in conformance with County standards along
   the entire frontage of the County road.

501.5 Driveways

At the proposed intersections of roads and driveways, sight triangles shall be clearly indicated, with any obstruction, including trees of 8 in. diameter or greater, within the County R.O.W.

A) Openings with depressed curb design; radius curbing prohibited
B) Openings as nearly as possible to 90 degrees at County road
C) Driveways designed to prevent necessity of vehicles backing out onto County road
D) Single lane driveways- 10 feet minimum width
   Double lane driveways -- 24 feet minimum width
E) Driveway gradients within County R.O.W. - 5% maximum;
   maximum gradient change-7%; Grades greater than 7% designed with vehicle templates
F) Non-residential driveways in conformance with County Design Standards
   Specific to Site Plans section of the Land Developments ordinance
502.6 Right Of Way Encroachment

( ) County R.O.W. clear of all private purpose uses.

502.8 Dumpsters

( ) Dumpsters located behind County R.O.W.

502.9 Signs

( ) ( ) A) Directional, Regulatory and Advisory Signs

( ) ( ) B) Advertising Signs

502.10 Clear Sight Areas (at roadway intersections)

At the proposed intersections of roads and driveways, sight triangles shall be clearly indicated, with any obstruction, including trees of 8 in. diameter or greater, within the County R.O.W.

( ) ( ) Established on the Subdivision Plan

( ) ( ) Sight Triangle Easement

Section 600. Drainage Requirements

( ) ( ) Submission of Design calculations

Section 601. Drainage Runoff Requirements

( ) ( ) Submission of Stormwater Management Plan

Section 700. Traffic Impact Analysis

701. Criteria Governing the Need for Traffic Impact

( ) ( ) Submission of Traffic Impact Study

( ) ( ) Completion of Check List

SIGNATURE OF ENGINEER PREPARING CHECKLIST WITH DATE
COUNTY OF UNION, NEW JERSEY
DEVELOPMENT REVIEW CHECKLIST FOR SITE PLANS

Applicant's Name & Address

__________________________________________________________

__________________________________________________________

Phone #: ____________________ Fax #: ____________________ Assigned File #: ______

Name of Subdivision: ____________________ Location (Municipality): ____________________

Address: ____________________ Date of Plans: __________

Block/Lot #s: __________

The Land Development Standards of the County of Union

Site Plan Checklist

The Applicant's engineer shall complete each item on the Check List as follows:
(Y), (N) or (N/A) Not Applicable

Section 408. Site Plan Requirements and Details

Scale: 1) Not less than 1 in. = 50 ft. & not larger than 1 in. = 10 ft; 2) For site plans of 1 in. = 30 ft. or smaller, a secondary plan of the County road shall be submitted at a scale of 1 in. = 20 ft.

County
Applicant Verification

( ) ( ) A) Proper sheet size as permitted by the New Jersey Map Filing Act

( ) ( ) B) Key Map

( ) ( ) C) Name & address of applicant, owner & preparer of site plans, maps and reports

( ) ( ) D) Name of the development, tax map sheet, block & lot numbers, date, revision date & north arrow with reference meridian and graphic scale

( ) ( ) E) Acreage of site to the nearest tenth of an acre
Union County, New Jersey
Department of Economic Development – Land Development Application

( ) ( ) F) Municipal land use zoning district

( ) ( ) G) Existing & proposed setback dimensions, landscaped areas, trees over 6 in. diameter and fencing within 30 ft. of County R.O.W.

( ) ( ) H) Existing & proposed traffic control devices, signs, lighting standards and utility poles within 25 ft. of County R.O.W.

( ) ( ) I) Existing & proposed structures with finished grade elevations at corners and indication of structures to be retained and demolished

( ) ( ) J) Existing & proposed contours based on NJ Geodetic Control Survey Datum at 2 ft. intervals

( ) ( ) K) Existing and proposed utilities and drainage structures & facilities with supporting design documentation

( ) ( ) L) Existing & proposed curbs, sidewalks, driveways, fences, retaining walls, signs, parking spaces, off-street loading areas and layouts

( ) ( ) M) Existing & proposed R.O.W. and easements with description of proposed County dedications

( ) ( ) N) Location, size and nature of entire lot(s) in question and contiguous lots owned by the applicant or in which the applicant has a direct or indirect interest

( ) ( ) O) Existing & proposed streets with name, pavement and R.O.W. widths within 200ft. of tract

