

Exhibit A

TOWNSHIP OF NORTH BERGEN

4233 Kennedy Boulevard
North Bergen, New Jersey
Telephone: (201) 392-2024
Facsimile: (201) 330-7694

APPLICATION TO THE PLANNING BOARD OR
ZONING BOARD OF ADJUSTMENT

The application, with supporting documentation, must be filed with the Building Department, Room 208, Land Use Administration/Zoning Office.

You will be notified of a meeting date by the respective Board Secretary or referred to the Technical Review Committee after review of the application for completeness by this Office.

If additional pages are required to answer an item, identify the page and item number.

This section is to be completed by Township staff only

Date Application Filed: _____

Application Fees: _____

Escrow Deposit: _____

Hearing Date: _____

1. SUBJECT PROPERTY

Location: _____
(Street address, cross streets or other identification)

Lot(s): _____ Block: _____

Dimensions: Frontage: _____ Depth: _____ Total Area: _____
(Square Feet)

2. APPLICANT

Applicant: _____

Address: _____

City/State/Zip Code: _____

Applicant is a: Corporation: _____ Partnership: _____ Individual: _____

3. **IF THE APPLICANT IS NOT THE OWNER, THEN PROVIDE THE FOLLOWING INFORMATION ON THE OWNER(S):**

Owner's Name: _____

Address: _____

City/State/Zip: _____ Telephone Number: _____

State Applicant's Relationship to Owner: _____
(i.e., Contract Purchaser)

4. **DISCLOSURE STATEMENT**

Pursuant to N.J.S.A. 40:55D-48.1, the names and addresses of all persons owning 10% of the stock in a corporate applicant or 10% interest in any partnership applicant must be disclosed. In accordance with 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 address of the non-corporate stockholders and partners exceeding the 10% ownership criterion have been disclosed. (Attach pages as necessary to fully comply). Include full address.

Name: _____ Address: _____ Interest %: _____

5. **PROPERTY INFORMATION**

Are there any restrictions, covenants, easements, association by-laws, existing or proposed as to the Subject Property:

Existing: _____ Proposed: _____ None: _____

Note: A copy of all deed restrictions, covenants, easements, association by-laws, existing and proposed, must be submitted with a copy of this application for review and must represent a true, accurate, legible and complete copy in order to be approved.

Present Use of the Premises: _____

Proposed Use of the Premises/Change(s) Proposed: _____

Attached current sealed survey of property with this application.

6. APPLICANT'S ATTORNEY

Address: _____

Telephone Number: _____

Fax Number: _____

7. APPLICANT'S ENGINEER

Address: _____

Telephone Number: _____

Fax Number: _____

8. APPLICANT'S ARCHITECT

Address: _____

Telephone Number: _____

Fax Number: _____

9. APPLICANT'S PLANNING CONSULTANT

Address: _____

Telephone Number: _____

Fax Number: _____

10. APPLICANT'S TRAFFIC ENGINEER

Address: _____

Telephone Number: _____

Fax Number: _____

11. LIST ANY OTHER EXPERT WHO WILL SUBMIT A REPORT OR WHO WILL TESTIFY FOR THE APPLICANT

Name: _____

Field of Expertise: _____

Address: _____

Telephone Number: _____ Fax Number: _____

12. If any blasting or pile driving will be required in conjunction with this application, please describe same. Also delineate the hours of work proposed in the construction phase of the project.

13. THE APPLICANT IS REQUESTING THE FOLLOWING RELIEF:

SUBDIVISION:

_____ Preliminary Minor Subdivision Approval

_____ Final Minor Subdivision Approval

_____ Preliminary Major Subdivision Approval

_____ Final Major Subdivision Approval

_____ Conditional Use

Number of lots
to be created _____

Number of proposed
dwelling units _____
(If applicable)

SITE PLAN: (If Site Plan approval is required, the Site Plan Checklist attached to the application must be completed.)

