

**LAFAYETTE TOWNSHIP LAND USE BOARD
UNIVERSAL APPLICATION FORM**

NOTICE: Lafayette Township has combined its Zoning and Planning Boards into a combined Board known as the Land Use Board. This is the only form to be used for all applications for development and other matters before the Land Use Board.

TYPE OF APPLICATION: (check all that apply)

- MINOR SUBDIVISION**
- PRELIMINARY MAJOR SUBDIVISION**
- FINAL MAJOR SUBDIVISION**
- PRELIMINARY MAJOR SITE PLAN**
- FINAL MAJOR SITE PLAN**
- “C” VARIANCE**
- “D” VARIANCE**
- APPEAL**
- INTERPRETATION**
- OTHER (Informal, Planning Variance, Nonconformance Certificate, Extension of Approval, Etc.)**

If application is made for multiple relief or approvals (example: Variance and Site Plan) the applicants must supply all forms and checklist for all requested relief or approval.

APPLICANT TO SUPPLY WITH SUBMISSION:

- 15 COPIES OF PLANS AND/OR PLATS**
- PAYMENT OF ALL APPLICABLE FEES AND ESCROW**
- ALL APPLICABLE CHECKLISTS**
- CERTIFICATION OF CURRENT TAX STATUS**
- LIST OF PROPERTY OWNERS WITHIN 200 FEET (Obtained from Tax Assessor.)**
- CORPORATE DISCLOSURE STATEMENT (If Applicable)**
- AFFIDAVIT OF OWNERSHIP**

1.) APPLICANT INFORMATION:

Name _____ Phone # _____

Address _____

Fax # _____ Email _____

Relationship of Applicant to Property Owner (Owner, Tenant, Agent, Purchaser under Contract)

2.) PROPERTY OWNER INFORMATION:

Name _____ Phone # _____

Address _____

Fax # _____ Email _____

3.) LOCATION OF PROPERTY FOR WHICH RELIEF IS SOUGHT:

Street Address _____

Tax Map Reference: Block _____ Lot _____

Tax Map Sheet # _____ Size of Property (in acres) _____

Nearest Cross Street _____

Present Use of Premises _____

Proposed Use of Premises _____

Zone Property is Located In _____

4.) PRIOR ACTIVITY

Check One: This property () has or () has not been the subject of prior applications.

Previous Application # _____ Previous Date _____

Action Taken _____ Attach Copies of Prior Resolutions _____

Is there any Deed Restriction Affecting This Property? Yes ___ No ___

(If yes, explain and attach a copy of the deed) _____

Is there an existing non-conforming use/size? Yes ___ No ___

If yes, please explain: _____

5.) APPLICANTS PROFESSIONALS:

A.) Applicant's Attorney or Representative: _____

Firm: _____

Address _____

Phone _____ Fax _____

Email _____

B.) Applicant's Engineer _____

Plats Prepared By _____

Firm _____

Address _____

Phone _____ Fax _____

Email _____

C.) Applicant's Surveyor _____

Plats Prepared By _____

Firm _____

Address _____

Phone _____ Fax _____

Email _____

D.) Applicant's Architect _____

Plats Prepared By _____

Firm _____

Address _____

Phone _____ Fax _____

Email _____

E.) Applicant's Planner _____

Plats Prepared By _____

Firm _____

Address _____

Phone _____ Fax _____

Email _____

F.) Other Professionals _____

Firm _____

Address _____

Phone _____ Fax _____

Email _____

APPLICANT REQUESTS THE FOLLOWING:

I. SUBDIVISION:

- Minor Subdivision
- Preliminary Major Subdivision
- Final Major Subdivision

Area of tract before subdivision _____ acres.

