

Borough of Westville

Land Use Board Application

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BOROUGH OF WESTVILLE

Gloucester County, New Jersey

Land Use Board Application

Instructions for filing

NOTE:

These instructions are for the purpose of providing guidance and assistance to applicants. They are subject to errors and omissions which shall neither be relied upon by an applicant, nor relieve an applicant from full compliance with all state and local statutes and ordinances. Applicants are urged to review all applicable local ordinances, and the Municipal Land Use Law (N.J.S.A. 40:5D-1 et, seq) and to seek the advice of an attorney competent in Land Use Law.

No later than thirty (30) days before the desired hearing date, the applicant must file with the Land Use Board, the following:

1. Fifteen (15) copies of the Application Form. The original form must be signed and notarized.
2. **PUBLIC NOTICE**
One (1) copy of the completed Notice to be sent to all owners of real property located within 200 feet of the property which is the subject of the application and one copy of the Notice of Hearing to be published in the *South Jersey Times* or the *Courier Post*. The forms of the required Notices are contained herein. It is recommended, but not required, that you submit your proposed Notices to the Land Use Board Solicitor for review and approval prior to publishing in the newspaper and serving all owners of property located within 200 feet. If you fail to do so and if your notice is determined to be insufficient, the Land Use Board will be unable to hold a public hearing on your application until you have corrected the form of the Notice and re-published and re-served the notice.
3. FIFTEEN (15) COPIES OF PLANS reports and supporting data.
4. REQUIRED FEES ~ *See attached FEE SCHEDULE*
5. CERTIFICATION from the Tax Collector, that all Municipal Taxes, charges & liens or assessments for local improvements for the property have been paid and are not delinquent.
6. ADDRESS PREPARATION for 200-foot list of property owners, for notice of hearing. A \$10.00 fee shall be charged for the preparation of current listing of property owners as per the current tax duplicate record in the Borough of Westville, if requested by the applicant in writing and presented to the Borough Clerk.

FORM OF PUBLIC NOTICE

The required form of Notice to be served upon all owners of real property within 200 feet of the property which is the subject of the application and upon other required public entities and utilities is included in this application package. Likewise, the required Notice to be published in the *South Jersey Times or Courier-Post* is included in this application package. It is very important that the Notice specify all known relief required in order for the Board to approve the application. All bulk variances known by the applicant to be required must be set forth with specificity. The following sample language is recommended as applicable:

- A variance to permit a lot area of _____feet where 6,000 square feet is required.
- A variance to permit a width at the building line of _____feet where a minimum lot width of 50 feet is required.
- A variance to permit building area coverage of _____% where maximum building coverage of 35% is permitted.
- A variance to permit a front yard setback not in accordance with the existing established building lines on the street where the property is located.
- A variance to permit a side yard setback of _____feet where a minimum setback of 5 feet is required.
- A variance to permit aggregate side yard setbacks of _____ feet where a minimum aggregate of 15 feet is required.

If the applicant requires a variance to have a use of the property not otherwise permitted by the Land Use and Development Ordinance, the following sample language should be used as applicable:

- A variance to permit use of the property for _____which use is not permitted in the R-1 Residential District.
- A variance to permit use of the property for _____which use is not permitted in the P-2 Parks & Conservation District.
- A variance to permit use of the property for _____which use is not permitted in the C-3 Business District.
- A variance to permit use of the property for _____which use is not permitted in the I-4 Light Industrial District.

IMPORTANT NOTICE

All submissions must be reviewed by the Borough of Westville Land Use Board Professional Staff and the cost for the review is borne by the applicant. Incomplete & incorrect submittals will take longer to review and place a larger financial burden on the applicant.

BE ADVISED:

All escrows & approvals must be completed before any permits or review is done by the Construction Department. Refunding on any escrow money, may take up to six (6) months.

GENERAL INFORMATION

1. Obtain date, time and place of hearing from the Secretary of the Land Use Board. Meeting Date is scheduled for the first Monday of each month, unless it falls on a Holiday, or is re-scheduled to another date.
2. File all papers with the Secretary