_____ Minor Site Plan Approval

_____ Preliminary Site Plan Approval

_____ Final Site Plan Approval

_____ Amended Site Plan Approval

_____ Conditional Use

Area to be disturbed (in square feet): _____

Total number of proposed dwelling units: _____

VARIANCE:

_____ Use Variance - N.J.S.A. 40:55D-70d

_____ Variances without site plan or subdivision approval pursuant to
N.J.S.A. 40:55D-70C

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

Section of Ordinance/ Facts supporting applicant's deviation from the Township's zoning ordinance: _____

Section of Ordinance/ Facts supporting applicant's deviation from the Township's zoning ordinance: _____

Section of Ordinance/ Facts supporting applicant's deviation from the Township's zoning ordinance: _____

15. WAIVERS REQUESTED OF DEVELOPMENT STANDARDS: _____

16. **ZONING DATA**

State current zone in which Subject Property is located: _____

	Required/Permitted	Proposed
A. Maximum Height	_____	_____
B. Lot Width	_____	_____
C. Side Yard	_____	_____
D. Total of Side Yards	_____	_____
E. Rear Yard	_____	_____
F. Lot Area	_____	_____
G. Lot Coverage-% of building	_____	_____
H. Lot Coverage-impervious surface	_____	_____
I. Floor Area	_____	_____
J. Parking Stalls	_____	_____
K. Front Yard	_____	_____
L. Use	_____	_____
M. Lot Depth	_____	_____
N. Landscaping	_____	_____
O. Parking	_____	_____
P. Encroachment within ROW	_____	_____

17. **ATTACH A COPY OF THE NOTICE** to appear in the official newspaper of the Township and to be mailed to the owners of all real property, as shown on the current tax duplicate, located within the State and within 200 feet of all directions of the property which is the subject of this application. The Notice must specify the section of the Ordinance from which relief is sought, if applicable.

18. **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).

19. **IS A PUBLIC WATER LINE AVAILABLE?** _____

20. **IS PUBLIC SANITARY SEWER AVAILABLE?** _____

21. **HAVE ANY PROPOSED NEW LOTS** been reviewed by the Township to determine appropriate lot and block numbers? _____

22. **DESCRIBE ANY OFF-TRACT IMPROVEMENTS REQUIRED AND/OR PROPOSED:** _____

23. IS THE SUBDIVISION TO BE FILED BY DEED OR PLAT? _____

24. WHAT FORM OF SECURITY does the applicant propose to provide as performance and maintenance guarantees? _____

25. OTHER APPROVALS WHICH MAY BE REQUIRED AND DATE SUBMITTED:

	<u>Yes</u>	<u>No</u>	<u>Date Plans Submitted</u>
A. Hudson County Planning Board	_____	_____	_____
B. Hudson County Soil Conservation District	_____	_____	_____
C. New Jersey Department of Environmental Protection	_____	_____	_____
(1) Sewer Extension Permit	_____	_____	_____
(2) Sanitary Sewer Connection Permit	_____	_____	_____
(3) Stream Encroachment Permit	_____	_____	_____
(4) Wetland Permit	_____	_____	_____
(5) Tidal Wetland Permit	_____	_____	_____
(6) Potable Water Construction Permit	_____	_____	_____
(7) Soil Permit	_____	_____	_____
(8) Other	_____	_____	_____
D. New Jersey DOT	_____	_____	_____
E. Freshwater Wetlands Permit	_____	_____	_____

26. STATE THE DISTANCE OF THE NEAREST PART OF THE LOT TO THE NEAREST RESIDENTIAL ZONE: _____

27. IS THE PROPOSED USE OF THE PROPERTY A CONDITIONAL USE UNDER THE TOWNSHIP ZONING ORDINANCE _____

28. IS ANY PORTION OF ANY LOT WITHIN THE SITE CONTIGUOUS TO OR ACROSS THE STREET, BUT WITHIN 100 FEET FROM, ANY AREA ZONED FOR RESIDENTIAL USE? _____

29. ARE THERE ANY BUILDINGS OR SIGNS NOW ON THE SITE? Yes ___ No ___
If yes, identify the buildings, structures or signs the applicant proposes to remove, and also identify the structural and/or architectural changes to the building proposed by the applicant (if applicable) _____

(add additional sheets as necessary).

30. **CERTIFICATION FROM TAX COLLECTOR THAT ALL TAXES DUE ON THE SUBJECT PROPERTY HAVE BEEN PAID** (Attach).
31. **ENVIRONMENTAL IMPACT PRELIMINARY STATEMENT** (Single and Two-family homes not located in a proposed minor or major subdivision are excluded from the requirement of this section).

