

ORDINANCE # 11-47

AN ORDINANCE AMENDING AND SUPPLEMENTING THE LAND DEVELOPMENT ORDINANCE OF THE TOWNSHIP OF NEPTUNE BY PROVIDING CLARIFICATION AND UPDATES TO VARIOUS APPLICATION COMPLETENESS CHECKLIST SECTIONS

BE IT ORDAINED, by the Township of Committee, County of Monmouth, State of New Jersey that the Land Use Ordinance of the Township of Neptune be and is hereby amended as follows:

SECTION 1.

Section 802A. Development Application Completeness Checklist

Section §802: (submission required for all development applications, excluding Use Variances and Bulk Variances) is hereby deleted and replaced with the following:

All applications for development (except Use & Bulk Variances] shall contain the following information in addition to the submission checklist information contained herein (Sec. §812.02 thru §812.05 located at the end of this Article) specific to the type of submission:

1. Sixteen (16) copies of completed and signed application form, containing the following information:
2. Applicant's name, address, telephone number, facsimile number and e-mail address (if applicable);
3. Owner's name, address, telephone number, facsimile number, and e-mail address (if applicable);
4. Interest of applicant in property;
5. Name, address, telephone number, facsimile number, e-mail address (if applicable) of applicant's attorney (if represented) and professional representatives;
6. Street address of property;
7. Tax lot and block numbers of property;
8. Zoning district in which the property situated;
9. Description of property;
10. Description of proposed development;
11. Type of application and submission level;

12. Sixteen (16) copies of the required plan folded, no larger than 30"x42". One (1) additional copy of the plans no larger than 11"x17".
13. Sixteen (16) copies of current signed & sealed survey, prepared by a licensed New Jersey Professional Land Surveyor. One (1) additional copy of the no larger than 11"x17".
14. Sixteen (16) copies of the property deed(s)
15. Five (5) copies of Stormwater Management Report.
16. Five (5) copies of Environmental Impact Statement (EIS)
17. Sixteen (16) copies of Zoning Permit denial (not required for subdivisions).
18. Five (5) Circulation Impact Study (Per Ordinance Section 811) if required.
19. Executed copy of "Authorization & Consent Form" part "C"
20. Certificate of Corporation/Partnership, if applicable, "D"
21. Executed copy of Escrow Agreement, Part "E"
22. Verification of taxes paid (this will be verified by the Administrative Officer).
23. Application Fee and Escrow Fee as determined by Board Secretary, (or in accordance with fee schedule).

Section 802B: Completeness Checklist for Use Variance and Bulk Variances

All applications for Use Variance and or Bulk Variances shall contain the following information:

1. Sixteen (16) copies of completed and signed application form, containing the following information:
2. Applicant's name, address, telephone number, facsimile number and e-mail address (if applicable);
3. Owner's name, address, telephone number, facsimile number, and e-mail address (if applicable);
4. Interest of applicant in property;
5. Name, address, telephone number, facsimile number, e-mail address

(if applicable) of applicant's attorney (if represented) and professional representatives;

6. Street address of property;
7. Tax lot and block numbers of property;
8. Zoning district in which the property situated;
9. Description of property;
10. Description of proposed development;
11. Type of application and submission level;
12. Sixteen (16) copies of the property deed(s)
13. Sixteen (16) copies of Zoning Permit denial (not required for sub-divisions)
14. Executed copy of "Authorization & Consent Form" part "C"
15. Certificate of Corporation/Partnership, if applicable, "D"
16. Executed copy of Escrow Agreement, part "E"
17. Verification of taxes paid (this will be verified by the Administrative Officer)
18. Application Fee and Escrow Fee as determined by Board Secretary, (or in accordance with fee schedule)

SECTION 2

Subsection §812.02 through 812.06 are hereby deleted and replaced by the following subsections 812.02 through 812.05.

§ **812.01 – Table (See attached)**

§ **812.02 Major Site Plan and Major Subdivision Checklist**

Sixteen (16) copies of completed and signed application form, containing the following information:

- A. Submission Documents: Prior to issuance of a Certificate of Completeness, the Administrative Officer shall determine that the documents listed in Section §802 of this Ordinance have been submitted.
- B. Plan Requirements: Prior to issuance of a Certificate of Completeness, the Administrative Officer shall determine that the following items have been shown on, or included with,

