

**Town of Morristown
PLANNING BOARD and ZONING BOARD OF ADJUSTMENT
200 South Street
Morristown, NJ 07960**

APPLICATION GUIDELINES

The powers and procedures of the two municipal land use boards are authorized by the New Jersey Municipal Land Use Law and Morristown's Land Use Regulations, Chapter 132, Code of the Town of Morristown. Questions as to procedures, schedules of public hearings and agendas may be directed to the office of the Boards, 200 South Street, 292-6722.

Filing Applications, Appeals and Requests for Interpretations: Forms for applications and appropriate checklists may be obtained from the office of the Boards at 200 South Street. After a **complete** application is filed, including all materials required by the checklists for your type of application, you will be given a date for the Board meeting when your application will be scheduled. **An application cannot be accepted for filing purposes until all required fees and escrows have been paid.**

Notice Requirements: You must serve notice as described below for all applications, appeals and requests for interpretations, except for minor site plan, minor subdivision, conventional site plan on a final approval of a major subdivision.

At least ten (10) days before the date set for your public hearing, you must serve notice in person or by certified mail to all owners of properties within two hundred (200) feet of the property in question. A certified list of these property owners must be secured by you from the Morristown Tax Assessor, 200 South Street, 292-6668. There is a small fee for preparation of the list.

After all notices have been served, you must complete an affidavit of service, executed by an attorney at law of New Jersey or a notary public. This affidavit is to be submitted with a copy of your notice, the certified list of property owners, and the post office mailing receipts for the notices served by certified mail, as your proof of service.

In addition, you may be required to serve notice to one or more of the following.

1. If your property is within 200 feet of Morristown Township, you must serve notice to the Clerk of the Township of Morris, 50 Woodland Avenue, Convent Station, NJ 07961, AND the Morris County Planning Board, 300 Mendham Road, Morristown, NJ.
2. If your property is on a County Road, you must serve notice to the Morris County Planning Board.
3. If your property is on a State highway, you must serve notice to the State Commissioner of Transportation, 1035 Parkway Avenue, Trenton, NJ 08625

If you are required to serve notice, you must also publish a legal ad, one time, in the Daily Record, at least ten (10) days before the date set for your public hearing. The notice must include the location of the property which is the subject of the application, the approvals being

sought, and the date, time and place of the hearing. A copy of the published ad must be submitted to the Board at or prior to your hearing.

Applications for Development: An application for development includes the application forms and all accompanying documents and drawings required by the appropriate checklists for a site plan, subdivision, planned development, conditional use, zoning variance or direction for issuance of certain permits. The number of application sets required is as follows:

PLANNING BOARD: The original plus sixteen (16) sets of the application form and all required supporting documents.

ZONING BOARD OF ADJUSTMENT: The original plus thirteen (13) copies of the application form and all required supporting documents.

NOTE: All drawings must be folded.

All subdivision plats must be prepared by a surveyor licensed in the State of New Jersey. Major site plans must also be prepared by a professional; your engineer or architect can advise you as to which type of professional you will need for the different elements of your plans.

Other Approvals Required:

1. If your application is for a subdivision (minor or major) or if the property in question is on a County road, or if your application is for a site plan where the impervious surface area exceeds one (1) acre (43,560 square feet), you must make application to and receive approval from the Morris County Planning Board.

2. Unless your application involves only one single-family house or unless disturbance of less than five thousand (5,000) square feet of soil is proposed, you must make application to and receive approval from the Morris County Soil Conservation District:

Appeals to the Board of Adjustment: Any interested party affected by any decision of an administrative officer of the Town of Morristown based on or made in the enforcement of the zoning ordinance may file an appeal of that decision within twenty (20) days of the decision or the decision is final. An appeal is made by filing a notice of appeal with the administrative officer from whom the appeal is taken, specifying the grounds for the appeal. The Board application form and all supporting documents required by the appropriate checklists must be submitted before the appeal may be certified complete and scheduled for public hearing.

Payment of Taxes: You are required to show that no taxes or sewer user fees are due or delinquent for the property in question by submitting a Certification signed by the Morristown Tax Collector.

The Public Hearing: With the exception of simple minor site plans and minor subdivisions (which may be handled by the Site Plan & Subdivision Committee of the Planning Board), you will have a public hearing at a scheduled Board meeting. The hearing resembles a court or judicial procedures, with witnesses being sworn in and the right of cross-examination by any interested parties. You must be present at your hearing for your application to be heard; it is your responsibility to submit evidence to support your application.

Individuals or partners may speak for themselves, but you may wish to consider being represented by an attorney. Corporations are required to be represented by an attorney.

Each Board meets at least once a month. A complete application must be filed at least 14 days prior to a particular meeting date to be considered for inclusion on the Board of Adjustment agenda; the Planning Board requires filing 21 days prior to a meeting.

NOTES: **1. REPRODUCTION OF DUPLICATE TAPES:** If an application is not completed at the first or subsequent public hearings, the applicant may want to provide duplicate tapes (cost is \$10 each) of the hearing(s) to Board members absent from a hearing, so that those Board members may listen to the tape(s) and be eligible to vote on the application. It is the applicant's responsibility to call or write to the Board office to request duplicate tapes.