PREAMBLE:

Any subsequent finding by the Approving Agency contrary to the statements made herein by the applicant shall constitute grounds for rejection of the application. The applicant has a legal responsibility to answer truthfully and completely all questions to the best of the applicant's knowledge and information and will be held accountable for the responses provided.

NOTE: If any of the following questions (E1 to E20) are answered yes or other, attach an additional piece of paper to explain.

E1. Is the site to be developed located in a wetlands area as delineated on the Wetlands Inventory Maps? YES NO OTHER

E2. Is the site to be developed located in the 100 Year Flood Plain as delineated on either FEMA maps or NJDEP Flood Maps? YES NO OTHER

E3. Does the site development require the removal of any trees of six (6) inches or greater in true diameter? YES NO OTHER

E4. Does the site development require the alteration, channelization or relocation of any watercourse? YES NO OTHER

E5. Will the site development introduce any change in the quality and/or quantity of present storm-water runoff? YES NO OTHER

E6. Will the site development require the import or removal of soil from the area? YES NO OTHER

E7. Will the site development require directing surface drainage into a watercourse? YES NO OTHER

E8. Will the site development have any impact on Borough services presently provided such as police, fire, public works, public schools, sewers and drainage facilities? YES NO OTHER

E9. Will any excavation required for the development penetrate the high water table in existence at the site? YES NO OTHER

E10. Will the site development require special foundation provisions such as piles and/or spread footing to support any structures? YES _____ NO _____ OTHER _____

E11. Will the operation of the site increase local vehicular traffic? YES _____ NO _____ OTHER _____

E12. Will the operation of the site increase the air pollution in the area? YES _____ NO _____ OTHER _____

E13. Will the operation of the site exceed the existing ambient noise levels? YES _____ NO _____ OTHER _____

E14. Is the site to be developed served by existing public utilities? YES _____ NO _____ OTHER _____

E15. Has the site to be developed ever been used for storage or disposal of, or presently contain, hazardous or toxic wastes? YES _____ NO _____ OTHER _____

E16. Is the site to be developed proposed for the use, storage, or manufacture of hazardous materials, toxic substances or dangerous chemicals? YES _____ NO _____ OTHER _____

E17. Will the site development increase the present intensity levels of light in the area? YES _____ NO _____ OTHER _____

E18. Will the site development require the installation of new or removal of existing septic systems or other liquid waste facilities? YES _____ NO _____ OTHER _____

E19. Will the site development affect the water table in the area? YES _____ NO _____ OTHER _____

E20. Will the site development produce odors? YES _____ NO _____ OTHER _____

32. LIST OF MAPS, REPORTS AND OTHER SUPPORTING MATERIALS ACCOMPANYING THE APPLICATION

<u>Quantity</u>	<u>Description of Item</u>
_____	_____
_____	_____
_____	_____
_____	_____

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 _____, 200__

Notary Public

Signature of Applicant

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.

Sworn to and subscribed before me this _____ day of _____, 200__

Notary Public

Signature of Owner

I understand the sum of \$_____ has been deposited in an escrow account (Builder=s Trust Account) in accordance with the Ordinances of the Township of North Bergen. I further understand that the escrow 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 of 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 fifteen (15) days of notification.

Date:

Signature of Applicant

NORTH BERGEN PLANNING BOARD

PLEASE TAKE NOTICE THAT THE UNDERSIGNED HAS FILED AN APPLICATION IN COMPLIANCE WITH THE SUB-DIVISION/SITE PLAN ORDINANCE OF THE TOWNSHIP OF NORTH BERGEN

NOTICE IS HEREBY GIVEN THAT (I) (WE)

PROPOSE TO _____

PROVIDED DETAILS AND LIST EACH VARIANCE REQUESTED

THE ABOVE APPLICANT WILL ALSO REQUEST ANY ADDITIONAL VARIANCES THE BOARD DEEMS NECESSARY, OR THAT MAY BE REQUIRED.

AT (PROPERTY ADDRESS) _____

BLOCK _____ LOT _____

ANYONE AFFECTED BY THIS APPLICATION MAY HAVE THE OPPORTUNITY TO BE HEARD AT A MEETING TO BE HELD ON _____

AT _____

IN THE MUNICIPAL BUILDING AT 4233 KENNEDY BLVD, NORTH BERGEN, NJ 07047
WHEN THE CASE IS CALLED, YOU MAY APPEAR EITHER IN PERSON OR BY AGENT OR ATTORNEY AND PRESENT ANY OBJECTION YOU MAY HAVE TO GRANTING THE RELIEF SOUGHT IN THE PETITION.