NOTICE

ADDRESS PREPARATION

- Pursuant to N.J.S.A. 40:55D-12(b) personal service of the Notice upon a property owner is valid only if served upon the property owner as shown on the current tax duplicate or the agent in charge of the property. Notice shall be given to the owners of all real property located within 200 feet in all directions of the property which is the subject of the hearing by serving the owner, or his/her agent in charge of the property, or by mailing a copy of the notice by **certified mail** to the property owner at his address as shown on the current tax duplicate. Notice to a partnership may be made by service upon any partner. Notice to a corporation may be made by service upon its president, vice president, secretary or other person authorized by appointment or by law to accept service on behalf of the corporation.
- Notice of all hearings involving property located within 200 feet of an adjoining municipality shall be given by personal service or certified mail to the Clerk of such municipality. If the property is located within 200 feet of an adjoining municipality, a list of all property owners located within 200 feet of the property which is the subject of the application must be obtained from the Administrative Officer of the adjoining municipality.
- Notice shall be given by personal service or certified mail to the **Gloucester County Planning Board** of a hearing **involving property adjacent to an existing County road or proposed county road** shown on the official County map or on the official County master plan of a hearing involving property situated within 200 feet of a municipal boundary.
- Notice shall be given by personal service or certified mail to the **Commissioner of Transportation of the State of New Jersey** of a hearing **involving property adjacent to a State highway**.
- Notice shall be given by personal service or certified mail to the New Jersey State Planning Commission of a hearing involving property which exceeds 150 acres or 500 dwelling units. The notice shall include a copy of any maps or documents required to be on file pertaining to the application.

NOTICE (Continued):

- All notices required ~~in sub paragraphs (b) through (f) inclusive~~, shall be given at least ten (10) days prior to the date fixed for hearing. The applicant shall file an Affidavit of Service with the Land Use/Zoning Board of Adjustment prior to commencement of the hearing.
- Any notice by certified mail, return receipt requested, shall be deemed complete upon mailing.
- Upon the written request of an applicant, the Municipal Clerk of the Borough of Westville shall, within seven (7) days, make and certify a list of names and addresses of owners to whom the applicant is required to give notice pursuant to sub-paragraph (b). The list shall include the names and addresses of entities to whom the applicant is required to give notice pursuant to N.J.S.A. 40:55D-12(h). The applicant shall be entitled to rely upon the information contained in such list, and failure to give notice to any owner not on the list shall not invalidate any hearing or proceeding. A sum of \$10.00 will be charged for such list.

THE AFFIDAVITS

- Original Affidavit of Service and original Affidavit of Publication shall be provided to the Land Use Board Secretary, with a copy to the Land Use Board Solicitor.
- In addition to the proof of mailing for certified mail attached to the Affidavit, applicant shall also attach the list received from the Municipal Clerk and the Notice mailed to property owners. If applicant personally served the Notice upon property owners, the applicant must include in the Affidavit the name of the individual personally serviced with the Notice and if said individual was the agent in charge of the property, their name and as applicable, title.
- The affidavit is to be notarized.

THE SKETCHES

- Fifteen (15) copies of all sketches and maps of the property and all other documents will be prepared and submitted to the Secretary.
- *The following will be shown on the sketches and maps:*
 1. Shape of property.
 2. Boundary dimensions
 3. Location of public and private roads.
 4. Location of any easements.
 5. Location and identification of immediate adjoining property owners.
 6. Location of all existing buildings on property including boundary dimensions and distances from property lines.
 7. Location and dimensions of desired new buildings and/or additions or signs.
 8. The sketch should be in approximate scale and easy to read.

PAYMENT OF PROPERTY TAXES

Pursuant to CHAPTER 205, SECTION 10 of the WESTVILLE LAND USE ORDINANCE, every application for development submitted to Land Use Board shall be accompanied by proof that no taxes or assessments for local improvements are due or delinquent on the property, which is the subject of an application. A **statement obtained from the Borough of Westville Tax Collector** must be submitted to the Board Secretary prior to the date of the hearing. If it is shown that taxes or assessments are delinquent on the property, any approvals or other relief granted by the Land Use Board shall be conditioned upon either the prompt payment of taxes or assessments.

COMPLETENESS OF APPLICATION

An application shall be complete for purposes of commencing the applicable time period for action by the Land Use Board when so certified by the Land Use Board or its authorized designee. In the event that the Land Use Board or its designee does not certify the application to be complete or incomplete within forty-five (45) days, of the date of its submission, the application shall be deemed complete upon the expiration of the forty-five (45) day period for purposes of commencing the applicable time period for action by the Board. If within the forty-five (45) day period, the Land Use Board or its designee notifies the applicant, in writing or personally, of the deficiencies in the application, it shall be deemed incomplete. An applicant may request that one or more of the submission requirements be waived, in which event the Land Use Board shall grant or deny the request within forty-five (45) days.

GENERAL PROCEDURE

1. Fifteen (15) copies of the application, fifteen (15) copies of the Affidavit, fifteen (15) copies of the sketch, fifteen (15) copies of the Notice must be in the hands of the Secretary **thirty (30) days prior to the date of the hearing.**
2. On the date of the hearing the appellant or his/her agent must be present to answer any questions the Board may have on the application. **Failure to appear will result in denial of the application.**
3. Action taken by the Land Use Board will be advertised in the *South Jersey Times* or *Courier Post* newspaper, and such publication will be arranged by the Land Use Board Secretary.