2. ESCROW: The escrow deposit is required by the Morristown Land Use Regulations, Chapter 132-27A, (amended by Ordinance 0-6-87). **ALL BILLS INCURRED FOR PROFESSIONAL SERVICES FOR AN APPLICATION, I.E., BOARD ENGINEER'S AND PLANNER'S REVIEWS, SITE INSPECTIONS, REPORTS, ATTENDANCE AT MEETINGS, AND BOARD ATTORNEY'S TIME FOR PREPARATION OF RESOLUTIONS, ARE CHARGED TO THE INDIVIDUAL APPLICANT'S ACCOUNT.** If the account is depleted before the application/development process is complete, an additional deposit is required. A balance in an escrow account at the completion of the process will be refunded to the applicant.

2A. ESCROW BALANCE REFUND PROCESS: When the application process is complete (the Board has made a decision, a resolution has been adopted, all conditions of approval have been met, all required site work has been completed), a request for refund of your escrow balance, if any, may be made to the Board office. These requests are processed once a month by the Morristown Finance Department, and depending on when your request is made, your refund should be mailed to you within three to six weeks after the request. (Please note that because of billing cycles, the earliest such a request may be made is the middle of the month following the month in which the Board adopted your resolution.)

6/87, rev. 10/90, rev. 4/91, rev. 9/96

Town of Morristown
**NOTICE TO ALL APPLICANTS TO THE
PLANNING BOARD & ZONING BOARD OF ADJUSTMENT**

IN CONJUNCTION WITH THE SECTION OF THE MORRISTOWN ZONING ORDINANCE PROVIDING FOR CHECKLISTS AND REQUESTS FOR WAIVERS OF CHECKLIST REQUIREMENTS, THE BOARDS HAVE ADOPTED THE FOLLOWING PROCEDURES.

1. **Completeness Review.** No submission to the Boards will be accepted unless it is accompanied by the required application fee and escrow. When an application along with the required fee and escrow have been submitted, the application will be reviewed for completeness in accordance with the appropriate checklists. (NOTE: Under the New Jersey Land Use Law, the municipality has 45 days within which to conduct the completeness review.) After the review, the applicant either will be notified that the application is complete and be given a hearing date, or the applicant will be notified that the application is incomplete and be given an itemization of the deficiencies.

2. **Checklist Waiver Requests.** If an applicant requests waivers of any checklist requirements, the waiver request fees first must be paid in accordance the Morristown Fee Ordinance. The requests then will be reviewed and acted on by the authorized committee of the appropriate Board. Whether or not the waiver requests are granted, the preliminary technical review of the application normally will not take place until the following month's committee meeting, or in the case of denial of any waiver requests, at such future time when all required items have been submitted and the application has been certified complete.

3. **Scheduling of Public Hearings.** It is the policy of both Boards not to schedule applications for public hearing until after they have been reviewed by the respective Site Plan Committees. In general, the scheduling is as follows. It may vary somewhat from year to year, depending on when holidays such as Christmas fall.

PLANNING BOARD - The Planning Board holds one regular meeting per month (fourth Thursday; second Thursday in November and December). In order to be considered for the Board's agenda in any given month, a **complete** application must be filed not later than the first Thursday of the month in question (or the third Thursday of the preceding month for the November and December meetings.)

BOARD OF ADJUSTMENT - The Board of Adjustment holds two regular meetings per month (first and third Wednesdays). The minimum requirement is that a **complete** application must be filed at least fourteen (14) days prior to any given meeting date to be considered for that agenda. However, if there is no Site Plan Committee meeting scheduled between the filing date and the Board's next meeting date, the public hearing will not be scheduled until after review by the Committee.

ANN MacKINNIS, Administrative Officer
Planning Board & Zoning Board of Adjustment
1/6/88
Rev. 9/3/96

Town of Morristown Historic Preservation Commission Reviews

If your building is more than 50 years old, or if it is in a predominantly historic neighborhood, or if you are constructing a new building in a historic area, the Town wants to help you preserve the historic value of your project.

We ask that you call the Historic Preservation Commission at 267-4717 and arrange to discuss your plans.

Informal Review Meetings

At an early stage of your planning process - preferably before your designs are filed with the Town - we urge you to meet with the Commission to investigate ways to maintain the integrity of your architecture. This process costs nothing, and will not affect the outcome of your board hearing or the issuance of your construction permit. It does not commit you to any particular design. You may also arrange such a meeting at any time before your case is heard. Just give us a call.

Formal Review Procedure

As part of any application for a Planning Board or Board of Adjustment hearing, or for a construction permit, if your site has historic significance as described above, please provide an extra copy of your architectural and site plans. Please call the Commission for an appointment at least 45 days before your hearing date or before you apply for your construction permit. After this meeting, the Commission may recommend against approval of your application, but currently they have no power to deny it. You will be informed in writing of their decision. If a Board hearing is involved, the Commission may appear to testify about your application, either in favor or in opposition, depending on the outcome of your review.

Applicants who wish to present exhibits or other materials in the form of computerized presentations or other electronic media must provide to the Board Secretary at or prior to the meeting at which the exhibits or other materials will be presented to the Board a disk containing the media that is viewable via a widely-available program (e.g. Powerpoint), together with fifteen (15) paper copies of the exhibits or other materials if the same is capable of being reduced to a paper format.