

MONROE TOWNSHIP, MIDDLESEX COUNTY

ORDINANCE NO.: O-6-2018-018

ORDINANCE OF THE MONROE TOWNSHIP COUNCIL
AMENDING CHAPTER 108 OF THE CODE OF THE TOWNSHIP OF MONROE
ENTITLED, "LAND DEVELOPMENT"

BE IT ORDAINED by the Council of the Township of Monroe, County of Middlesex, State of New Jersey that Chapter 108 of the Code of the Township of Monroe is hereby amended as follows: (new text is in **red and underlined**, text to be deleted is ~~struck~~)

Chapter 108 LAND DEVELOPMENT

BE IT ORDAINED by the Council of the Township of Monroe, County of Middlesex, State of New Jersey that **Section G of Article XV of** Chapter 108 of the Code of the Township of Monroe is hereby amended as follows:

ARTICLE XV Fees and Escrow Fees

§ 108-15.1. Application fees, review fees, and inspection fees. [Amended 8-3-98 by Ord. No. 0-8-98-031]

G. Schedule 15-A. The schedule of fees and escrow amounts is set forth in Schedule 15-A which is attached hereto and made a part hereof.

SCHEDULE 15-A

Type of Development Application	Column A Administrative Fee	Column B Professional Review Escrow Fee
Minor Subdivision	\$100.00 per lot	\$500.00 <u>\$750.00</u> per lot
Major Subdivision		
(a) Preliminary		
(i) 1 to 10 lots	\$350.00 <u>\$500.00+</u> \$10.00 <u>\$20.00/lot</u>	\$2,500.00 (1st lot) + \$100.00 <u>\$200.00</u> /add'l lot
(ii) 11 to 50 lots	\$600.00 <u>\$750.00+</u> \$10.00/lot <u>\$20.00/lot</u>	\$2,500.00 (1st lot) + \$100.00/add'l lot
(iii) 51 to 250 <u>100</u> lots	\$850.00 <u>\$1,000.00+</u> \$10.00/lot <u>\$20.00/lot</u>	\$2,500.00 (1st lot) + \$75.00 <u>\$100.00</u> /add'l lot
(iv) over 250 <u>101</u> <u>to 150</u> lots	\$1,000.00 <u>\$1,250.00+</u> \$10.00/lot <u>\$20.00/lot</u>	\$2,500.00 (1st lot) + \$50.00 <u>\$75.00</u> /add'l lot
<u>(v) over 150 lots</u>	<u>\$2,000.00+</u> <u>\$20.00/lot</u>	<u>\$2,500.00 (1st lot) + \$75.00/add'l lot</u>
(b) Final	\$250.00 <u>\$750.00+</u> \$10.00/lot <u>\$20.00/lot</u>	1/2 of preliminary above

SCHEDULE 15-A—Continued

Type of Development Application	Column A Administrative Fee	Column B Professional Review Escrow Fee
Minor Site Plan		
(a) Less than 1,500 sq. ft. of building	\$250.00 <u>\$500.00</u>	\$1,000.00 <u>\$1,500.00</u>
(b) 1501 sq. ft. to 5,000 sq. ft. <u>or more</u>	\$250.00 <u>\$750.00</u>	\$2,500.00 <u>\$3,000.00</u>
(c) Modification of less than 10,000 sq. ft. of previously approved site plan	\$250.00 <u>\$500.00</u>	\$2,500.00 <u>\$3,000.00</u>
<u>(d) Modification of more than 10,000 sq. ft. of previously approved site plan</u>	<u>\$750.00</u>	<u>\$3,000.00</u>
Major Site Plan		
(a) Residential preliminary		
(i) 1 to 10 dwelling units	\$350.00 <u>\$500.00</u> + \$10.00 <u>\$20.00/unit</u>	\$2,500.00 (1st unit) + \$100.00 <u>\$200.00</u> /add'l unit
(ii) 11 to 50 dwelling units	\$600.00 <u>\$750.00</u> + \$10.00/unit <u>\$20.00/unit</u>	\$2,500.00 (1st unit) + \$100.00 <u>\$200.00</u> /add'l unit
(iii) 51 to 250 dwelling units	\$850.00 <u>\$1,000.00</u> + \$10.00/unit <u>\$20.00/unit</u>	\$2,500.00 (1st unit) + \$100.00 <u>\$200.00</u> /add'l unit
(iv) over 250 dwelling units	\$1,000.00 <u>\$1,250.00</u> + \$10.00/unit <u>\$20.00/unit</u>	\$2,500.00 (1st unit) + \$100.00 <u>\$150.00</u> /add'l unit
(b) Residential final	\$250.00 <u>\$750.00</u> + \$10.00/unit <u>\$20.00/unit</u>	\$2,500.00 (1st unit) + \$50.00 <u>\$100.00</u> /add'l unit
(c) Non-Residential preliminary		
(i) less than 1,001 sq. ft. <u>of total lot area</u>	\$325.00 <u>\$500.00</u>	\$3,500.00 <u>\$4,000.00</u>
(ii) less than <u>less than</u> 5,001 sq. ft.	\$375.00 <u>\$750.00</u>	\$4,000.00 <u>\$4,500.00</u>
(iii) less than 10,001 sq. ft.	\$450.00 <u>\$1,000.00</u>	\$5,000.00 <u>\$6,000.00</u>
(iv) more than 10,001 sq. ft.	\$525.00 <u>\$1,500.00</u>	\$7,500.00 <u>\$9,000.00</u>
(d) Non-Residential final	\$100.00 <u>\$500.00</u>	\$3,000.00 <u>\$3,500.00</u>
(e) Planned Retirement Community (PRC)	\$2,500.00	\$5,000.00 <u>\$7,500.00</u>
(f) General Development Plan as per N.J.S.A. 40:55D-45.1	\$2,500.00	\$5,000.00 <u>\$7,500.00</u>
(g) Other planned developments (as defined in N.J.S.A. 40:55D-6)	\$2,500.00	\$5,000.00 <u>\$7,500.00</u>

SCHEDULE 15-A—Continued

Type of Development Application	Column A Administrative Fee	Column B Professional Review Escrow Fee
Major Site Plan—Con.		
(h) Tree inspection by Conservation Officer <u>or designee</u> [Added 7-2-01 by Ord. No. 0-7-2001-027]	\$600.00 per acre or part thereof to be cleared.	
Planning Permits	\$100.00	\$1,500.00
<u>Application for building in the bed of a mapped street</u> (Pursuant to N.J.S.A. 40:55D-34) and 40:55D-35)		
<u>Permit for constructing on a lot that does not abut a mapped street (Pursuant to 40:55D-35)</u>	<u>\$100.00</u>	<u>\$1,500.00</u>
Applications for Variance (As set forth in N.J.S.A. 40:55D-70 d <u>a</u> , appeal from Administrative Official or Agency)	\$100.00 <u>\$250.00</u>	\$1,500.00 <u>\$1,750.00</u>
Conditional Use (All conditions satisfied <u>and</u> heard by Planning Board N.J.S.A. 40:55D-70d)	\$250.00 <u>\$500.00</u>	\$3,000.00 <u>\$3,500.00</u>
Interpretation (Pursuant to N.J.S.A. 40:55D-70b)	\$100.00	\$1,000.00
Informal Conceptual Review		
(a) Proposed small scale development (less than 10 acres)	\$100.00 <u>\$250.00</u>	\$1,500.00
(b) Proposed large scale development (more than 10 acres)	\$100.00 <u>\$500.00</u>	\$3,000.00
Bulk and Use Variance (Pursuant to N.J.S.A. 40:55D-70c and d)		
(a) Undersized lot variance (Application involving only <u>1</u> one lot occupied or to be occupied by only one single-family dwelling)*	\$100.00	\$500.00
(b) Application by single- or two-family homeowner of single lot for bulk variance (homeowner application involving remodeling or expansion of existing home)	\$100.00	\$500.00
(c) Any other bulk variance [Added 4-5-99 by Ord. No. 0-4-99-015]	\$100.00/ <u>each</u>	\$500.00/ <u>each</u>

SCHEDULE 15-A—Continued

Type of Development Application	Column A Administrative Fee	Column B Professional Review Escrow Fee
(d) Application for use variance pursuant to N.J.S.A. 40:55D-70d [Amended 4-5-99 by Ord. No. 0-4-99-015]	\$100.00 <u>\$500.00</u>	\$2,000.00 <u>\$3,500.00</u>
Re-Submission of Plans (Required for all applications)	0	30% of original escrow fees

* No additional fees or escrow amounts will be required for other bulk variances which may be required because of the undersized lot.