THIS NOTICE IS SENT TO YOU BY THE PETITIONER BY THE ORDER OF THE NORTH BERGEN PLANNING BOARD.

ALL DOCUMENTS RELATED TO THIS APPLICATION MAY BE INSPECTED BY THE PUBLIC BETWEEN THE HOURS OF 1 AND 3 P.M. IN THE OFFICE OF:

TOWNSHIP OF NORTH BERGEN
PLANNING BOARD
4233 KENNEDY BLVD, ROOM 201
NORTH BERGEN, NJ 07047

SIGNATURE

NOTARY

Exhibit B

SITE PLAN REVIEW CHECKLIST

SITE PLAN DETAILS - Information to be indicated on Site Plan. All applications for site plan approval shall be prepared by a professional engineer, land surveyor or architect and shall be drawn to a scale of not less than one inch equals 50 feet.

All site plans shall comply with the requirements hereinafter set forth and shall contain the following information and data where applicable.

- _____ a. Date of site plan. All revisions shall be noted and dated.
- _____ b. Layout of proposed building of structures including existing and proposed elevation plan. The elevation of buildings and structures shall be indicated on the site plan in feet and number of stories. The improved lot coverage as defined in the zoning ordinance and its computations shall also be provided.
- _____ c. Key map showing the location of the tract with reference to surrounding areas and existing street intersections.
- _____ d. Title of development, North arrow, scale, block and lot number, name and address of record owner, name and address, license number and seal of person preparing the site plan. If the owner is a corporation, the name and address of the president and secretary shall be submitted with the application.
- _____ e. Location, dimensions and details of signs.
- _____ f. Lot line dimensions shall be in feet and decimals of a foot of all bearings shall be given to the nearest ten seconds.
- _____ g. The names of all owners of record and all adjacent property, and the block and parcel number of the property, within 200 feet of the nearest property line. Evidence of notification of all adjoining property owners as provided by law shall be submitted at the public hearing. Land use of all parcels abutting the subject property shall be noted on the site plan.
- _____ h. Zone boundaries shall be shown on the site plan as they affect the parcel. Adjacent zone districts within 200 feet shall also be indicated. Such features may be shown on a separate map or key on the detail map itself.

- _____ i. Boundaries of the property, required building or setback lines and lines of existing streets, lots, reservations, easements and areas dedicated to public use, including grants, restrictions and rights-of-way.
- _____ j. A map or copy of any covenants, deed restrictions or exceptions that are in effect or are intended to cover all or any of the tract.
- _____ k. All distances as measured along the right-of-way lines of existing streets abutting the property to the nearest intersection with any other public street.
- _____ l. Location of existing buildings on the site which shall remain and all other structures, such as walls, fences, culverts, bridges, roadways, etc., with spot elevations of such structures. Structures to be removed shall be indicated by dashed lines.
- _____ m. Location and elevation of all storm drainage structures and utility lines, whether publicly or privately owned, with pipe sizes, grades and direction of flow, and if any existing utility lines are underground, the estimated location of said already underground utility lines shall be shown.
- _____ n. Existing contours with intervals of two feet where slopes are less than 10% and five feet where slopes are 10% or greater referred to United States Coast and Geodetic datum or other reference system as may be required by the Borough Engineer and to be indicated by a dashed line. Where any changes in contours are proposed, finished grades should be shown as solid lines or as may be required as a separate proposed grade plan.
- _____ o. Location of existing rock outcrops, high points, watercourses, depressions, ponds, marches, wooded areas and other significant existing features, including previous flood elevations of watercourses, and, where available, ponds and marsh areas, as may be determined by survey.
- _____ p. A survey prepared, signed and sealed by a licensed surveyor of the State of New Jersey shall accompany the site plan and shall show the boundaries of the parcel and the limits of all proposed streets, recreation areas and other property to be dedicated to public use. The site plan may be accompanied by such other exhibits of an architectural nature submitted by the applicant as may be required by the municipal agency.
- _____ q. All proposed easements and public and community areas. All proposed streets with profiles indicating grading and cross sections showing width of roadway, location and width of sidewalk and location and size of utility lines according to the standards and specifications of the Township.