APPLICATION FOR LAND USE BOARD

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

Name _____

Address _____

Interest _____

Name _____

Address _____

Interest _____

Name _____

Address _____

Interest _____

If owner is other than the applicant, provide the following information on the owners(s):

Owner's Name: _____

Owner's Address: _____

Telephone Number: Day _____ Evening _____

PROPERTY INFORMATION:

Restrictions, covenants, easements, association by-laws, existing or proposed on the property:

Yes (attach copies) No Proposed

Note: All deed restrictions, covenants, easements, association by-laws, existing and proposed must be submitted for review and must be written in easily understandable English in order to be approved.

PRESENT USE OF THE REMISES:

Applicant's Attorney: _____

Address: _____

Telephone No.: Day _____ Fax _____

E-mail Address: _____

Applicant's Engineer: _____

Address: _____

Telephone No.: Day _____ Fax _____

E-mail Address: _____

Applicant's Planning Consultant: _____

Address: _____

Telephone No.: Day _____ Fax _____

E-mail Address: _____

Applicant's Traffic Engineer: _____

Address: _____

Telephone No.: Day _____ Fax _____

E-mail Address: _____

List any other expert who will submit a report or who will testify for the Applicant: (Attach additional sheets as may be necessary.)

Name: _____

Field of Expertise: _____

Address: _____

Telephone No.: Day _____ Fax _____

RELIEF BEING REQUESTED FROM THE LAND USE BOARD

SUBDIVISION:

Major Subdivision

Subdivision Approval (PRELIMINARY)

Subdivision Approval (FINAL)

Minor Subdivision Approval

Number of lots to be created _____

(Including remainder lot)

Number of proposed dwelling units _____

(If applicable)

SITE PLAN:

- Major Site Plan Approval Minor Site Plan Approval
- Preliminary Site Plan Approval (Phases, *if applicable* ____)
- Final Site Plan Approval (Phases, *if applicable* ____)
- Amendment or Revision to an Approved Site Plan

Area to be disturbed (Square Feet)

Total number of proposed dwelling units _____

- Request for Waiver from Site Plan Review & Approval

Reason for request:

- Informal Review of***

- Appeal decision of an Administrative Officer (N.J.S.A. 40:55D-70a) Describe nature of appeal:

- Map or Ordinance Interpretation of Special Question N.J.S.A. 40:55D-70b)

Description

- Variance Relief (substantial benefit) [N.J.S.A. 40:55D-70c (1) Provide reasons:

- Variance Relief (substantial benefit) [N.J.S.A. 40:55D-70c (2) Provide reasons:

- Variance Relief (use) [N.J.S.A. 40:55D-70d Provide reasons:

- Conditional Use Approval [N.J.S.A. 40:55D-67] Cite applicable section of the Ordinance

- Direct issuance of a permit for a structure within a mapped street, public drainage way, or flood control basin [N.J.S.A. 40:55D-34] describe:

- Direct issuance of a permit for a lot lacking street frontage [N.J.S.A. 40:55D-35]

Block ____ Lot ____ Reason for Request:

Section(s) of Ordinance from which a variance is requested:

SITE PLAN: (Continued)

Waivers Requested of Development Standards and/or Submission Requirements:

[Attach additional pages as needed.]

Attach a copy of the Notice to appear in the official newspaper of the municipality and to be mailed to the owners of all real property, as shown on the current tax duplicate, located within the Borough and within 200 feet in all directions of the property which is the subject of this application. The Notice must specify the sections of the Ordinance from which relief is sought, if applicable. **The publication and the service on the affected owners must be accomplished at least ten (10) days prior to the date scheduled by the Administrative Officer for the hearing.**

An affidavit of service on all property owners and a proof of publication must be filed before the application will be complete and the hearing can proceed.

Explain in detail the exact nature of the application and the changes to be made at the premises, including the proposed use of the premises: [Attach pages as needed.]

SITE PLAN:

Have any proposed new lots been reviewed with the County Office of Assessment to determine appropriate lot and block numbers? _____

Are any off-tract improvements required or proposed? Explain:

Is the subdivision to be filed by Deed or Plot? _____

What form of security does the applicant propose to provide as performance and maintenance guarantees? _____

Other approvals that may be required and date plans submitted:

DEPARTMENT	Yes	No	Date Plans Submitted
Westville Fire Department/Fire Marshall			
Westville Police Department/Chief of Police			
Gloucester County Planning Board			
Gloucester Soil Conservation District			
NJ Department of Environmental Protection			
“Sewer Extension Permit			
“Sanitary Sewer Connection Permit			
“Stream Encroachment Permit			
“Waterfront Development Permit			
“Wetlands Permit			

“Tidal Wetlands Permit			
<i>4- Site Plan Review</i>			
“Potable Water Construction Permit			
Other			
Department of Transportation			
Public Service Electric & Gas Company			
Downtown Redevelopment Committee/Downtown Preservation/Streetscape Plan			

Property Taxes and/or Assessments for local improvements levied against all properties involved in the application have been paid through _____, 2_____. This application shall not be considered unless all taxes or assessments are paid current to the Borough of Westville. A CERTIFICATION FROM THE TAX COLLECTOR CONFIRMING THAT ALL TAXES AND ASSESSMENTS HAVE BEEN PAID MUST BE SUBMITTED WITH THIS APPLICATION.

List of Maps, Plans, Reports and other materials accompanying the application (attach additional pages as required for complete listing.)

*It is the responsibility of the applicant to mail or deliver copies of the application form and all supporting documents to the members of the professional staff (Board Engineer, Planning Consultant, and Solicitor) for their review. The documentation must be received by the professional staff at least thirty (30) business days prior to the meeting at which the application is to be considered, otherwise the application will be deemed incomplete. **A list of the professional staff is attached to the application form.***

Is the property located within the Downtown Redevelopment Area? Yes [] No []

Is the property located within the area designated as a Redevelopment Zone? Yes [] No []

If yes, has application been made for approvals from the Downtown Redevelopment Committee?
Yes [] No []

From Mayor and Council if in the Redevelopment Zone? Yes [] No []

The Applicant hereby requests that copies of the reports of the professional staff reviewing the application be provided to the following of the applicant’s professionals:

- | <u>Applicant’s Professional(s)</u> | <u>Reports Requested</u> |
|------------------------------------|--------------------------|
| [] Attorney | |
| [] Engineer | |
| [] Planning Consultant | |
| [] Traffic Consultant | |
| [] Other | |

BOROUGH OF WESTVILLE ~ SITE PLAN CHECKLIST

The following checklist is designed to assist applicants in preparing site plans for review by the Land Use Board. Applicant should check off each item to ensure that it is included on the plan. **ITEMS OMITTED MAY DELAY CONSIDERATION BY THE BOARD.** Utility plans, landscaping plans, architectural elevations, etc., may be shown on separate sheets.

-] Name and title of applicant, owner and person preparing map
-] Place for signature of Chairman and Secretary of Land Use Board
-] Place for signature of Land Use Board Engineer
-] Tax map lot and block number
-] Date plans prepared and all revisions; scale-written and graphic, and North Arrow
-] Key map of the site with reference to surrounding areas and existing street locations
-] Zone district in which property in question falls, zone district of adjoining properties and all property within 200' radius of the property in question
-] Names of owners of all contiguous land and adjacent property
-] Dimensions of lot, front yard, side yard and rear yard setbacks; size, kind and location of fences
-] Location, size and height dimensions and details of all signs, including site identification signs, traffic control signs and directional signs
-] Lighting plan with location and type of all exterior fixtures, wattage, isolux footcandle lines at grade, pole type and details.
-] The outside dimensions of existing and/or proposed principal building(s) and all accessory structures
-] Storm drainage plan showing location of inlets, pipes, swales, berms and other storm drainage facilities including roof leaders. Indicate existing and proposed runoff calculations
-] Rights-of-way, easements and all lands to be dedicated to the municipality or reserved for specific uses
-] The entire property in question, even though only a portion of said property is involved in the site plan; provided, however, where it is physically impossible to show the entire property on the required sheet, a separate map at an appropriate scale may be submitted
-] Significant existing physical features including streams, water courses, rock outcrops, swampy soil, etc.
-] Bearings and distances of property lines
-] Plans of off-street parking area layout and off-street loading facilities showing location and dimensions of individual parking spaces, loading areas, aisles, traffic patterns and driveways for ingress and egress
-] All driveways and streets within 100 feet of site
-] All existing and proposed curbs and sidewalks
-] All existing and proposed utility lines within and adjacent to the subject property
-] Typical floor plans and elevations
-] Existing and proposed on-site and off-site sanitary sewer system
-] Existing and proposed on-site and off-site water system and fire suppression system
-] Method of solid waste disposal and storage
-] Existing and proposed spot elevations based upon the U.S. Coastal Geodetic datum at all building corners, all floor levels, center lines of abutting roads, top and bottom curbs, property corners, gutter and other pertinent locations
-] Existing proposed contours of site at 2 foot intervals for areas of less than 5 percent grade and 5 foot intervals above 5 percent grade
-] Location of all existing trees or tree masses, indicating general sizes and species of trees
-] Landscaping and buffering plan showing what will remain and what will be planted, indicating names of plants and trees and dimensions, approximate time of planting and method of planting (base rooted, ball and burlap)
-] And other pertinent information as may be required by the Land Use Board

CERTIFICATIONS

I _____ CERTIFY THAT the foregoing statements and materials submitted are true. I further certify that I am **the individual applicant** or that I am an **Officer of the Corporate** applicant and that I am authorized to sign the application for the Corporation or that I am a general partner of the partnership applicant.

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

SIGNATURE OF APPLICANT

NOTARY PUBLIC

I certify that I am the owner of the property which is the subject of this application, that I have authorized the applicant to make this application and that I agree to be bound by the application, the representations made and the decision in the same manner as if I were the applicant. [If the applicant is a corporation this must be signed by an authorized corporate officer. If the applicant is a partnership, this must be signed by a general partner.]

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

SIGNATURE OF APPLICANT

NOTARY PUBLIC

I understand that the sum of \$_____ **has been deposited in an escrow account.** In accordance with the Ordinances of the Borough of Westville, I further understand that the escrow account is established to cover the cost of professional services including engineering, planning, legal and other expenses associated with the review of submitted materials and the publication of the decision by the Board. Sums not utilized in the review process shall be returned. If additional sums are deemed necessary, I understand that I will be notified of the required additional amount and shall add that sum to the escrow account within thirty (30) days. I FURTHER UNDERSTAND, ACKNOWLEDGE AND AGREE THAT ANY DECISION MADE REGARDING MY APPLICATION SHALL BE SUBJECT TO THE PAYMENT OF ALL ESCROWS DUE AND OWING UPON A FINAL DETERMINATION OF THIS APPLICATION, AND THAT A FAILURE TO PAY ALL ESCROW SUMS DUE WILL RESULT IN LEGAL ACTION BEING TAKEN AGAINST ME, INCLUDING LIENS AGAINST ANY PROPERTY THAT I MAY OWN (IF PERMISSIBLE) AND THAT I WILL BE FURTHER RESPONSIBLE FOR THE PAYMENT OF ALL LEGAL FEES OR FURTHER RESPONSIBLE FOR THE PAYMENT OF ALL LEGAL FEES OR OTHER COSTS OF COLLECTION INCURRED BY THE BOROUGH OF WESTVILLE ASSOCIATED WITH THE BOROUGH'S EFFORTS TO OBTAIN ALL SUCH AMOUNTS OWED BY ME.

Date

Signature of Applicant/Owner

CERTIFICATION

BOROUGH OF WESTVILLE PROFESSIONAL STAFF

LAND USE BOARD ENGINEER

Bach Associates – Candace Kanaplue & Stephen Bach

304 White Horse Pike, Haddon Heights, NJ 08035

bach@bachdesigngroup.us.com

856-546-8611

Fax: 856-546-8612

PLANNING CONSULTANT

Bach Associates – Candace Kanaplue & Stephen Bach

304 White Horse Pike, Haddon Heights, NJ 08035

bach@bachdesigngroup.us.com

856-546-8611

Fax: 856-546-8612

LAND USE BOARD SOLICITOR

Gary D. Thompson, Esq.

10 Pitman Avenue

Pitman, NJ 08071

gdt1951@comcast.net

856-589-6300

Fax: 856-589-6309

BOROUGH LAND USE OFFICIALS

William J. Bittner, Jr.

165 Broadway

Westville, NJ 08093

bbittner@westville-nj.com

856-456-0030, ext. 11

Fax: 856-742-8190

APPLICATION (*Continued*):

- 5. Reason(s) appellant believes Board should approve desired action. (Refer to SECTION or SECTIONS of Ordinance under which it is felt that desired action may be allowed and note whether hardship is (or is not) claimed and the specific hardship.)

Has previous appeal been filed in connection with these premises? YES NO

NOTE: Attach fifteen (15) copies of plan of real estate affected, indicating location and size of lot, size of improvements now erected and proposed to be erected thereon, or other changes desired, also any other information required by Board of Adjustment. If more space is required, attach a separate sheet and make specific reference to the question being answered. In Question #5, above, include the factual and legal grounds for the granting of the appeal or variance. State separately, your objections to the action of the Building Inspector with respect to each question of law and fact which is sought to be reviewed.

I hereby dispose and say that all of the above statements and the statements contained in any papers or plans submitted herewith are true to the best of my knowledge and belief.

Appellant's Signature (In Front of a Notary Public)

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

Notary Public

AFFIDAVIT OF SERVICE

APPEAL NUMBER: _____ APPLICANT _____

STATE OF NEW JERSEY } §
COUNTY OF GLOUCESTER

I, _____, being duly sworn according to law, deposes and says that he/she resides at _____, and that he/she did on _____, 20_____, at least ten (10) days prior to the hearing date scheduled before the Land Use Board of the Borough of Westville on _____, 20_____, give personal notice to all property owners within 200 feet of the subject property of the application known as _____, also known as Block _____, Lot _____ on the Tax maps of the Borough of Westville.

NOTICE WAS GIVEN BY:

Personally handing a copy to the property owners; or **by sending notice by certified mail, return receipt requested** (for which the Certified Mail Receipts are attached hereto).