( ) ( ) P) Existing & proposed profiles and cross-sections of access drives, existing streets and highways abutting the site

( ) ( ) Q) Existing water courses with:

1) NJDEP water course alteration, improvement application if relocation proposed or if fill or structures proposed at stream

2) Cross-sections of water courses within NJDEP guidelines including flood plain, top of bank, mean water level and bottom elevations at the following locations:
   a) at intersection of site boundary
   b) at 50 ft. intervals for 300 ft. upstream/downstream of proposed bridge/culvert
   c) upstream/downstream of the confluence of all water courses
   d) along all water courses within or adjacent to the site at maximum of 500 ft. intervals

3) method of slope stabilization & soil & erosion control if water course to be altered
4) Flood plain boundaries within & upstream of the site
5) Wetlands

( ) ( ) R) Total acreage of drainage basin of all water courses within & adjacent to the site
( ) ( ) S) Total drainage basin acreage to the nearest downstream structure and the acreage of the site to the structure
( ) ( ) T) Drainage, utility and conservation easements and stream encroachment lines
( ) ( ) U) Existing & proposed storm drainage plans within and adjacent to the site
( ) ( ) V) Existing & proposed sanitary sewerage facilities

( ) ( ) W) Existing & proposed water mains
( ) ( ) X) Existing & Proposed underground utilities and easements

Section 500. Design Standards Section 501. Design Standards - General 501.3

Sidewalks

May be required at the discretion of the County Planning Board.

( ) ( ) A) Sidewalks – 4000psi Portland cement concrete, 6% air-entrained
          Class B, 4" thick, 6" thick at residential driveways,
          12" thick at commercial/industrial driveways

( ) ( ) B) Sidewalks – minimum 4 ft. width and located within R.O.W.,
          placed 1 foot from the property line, except in commercial areas where can extend from bldg.
          line to curb line

( ) ( ) C) Sidewalks-Minimum cross slope ¼" per foot rising from top of curb

501.4 Curbs

( ) ( ) Each site plan shall install curbs in conformance with County standards along the entire frontage of the County road.
501.5 Driveways

At the proposed intersections of roads and driveways, sight triangles shall be clearly indicated, with any obstruction, including trees of 8 in. diameter or greater, within the County R.O.W.

( ) (A) Openings with depressed curb design; radius curbing prohibited

( ) (B) Openings as nearly as possible to 90 degrees at County road

( ) (C) Driveways designed to prevent necessity of vehicles backing out onto County road

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Double lane driveways – 24 feet minimum width

( ) (E) Driveway gradients within County R.O.W. - 5% maximum;

maximum gradient change -7%; Grades greater than 7% designed with vehicle templates

( ) (F) Non-residential driveways in conformance with County Design Standards Specific to Site Plans section of the Land Development Ordinance

( ) (G) Driveway intersecting County road requires County Road Opening Permit

1) Number of Driveways from frontage less than 300 ft. – Two (2)

frontage 300 ft. & greater – by County Engineer

2) Location of Driveways as per Section 501.5(G) of the County Land Land Development Standards. Sight Triangle required with minimum sight distance as per Section 501.5(G)(b) of County Land Development Standards

3) Driveway Angle - a) two way operation - 90 degrees, minimum 60 degrees

b) one way operation – right turn only, minimum 45 deg. 4)

Driveway Dimensions as per Section 501.5(G)(5) Driveway Surfacing as per Section 501.5(G)(5)

Section 502. Design of Off Street Parking Areas

502.1 Off Street Parking

( ) ( ) Off Street Parking located behind the existing or proposed County R.O.W. including sidewalk areas.

( ) ( ) Off street parking areas designed to prevent the necessity of vehicles backing into County Road
502.2 Off Street Loading Spaces and Areas

Off Street Loading Spaces and Areas located behind the existing or proposed County R.O.W. including the sidewalk area. Graphic proof furnished demonstrating truck movement compliance.

502.3 Customer Service Areas

Customer Service Areas located behind the existing or proposed County R.O.W.

502.4 Curbing

*Curbing is required along the entire property frontage of the county road.*

A) Alignment and grade

B) Depressed Curbs
   1) Existing curbs
   2) New depressed curb
   3) Height above pavement – 1 in.

C) Horizontal Transition

502.6 Shoulder Paving

Proposed paving for area between existing edge of pavement and new curb

502.7 Right Of Way Encroachment

County R.O.W. clear of all private purpose uses.

502.8 Dumpsters

Dumpsters located behind County R.O.W.