- _____ r. The proposed use or uses of land and buildings and proposed location of buildings, including proposed grades. Such features may be indicated on a separate drawing. Floor space of all buildings and estimated number of employees, housing units or other capacity measurements where required shall also be indicated.
- _____ s. All means of vehicular ingress and egress and to and from the site onto public or private streets showing the size and location of driveways and curb cuts, including the possible organizations of traffic channels, acceleration and decelerating lanes, additional width and other traffic controls which may be required. Improvements such as roads, curbs, sidewalks and other design detail shall be indicated, including dimensions of parking stalls, access aisles, curb radii, direction of traffic flow and other conditions as may be required in the Zoning Ordinance.
- _____ t. The location and design of any off-street parking areas or loading areas, showing sizes and locations of bays, aisles and barriers.
- _____ u. The location of all proposed waterlines, valves and hydrants and all sewer lines or alternative means of water supply or sewage disposal and treatment in conformance with the applicable standards of the Township and appropriate utility companies, where applicable.
- _____ v. The proposed location, direction of illumination, power and time of proposed outdoor lighting in conformance with applicable standards of the Township, including type of standards to be employed, radius of light and intensity of footcandles.
- _____ w. The proposed screening and landscaping and a planting plan in conformance with the applicable standards of the Township indicating natural vegetation to remain and areas to be planted and type of vegetation to be utilized.
- _____ x. The proposed storm water drainage system as to conform to designs based on New Jersey Department of Environmental Protection or Residential Site Improvement Standards. All site plans shall be accompanied by a plan sketch showing all existing drainage within 500 feet of any boundary and all areas such as paved areas, grassed areas, wooded areas and any other surface areas contributing to the calculations and should show methods used in the determination.
- _____ y. The site plan should be prepared by a licensed engineer or architect for general location. For topographical and boundary survey information, the site plan shall be signed and sealed by a licensed land surveyor. For all elements of design,

which shall include drainage, pavements, curbing, walkways, embankments, horizontal and vertical geometrics utilities and all pertinent structures, drawings shall be signed and sealed by a licensed professional engineer.

- _____ z. After approval, a mylar or linen shall be submitted for signature and title, and all information appearing thereon shall be in black India ink. Additional prints as required shall also be submitted after approval.

LEGENDS OF SITE PLAN

The following legends shall be indicated on the Site Plan:

1. To be signed before submission:

I consent to the filing of this site plan with the Planning Board/Zoning Board of Adjustment of the Township of North Bergen.

Applicant

2. To be completed before submission:

Site Plan of _____

Lot _____ Block _____ Zone _____

Date _____ Scale _____

Applicant _____

Address _____

Signature

Date

**AN ORDINANCE PROVIDING FOR THE
CODIFICATION OF FEES AND COSTS OF
THE TOWNSHIP OF NORTH BERGEN
PERTAINING TO "SUBDIVISION OF LAND"
AND "ZONING" AND "SITE PLAN"
DEVELOPMENT REGULATIONS.**

BE IT ORDAINED by the Board of Commissioners of the Township of North Bergen in the County of Hudson and State of New Jersey as follows:

Section 1. The purpose of this ordinance is to provide for the establishment of a fee schedule for the payment of fees with respect to all applications submitted to the Township pursuant to Township Development Regulations.

Section 2. Conventional Applications.

(a) Required Administrative Fee Amounts: The following list of applications must be accompanied, at the time of submission of the application, by the fees and escrow amounts set forth in Schedule 2-1 and 2-2 below. These fees and escrow amounts shall consist of the sum of the following: ~~an Administrative Fee which is charged to the applicant to cover~~ the costs associated with the clerical processing and filing of the application, which fee shall be non-refundable; and a professional review escrow amount which shall be deposited into the Professional Review Escrow Account, maintained by the Municipal Treasurer. The deposit required of the applicant and deposited into the Professional Review Escrow Account shall cover the costs associated with the required review of the application by the Zoning Board of Adjustment or Planning Board's engineer, planner or attorney, and for applications submitted pursuant to N.J.S.A. 40:55D-70d, such other professionals as the Zoning Board of Adjustment may reasonably require. Prior to drawing monies out of the professional Review Escrow

Account, each professional engaged by the Board shall submit an invoice to the Board Chairperson or his/her designee for approval. Following conclusion of the hearings and meetings regarding the application, any unused funds deposited by an applicant into the Professional Review Escrow Account shall be refunded to the applicant simultaneously with payment of the invoice of the Board's professional(s). Upon reimbursement of any unused funds, an applicant may request an accounting of expended funds and same will be provided to the applicant within thirty (30) days of a written request filed with the Board.

**SCHEDULE 2-1
CONVENTIONAL APPLICATIONS**

Type of Development Application	Administrative Fee
1. Minor Subdivision	500.00
2. Major Subdivision	
(i) 0 to 2 lots	1,000.00
(ii) 2 to 4 lots	2,000.00
(iii) Over 4 lots	2,000.00 plus \$500.00 per lot over 4 lots
3. Minor Site Plan	
(A) Less than 5,000 sq. ft. of building	500.00
(B) Modification of less than 5,000 sq. ft. of previously approved site plan	500.00
4. Major Site Plan:	
(A) Residential	
(i) 1 to 10 dwelling units	1,000.00
(ii) 11 to 50 dwelling units	1,500.00

	(iii) 50 to 100 dwelling units	2,000.00
	(iv) more than 100 dwelling units	2,000.00 plus \$50.00 per unit over 100 units
	(B) Retail	
	(i) less than 1,001 square feet	1,000.00
	(ii) less than 5,001 square feet	1,500.00
	(iii) less than 10,001 square feet	2,000.00
	(iv) more than 10,001 square feet	2,000.00 plus \$100.00 per 1,000 square feet over 10,000 square feet
	(C) Office	
	(i) less than 2,500 square feet	1,000.00
	(ii) less than 5,000 square feet	1,500.00
	(iii) less than 10,000 square feet	2,000.00
	(iv) more than 10,000 square feet	2,000.00 plus \$100.00 per 10,000 square feet over 10,000 square feet
	(D) Industrial	
	(i) less than 10,000 square feet	1,000.00
	(ii) less than 20,000 square feet	1,500.00
	(iii) less than 30,000 square feet	2,000.00
	(iv) more than 30,000 square feet	2,000.00 plus \$100.00 per 1,000 square feet over 30,000 square feet
5.	Appeal from administrative official or agency (Pursuant to N.J.S.A. 40:55D-70(a))	500.00
6.	Conditional Use (all conditions satisfied heard by Planning Board (N.J.S.A.40:55D-67))	1,000.00
7.	Interpretation (Pursuant to N.J.S.A. 40:55d-70(b))	500.00
8.	Bulk Variances (Pursuant to N.J.S.A.40:55D-70(c))	

(A) Application by single or two family homeowner of single lot for bulk variances (homeowner application involving remodeling or expansion of existing home)

500.00

(b) Variations and Exceptions

In addition to the Administrative Fees set forth in Schedule 2-1 above (except for Bulk Variance applications in accordance with Schedule 2-1, Item 8), additional Administrative Fee Amounts where applicable, and in the following amounts shall also be paid by the applicant:

(1) For every bulk variance that is requested as part of the application, \$100.00 per variance.

(2) For a Use Variance that is requested as part of the application: \$500.00.

Where an application for development includes several approval requests, the sum of the individual required fees shall be paid.

(c) Required Escrow Amounts: For development applications that are as specifically enumerated and defined below, the applicant shall be required to place into the Professional Review Escrow Account the amount indicated in the following Schedule 2-2. The amount required to be placed into the Professional Review Escrow Account for a complex application are to cover the costs of the review time provided by the Boards' planner, attorney and engineer due to the complexity of the application. Prior to drawing monies out of the Professional Review Escrow Account, the Board's professional(s) shall submit an invoice to the Board Chairperson, or his/her designee for

approval. Following the conclusion of the hearings and meetings regarding the application, an unused portion of this Professional Review Escrow Account shall be refunded to the applicant simultaneously with payment of the Boards' professional(s). Upon reimbursement of any unused funds, an applicant may request an accounting of expended funds, and same will be provided to the applicant within thirty (30) days of a written request filed with the Board.