Numbers of lots being created _____

Number of proposed dwelling unites _____

Number of COAH units on site _____

Additional comments _____

(Attach additional pages as needed)

II. SITE PLAN:

- Minor Site Plan
- Preliminary Major Site Plan
- Final Major Site Plan
- Amendment or Revision to an Approved Site Plan

TYPE: New Construction Addition to existing Structure
 Parking Other:

Area to be disturbed _____

Waiver requested and additional comments _____

(Attach addition pages if needed)

III. VARIANCES: Check ALL that Apply

- "A" Administrative Appeal
- "B" Interpretation
- "C" Variance
- "D" Variance
- Planning Variance
- Other: _____

Individual Variance Applications

- Height Variance – The maximum allowable height in the zone is _____ feet. The proposed structure will stand _____ feet.
- Use Variance – The structure will be designed for use as a _____, a non-permitted use in the _____ zone.
- Planning Variance (N.J.S.A. 40:55D-35 & 36):
- Conditional Use Variance
- Expansion of a non-conforming use.
- Other: _____

Substandard Lot Case:
 Notice to all applications regarding vacant substandard lots: The Lafayette Township Land Use Board strongly recommends the BUY/SELL (see addendum "D") letter be followed in corresponding with abutting property owners. Applicants are not required to use the exact wording on the form (the wording may be modified for individual applicants if appropriate); the substance of the form must be followed. The BUY/SELL must be sent at least twenty (20) days in advance of your scheduled hearing date for completeness by both certified and regular mail. Failure to comply will delay a hearing on this matter. You must be prepared at the hearing date to offer into evidence the BUY/SELL letter and any response. Responses must be in writing. The BUY/SELL letter is in addition to the required statutory notice you must give to all property owners within 200 feet as well as those other entities entitled to notice by law.

Notice to all applicants – Attach an explanatory statement containing other proposals, legal positions, waivers requested or other information that would assist the board in making a determination as to the merits of your application.

IV. Other Approvals Required (Applies to all applications.)

<u>Check All That Apply</u>	<u>YES</u>	<u>NO</u>	<u>STATUS</u>
<input type="checkbox"/> Sussex County Planning Board	_____	_____	_____
<input type="checkbox"/> Sussex County Soil Erosion And Sediment Control Plan	_____	_____	_____

APPLICATION # _____

- () Sussex County Health Dept. _____ _____ _____
- () N.J.D.E.P. _____ _____ _____
- () N.J.D.O.T. _____ _____ _____
- () Other _____ _____ _____ _____

ESCROW STATEMENT AND APPLICANTS'S CERTIFICATION

As Applicant, I understand that monies associated with this application have been deposited in an escrow account. In accordance with Lafayette Township's Ordinances, 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 the submitted materials, any communications with the Board's or Township's Professionals as chargeable time. Sums not expended in the review process will be refunded. If additional sums are necessary, I understand that I will be notified of any additional amount and shall replenish the escrow account within 20 days of notification.

Signature of Applicant/Attorney

Date

Sworn to and subscribed before me this:
_____ day of _____, 20__

Notary Public

LAFAYETTE TOWNSHIP LAND USE BOARD
INSTRUCTIONS

Notice: These instructions are for informational purposes only. If you are unsure of how to proceed, you should consult with a Land Use Professional.

- 1.) All applications for development, fees and supporting documentation shall be filed with the Land Use Board Secretary at the Lafayette Township Municipal Building, 33 Morris Farm Road, Lafayette, NJ 07848 Monday through Friday between the hours of 9:00am and 3:00 pm. (973-383-1817)
- 2.) Applications shall be on the forms provided by the Land Use Secretary. All information, unless requested to be waived in writing, shall be supplied.
- 3.) An original and three sets of copies of all applications and 4 sets of maps and plats shall be filed for review. After being deemed complete an additional 10 sets of applications and maps and plats shall be provided.
- 4.) Proof that all real estate taxes have been paid to date shall be supplied by the applicant before a hearing will be scheduled. This certification can be obtained from the Tax Collector during normal business hours at (973) 383-1817. (See Addendum "A")
- 5.) Once the applications, supporting documentation, maps and plats are received and proof of taxes paid to date, provided the application is deemed complete, the applicant will be notified by the Land Use Secretary of the date of hearing.
- 6.) Once the application is deemed complete by the Land Use Board Engineer, if applicable, NOTICE (See Addendum "C") MUST be served at least ten (10) days prior to the hearing to all entitled to notice. The notice must also appear in the New Jersey Herald, Daily or Sunday edition, at least ten (10) days prior to the hearing. The list of those entitled to service (property owners within 200 feet) can be obtained from the Tax Assessor via mail or on Wednesdays from 8:30 am to 11:30 am for a fee of ten (\$10.00) dollars. (973) 383-1817. (See Addendum "B")