1. General Requirements. The plans shall be signed and sealed by an architect, professional engineer land surveyor and/or professional planner licensed to practice in the State of New Jersey, provided however, that the sanitary sewer water distribution and storm drainage plans and water and sewage treatment facility plans may only be signed and sealed by a professional engineer. In addition, the following must be submitted.
 - (a) Plan shall not be drawn at a scale smaller than one (1”) inch equals (50’) feet nor larger than one (1”) inch equals ten (10’) feet.
 - (b) The plan shall be based on monumented, current certified boundary survey, prepared in accordance with New Jersey Administrative Code 13:40-5.1, “Preparation of Land Surveys” dated September 1984 and as amended. The date of the survey, shall be shown on the plan.
2. Title Block: The title block shall appear on all sheets in conformance with N.J.S.A.45:8-27 et seq. (Map Filing Law) and include:
 - (a) Title to read “Site Plan” or Major Subdivision”.
 - (b) Name of development, if any;
 - (c) Tax map sheet, block and lot number (s) of the site, as shown on the latest Township Tax Map, the date of which shall also be shown;
 - (d) Date of original and all revisions;
 - (e) Name and addresses of owner and developer, so designated;
 - (f) Name, signature, address and license number of the engineer, architect, land surveyor or planner who prepared the plan, and their embossed seal;
3. Zoning data table in accordance with **§812.01**
4. The tops of the banks and boundaries of the floodways and flood hazard areas of all existing water courses, where such have been delineated or the limit of alluvial soils, where the boundaries of floodways and flood hazard areas have not been determined, and/or such other information as may assist the Planning Board or Zoning Board of Adjustment in the determination of floodways and flood hazard area limits.

5. North arrow and written and graphic scale;
6. Paving and right of way widths of existing street within two hundred (200') feet of the site;
7. The boundary, nature and extend of wooded areas, swamps, bogs and ponds within the site and within two hundred (200') feet thereof and delineation of all wetlands areas soils as required by the New Jersey Department of Environmental Protection and the U.S. Army Corps of Engineers.
8. Existing and proposed manholes, sewer lines, fire hydrants, water lines, utility poles and all other topographic features of a physical or engineering nature with the site and within two hundred (200') feet thereof.
9. All existing structures on the site and within two hundred (200') feet thereof, including their use, indicating those to be destroyed or removed and those to remain.
10. Location, use, finished grade level, ground coverage, first floor and basement elevations, front, rear and side setback of all buildings and other pertinent improvements.
11. Existing and proposed public and private easement or rights-of-way and the purposes thereof, including conservation easements.
12. A grading plan showing existing and proposed grading contours at one (1') foot intervals throughout the tract, except if slopes exceed five (5%) percent, a two (2') foot interval may be used, and if they exceed ten (10%) percent, at five (5') interval is permissible. Datum shall be United States Coast and Geodetic Survey Datum (MSL=O) and source of datum and benchmarks shall be noted. In addition to proposed grading contours, sufficient additional spot elevations shall be drawn to clearly delineate proposed grading.
13. On site drainage plan:
 - (a) The drainage plan shall be presented in graphic form which shall clearly show the street and site layout and those terms which are pertinent to drainage including existing and proposed contours as previously required.
 - (b) The plan shall outline each area contributing to each inlet.
 - (c) All proposed drainage shall be shown with pipe type and size, invert and grade or rim elevations, grades and all

direction of flow. The direction of flow of all surface waters and all streams shall be shown.

- (d) The drainage shall be designed and accompanied by complete drainage calculations made in accordance with the latest NJDEP Stormwater Management regulations (Ord. Sec §528)
 - i. Soil boring, including logs and water tables.
- 14. Off site drainage plans. The plan shall also be accompanied by an offsite drainage plan prepared in accordance with the following standards:
 - (a) The plan shall consist of an outline of the entire drainage basin in which the site is located. The terminus of the basin and existing ground contours or other basis for determining basin limits shall be shown.
 - (b) The pertinent off site existing drainage shall be shown with elevations of inverts and grates to the nearest one tenth of a foot.
 - (c) To the extent that information is available and maybe obtained from the County or Township Engineer, any existing plans for drainage improvements shall be shown.
 - (d) In the event a temporary drainage system is proposed, full plans of that system shall be shown.
 - (e) The off site drainage plans shall be accompanied by profiles of all proposed drainage, showing existing details pipe sizes, type inverts, crowns, slopes all proposed structured and connections and design hydraulic grade lines for all conduits designed to carry forty (40) or more cubic feet per second. Cross section at intervals not exceeding one hundred (100') feet shall be shown for all open channels.
- 15. If required by the Township Engineer, centerline profiles of street bordering the site, internal roadways, and major circulation aisles showing existing and final grads and slopes, and pipe sized, type, inverts and grate or rim elevations of drainage and sanitary sewage facilities.
- 16. Signature blocks and dates for Chairperson, Administrative Officer and Board Engineer.
- 17. Signature blocks required by the map filing law (final plat only)

18. Monumentations as required by map filing law and Ordinance Section §512.
19. Zone boundaries and the tax map sheet, lot and block numbers and the names of owners of all properties within two hundred (200') feet of the site.
20. A key map, at a scale of not less than one (1") inch equals 1,000 feet, showing the location of the site with referenced to surrounding areas, existing streets, the names of all such streets and any zone boundary or municipal boundary which is within two hundred (200') of the site.
21. The capacity of off street parking areas, and the location and dimensions of all access drives, aisles and parking stalls. The location and treatment of existing and proposed entrances and exists to the public right-of-way, including the possible utilization of traffic signals channelization, acceleration and deceleration lanes, additional width and any other device necessary for traffic safety and/or convenience, and the estimated average number of passenger vehicles, single unit trucks or buses and semi-trailers that will enter the site each day.
22. The location and size of proposed loading docks. (If applicable)
23. The location of curbs and sidewalks.
24. Cross sections showing the composition of pavement areas, curbs and sidewalks.
25. Sign plan indicating measurements, content, dimensions and design.
26. Proposed lot and block numbers as assigned by the Township Tax Assessor.
27. Exterior of lighting plan, including the location, direction of illumination, amount of illumination expressed in horizontal foot candles, wattage and drawn details of all outdoor lighting standards and features.
28. Street lighting per Ordinance Section **§511.B**.
29. Landscaping and screening plan showing the location, type spacing and number of each type of tree or shrub and the location, type and size, spacing and number of each type of ground cover to be utilized and planting details for trees, shrub and/or ground cover.
30. Tree Removal Plan in accordance with Section **§525**.

31. Drawn details of the type of screening to be utilize for refuse storage areas, outdoor equipment and bulk storage area.
32. Floor plans an building elevation drawings of any proposed structure or structures or exsiting structures to be renovated.
33. Location of facilities for the handicapped, including parking spaces and ramps (where applicable), including construction details for ramps for the handicapped.
34. Sectionalization and staging plan. Developer of large uses such as shopping centers, multifamily dwellings, industrial parks or other uses proposed to be developed in stages shall submit a sectionalization and staging plan showing the following:
 - (a) The anticipated date of commencing construction of each section or stage;
 - (b) Plans for separate construction emergency access for the project in order to avoid occupancy conflict.
35. Written description of the proposed operations in sufficient detail to indicate the effects of the use in producing traffic congestion, noise, glare, air pollution fire hazards or safety hazards. The written description shall also include the hours of operation of the use, the number of shifts to be worked, the number of employees in each shift, the number of vehicles to be stored or parking on the site and provisions to be made for site maintenance.
36. List of all Variances and Waivers required or requested.
37. Posting the required application Fee and Escrow Fees as determined by Board Secretary, (or in accordance with fee schedule)

§ **812.03 Minor Site Plan and Minor Subdivision Checklist**

Sixteen (16) copies of completed and signed application form, containing the following information:

- A. Submission documents. Prior to issuance of a Certificate of Completeness, the Administrative Officer shall determine that the documents listed in Section §802 of this Ordinance have been submitted.
- B. Plan requirements. Prior to issuance of a Certificate of Completeness, the Administrative Officer shall determine that the following items have been shown on, or included with:
 1. General Requirements. The plan shall be signed and sealed by an architect, professional engineer, land surveyor and/or professional planner licensed to practice in the State of New Jersey, provided however, that the sanitary sewer, water distribution and storm drainage plans and water sewage

treatment facility plans may only be signed and sealed by a professional engineer. In addition, the following must be submitted:

- (a) Plans shall not be drawn at a scale smaller than one (1") inch equals fifty (50') feet nor larger than one (1") inch equals ten (10') feet.
 - (b) The plan shall be based on a monumented, current certified boundary survey, prepared in accordance with New Jersey Administrative Code 13:40-5.1, "Preparation of Land Surveys" dated September 1984 and as amended. The date of the survey and the name of the person who made the survey shall be shown on the plan.
2. Title Block: The title block shall appear on all sheets in conformance with N.J.S.A. 45:8-7 et seq. (Map Filing Law) and include:
- (a) Title to read "Minor Site Plan" or "Minor Subdivision";
 - (b) Name of the development, if any.
 - (c) Tax map sheet, block and lot number(s) of the site, as shown on latest Township Tax Map, the date of which shall also be shown.
 - (d) Date of original and all revisions.
 - (e) Names and addresses of owner and developer, so designated.
 - (f) Name, signature, address and license number of the engineer, architect land surveyor or planner who prepared the plan, and their embossed seal.
 - (g) If the plan contains more than one (1) sheet, each sheet shall be numbered and titled.
3. Zoning Data Table in accordance with **§812.01**
4. The tops of the banks and boundaries of the floodways and flood hazard areas of all existing water courses, where such have been delineated or the limits of alluvial soils where the boundaries of floodways and hazard areas have not been determined, and/or such other information as may assist the Planning Board of Zoning Board of Adjustment in the determination of floodway and flood hazard area limits.
5. North arrows and written and graphic scale.
6. Tree Removal Plan in accordance with **§525**.
7. The boundary, nature and extent of wooded areas, swamps, bogs and ponds within the site and within two hundred (200') feet thereof and delineation of all wetland soils as defined by the New Jersey Department of Environmental Protection and the U.S. Army Corps of Engineers.

8. Existing and proposed manholes, sewer lines, fire hydrants, water line utility poles and all other topographic features of a physical or engineering nature with the site and within two hundred (200') feet thereof.
9. Compliance with Stormwater Management Regulations (Ordinance Section §528), where applicable.
10. All existing structures on the site and within two hundred (200') feet thereof including their use, indicating those to be destroyed or removed and those to remain.
11. A copy of any existing or proposed covenants or deed restriction applying to this project.
12. Proposed lot and block numbers as assigned by the Neptune Tax Assessor.
13. A signage plan indicating type, size, location and method of all illumination of all signs proposed.
14. Existing and proposed public and private easements or right-of way and the purposes thereof, including conservation easements.
15. Sufficient grading information for the Planning Board Engineer to review the proposed changes and impact of the project.
16. Zone boundaries and the tax map sheet, lot and block numbers and the names of owner of all properties within two hundred (200') feet of the site.
17. A key map, at a scale of not less than one (1") inch equals 1,000 feet, showing the location of the site with reference to surrounding areas, existing street, the names of all such streets and any zone boundary or municipal boundary which is within two hundred (200') feet of the site.
18. The location and size of proposed and existing loading docks (where applicable).
19. The location of curbs and sidewalks.
20. The location of any proposed exterior lighting.
21. The location of any proposed landscaping and screening.
22. Drawn details of the type of screening to be utilized for refuse storage areas, outdoor equipment and bulk storage areas.
23. Floor plans and building elevation drawings of any proposed structure or structures, or existing structure to be removed.

24. Location of facilities for the handicapped, including parking spaces and ramps (where applicable).
25. Signature blocks and dates for Chairperson, Administrative Officer and Board Engineer.

§ **812.04 Use Variance Checklist:**

Sixteen (16) copies of completed and signed application form, containing the following information:

- A. Submission documents. Prior to issuance of a Certificate of Completeness, the Administrative Officer shall determine that the documents listed in Section §802B of this Ordinance have been submitted.
- B. Plan requirements. Prior to issuance of a Certificate of Completeness, the Administrative Officer shall determine that the following items have been shown on or included with:
 1. General Requirements. The plan shall be signed and sealed by an architect, professional engineer, land surveyor and/or professional planner licensed to practice in the State of New Jersey. In addition, the following must be submitted:
 - (a) Plan shall not be drawn at a scale smaller than one (1") inch equals fifty (50') feet nor larger than one(1") inch equals ten (10") feet.
 - (b) The plan shall be based on a monumented, current certified boundary survey, prepared in accordance with New Jersey Administrative Code 13:40-5.1, "Preparation of Land Surveys" dated September 1984 and as amended. The date of the survey on the name of the person who made the survey shall be shown on the plan.
 2. Title Block: The title bloc shall appear on all sheets in conformance with N.J.S.A.45:8-7 et seq. (Map Filing Law) and include:
 - (a) Title to read "Use Variance"
 - (b) Name of the development, if any
 - (c) Tax map sheet, block and lot number(s) of the site, as shown on latest Township Tax Map, the date of which shall also be shown.
 - (d) Date of original and all revisions.
 - (e) Names and addresses of owner and developer, so designated.

- (f) Name, signature, address and license number of the engineer, architect land surveyor or planner who prepared the plan, and their embossed seal.
3. Zoning Data Table in accordance with **§812.01**
 4. The tops of the banks and boundaries of the floodways and flood hazard areas of all existing water courses, where such have been delineated or the limits of alluvial soils where the boundaries of floodways and hazard areas have not been determined, and/or such other information as may assist the Planning Board of Zoning Board of Adjustment in the determination of floodway and flood hazard area limits.
 5. North arrows and written and graphic scale.
 6. Tree Removal Plan in accordance with **§525**.
 7. The boundary, nature and extend of wooded areas, swamps, bogs and ponds within the site and within two hundred (200') feet thereof and delineation of all wetland soils as defined by the New Jersey Department of Environmental Protection and the U.S. Army Corps of Engineers.
 8. Signature blocks and dates for Chairperson, Administrative Officer and Board Engineer.
 9. All existing structures on the site and within two hundred (200') feet thereof, including their use, indicating those to be destroyed or removed and those to remain.
 10. Existing and proposed public and private easements or right-of-way and the proposes thereof, including conservation easements.
 11. Zone boundaries and the tax map sheet, lot and block numbers and the names of owner of all properties within two hundred (200') feet of the site.
 12. A key map, at a scale of not less than one (1") inch equals 1,000 feet, showing the location of the site with reference to surrounding areas, existing street, the names of all such streets and any zone boundary or municipal boundary which is within two hundred (200') feet of the site.
 13. The capacity of off street parking areas, an the location and dimensions of al access drives, aisles and parking stalls. The location and treatment of existing and proposed entrances and exists to the public right-of-way, including the possible utilization of traffic signals channelization, acceleration and deceleration lanes, additional width and any other device necessary for traffic safety and/or convenience, and the estimated average number of passenger vehicles, single unit trucks or buses and semi-trailers that will enter the site each day.

14. Architectural drawings showing floor plans and building elevation drawings of the new or proposed converted building changes proposed.
15. The location and size of proposed and existing loading docks (if applicable).
16. The location of curbs and sidewalks.
17. A signage plan indicating type, size, location and method of all of illumination of all signs proposed.
18. The location of any proposed landscaping and screening.
19. A copy of the “Zoning Permit Denial from the Zoning Officer” if applicable.
20. Posting the required application fee and escrow fees, as determined by Board Secretary (or in accordance with fee schedule).
21. Any additional information that may be required at time of filing.

§ **812.05 Bulk Variance Checklist:**

Sixteen (16) copies of completed and signed application form, containing the following information:

- A. Submission documents. Prior to issuance of a Certificate of Completeness, the Administrative Officer shall determine that the following documents have been submitted.
 1. Completed, signed and notarized variance application.
 2. Current survey of property drawn to scale, showing the block and lot numbers of the property, dimension of lot, dimension of present and proposed structure, and the location of all structures in relation to all other structures and to the property lines must be shown.
 3. Copy of the “Zoning Permit Denial” from the Zoning Officer, if applicable.
 4. Signed and sealed drawing of the proposed structure, detail description of the proposed finished project.
 5. Recent photos of the structure as it exists, showing front, sides and rear of the property.
 6. Posting the required application and escrow fees, as determined by Board Secretary (or in accordance with fee schedule).
 7. Any additional information that may be required at time of filing.

§ 812.01 Zoning Data Table

The following table shall be included on the first (1st) sheet of all plans submitted to the Planning Board of Board of Adjustment for Site Plan, Minor Site Plan Subdivision Minor Subdivision, or Variance approval:

ZONE DISTRICT:	REQUIRED	EXISTING	PROPOSED
Minimum lot area			
Maximum density			
Maximum FAR			
Minimum lot width			
Minimum lot frontage			
Minimum lot depth			
Minimum front yard setback			
Minimum side yard setback			
Minimum combined side yard setback			
Minimum rear yard setback			
Maximum percent building coverage			
Maximum percent lot cover			
Maximum number of stories			
Maximum building height			
Minimum improvable lot area			
Minimum improvable area – Diameter of circle (feet)			
Off-street parking spaces			
Loading spaces			
Signs			
Existing use or used _____			
Proposed use of uses: _____			
Existing floor area: _____			
Proposed floor area: _____			

NOTE: any items that are not applicable to a particular application shall be marked with a “N/A”

All Ordinance, or parts thereof, inconsistent with the provision of this Ordinance, be and the same are hereby repealed to the extent of such inconsistency.

SECTION 4

Should any section, paragraph, clause or any other portion of the Ordinance be adjusted by a Court of competent jurisdiction to be invalid, such judgment shall not affect or impair the remainder of this Ordinance.

SECTION 5

This Ordinance shall take effect upon its passage and publication according to law and upon the filing of a certified copy thereof with the Monmouth County Planning Board.

APPROVED ON FIRST READING: October 24, 2011

APPROVED, PASSED AND ADOPTED: November 28, 2011

ATTEST:

Richard J. Cuttrell
Municipal Clerk

Kevin B. Mc Millian,
Mayor