SCHEDULE 2-2

<u>Type of Development Application</u>	<u>Professional Review Escrow Amount</u>
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1. An application for preliminary major site plan for:

(A) More than 11 dwelling units	2,000.00
(B) More than 5,000 square feet of retail space; or	2,000.00
(C) More than 30,000 square feet of office space	2,000.00
(D) More than 20,000 square feet of industrial space	2,000.00

2. On each application for a "d" variance filed pursuant to N.J.S.A.40:55D-70(d), the applicant shall be required to post to the Professional Escrow Account a minimum amount of \$1,000.00. In addition to the aforementioned amounts, the applicant shall also be required to post such additional amounts into the Professional Review Escrow Account as may be deemed to be reasonably required by the Board to appropriately consider the application. the amounts required pursuant to this Section shall be required to cover the costs of review of the application by the Board's engineer, planner and attorney as well as the costs of possible review, in appropriate instances, by "special" professionals, e.g., traffic, landscaping, and environmental

professionals required to review specific aspects of the application. An applicant shall be notified in writing when additional amounts to restore the Professional Review Escrow Account shall become due and payable. Prior to withdrawal of any funds from this Professional Review Escrow Account, an invoice shall be submitted to the Board Chairperson or his/her designee, and simultaneously therewith to the applicant, setting forth the work performed for which such fees are being requested. Following conclusion of the hearings and meetings regarding the applicant, any unused portion of this Professional Review Escrow Account shall be refunded to the applicant simultaneously with payment of the Boards' professional(s). Upon reimbursement of any unused funds, an applicant may request an accounting of expended funds, and same will be provided to the applicant within thirty (30) days of a written request filed with the Board.

(d) Fees for Meetings

(1) Special Planning Board of Zoning Board of Adjustment

Meeting: Any applicant may request that a special meeting of a Board be scheduled and devoted exclusively to a single application. Such meeting shall be scheduled upon request of the applicant and at the discretion of either the Board Chairperson or his/her designee. Such special meeting shall be of no more than a three (3) hour duration. The fee for such meeting shall be \$2,000.00.

(e) Waiver and Remission of Fees

(1) The Board, when acting upon applications, shall have the power, for good cause shown, to grant a remission or waiver from all or any portion of the fee schedules hereinabove established based upon any of the following: (1) the non-profit status of the applicant; (2) a determination that

collection of the fees would constitute an economic hardship upon the applicant; (3) the unique characteristics of the application, making collection of the full fees substantially disproportionate to the regulatory costs applicable to reviewing the application; or (4) for other good cause established in the record.

(2) The fees set forth in the aforementioned schedules are exclusive of any other charges which may be required by the Township to cover the costs of the furnishing of copies, ordinances, list of property owners, or transcripts, or the inspection of buildings or improvements in conjunction with the issuance of construction permits or Certificates of Occupancy.

(3) In the event that any fees paid by an applicant into the Professional Review Escrow Account shall exceed Five Thousand Dollars (\$5,000.00), such applicant's account shall be placed into an interest bearing trust account in conformance with the requirements of N.J.S.A.40:55D-53.1. The applicant shall be notified, in writing of the institution in which the deposit has been made and the amount of such deposit. Any interest earned on the account shall be applied in accordance with the provisions of N.J.S.A.40:55D-53.1. The township shall keep records of all application fees paid in accordance with general accepted accounting principles. The fees for all professional reviews of an application shall be charged to the applicant at the same rate and in the same manner as that charged by the professional to the Township.

Section 3. All ordinances or parts of ordinances inconsistent with the provisions of this ordinance be and the same are hereby repealed.

Section 4. All ordinances and parts of ordinances contrary thereto are hereby repealed, but only to the extent of such conflict or inconsistencies.

Section 5. If any section, paragraph, subdivision, clause or provision of this ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provision so adjudged and the remainder of the ordinance shall be deemed valid and effective.

Section 6. The amendatory act shall apply to any action initiated on or after the effective date of this ordinance or any action filed on or after the effective date hereof before the Planning Board of Zoning Board of Adjustment of the Township of North Bergen.

Section 7. This ordinance shall take effect upon final passage and publication as required by law.

Introduced: December 6, 2006

Published: December 8, 2006 and December 22, 2006

Adopted: December 20, 2006

Attest:

Carol Ann Fontana
TOWNSHIP Clerk

Commissioner Cabrera Yes

Commissioner Ferraro Yes

Commissioner Gargiulo Yes

Commissioner Pascual Yes

Mayor Sacco Yes