The applications that require notice are:

1. Any Variance
2. Any Preliminary Major Subdivision
3. Any Site Plan
4. Conditional Use Approval
5. Any appeal of the Zoning Officer's determination or interpretation
6. Any request for Certification of a Pre-Existing Non-Conforming use to the Land Use Board

IMPORTANT: In certain situations, another municipality, the Sussex County Planning Department, Utilities, Corporations or other entities may be entitled to notice. Applicants are directed to refer to the provisions in the Municipal Land Use Law, N.J.S.A. 40:55D-12, if unsure.

- 7.) The Affidavit of Service and Proof of Publication (see Addendum "E") must be filed with the Land Use Secretary at least three (3) business days prior to the hearing. If the affidavit of publication is not received from the newspaper in time to submit, the applicant may substitute a photocopy of the newspaper notice as it appeared in the newspaper. Failure to file these documents shall delay the hearing on the application.
- 8.) All Corporations must be represented by an Attorney licensed to practice law in the State of New Jersey.
- 9.) All corporations or partnerships applying to the Land Use Board shall supply the names and addresses of all stockholders or individual partners owning at least

10% of stock of any class or at least 10% of the interest of the partnership. Applicants shall use the form supplied by the Board Secretary.

- 10.) Any dedications or easements, either envisioned as part of the original application, or deemed necessary by any reviewing agency, must be accompanied by either an attorney opinion letter or title report indicating the dedicated or easement areas are free and clear of all easements, encumbrances, mortgages or liens.
- 11.) All deeds required after any approval must be submitted to the Board Engineer and Attorney for review and approval.
- 12.) All application fees and escrows are to be in separate checks payable to Lafayette Township. All escrow accounts are to be brought up to opening balance prior to being put on the agenda.
- 13.) Please refer to the appropriate checklist for each respective application's requirements. All requests for waivers from the checklist requirements must be in writing.
- 14.) If the subject property has previously been before the Land Use Board all previous Resolutions must be attached.
- 15.) All appropriate spaces on the forms are to be filled in. If the information is "not applicable" then fill in "N/A".
- 16.) The "Notice of Hearing" and "Buy/Sell Letter" attached to this application are the suggested formats.
- 17.) Conceptual plans are informal, non-binding and require some maps, an explanation and a filing fee in order to be listed on the agenda.

ADDENDUM "A"

Certification of Taxes Paid

Mrs. Linda Pettenger
Tax Collector
Lafayette Township
33 Morris Farm Road
Lafayette, NJ 07848

Re: Block: _____ Lot: _____

Dear Mrs. Pettenger:

Please provide the undersigned with a certificate that taxes have been paid to date for the above referenced property. This certificate is required for an application before the Lafayette Township Land Use Board.

Very truly yours,

Applicant

Please Note: Be sure to include a self-addressed, stamped envelope.

ADDENDUM "B"

Request for Certified List of Property Owners

Maureen E. Kaman, CTA
33 Morris Farm Road
Lafayette, NJ 07848
973-383-1817 x13
973-383-0566 (fax)
lafayetteta1@earthlink.net

Dated: _____

REQUEST FOR CERTIFIED LIST OF PROPERTY OWNERS
PURSUANT TO N.J.S.A. 40:55D-12

SUBJECT BLOCK _____ **LOT** _____

OWNER OF RECORD:

PHYSICAL ADDRESS OF PROPERTY:

REQUESTING PARTY: _____

TELEPHONE NO: _____ **FAX NO:** _____

EMAIL:

MAIL LIST TO:

PURPOSE OF LIST:

\$10.00 FEE FOR LIST – SEPARATE FEE FOR EACH BLOCK AND/OR LOT

PAID BY:
CHECK # _____ **DATED** _____ **RECEIVED** _____ [Put Block and Lot on Check]
CASH _____ **RECEIVED BY:** _____

ENCLOSE A STAMPED, SELF-ADDRESSED ENVELOPE FOR LIST – 1 OZ OF POSTAGE FOR EACH 4 PAGES [ONE STANDARD LIST AVERAGES 4-5 PAGES] ADD EXTRA POSTAGE FOR ADDITIONAL LISTS.

IF SUBSEQUENT LIST IS NECESSARY, PROVIDE A COPY OF CURRENT LIST, CHECK & WRITTEN REQUEST.

APPLICATION # _____

ADDENDUM "C"

**Sample
Notice of Hearing**

Lafayette Township Land Use Board

PLEASE TAKE NOTICE that the undersigned has made an application to the Lafayette Township Land Use Board for property known as Block _____, Lot _____, located at

In addition, the applicant will request such variances, waivers, permits, approvals or licenses that are deemed necessary or appropriate by the Applicant or the Land Use Board.

This application is now on the calendar for the Lafayette Township Land Use Board and a public hearing has been set for _____ at the Lafayette Township Municipal Building, 33 Morris Farm Road, Lafayette, NJ 07848 at 7:30 p.m. When the case is called, you may appear either in person or by attorney to present any evidence, which you may have regarding the application. The matter will be heard on the above date or any adjourned date designed by the Land Use Board at the public meeting without additional notice.

The maps, plans, plats and application for which approval is being sought are on file with the Land Use Board Secretary and are available for inspection at the Municipal Building during normal business hours.

ADDENDUM "D"

Sample "Buy/Sell" Letter

Adjoining Property Owner
Street Address
Lafayette, NJ 07848

Re: Block: _____, Lot: _____

Dear Adjoining Property Owner:

I own a lot adjacent to your lot and am applying to the Lafayette Township Land Use Board for a variance to construct a single-family residence. In this case, our lot is undersized under the current Lafayette Township Ordinances.

The purpose of this letter, in addition to the variance notice which you will be served with, is to inquire whether you have any interest in either: (a) purchasing this lot at its fair market value as a building lot (which assumes the variance has been granted), or (b) selling additional land to us in order to make the lot conforming or more conforming.

You should be aware that in the event you purchase the lot as a building lot at its fair market value, it would have to be merged with your lot and not remain a separate building lot. It is important to emphasize that the price we would be entitled to request would be a building-lot price and not a mere raw acreage.

Nevertheless, the purpose of this letter is to inquire of you as adjoining property owners of your interest in the matter and if you have no interest in buying or selling as described above to let the Land Use Board know your position. Would you please indicate on a copy of the letter enclosed your position with respect to this letter, which I will provide to the Land Use Board.

Very truly yours,

Applicant

Via Certified Mail, RRR# _____ & Regular Mail

Cc: Lafayette Township Land Use Board Secretary

_____ I have an interest.

_____ I have no interest.

ADDENDUM "E"

Sample Affidavit of Service

Lafayette Township Land Use Board
Affidavit of Service

Re: _____

Application # _____

STATE OF NEW JERSEY:

SS:

COUNTY OF SUSSEX:

1. The undersigned, of full age, being duly sworn according to law, on his/her oath deposes and says that he/she is the APPLICANT or AGENT and that he/she did on _____, at least **ten (10) days** prior to hearing date, give personal notice to all property owners within 200 feet of the property known as Block _____, Lot _____, with a street address of _____, In the _____ zone, Lafayette Township, County of Sussex, State of New Jersey, and all public utility and cable television companies serving the municipality by CERTIFIED MAIL-RETURN RECEIPT REQUESTED. A **copy of the Notice** (Exhibit "A") and the **Registered Receipts** are attached.