502.9 Signs

A) Directional, Regulatory and Advisory Signs

B) Advertising Signs

502.10 Clear Sight Areas (at roadway intersections)

*At the proposed intersections of roads and driveways, sight triangles shall be clearly*
indicated, with any obstruction, including trees of 8 in. diameter or greater, within the County R.O.W.

( ) ( ) Established on the Site Plan

( ) ( ) Sight Triangle Easement

**Section 600. Drainage Requirements**

( ) ( ) Submission of Design calculations

**Section 601. Drainage Runoff Requirements**

( ) ( ) Submission of Stormwater Management Plan

**Section 700. Traffic Impact Analysis 701. Criteria Governing the Need for Traffic Impact**

( ) ( ) Submission of Traffic Impact Study

( ) ( ) Completion of Check List

SIGNATURE OF ENGINEER PREPARING CHECK LIST DATE

____________________________
APPLICATION FOR BOARD ACTION
DCP FORM #16, PAGE 1 of 1
(Revised March 14, 1988)

AFFIDAVIT OF PROOF OF SERVICE

NOTE: PROOF OF SERVICE OF NOTICES REQUIRED BY STATUTE MUST BE FILED AND
VERIFIED WITH THE CITY AGENCY HOLDING THE HEARING AT LEAST TWO (2)
DAYS PRIOR TO THE MEETING OR THE CASE WILL NOT BE HEARD BY THE BOARD.

STATE OF NEW JERSEY
COUNTY OF UNION

(NAME & TITLE) ____________________________

OF FULL AGE, BEING DULLY SWORN ACCORDING TO LAW, DEPOSES AND SAYS, THAT HE
WORKS AT ____________________________ IN THE MUNICIPALITY OF

__________________________, COUNTY OF ____________, AND STATE OF ____________ NEW JERSEY ____________ THAT HE

IS THE APPLICANT IN A PROCEEDING BEFORE THE:

PLANNING BOARD ______

ZONING BOARD OF ADJUSTMENT ______

OF THE CITY OF ELIZABETH, NEW JERSEY, BEING AN APPLICATION UNDER THE
DEVELOPMENT CONTROL ORDINANCE, AND WHICH HAS THE APPLICATION # ______;

AND IN REFERENCE TO THE PREMISES LOCATED AT ________________,

ELIZABETH, NEW JERSEY ____________; THAT ON ____________, ______, HE

GAVE WRITTEN NOTICE OF THE HEARING ON THIS APPLICATION TO EACH AND ALL OF

THE PERSONS UPON WHOM SERVICE MUST BE MADE, IN THE REQUIRED FORM AND

ACCORDING TO THE ATTACHED LISTS, AND IN THE MANNER INDICATED THEREON.

SWORN TO AND SUBSCRIBED
BEFORE ME ON THIS _____ th DAY
OF ______ OF 20____.

APPLICANT'S SIGNATURE:

DATE

SEAL OF NOTARY PUBLIC

NOTE TO APPLICANT: ATTACH LIST OF ALL PERSONS SERVED INDICATING THE
METHOD USED. CERTIFIED MAIL RECEIPTS AND/OR SIGNATURES SHOULD BE
SUBMITTED AS DOCUMENTATION.
REQUEST FOR EXTENSION OF TIME TO FILE PLAT

Do not write above line

Request is hereby made to the ____________ for good cause to extend the period for recording of the plat for an additional period not to exceed 190 days from the date of signing of the plat.

1. Location ____________________________

2. Applicant's Name _______________________

3. Address ____________________________ Phone _______________________

4. Plat # ______________________________

5. Date of signing of plat: _________________

6. Requested extension to: (Date) _________________

7. Reason for delay in filing: ____________________________

______________________________  ________________
SIGNATURE OF APPLICANT: DATE

______________________________  ________________
SIGNATURE OF OWNER: DATE
Request is hereby made for permission to vary requirements of the design standard article of the Development Control Ordinance of the City of Elizabeth as follows:

<table>
<thead>
<tr>
<th>SECTION</th>
<th>REQUIREMENT</th>
<th>WAIVER REQUESTED</th>
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CONSENT TO EXTENSION OF TIME FOR DECISION

Do not write above line

It appearing that, due to the nature of applicant's application #___________
filed on ___________ 19___ in reference to the premises at _______________________

which involves

and requires the granting of ____________ will not be able to properly review the application by

_____________ 19___, when the statutory time for approval expires;

It is on this ____ day of _______________, 19___

agreed by and between the applicant, _________________________

and the ______________________ of the City of Elizabeth, New Jersey that the

time for decision shall be extended to _______________________, 19___

(Application for) APPLICANT

Secretary of the Board
It is hereby represented that the applicant, 

**Elizabeth, New Jersey**, in accordance with the following design standards except as specifically authorized by resolution of the approving Board.

**ARTICLE VIII**

**Design Standards**

**§ 40-100. Minimum Standards Established.**

The following shall be deemed the minimum standards for development.

**§ 40-101. Blockage.**

A. Block length and width or average width within building lots shall be such as to provide ample space for proper arrangement of buildings, landscaping, and freedom from street congestion.

B. In blocks over one thousand (1,000) feet long, pedestrian crosswalks shall be required in designated areas, not less than two feet in width, and separated from the street by a sidewalk of at least six feet.

C. For commercial or group housing use, block size shall be sufficient to meet all area and yard requirements for such use.

**§ 40-102. Lanes.**

A. Lane dimensions and area shall not be less than the requirements of the State sidewalk standards as defined by the New Jersey Department of Transportation.

B. Lanes, and as practical, all lots shall be at least twenty-five (25) feet wide, and shall be divided into reading and driving strips.

C. Each lane shall be at least five hundred (500) feet in length, except that the minimum length shall not be less than eighty (80) feet in length.

D. Where extra width has been dedicated for street use, extra width shall begin at such extra-width line.

E. Where there is a street light, the width shall be at least the minimum required for safety.

**§ 40-103. Driveway.**

A. Driveways shall be not less than twenty (20) feet wide, and shall be at least twenty-five (25) feet in area, and shall have a minimum grade of five (5%) percent.

B. Driveways shall be at least five hundred (500) feet in length, except that the minimum length shall not be less than eighty (80) feet in length.

C. Driveways shall be at least five hundred (500) feet in length, except that the minimum length shall not be less than eighty (80) feet in length.

D. Right-of-way width.

1. The right-of-way width shall be measured from the face of the street line and shall be at least the following:
   1) Arterial streets: thirty (30) feet
   2) Collector streets: twenty (20) feet
   3) Minor streets: fifteen (15) feet

(2) The right-of-way width for internal roads and alleys shall be determined on the basis of an individual study and shall, in all cases, be sufficient width and design to assure the maximum traffic, parking, and loading needs and maximum safety for fire-fighting equipment.

E. No subdivision having more than five (5) acres comprising zero to five acres shall be approved except where the granted and disposed of land comprising such area has been platted with City Council under conditions approved by the Planning Board.

F. Subdivisions having more than five (5) acres comprising over five (5) acres but not exceeding ten (10) acres, having streets according to the street width requirements of the City, and in the discretion of the City, having streets widths along either side of thirty (30) feet, shall have a width of not less than thirty (30) feet.

G. Grades of streets and sidewalks shall not exceed four percent (4%).

H. Sidewalks shall be at least six feet in width and shall be at least six feet in width.

I. Streets, sidewalks, and driveways shall be so arranged as to provide for the best use of the lot by the least amount of expense and work.

J. Where there is a street light, the width shall be at least the minimum required for safety.

K. All changes in grade shall be connected by vertical curves of sufficient radius to provide for smooth drainage and proper lightness and direction.

L. Driveways and access sidewalks shall be so arranged as to provide for the best use of the lot by the least amount of expense and work.

M. All changes in grade shall be connected by vertical curves of sufficient radius to provide for smooth drainage and proper lightness and direction.

N. No street shall have a width which will conflict or be against the prevailing custom in the community. The contribution of an existing street shall have the same radius.
B. Curbs: Spacing for side-street with vehicular driveways or
      egress driveways shall be a maximum of 150 feet.
      Curbs may be omitted for twenty-five-foot streets or streets
      every 200 feet shall be a minimum of twenty-five feet (25) feet.

D. Safety islands. A ten-foot safety island shall be provided
      between the end of a parking strip and any driveway, with
      no other area so required by the Board of City Engineers.

E. Curbing:
   (1) Paved-in-place concrete curbing shall be used on
      all street parking areas to separate vehicles from
      pedestrian areas, as required and specified by the
      City Engineer.
   (2) Where sidewalk improvements are planned within vehicular
      space, paved-in-place concrete curbing shall be placed at a
      minimum radius of 15 feet from the edge of said improvements,
      as required and specified by the City Engineer.

F. Obstructions:
   (1) Each off-street parking space shall maintain an
      unobstructed area equal to the required length and
      width space less the minimum width of said space.
   (2) Curbing where installed for two (2) inches from the
      back of the parking space, to serve as a buffer, shall not
      be considered an obstruction in said space.

G. Surfacing: Any off-street parking area shall be surfaced
   with an asphalt or portland cement concrete mixture or
   similar durable and durable asphaltic mixtures, as specified
   and approved by the City Engineer. Each parking space shall be
   delineated with painted markings to provide for vehicle and
   pedestrian usage.

H. Mailboxes: Parking shall be permitted on the roof of any
   structure, provided that 1 foot (1') wall, excluding
   backbone planks and bracing members of materials which
   are consistent with the architectural character of the
   structure, shall be constructed around the entire perimeter
   of the roof.

I. Driveways. Any off-street parking area shall be graded and
   drained so as to dispose of all surface water without
   destruction or movement, as required by the City
   Engineer.

40-106. Illumination:

A. Illuminated parking at ground level.
   (1) Minimum average design illumination levels shall be:
      (a) Parking areas shall:
         (i) Install 6 feet (6') floodlight fixtures and
            1,000 watts each, for each 200 feet (200') of
            parking area.
      (ii) Install one (1) floodlight fixture and
            500 watts each, for each 200 feet (200') of
            parking area.
   (b) Light source shall be not less than 10 feet (10')
      above the ground plane technique.
   (c) Lighting shall be arranged to reflect the light
      away from adjoining premises.
   (d) Fixtures shall be recessed or decorative wood,
      excluding underlying wiring.
   (e) Height of pole shall:
      (i) Production area shall not be more than 35 feet (35')
      above the ground plane technique.
      (ii) Parking area and building area shall not be
            greater than twenty-five (25') feet or the
            maximum permitted building height, whichever
            is less.

Notary Public

Applicant's Signature: ____________________________

Date: ____________________________
TO: Eduardo Rodriguez, Planning & Community Development Director

FROM: William R. Holzapfel, City Attorney

DATE: October 17, 2014

RE: All Attorneys Appearing Before the Planning Board and Zoning Board of Adjustment of the City of Elizabeth

This letter is to clarify and reiterate certain requirements of the above-mentioned Boards and subdivisions approvals.

1. All proposed subdivisions, including minor subdivision, shall be prepared, signed and sealed by a Licensed Land Surveyor, also known as a Professional Land Surveyor. See N.J.S.A. 45:8-27, et seq. Any proposed subdivisions submitted which are not prepared by a Licensed Land Surveyor shall be deemed incomplete and returned to the applicant.

2. Some attorneys have been failing to submit the proposed deeds of a minor subdivision to the City Engineer for approval “as to form” and have been failing to record these deeds with the Union County Clerk within the statutory time limit. Although the resolutions of approval concerning minor subdivisions have contained conditions requiring the approval “as to form” of the deeds by the City Engineer and the recording of those deeds with the Union County Clerk within the statutory time limit, some attorneys have been ignoring these requirements.

This letter is to notify you that no construction permit or sewer permit will be issued for any premises unless the following two conditions of subdivision are completed:

(A) The deeds memorializing the subdivision shall be submitted to the City Engineer and specifically approved "as to form" by said City Engineer by his endorsement thereon, before the deeds are recorded with the Union County Clerk. The Chairman and the Secretary of the Planning Board shall also sign the deeds evidencing a minor subdivision, before they are recorded with the Union County Clerk.

A copy of the recorded deed must be submitted to the City Engineer.
(B) Proof that the above-mentioned deeds have been recorded with the Union County Clerk must be submitted to the City Engineer and/or the Construction Official before a sewer permit or construction permit will be issued.

I emphasize that sewer permits and/or construction permits will not be issued unless the appropriate procedures are followed.

If you have any questions concerning this letter, please call me at (908) 820-4009.

William R. Holzapfel, City Attorney

WRH/nt
Cc:  John F. Papetti, Jr., Public Works Director
     Bridget S. Zellner, Business Administrator
     Daniel Loomis, City Engineer
     Raywant Saran, Construction Official
     Enrico Emma, Tax Assessor
     Patrick J. McNamara, Esq., Attorney to the Planning Board
     Sheri K. Siegelbaum, Esq., Attorney to the Zoning Board of Adjustment
     Gordon Haas, Chairperson, Planning Board
     Antonio P. Goncalves, Chairperson, Zoning Board of Adjustment