It is mandatory to have Notices served upon the following:

- PSE&G Gloucester County Utility Authority
- Clerk of the Borough of Westville Comcast Cablevision

Notices were also served upon:

- N.J. DEPARTMENT OF TRANSPORTATION
- Gloucester County Planning Board
- Clerk of the following adjoining municipality _____
- Other/Utility Companies _____

A copy of said notices are attached hereto and marked "Exhibit A". If notice was given by certified mail, return receipt requested, all Certified Mail Receipts are also a part of Exhibit A. Notice was also published in the South Jersey or Courier Post, the official newspaper(s) of the Borough of Westville within ten (10) days of the hearing date in accordance with law, and an Affidavit of Publication issued by said newspaper is attached hereto as Exhibit B. Attached to this Affidavit as Exhibit C is a list of interested parties and property owners within 200 feet of the affected property who were served, showing the block and lot numbers of each property, and the mailing address of each property owner, as the same appears on the tax records of the Borough of Westville (and such other municipality is within 200 feet of an adjacent property).

Signature of Applicant *(Before a Notary Public)*

Sworn to and subscribed before me this _____ day of _____

Notary Public

**NOTICE TO BE SENT TO ALL REAL PROPERTY
SHOWN ON TAX DUPLICATE
LOCATED WITHIN 200 FEET IN ALL DIRECTIONS OF APPELLATE**

A public hearing will be held by the Land Use Board of the Borough of Westville on

_____ at 7:00 p.m. in the Borough Hall, 165 Broadway.

The object of this hearing will be to consider an application by the undersigned appellant for the following relief:

The property which is the subject of this hearing is located at

_____, Westville, New Jersey, also known as
Block No. _____, Lot No. _____ on the Tax Map of the Borough of Westville.

You are advised of this hearing because you are the owner of property within 200 feet and are required to be notified according to law.

The appellant will also request any and all other variances, waivers and relief required by the Land Use Board and/or by the Board's Professionals for approval of the application.

Documents and/or maps pertaining to the above may be examined in the Westville Municipal Building, located at 165 Broadway, between the hours of 8:00 a.m. and 4:00 p.m. any business day.

You are not required to appear at this hearing unless you wish to object to the action described by appellant. Objection may also be filed in written form; however, the written objection to be considered, attendance of the meeting is mandatory.

All written objections must be sent to the Land Use Board of Adjustment, 165 Broadway, Westville, New Jersey 08093, before the hearing date.

_____ Date

_____ Appellant

4- Appeal/Application

**NOTICE TO BE PUBLISHED AT LEAST TEN (10) DAYS
PRIOR TO THE HEARING DATE IN THE SOUTH JERSEY
TIMES OR COURIER POST:**

A public hearing will be held by the Land Use Board of the Borough of Westville on _____ at 7:00p.m. In the Council Chambers, at the Municipal Building located at 165 Broadway, Westville, New Jersey.

The object of this hearing will be to consider an application for a variance by the undersigned appellant for the following relief:

The property which is the subject of the hearing is located at _____, Westville, New Jersey, also known as Block # _____, Lot _____, on the Tax Map of the Borough of Westville.

The appellant will also request any and all other variances, waivers and relief required by the Land Use Board and/or by the Board's Professionals for approval of the application.

Documents and/or maps pertaining to the above may be examined in the Westville Municipal Building, located at 165 Broadway, between the hours of 8:00 a.m. until 4:00p.m., any business day.

Signature of Appellant

Street Address of Appellant

Town, State & Zip Code

5- Appeal/Application

ADDRESSES FOR NOTIFICATION PURPOSES:

P S E & G
Manager ~ Corporate Properties
80 Park Plaza, T6B
Newark, New Jersey 07102

COMCAST CABLE VISION, Inc.
1250 Haddonfield-Berlin Road
Cherry Hill, NJ 08034

BOROUGH OF WESTVILLE
165 Broadway
Westville, New Jersey
(856-456-0030)

BOROUGH PLANNER/ENGINEER
Bach Associates
Candace Kanaplue & Stephen Bach
304 White Horse Pike,
Haddon Heights, NJ 08035
856-546-8611/Fax: 856-546-8612

Solicitor Gary D. Thompson
10 Pitman Avenue
Pitman, NJ 08071 (856-589-6300)

GLOUCESTER COUNTY PLANNING BOARD
1200 North Delsea Drive
Clayton, NJ 08312 (856-307-6658)

DEPARTMENT OF TRANSPORTATION
P.O. Box 600
Trenton, NJ 08628-0600

Notice as called for herein is jurisdictional. Noncompliance or improper compliance means that the Board has no jurisdiction or power to act on or hear an application.

An Affidavit of Service must be submitted to the Board prior to the hearing, evidencing that the proper notifications have been made. A form Affidavit of Service is attached to this package for your use. A copy of the notices given, along with the original Certified Mail receipts shall be attached as Exhibit A. The Affidavit of Publication from the *South Jersey Times* or *Courier Post* shall be attached as Exhibit B. The certified list, or personally obtained list, of property owners within 200 feet upon which the applicant relied upon in serving notice shall be attached as Exhibit C.

NATURE OF THE APPLICATION

Give an explanation of the nature of the application, detailing any changes you proposed to be made to the property.

LAND USE BOARD CHECK SHEET

BLOCK _____ LOT _____

STREET ADDRESS OF PROPERTY _____

OWNER _____

APPLICANT _____

- APPLICATION FOR:**
- MINOR SUBDIVISION
 - MAJOR SUBDIVISION (Preliminary)
 - MAJOR SUBDIVISION (Final)
 - SITE PLAN (Preliminary)
 - SITE PLAN (Final)
 - VARIANCE

DATE APPLICATION FILED _____

DETERMINATION OF COMPLETENESS _____

DATE ACTION REQUIRED BY _____

HEARING SCHEDULED FOR _____

DATE OF NOTICE BY PUBLICATION _____

AFFIDAVIT OF SERVICE FILES _____ (*Official List used*)

- SERVICE MADE ON:
- County Planning Board
 - Clerk(s) of Adjoining Municipality(s)
 - Commissioner of Transportation
 - Department of Community Affairs

REVIEWED BY:

Review Committee _____

Engineer _____

Planning Consultant _____

Attorney _____

Environmental Commission _____

Department of Public Works _____

Board of Health _____

County Planning Board _____

Soil Conservation Dist. _____

Department of Environmental Protection _____

Other (Specify) _____

1 - (For use of Board only)

BOARD ACTION TAKEN

() Hearing continued with consent of applicant to:

Reason:

() Application Dismissed _____

For: _____

() Minor Subdivision Denied _____

() Minor Subdivision Approved Granted _____

() Preliminary Approval Denied _____

() Preliminary Approval Granted _____

() Final Approval Granted _____

() Variance Denied _____

() Variance Granted _____

CONDITIONS ATTACHED TO APPROVAL

() Subject to approval of County Planning Board

() Subject to approval of Soil Erosion Plan

() Subject to Site Plan Review

() Subject to variances for _____

() Subject to conditions specified in resolution of approval _____

NEWSPAPER NOTICE OF ACTION PUBLISHED

TO: THE LAND USE OFFICER, CONSTRUCTION OFFICIAL

APPLICATION FOR:

() Minor Subdivision

() Major Subdivision (Preliminary)

() Major Subdivision (Final)

() Site Plan (Preliminary)

() Site Plan (Final)

() Variance for _____

Has been () granted () denied

YOU () ARE YOU () ARE NOT authorized to issue construction and use permits

() Unconditionally

() Subject to the conditions set forth above.

Date

Borough of Westville Administrative Officer

2 - (For use of Board only)

FEE SCHEDULE

The following filing fees shall be charged an applicant for the filing of an Application for Borough of Westville Land Use Board:

- (1) For each USE Variance pursuant to N.J.S.A. 40-55D-70d: Residential District, Parks and Conservation District, Business District and Light Industrial District, \$300; plus, review fee deposit as set forth (\$1,000 per acre Review Escrow + \$150 per additional acre & Minimum fee at application \$1,300)
- (2) For each BULK Variance pursuant to N.J.S.A. 40:55D-70c): \$100, plus review fee deposit as set forth (\$300 Review Escrow Fee & **Minimum fee at application \$400.**)
- (3) Direction pursuant to N.J.S.A. 40:55D-34 or 40:55D-36 (building lot in bed of mapped street, etc., or not abutting an improved street): \$100, plus review fee deposit as set forth below.
- (4) Conditional use: \$500, plus review fee deposit as set forth (\$2000 per acre Review Escrow + \$150 per additional acre & Minimum fee at application \$2500)
- (5) Minor subdivision: \$100 per lot created, excluding any one parcel to be retained, plus review fee deposit as set forth (\$500 Review Escrow for 1st lot created, each add'l lot \$200. Classification of Proposed Subdivision \$25; Classification Review Escrow \$300; upon approval \$50 per lot, for tax map revisions & Minimum fee at application \$925)
- (6) Preliminary major subdivision: \$1,500, plus \$40 per lot created, plus review fee deposit as set forth, \$2,000 Review Escrow for first 4 Acres, plus \$300 add'l; \$500. Solicitors Fee & Minimum fee at application \$4,000)
- (7) Final major subdivision: \$500, plus \$40 per lot created, plus review fee deposit and inspection fee deposit as set forth below.
- (8) Tax map revision: Prior to the Board's signing of a plat or deed to effectuate subdivision, the applicant shall pay a fee in the amount of \$50 per lot created, revised,

reconfigured or otherwise requiring Tax Map revision, including any one parcel to be retained.

- (9) Appeals from Borough of Westville Land Use Board to governing body: \$1,000, plus review fee deposit as set forth (\$500 Escrow Review Fee.)
- (10) Minor site plan review: \$100, plus review fee deposit and inspection fee deposit as set forth (\$750 Review Escrow; \$500 Solicitor's Escrow & **Minimum fee at application \$1,350**)
- (11) Major site plan review: \$300, plus review fee deposit and inspection fee deposit as set forth (\$1,500 per acre, plus \$200 per add'l acre; \$500 Solicitor's Escrow & **Minimum fee at application \$\$2,300**)
- (12) Site plan waiver: \$100, plus review fee deposit as set forth (\$500 Review Escrow & **Minimum fee at application \$600**)
- (13) Classification of a proposed subdivision: \$25, plus review fee deposit as set forth below.
- (14) Informal review with nonbinding comments (fees for informal review shall be credited toward fees for application for development):
 - (a) Subdivision resulting in three or fewer lots: \$25.
 - (b) Subdivision resulting in more than three lots: \$350.
 - (c) Commercial use/site plan: \$100.
 - (d) All others: \$50, plus review fee deposit as set forth below.
- (15) Zoning permit application: \$50.
- (16) Certification of nonconforming structure or use pursuant to N.J.S.A. 40:55D-68: \$100, plus review fee deposit as set forth below.
- (17) Re-submission or revision of any application: For any resubmission or revision of a development plan or application, there shall be paid the same fees and deposits as for a new application, which shall be in addition to the amounts paid or owed for the original application and for any previous resubmissions and revisions. Fees and deposits on account of a revised plan or application shall, at the discretion of the reviewing agency, not be required for any revisions not necessary for approval but which are requested by the reviewing agency, nor for any revision not involving any additional costs of review by professional personnel or hearing expenses.
- (18) REVIEW FEE DEPOSIT:
 - (a) Whenever a review fee is required, the developer shall deposit with the Municipal Chief Financial Officer a sum of money which the Municipal Chief Financial Officer shall, in turn, deposit in a separate escrow account and carry

under the municipality's trust fund section of accounts on the books of the municipality as a review fee escrow fund. The amount of money so deposited, exclusive of all other fees, shall be as follows:

- [1] For major subdivisions at preliminary application and again at final application: Engineering escrow, a minimum of \$2,000 for the first four lots and then \$300 for each additional lot, *plus* Attorney's fee of \$500 to be created. At the time of application for final approval any amounts remaining on deposit after the preliminary application review fees have been paid shall be credited to the deposit for the final approval review fee deposit.

REVIEW FEE DEPOSIT: (Continued)

- [2] For minor subdivisions: \$500 per first lot created, and \$200 for each additional lot, including any parcel to be retained.
- [3] For major site plan review: \$1,500 per first acre or part thereof, plus \$200 for each additional acre or part thereof, plus the Attorney's escrow's fee of \$500.
- [4] For minor site plan review: \$750, plus the Attorney's escrow's fee of \$300.
- [5] For site plan waiver: \$500.
- [6] For each variance pursuant to N.J.S.A. 40:55D-70d: Residential District, Parks and Conservation District, Business District and Light Industrial District, \$1,000 per first acre or part thereof, plus \$150 each additional acre or part thereof.
- [7] For each variance pursuant to N.J.S.A. 40:55D-70c: \$300.
- [8] For conditional use: \$2,000 per first acre or part thereof, plus \$150 for each additional acre or part thereof.
- [9] Direction pursuant to N.J.S.A. 40:55D-34 or 40:55D-36 (building lot in bed of mapped street, etc., or not abutting an improved street): \$500.
- [10] Appeals from Borough of Westville Land Use Board to governing body: \$500.
- [11] Classification of a proposed subdivision: \$300.
- [12] Informal review: \$300.
- [13] Certification of nonconforming structure or use pursuant to N.J.S.A.

40:55D-68: \$500.

- (b) Said fund is to be used to pay the fees of any professional or technical personnel retained or employed by the Borough to assist in the processing, reviewing, making recommendations and testifying concerning the subject application.

- (c) Within 45 days after the filing of an application for development, the Borough of Westville Land Use Board shall review the application for development to determine whether the escrow amount set forth above is adequate. In conducting such review said Board shall consider the following criteria:



RECEIPT OF ENGINEERING ESCROW

APPLICANT:		
ADDRESS:		
PROPERTY ADDRESS		
BLOCK:	LOT(S):	
TYPE OF ESCROW:		
Check (√) applicable task:		
Plan Review: <input type="checkbox"/>	Amount Posted:\$	Date Posted:
Engineering: <input type="checkbox"/>	Amount Posted:\$	Date Posted:
Site Inspection: <input type="checkbox"/>	Amount Posted:\$	Date Posted:
Escrow has become Depleted: <input type="checkbox"/>	Amount Remaining: \$	Date:
Escrow has been Replenished: <input type="checkbox"/>	Amount Posted: \$	Date:

Additional Comments: _____

This Form has been completed by:

Signature _____ **Date** _____