2. Notices were also served upon: (Utilities, County Planning Dept., DOT, Etc if applicable) _____

3.) Notice was also published in the New Jersey Herald, the official newspaper of the Lafayette Township Land Use Board as required by law, and **Proof of Publication** is attached (Exhibit "B"). NOTE: If proof of service has not been received from the newspaper, applicants may use a photocopy of the notice.

4. Attached (Exhibit "C") is a **copy of the Certified List of Property Owners within 200 Feet** of the affected property who were served, showing the block and lot numbers of each property as shown on the Lafayette Township Tax Map.

Applicant or Agent

Sworn and subscribed before me this
_____ day of _____, 20

Notary Public

NOTICE: Affidavit of service must be filed with the Land Use Secretary at least three (3) days prior to hearing or matter will not be heard.

**LAFAYETTE TOWNSHIP
SUSSEX COUNTY, NEW JERSEY**

ORDINANCE 2006-16

AN ORDINANCE TO AMEND CHAPTER 14 OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF LAFAYETTE, ENTITLED "LAND USE PROCEDURES", TO REVISE THE FEE SCHEDULE FOR LAND USE FEES

BE IT ORDAINED by the Township Committee of the Township of Lafayette, County of Sussex, State of New Jersey, that Schedule G-Application Fees & Miscellaneous Fees and Schedule H-Escrow Fees, after careful consideration of the increased operating expenses and need for professional review, are hereby amended to read as follows:

**SCHEDULE G
APPLICATION FEES & MISCELLANEOUS FEES
LAFAYETTE TOWNSHIP**

<u>MATTER FOR REVIEW</u>	<u>APPLICATION FEE*</u>	
1. Subdivision:		
a. Minor		\$1,785.00
b. Preliminary Major		\$1,000.00 + \$500.00 per lot
c. Final Major		\$1,785.00
d. Informal Concept		50% of regular application fee
e. Amended Minor		\$1,310.00
f. Amended Preliminary Major		\$1,785.00
g. Amended Final Major		\$1,310.00
2. Site Plan:		
a. Preliminary		\$1,785.00 + \$120.00 per 1,000 square feet of gross floor area + \$25.00 per 1,000 square feet of site disturbance
b. Final		50% of preliminary fee.
c. Informal Concept		50% of preliminary site plan regular application fee
d. Amended Preliminary		\$1,310.00
e. Amended Final		\$1,310.00
3. Appeals, Interpretations, Variances:		
For each application requesting an appeal, interpretation and/or variance relief pursuant to N.J.S.A. 40:55D-70(a), (b), (c), and/or (d), or other relief from the MLUL, the following fees shall apply to each such appeal, interpretation and/or variance:		
N.J.S.A. 40:55D subsection:	<u>Residential</u>	<u>Non-Residential</u>
(a)	\$785.00	\$1,050.00
(b)	\$785.00	\$1,050.00
(c)	\$785.00	\$1,050.00
(d)	\$1,050.00	\$1,315.00
Other relief from MLUL or ordinance	\$785.00	\$550.00
All other motions for reconsideration	\$785.00	\$785.00
If the application requires more than one type of relief under N.J.S.A. 40:55D-70(a, b, c, d) as listed above, the applicant shall apply the fee required for each and every type of variance requested or required.		
4. Miscellaneous Fees:		
a. Request for extension of Preliminary or Final Site Plan.		\$360.00
b. Request to Land Use Board for zone change		\$2,500.00
c. Transfer of data on zone change to Tax Map		\$1,050.00
d. Transfer of data on subdivisions to Tax Map		\$350.00/lot
5. Miscellaneous costs:		

The following fees shall be paid for the services or items listed.