- H. Variances and exceptions. In addition to the administrative fees and professional review escrow amount, set forth in Schedule 15-A above, additional professional review escrow 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, three hundred fifty dollars (\$350.00) per variance.
 - (2) For every exception ("waiver") pursuant to N.J.S.A. 40:55D-51 that is requested as part of the application, one hundred fifty dollars (\$150.00) per exception.
- I. Fees for special meetings.
- (1) Special professional meetings. Any applicant for development may request that a special meeting be scheduled between the applicant and its professionals and the Board Planner, Engineer and Attorney. Such meetings shall be scheduled upon request of the applicant and at the discretion of the ~~Chairperson or Board Attorney~~ Planning Administrator. ~~If the request is directed to the Board Attorney the Attorney shall notify the Chairperson, in writing, of the scheduled time and place of the meeting.~~ The applicant shall pay an application fee of \$250.00 for proposed developments under ten acres and \$500.00 for proposed developments of ten acres or more. The applicant shall post a professional review escrow of \$3,000.00. ~~one thousand five hundred dollars (\$1,500.) in the Professional Review Escrow Account, for such a meeting, which Professional Review Escrow Amount shall provide for a meeting of one (1) hour, and shall be deemed to include, for purposes of calculating the time of the Board's Professionals, one half (1/2) hour of preparation time and one half (1/2) hour for post meeting time. Said Professional Review Escrow Account shall be posted by the applicant prior to the scheduling of the meeting by the Planning Administrator.~~
 - (2) Special Planning Board or 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 applicant shall post a professional review escrow of \$3,000.00. The time and expenses of the Board's Professionals required preparing for and following up ~~to prepare for and follow up~~ after such special meeting shall be charged against such ~~p~~Professional ~~r~~Review ~~e~~Escrow ~~a~~Account, which shall be replenished as necessary. ~~An estimate of such time and expenses shall be agreed upon by the township and applicant and shall be posted by the applicant prior or at the commencement of the special meeting.~~ If such a meeting shall, by agreement of the Board and the applicant, extend beyond the three (3) hour meeting time allotted, the applicant shall deposit any additional funds into the ~~p~~Professional ~~r~~Review ~~e~~Escrow ~~a~~Account which may be required to cover the costs of the additional time expended by the Board's professionals for such an extended meeting. All such additional amounts shall be paid by the applicant promptly after the meeting. In addition to the additional escrow amounts, the applicant shall also be required to pay an administrative fee equal to one-third (1/3) the original administrative fee for each special meeting held.

- J. Waiver and remission of application fees.
- (1) The Board when acting upon an application, shall recommend to the Township Council whether or not to grant a remission or waiver from all or any portion of the fee schedules hereinabove established based upon any of the following:
- (a) The nonprofit status of the applicant;
 - (b) A determination that collection of the fees would constitute an economic hardship upon the applicant; or
 - (c) The unique characteristics of the application, making collection of the full fees substantially disproportionate to the regulatory costs applicable to reviewing the application.
- K. Close-out procedures. The following close out procedures shall apply to all deposits and escrow accounts established under the provisions of N.J.S.A. 40:55D-1 et seq. and shall commence after the approving authority has granted final approval and signed the subdivision plat or site plan, in the case of application review escrows and deposits, or after the improvements have been approved in accordance with N.J.S.A. 40:55D-53, in the case of improvement inspection escrows and deposits.
- The applicant shall send written notice by certified mail to the Chief Financial Officer the approving authority and to the relevant municipal professional, that the application or the improvements, as the case may be, are completed. After receipt of such notice, the professional shall render a final bill to the Chief Financial Officer of the municipality within thirty (30) days and shall send a copy simultaneously to the applicant. The Chief Financial Officer of the municipality shall render a written final accounting to the applicant on the uses to which the deposit was put within forty-five (45) days of receipt of the final bill. Any balances remaining in the deposit or escrow account including interest in accordance with N.J.S.A. 40:55D-53.1 shall be refunded to the developer along with the final accounting.
- L. Appeals. Any dispute by the applicant as to any professional review fees or expenses shall be handled in accordance with the procedure established pursuant to the provisions of N.J.S.A. 40:55D-53.2a.

SECTION 2. All Ordinances or parts of Ordinances inconsistent with the provisions of this Ordinance shall be and the same are hereby repealed.

SECTION 3. 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 4. This Ordinance shall take effect upon final passage and publication as provided by law.

SO ORDAINED, as aforesaid.

STEPHEN DALINA, Council President

RECORDED VOTE – INTRODUCTION – June 6, 2018						
COUNCIL	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
Councilman Baskin	X		X			
Councilwoman Cohen		X	X			
Councilman Dipierro			X			
Council V. President Schneider			X			
Council President Dalina			X			

NOTICE

Notice is hereby given that the foregoing Ordinance was introduced and passed on first reading at a meeting of the Monroe Township Council held on June 6, 2018. Said Ordinance will again be read and considered for final passage at the next scheduled meeting of the Monroe Township Council to be held on July 2, 2018 at 7:00 p.m. at the Monroe Township Municipal Building, 1 Municipal Plaza, Monroe Township, New Jersey 08831. At said time and place all persons having an interest in the foregoing Ordinance will be granted an opportunity to be heard concerning the same prior to consideration for final passage by the Council.

PATRICIA REID, Township Clerk

RECORDED VOTE – SECOND READING & FINAL ADOPTION– July 2, 2018						
COUNCIL	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
Councilman Baskin						
Councilwoman Cohen						
Councilman Dipierro						
Council V. President Schneider						
Council President Dalina						

ORDINANCE NO.: O-6-2018-018

**ORDINANCE OF THE MONROE TOWNSHIP COUNCIL
AMENDING CHAPTER 108 OF THE CODE OF THE TOWNSHIP OF MONROE
ENTITLED, “LAND DEVELOPMENT”**

MAYORAL APPROVAL

By virtue of the Optional Municipal Charter Law of 1950 and Chapter 3, Section 19 of the Code of the Township of Monroe, my approval of this Ordinance is effected by the affixing of my signature hereto.

GERALD W. TAMBURRO, Mayor

Date signed: _____