1. List of property owners from current tax duplicate pursuant to N.J.S.A. 40:55D-12c: twenty-five cents (\$0.25) per name or ten dollars (\$10.00), whichever is greater.
2. Copies to interested parties pursuant to N.J.S.A. 40:55d-1: minutes of meetings, two dollars (\$2.00) per page, all other copies twenty-five cents (\$0.25) per page.
3. Copy of a decision furnished to any party other than the applicant or his attorney pursuant to N.J.S.A. 40:55D-10h and 40:55D-17g, ten dollars (\$10.00).
4. Certificate of subdivision approval pursuant to N.J.S.A. 40:55D-56: twenty-five dollars (\$25.00).
5. Certification of deed description pursuant to N.J.S.A. 40:55D-47: twenty-five dollars (\$25.00).
6. Certification of preexisting use or structure pursuant to N.J.S.A. 40:55D-68: ten dollars (\$10.00).
7. Fee for construction permits, certificates of occupancy and signs shall be charged pursuant to the Construction Code of the Township.
8. Fees for driveway permits shall be charged pursuant to Chapter 8 of the revised general ordinances of the Township.
9. The fee for a special meeting is eight hundred dollars (\$800) or the actual cost of the meeting, whichever is greater.
10. Meeting transcripts shall be provided for the actual cost to the township of having the recording transcribed.

*Applicants shall be entitled to one hearing in consideration for the payment of the required application fee. For hearings beyond the initial hearing, the applicant will be charged at a rate of three hundred dollars (\$300) per additional hearing.

SCHEDULE H
ESCROW FEES
LAFAYETTE TOWNSHIP

<u>MATTER FOR REVIEW</u>	<u>ESCROW FEE</u>
1. Subdivision:	
a. Minor	\$1,000.00
b. Preliminary Major	\$1,500.00 + \$500.00/lot
c. Final Major	50% of preliminary fee
d. Informal Concept	\$1,500.00 (if professional review is needed)
e. Amended Minor	\$750.00
f. Amended Preliminary Major	50% of amount calculated for new submission
g. Amended Final Major	50% of amount calculated for new submission
2. Site Plan:	
a. Preliminary	\$2,000.00 + \$100.00 per 1,000 square feet of gross floor area + \$15.00 per 1,000 square feet of site disturbance.
b. Final	50% of preliminary fee.
c. Informal Concept	50 % of preliminary site plan escrow fee
d. Amended Preliminary	50% of amount calculated for new submission
e. Amended Final	50% of amount calculated for new submission

3. Appeals, Interpretations, Variances:

For each application requesting an appeal, interpretation and/or variance relief pursuant to N.J.S.A. 40:55D-70(a), (b), (c), and/or (d), or other relief from the MLUL, the following fees shall apply to each such appeal, interpretation and/or variance:

N.J.S.A. 40:55D subsection:	<u>Residential</u>	<u>Non-Residential</u>
(a)	\$900.00	\$1,500.00
(b)	\$900.00	\$1,500.00

(c)	\$900.00	\$1,500.00
(d)	\$1,000.00	\$1,750.00
Other relief from MLUL or ordinance	\$750.00	\$750.00
All other motions for reconsideration:	\$500.00	\$750.00

If the application requires more than one type of relief under N.J.S.A. 40:55D-70(a, b, c, d) as listed above, the applicant shall apply the fee required for each and every type of variance requested or required.

4. Miscellaneous Fees:

- a. Request for extension of Preliminary or Final Site Plan. \$700.00
- b. Request to Land Use Board for zone change \$1,500.00
- c. Pre-application meeting \$500.00 per meeting
- d. Enforcement of conditions of a resolution – if the municipality is forced to take action to enforce conditions of a resolution, the applicant shall pay all costs.

Section 1. All Ordinances or parts of Ordinances, which are inconsistent with the terms of this Ordinance, be and the same are hereby repealed to the extent of their inconsistency.

Section 2. This Ordinance shall take effect immediately after final passage, approval and publication as provided by law.

NOTICE

The above ordinance was introduced and passed at first reading by the Lafayette Township Committee at a meeting held on May 2, 2006 and after publication and a public hearing was finally adopted by the Lafayette Township Committee at a meeting held on May 16, 2006.

Mayor:

Municipal Clerk: