

**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 Morris 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.

JOHN FUGGER, Administrative Officer
Planning Board & Zoning Board of Adjustment

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.

SUBMISSION OF PROOF OF SERVICE AND PUBLICATION OF NOTICE

1. The New Jersey Municipal Land Use Law requires, at N.J.S.A. 40:55D-12, that notice of application be provided to certain persons and entities, including, but not limited to, owners of real property shown on current tax duplicates within two hundred (200) feet in all directions of the property which is the subject matter of the hearing, the Clerk of adjoining municipalities within 200 feet of the subject property, the County Planning Board, the Commissioner of Transportation, public utilities, and others. In the case of properties that are located within 200 feet of adjoining municipalities, it is the applicant's responsibility to contact the tax assessor's office in the adjoining municipality for a list of property owners within 200 feet of the subject property who reside in the adjoining municipality. Please note that special rules apply to the giving of notice to condominium owners, horizontal property regimes, and condominium or homeowner's associations. Said notice must be mailed by certified mail to the address shown on current tax duplicates. Mailing must take place at least ten (10) days (not counting the date of mailing) prior to the date of the hearing.
2. The Municipal Land Use Law also requires that the notice be published in the official newspaper of the municipality. Again, that publication must take place ten (10) days prior to the hearing.
3. At least three (3) days prior to the hearing, applicants are to submit an Affidavit of Proof of Service, including copies of the white receipts for certified mail stamped by the Post Office and a copy of the Affidavit of Publication provided by the local newspaper, to the attorney for the Board of Adjustment or the Planning Board, with a copy to the Board Secretary. Please note that the Municipal Land Use Law does not require return receipts for certified mail (green cards) and such receipts are not required to be submitted with the Affidavit. Proof of mailing is via the white certified mail receipt, which must be stamped by the Post Office. Note that the **complete name(s) and mailing address, including zip code, must be printed legibly on the white receipt. Any white receipt that does not exactly match the tax assessor's list may be rejected.**
4. Failure to submit an appropriate Affidavit of Service in a timely manner could result in the re-scheduling of the hearing.

TOWN OF MORRISTOWN

ORDINANCE 31 - 04

AN ORDINANCE AMENDING CHAPTER 132 OF THE CODE OF THE TOWN OF MORRISTOWN ENTITLED, "LAND USE REGULATIONS," TO ADD STEEP SLOPE REGULATIONS

BE IT ORDAINED, by the Town Council of the Town of Morristown, being the governing body thereof as follows:

SECTION I. Chapter 132 of the Code of the Town of Morristown, entitled "Land Use Regulations," is hereby amended to add a new ARTICLE XXVIII A, entitled "Regulation of Steep Slopes," which shall provide as follows:

132-98A Steep Slope Regulations

A. Legislative Purpose and Findings.

The purpose of regulating steep slopes in the Town of Morristown is to prevent, or reduce, the problems resulting from the development of such environmentally sensitive areas. The New Jersey State Development and Redevelopment Plan states that slopes that are in excess of 15% are environmentally sensitive, and the alteration of such slopes can adversely affect the slope itself, surrounding land, and the region as a whole. The removal of vegetation from a steep slope increases water runoff and erosion, reduces the stability of remaining plants on the slope, and degrades the visual aesthetics of the area as a whole. Because of increased water runoff, as the water spills into nearby lakes and streams, it brings along loose soil, which adds sediment to the waterways and pollutes key regional water resources. Surface runoff from Morristown drains into both the Whippany River Watershed and the Great Swamp, two key natural resources in the region.

The speed at which the water passes down an unprotected slope into a lower lying area may also cause serious flooding and landslides. The higher speed of surface water runoff also reduces the amount of water percolating into groundwater and aquifers immediately surrounding the slope, which can result in periodic or permanent water shortages. This is a particularly important consideration in Morristown because the Town is located above one of the key regional aquifers. The erosion of a hillside also leaves remaining vegetation with a lack of nutrient-rich soil and weak root systems, which may cause falling trees and deteriorating plant life conditions, leading to the aesthetic decline of the site and the Town as a whole.

Finally, it is also important to note that if this ordinance is to remain consistent with Morristown's role as a designated regional center, it must be structured so that it does not significantly and unreasonably limit the growth capabilities of the Town

B. Definitions

1. *Steep Slope* means slopes 15% or greater.
2. *Prohibitive Slope* means those slopes greater than 25 percent.
3. *Precautionary Slope* means those slopes between 15 percent and 25 percent.
4. *Non-critical Slope or Area* means those slopes less than 15 percent.

C. Regulations

1. All development and redevelopment activities, including stripping of vegetation, grading, or other soil disturbances, may occur without approval under this ordinance only on non-critical areas of the tract or steep slope areas provided that the development activity complies with the following provisions:
 2. No area with prohibitive slopes shall be disturbed developed, or redeveloped.
 3. No area with precautionary slopes may be disturbed or developed without the applicant submitting sufficient evidence to prove the following:
 - a. Soil erosion, land disturbance, and other environmental concerns have been adequately addressed;
 - b. The Performance Standards in Section E herein have been satisfied;
 - c. The applicant has submitted grading, drainage, and landscaping plans for the entire lot or tract of land to be developed, each in accordance with the requirements specified in Section F herein, which plans confirm conformance with the aforementioned Performance Standards and which further confirm that the rate and velocity of the surface water runoff from the entire site which will result following completion of the proposed development shall not exceed that which currently exists in the predevelopment conditions. Certification by a professional engineer will be required stating that the standards contained herein have been met.
 4. A precautionary slope with a minimum grade of at least 15 percent but not more than 20 percent may have a maximum disturbance area of no greater than 50 percent.
 5. A precautionary slope with a minimum grade of at least 21 percent but not more than 25 percent may have a maximum disturbance area of no greater than 25 percent.

D. Relief from Regulations

An applicant may seek relief from the requirements of these regulations by applying for variances to either the Planning Board or by the Zoning Board of Adjustment, depending on which Board has jurisdiction based on the provisions of the New Jersey Municipal Land Use Law.

E. Performance Standards

The Town Engineer, when reviewing an application to disturb precautionary slopes or when reviewing an application for variance relief from the requirements of this ordinance, shall submit a report to the Planning Board or Board of Adjustment for each application. The Planning Board or Board of Adjustment shall be guided by, but not limited to, the following performance standards:

1. The applicant shall demonstrate that the disturbance of the steep slope area is necessary for the proposed development of the subject tract or lot, and that such development is otherwise in accordance with the applicable ordinance provisions of the Town of Morristown.
2. The applicant shall demonstrate that the proposed development has utilized the "non-critical areas" of the tract to the extent reasonably practicable and that an attempt has been made to minimize the disturbance of the steep slope areas by limiting development to isolated areas of steep slopes;
3. The applicant shall demonstrate that appropriate re-vegetation and landscaping of the disturbed steep slope areas will be provided so as to adequately stabilize the slopes and enhance the attractiveness of the site, all in accordance with accepted soil conservation and stormwater management techniques as promulgated by the Town Engineer.
4. The applicant shall demonstrate that the proposed disturbance of the steep slope area minimizes the impairment of the visual quality of the site and protects the higher elevations along hillsides, ridges, and mountain tops which create visual amenities;
5. The applicant also shall demonstrate that:
 - a. any geologic disturbance, including blasting, cutting, or excavating, resulting from the development of a steep slope area will be satisfactorily mitigated; and
 - b. the cost of providing and maintaining public facilities and services to those portions of the site where steep slope areas are to be disturbed will not be substantially increased as a result of such disturbance.

F. Submission Requirements

Any applicant proposing to disturb steep slopes in the Town of Morristown shall submit the following information to the Town Engineer and to the Planning Board or the Zoning Board of Adjustment, as the case may be, and all submitted plans, details, and calculations shall be prepared, signed, and sealed by a New Jersey licensed professional engineer:

1. A steep slope analysis, utilizing the best available topographical information, as determined by the Town Engineer. The analysis shall be based on 2-foot contour intervals or spot elevations if appropriate. Areas designated as steep slope areas shall be shaded and the amount of land area calculated. The analysis shall identify non-critical, precautionary, and prohibitive slopes.
2. A grading plan, which shall be prepared at a minimum scale of 1" equals 20', shall include the following information in addition to all other applicable requirements of the Land Development Ordinance:
 - a. Plans showing the location of, and details for, all drainage devices, retaining walls, cribbing, dams, or other protective devices to be constructed, and any existing or proposed swales, ditches, brooks, or other drainage patterns;
 - b. Plans, profiles, cross-sections, and details of all retaining walls showing the height of each wall, the elevation at the top and bottom of each wall, the materials to be used, a profile and cross section of each wall, any proposed plantings, any safety barriers, the calculations of anticipated earth and hydrostatic pressures and surcharges, and the calculations detailing the design of each wall; and
 - c. A map designating the maximum limits of clearing and disturbance.
3. Drainage plans and supporting computations for any storm drainage system shall be submitted, including the following information as may be required by the Town Engineer:
 - a. All existing or proposed storm sewer lines within or adjacent to the tract, showing the profile, size, and slope of the lines, the direction of flow, and the location of each catch basin, inlet, manhole, culvert, headwall, and utility line, including pipe sizes and grades;
 - b. A map drawn to scale (minimum scale 1"=100') showing the contributing area to each inlet or cross drain;
 - c. The weighted run-off coefficient for each drainage area that was utilized in the submitted computations and a report by the design engineer containing the design criteria used, the alternates considered, the reasons for the final selections and the design calculations.

4. Landscaping plans, indicating the following information:
 - a. The proposed limits of disturbance of the subject site;
 - b. A general depiction of all existing vegetation within the area to be disturbed and a planting plan including a planting schedule for the plant material to be installed;
 - c. A specific identification within the area to be disturbed of all individual trees or groups of trees which have a caliper of 8" or more measured 3' above the ground level, with an indication of which trees are to be removed.

G. Exemptions

Developments shall be exempt from the steep slope requirements of this ordinance, as follows:

1. Land development plans, which were approved prior to the adoption date of this ordinance.
2. Any development proposal where the steep slope to be disturbed is less than 1,000 square feet shall be exempt. Proof of such exemption eligibility shall be determined by the Zoning Officer.
3. Redevelopment of any property, where the property in question is part of an area that was designated by the governing body as being in need of redevelopment prior to the adoption of this ordinance.

H. Compatibility with other ordinance and permit requirements.

Development approvals issued pursuant to this ordinance are to be considered an integral part of development approvals under the subdivision and site plan review process and do not relieve the applicant of the responsibility to secure required permits or approvals for activities regulated by other applicable codes, rules, acts or ordinances. In their interpretation and application the provisions of this ordinance shall be held to be the minimum requirements for the promotion of the public health, safety, general welfare, and the protection of water quality.

SECTION II. Severability. If any section, paragraph, subdivision, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to that section, paragraph, subdivision, clause or provision, and the remainder of this Ordinance shall be deemed valid and effective.

SECTION III. Repealer. All Ordinances or parts of Ordinances inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

SECTION IV. Effective Date. This ordinance shall take effect upon passage and publication as required by law.

I do certify the above to be a true and exact copy of an Ordinance duly passed and adopted by the Town Council of the Town of Morristown at a regular meeting of the Town Council held on Tuesday, September 28, 2004, in the Morristown Council Room, 200 South Street, Morristown, New Jersey, beginning at 7:30 P.M., prevailing time.

DATED: September 29, 2004

Robin J. Kesselmeyer
Deputy Town Clerk

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

SITE INSPECTION AUTHORIZATION

I, _____, the undersigned property owner or lessee, do hereby authorize Morristown Officials to inspect the property owned/leased by me at _____ in connection with my application to the Planning Board of Zoning Board of Adjustment.

NAME (Please Print)

SIGNATURE

DATE

TELEPHONE #

Town of Morristown
Morris County
PLANNING BOARD & ZONING BOARD OF ADJUSTMENT
200 South Street
Morristown, NJ 07960

NOTICE OF HEARING TO PROPERTY OWNERS

Application No. _____ DATE _____, 20 _____

YOU ARE HEREBY NOTIFIED THAT ON _____(Date)
AT _____P.M., IN THE MUNICIPAL BUILDING, 200 SOUTH STREET,
MORRISTOWN, NEW JERSEY, THE _____ (Board)
WILL HOLD A PUBLIC HEARING TO CONSIDER THE APPLICATION OF
_____ FOR PROPERTY LOCATED AT
_____, (Address of Property in Question)
BLOCK _____, LOT _____.

APPLICANT SEEKS THE FOLLOWING APPROVALS AND/OR RELIEFS FROM THE
REQUIREMENTS OF THE MORRISTOWN ZONING ORDINANCE. (Specify the proposed
development/modification as well as the approvals and reliefs requested.)

ALL DOCUMENTS RELATING TO THIS APPLICATION MAY BE INSPECTED BY THE
PUBLIC AT THE BOARD OFFICE, 200 SOUTH STREET, MORRISTOWN, NJ, DURING
REGULAR WORKING HOURS.

(Signature of Applicant)

NOTE: This notice must be served on each property owner within two hundred (200) feet of the property in question at least ten (10) days prior to the hearing date. Service may be made in person only to the person named on the certified list, or by certified mail.

TOWN OF MORRISTOWN
Sample Legal Ad
(To Be Published in the Daily Record One Time,
at Least Ten (10) Days prior to the Hearing Date)

NOTICE

NOTICE is hereby given that the _____ (Board) of the Town of
Morristown will hold a public hearing _____ (Date) at _____ P.M.,
in the Council/Court Room of the Municipal Building, 200 South Street, Morristown, NJ, to hear
the application of _____ (Applicant's Name) for property situate
Block _____, Lot _____, known as _____ (Property
Address), Morristown, NJ. Approval is being sought for
_____ (Specify Type of Application) to
_____ (Describe Proposal).

All documents relating to this application may be inspected by the public at the Board Office,
200 South Street, Morristown, NJ, during regular working hours.

Applicant's/Attorney's Name

Address

Telephone #

**TOWN OF MORRISTOWN
MINOR SITE PLAN CHECKLIST**

Applicant _____ Planning Board: _____

File #; _____ Board of Adjustment: _____

Date submitted: _____ Status: _____

Application Status & Application Dates:

Incomplete: _____

Complete _____

Decision Due: _____

ITEM	C O M P L E T E	I N C O M P L E T E	W A I V E R E Q
1. Minor site plan drawing (see section 30-904B).			
2. Name and address of applicant and record owner.			
3. Date of preparation of plans (s) and all revision dates			
4. Layout of proposed and / or existing buildings and structures and elevation plan.			
5. Location and size of signs (existing and proposed).			
6. Lot Dimensions and dimensions of all Improvements.			
7. For revisions to approved plans: Name, Address, signature, seal of preparer of Plan (see Section 30-905A.3); and any items from the major site plan checklist which are applicable to the revision.			
8. Design Review Guidelines			

**TOWN OF MORRISTOWN
APPEAL/INTERPRETATION CHECKLIST**

Applicant _____ Planning Board _____

File # _____ Board of Adjustment _____

Date Submitted _____ Status _____

Application Status & Applicable Dates:

Incomplete _____

Complete _____

Decision Due _____

ITEM

C O M P L E T E	I N C O M P L E T E	W A I V E R	R E Q U E S T E D

- | |
|---|
| 1. A map prepared by the applicant or a professional architect, engineer, planner or surveyor which clarifies in sufficient detail the nature of the appeal or interpretation, if required. |
| 2. For interpretation: a written statement as to previous use of property, including information as to number of employees, customers, type and nature of business, traffic generated; same information for proposed use. |
| 3. For an appeal: any available documentation to support the basis for the appeal. |
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Disclosure Requirement for Use Variance Applicants

Pursuant to Ordinance 0-42-98, applicants, property owners and retained professionals for Use Variances must disclose all political contributions made during the course of the year prior to the filing of the application. This obligation is a continuing one, and the disclosure statement must be updated to reflect any contributions made during the pendency of the application. This disclosure statement *must* be filed with the application in order for the application to be deemed complete.

The attached copy of Ordinance 0-42-98, defines “Developer,” “Professional,” “Contribution,” and “Contribution Disclosure Statement” and specifically sets forth the disclosure requirements.

AFFIDAVIT OF SERVICE

ZONING BOARD OF ADJUSTMENT/PLANNING BOARD
Town of Morristown
Moms County, New Jersey

Application No. _____

STATE OF _____:

COUNTY OF _____:

_____, of full age, being duly sworn according to law, deposes and says that (s)he resides at _____ in the County of _____, in the State of _____; that (s)he is (acting for) the applicant(s) in a proceeding before the _____ of the Town of Morristown, State of New Jersey, being an appeal or application under the Zoning Ordinance, and which has the Case No. _____ and relates to premises located at _____; that on _____, 20__, at least ten (10) days prior to hearing date, (s)he gave written notice of the hearing on this application to all property owners within 200 feet of the subject property and to each and all of the other persons upon whom service must be made, in the required form, a copy of which is attached hereto. Said notice was given either by handing a copy to the property owner, or by sending said notice by certified mail. Copies of the registered receipts are attached hereto. Notice was also published in the official newspaper of the Town as required by law, as evidenced by the proof publication attached hereto. The list of property owners within 200 feet of the subject property as well as public utility to be noticed was derived from the Tax Assessor's certified list, a copy of which is attached.

Notices were also served upon: (Check if applicable)

- 1. The Clerk of the _____ of _____
- 2. County Planning Board
- 3. The Director of the Division of State and Regional Planning
- 4. The Department of Transportation

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

Signature

(NOTE TO APPLICANTS: PROOF OF SERVICE OF NOTICES REQUIRED BY STATUTE MUST BE FILED AND VERIFIED AT OR PRIOR TO MEETING, OR CASE WILL NOT BE HEARD. Please deliver the same to the board attorney at his office prior to the meeting. Attach a copy of the completed form of notice, proof of publication, and certified mail receipts stamped by the Post Office. You must also attach a copy of the certified list of property owners within two hundred (200) feet which you obtained from the Tax Assessor's Office.)

NOTICE TO MORRIS TOWNSHIP & MORRIS COUNTY PLANNING BOARD

PLEASE TAKE NOTE:

In addition to notifying owners within 200 feet of your property who reside in the Town of Morristown, if your property lies within 200 feet of the municipal boundary between the Town of Morristown and Morris Township, you must also give notice to the following:

- property owners within 200 feet of the subject property who reside in Morris Township;
- the Clerk of Morris Township;
- Morris County Planning Board.

The Tax Assessor's list will include any property owners within 200 feet of your property who reside in Morris Township, but the list will not prominently identify these owners as Morris Township residents. If you are unsure as to whether your property is within 200 feet of the Morris Township line, please examine the Tax Assessor's list. The "Tax PIN" for Morris Township properties will begin with the numerals "1422."

If there are properties on the Tax Assessor's list with a "1422" Tax PIN, you must also give notice to the following:

Morris Township Clerk
50 Woodland Avenue
P.O. Box 7603
Convent Station, New Jersey 07961-7603

Morris County Planning Board
30 Schuyler Place, 4th Floor
Morristown, New Jersey 07960

Note that the names and addresses of the Morris Township Clerk and the Morris County Planning Board will not appear on the Tax Assessor's list. You must, however, give notice to these addresses. Failure to include proof of timely notice to these additional addresses in your Affidavit of Service could result in the re-scheduling of the hearing.

APPLICANT INFORMATION WORKSHEET

To be filled out by applicant on day of meeting and provided to each member at meeting

Meeting Date: _____ Morristown File #: _____

Applicant Name: _____

Applicant Address: _____

Property Address: _____

Applicant Attorney: _____

Firm: _____

Firm Address: _____

Describe Relief Requested – Use additional sheets of paper, if necessary

PLEASE IDENTIFY WHO WILL BE TESTIFYING IN THE APPLICANT'S BEHALF

1. Expert Witness Name and Expertise:

Firm & Town:

2. Expert Witness Name and Expertise:

Firm & Town:

3. Expert Witness Name and Expertise:

Firm & Town:

4. Expert Witness Name and Expertise:

Firm & Town:

TOWN OF MORRISTOWN
MAJOR SUBDIVISION (Final)

Applicant: _____

Planning Board

File #: _____

Board of Adjustment:

Date Submitted _____

Status _____

Application Status & Applicable Dates:

Incomplete _____

Complete _____

Decision Due _____

ITEM

	Complete	Incomplete	Waiver Requested
1. Final plat prepared by licensed land surveyor at scale required (see section 30-3501.4) and including name of preparer.			
2. Date, name, location, owner (s), scale and reference meridian.			
3. Tract boundary lines, rights –of – way, easements (see section 30-3501.4 B and C).			
4. Block and lot numbers as directed by Morristown Tax Assessor.			
5. All setback lines.			
6. Location and description of all monuments.			
7. Names of adjoining land owners.			
8. Engineer’s certification as to accuracy of details of plat.			
9. Certification that applicant is owner of agent, or that owner has given consent under an option agreement.			
10. Certification blocks on plat as to any required approvals by town, county or state Offices or bodies.			
11. Cross sections and profiles of streets (see section 30-3501.4 K).			
12. Contours (see section 30-3501.4 L).			
13. Plans and profiles storm and sanitary sewers and water mains.			
14. Developer’s agreement, if required.			

TOWN OF MORRISTOWN
MINOR SUBDIVISION Checklist

Applicant: _____

Planning Board :

File #: _____

Board of Adjustment:

Date Submitted _____

Status _____

Application Status & Applicable Dates:

Incomplete _____

Complete _____

Decision Due _____

ITEM

	Complete	Incomplete	Waiver Requested
1. Map of entire tract based on current survey, including bearing and distance data, at scale where 1" equals not more than 50'			
2. Zoning district information, zoning district dimensional requirements and flood Hazard areas, if any.			
3. Key map.			
4. All existing structures (See section 30-3501.1.2)			
5. Sewer, water, right-of-way information (See section 30-3501.1.3)			
6. Name of owners of the subject property and all property owners within 200'			
7. Existing and proposed block and lot numbers (as provided by Morristown Tax Assessor)			
8. North arrow, signature block, graphic scale, title block, name and land surveyor Preparing the map together with that individual's raised seal and signature			

TOWN OF MORRISTOWN
MAJOR SUBDIVISION (Preliminary)

Applicant: _____

Planning Board :

File #: _____

Board of Adjustment:

Date Submitted _____

Status _____

Application Status & Applicable Dates:

Incomplete _____

Complete _____

Decision Due _____

ITEM

	Complete	Incomplete	Waiver Requested
1. Preliminary plat prepared by licensed surveyor, planner, architect or professional Engineer, at scale required (see Section 30-3501.3A) and including date of preparation and any revision dates.			
2. Key map (see Section 30-3501.3A (1).			
3. Tract name, names and addresses as required by section (30-3501.3 A. (2).			
4. Property lines and acreage of tract to nearest 1/10 acre.			
5. Existing interval contours as required by section (30-3501.3.A. (4).			
6. All watercourses, flood, plains, floodways, and flood areas.			
7. Location of tree masses and trees more than 10" in diameter.			
8. Existing buildings.			
9. Existing storms and sanitary sewers, water mains, as required by section (30-3501.3.A (8).			
10. Other significant features such a bridge, culverts, rock formations, etc.			
11. Proposed property and lot lines, street names, alleys, easements (see section (3501.3. (10a)			
12. Proposed physical improvements including cross sections and center line profiles (see Section (3501.3 (10.b).			
13. Copy of protective covenants and deed restrictions.			
14. Names of all owners of parcels and property lines of parcels within 200" as required.			

15. All open spaces.			
16. Sight triangle data as required by section 30-601.1.			
17. Environment Impact Statement (see Section 30-2801 et seq.)			
18. Traffic study			
19. Soil Erosion and Sediment Control Plan.			

**TOWN OF MORRISTOWN
ADMINISTRATIVE CHECKLIST
(For All Applications)**

Applicant _____ Planning Board _____

File # _____ Board of Adjustment _____

Date Submitted _____ Status _____

Application Status & Applicable Date:

Incomplete _____

Complete _____

Decision Due _____

COMPLETE

INCOMPLETE

ITEM

1.	Planning Board: Fully completed application forms, including certification of payment of taxes*, owner’s authorization and disclosure of corporate ownership, plus all required plans and documents – see appropriate checklist; 15 copies of all materials, (which will include a copy for Board Staff, Members, Attorney and Consultants). 5 copies of all materials, (* which will include a copy for the Environmental and Historical Commission, Construction Official, Fire Bureau and Police Bureau), * WHEN APPLICABLE .		
2.	Board of Adjustment; Same as #1; 13 copies and 5 copies.		
3.	All fees and escrow deposits paid (See Morristown Fee Ordinance, Chapter 98). (Separate checks, each made payable to the “Town of Morristown”) (Escrow deposits must be submitted along with the attached “Client Fund Manager” (CPM) “Third Party Setup Form”, “W-9” Form and the “Escrow Contact Information” Form.		
4.	Site inspection authorization.		
5.	A listing of checklist waiver requests.		
6.	Certification that application has been made to other governmental agencies as required (i.e., Morris County Planning Board, Morris County Soil Conservation District, NJDEP, NJDOT, etc).		
7.	Calculate the Growth Share Obligation that will be generated by the development proposed in this application, in accordance with the Third Round Rules adopted by the N.J. Council on Affordable Housing, at N.J.A.C. 5:94-2.4, and state how the applicant will satisfy that obligation.		
8.	Certification by Morristown Tax Collector required.		

TOWN OF MORRISTOWN
Variance Checklist – C & D

Applicant: _____

Planning Board

File #: _____

Board of Adjustment:

Date Submitted _____

Status _____

Application Status & Applicable Dates:

Incomplete _____

Complete _____

Decision Due _____

ITEM

FOR ALL ONE AND TWO FAMILY HOUSES:

	Complete	Incomplete	Waiver Requested
1. A professionally prepared survey of the property showing lot dimensions And all existing and proposed dimensions between all structures and Property lines.			
2. Interior layout and elevation plan (need to be professionally prepared)			
FOR ALL OTHER C & D VARIANCE APPLICATIONS:			
1. See appropriate checklist for type of application, i.e., major site plan, minor Subdivision, etc.,			
2. Interior layout and elevation plan.			
3. If the application is to be bifurcated: a professionally prepared plan Showing lot or tract dimensions, dimensions between all structures and Property lines, proposed improvements, preliminary drainage scheme, and Preliminary Environmental Impact, Statement addressing storm water Management and traffic impact, to provide sufficient data upon which a Decision can be based.			
4. Contribution Disclosure Form (For use variance applications)			

TOWN OF MORRISTOWN
Major Site Plan Checklist
(Preliminary and Final)

Applicant _____

Planning Board _____

File Number _____

Board of Adjustment _____

Date Submitted ____ / ____ / ____

Status _____

Application Status & Applicable Dates:

Incomplete ____ / ____ / ____

Complete ____ / ____ / ____

Decision Due ____ / ____ / ____

ITEM

	COMPLETE	INCOMPLETE	REQUESTED	WAIVER
NOTE: All site plan applications are considered to be for preliminary and final approval unless the application otherwise states.				
1. Site plan on paper 24" x 36 " prepared by a licensed professional (see Section 30-906), in scale no small than 1" equals 50' and including reference meridian.				
2. Data block including title or name of developer, name and address of applicant and record owner of all lots, name, raised seal of preparer and date of preparation of the plan and any revisions.				
3. Key map.				
4. Layout of proposed buildings and/or structures, including elevation plan.				
5. All lot dimensions and dimensions of all improvements.				
6. Location and size of signs.				
7. Bearing and distance information.				
8. Zone district lines, flood hazard areas if any, and municipal boundaries if they affect the parcel.				
9. Boundaries, building or setback lines (see Section 30-905G).				
10. Covenants, deed restrictions.				
11. Distances along center lines of streets to nearest intersection.				
12. Location of buildings to remain or to be removed, and all other structures.				
13. Location of existing storm drains and utilities (see Section 30-905K).				

TOWN OF MORRISTOWN
Major Site Plan Checklist
(Preliminary and Final)

Applicant _____

Planning Board _____

File Number _____

Board of Adjustment _____

Date Submitted ____ / ____ / ____

Status _____

Application Status & Applicable Dates:

Incomplete ____ / ____ / ____

Complete ____ / ____ / ____

Decision Due ____ / ____ / ____

<u>ITEM</u>	COMPLETE	INCOMPLETE	REQUESTED WAIVER
14. Contours as required by Section 30-905L			
15. Location of trees and other significant physical features (see Section 30-905M).			
16. Survey as required by Section 30-905N.			
17. Easements, sidewalks, streets, utilities, proposed and existing (see Section 30-9050).			
18. Location of proposed buildings and proposed grades.			
19. Vehicular access as required by Section 30-905Q.			
20. Location and design of off-street parking and loading areas (see Section 30-905R and 30-804).			
21. Location of proposed water and sewer lines (see Section 30-905S).			
22. Lighting plan.			
23. Landscape plan prepared by licensed landscape architect.			
24. Storm water drainage system (see Section 30-905V).			
25. Environmental Impact Statement.			
26. Approval Block.			
27. Site data box including Ordinance requirements and proposed.			
28. All Site Construction Details.			
29. Proposed finished floor elevations of all buildings.			

TOWN OF MORRISTOWN
Major Site Plan Checklist
(Preliminary and Final)

Applicant _____

Planning Board _____

File Number _____

Board of Adjustment _____

Date Submitted ____ / ____ / ____

Status _____

Application Status & Applicable Dates:

Incomplete ____ / ____ / ____

Complete ____ / ____ / ____

Decision Due ____ / ____ / ____

<u>ITEM</u>	COMPLETE	INCOMPLETE	W/ AIVER REQUESTED
30. Buffers, if required per Section 30-605.2.			
31. Dumpster location(s).			
32. Corner clearance per Section 30-601.1, if applicable.			
33. Sewer Connection Fee Determination Application (See R-197-07)			
34. Treatment Works Application (Pursuant to N.J.A.C.7:14A-22.3)			
35. Design Review Guidelines			

Date Filed _____

Application # _____

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

(Please type or print)

I. Applicant's Name & Address _____ Telephone _____

II. Attorney's Name & Address _____ Telephone _____

III. Property Street & Address _____
Tax Map Block # _____ Lot # _____ Zoning District _____

IV. If applicant is a corporation, give the names & addresses of owners of 10% or more of stock.
If a partnership, give names and addresses of partners.

V. Applicant Is (Check One)

_____ Property Owner _____ Purchaser Under Contract _____ Other (If applicant is
other than owner of property in question, give owner's name, address and telephone number.)

VI. Application is being made to: _____ Board of Adjustment
_____ Planning Board

for the following approvals:

_____ Appeal from Decision
_____ of Administrative Officer
_____ Use Variance
_____ Dimensional Variance(s)
_____ Request for Interpretation
_____ Other (explain) _____

_____ Minor Site Plan
_____ Major Site Plan
_____ Minor Subdivision
_____ Major Subdivision
_____ Conditional Use

VII. Applicant requests approval for: (check applicable word and describe proposal)

_____ Construction of _____
_____ Alteration to _____
_____ Conversion from _____ to _____
_____ Use as _____

Town of Morristown
PLANNING BOARD & ZONING BOARD OF ADJUSTMENT
Application Form, Page 2

If there were any previous Board applications for the subject property, please give the date, Board, type of application and decision of the Board: _____

If available, please attach a copy of the Board resolution(s).

VIII. If variance(s) requested, please complete the following:

<u>Section of Ordinance Which Proposal Violates</u>	<u>Describe the Violation</u>
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

IX. Basis for variance or appeal; check applicable sections.

a. Board of Adjustment

- _____ A. Appeal from decision of administrative officer.
- _____ B. Request for interpretation of zoning ordinance.
- _____ C. Dimensional or bulk variances.
- _____ D. Use variance.

b. Planning Board

- _____ A. Dimensional or bulk variances.
- _____ B. Permit to build in mapped street, flood control basin or reserved area.
- _____ C. Permit for building not related to a street.

c. In conjunction with application to the Board of Adjustment, the following approvals are requested.

- _____ Major or minor site plan.
- _____ Major or minor subdivision.

d. State the facts that support the relief requested.

Town of Morristown
 PLANNING BOARD & ZONING BOARD OF ADJUSTMENT
 Application Form, Page 3

X. Building Data

- a. Outside ground level dimensions _____ by _____
- b. Number of stories _____
- c. Gross square feet _____
- d. Net square feet _____
- e. List all objects or structures to project above roof line _____

XI. Site Data

- a. Present use of property _____
 (Include all uses, i.e., two-family, office, retail, etc.)
- b. For how long _____
- c. If owner, date purchased _____

		Existing or Proposed Dimensions For Property in Question	Required by Ordinance for Proposed Use(s)
d. 1.	Lot area	_____	_____
2.	Lot width	_____	_____
3.	Lot depth	_____	_____
4.	Total both side yards	_____	_____
5.	Smallest side yard	_____	_____
6.	Front yard setback	_____	_____
7.	Rear yard	_____	_____
8.	Lot area per family	_____	_____

Town of Morristown
PLANNING BOARD & ZONING BOARD OF ADJUSTMENT
Application Form, Page 4

- 9. Maximum lot coverage _____
(% all buildings)
- 10. Percent improved _____
lot coverage
- 11. Number of parking _____
spaces on-site
- 12. % required rear yard _____
covered by accessory
structures
- 13. Side yard(s) for _____
accessory structures
- 14. Rear setback for _____
accessory structures
- 15. Rear setback for _____
parking areas
- 16. Side yard(s) for _____
parking areas
- 17. % Rear yard covered _____
by parking
- 18. Building maximum _____
height
- 19. Buffers _____
- 20. Corner clearance _____
- 21. Loading berths _____

e. Square footage of lot surface to be disturbed by construction is _____ square feet.
(A soil erosion and sediment control plan must be filed with and approved by the Morris
County Soil Conservation District if more than five thousand (5,000) square feet will be
disturbed.

Town of Morristown
PLANNING BOARD & ZONING BOARD OF ADJUSTMENT
Application Form, Page 5

XII. Off Site Parking

- a. Property address _____ Block _____ Lot _____
- b. Number of spaces available _____ and distance in feet following sidewalks) from property in question _____
- c. Name and address of owner of property proposed for off site parking _____

XIII. Name, Address and Telephone Number of Preparer of Site Plan and/or Subdivision Plat, if applicable.

Telephone _____

XIV. Name, Address and Telephone Number of Preparer of Environmental Impact Statement or Waiver Request, if required.

Telephone _____

(Question Numbers XV through XVIII to be filled out for SUBDIVISION applications only.)

XV. Number of lots proposed _____ Area of entire tract _____

XVI. Development plans:

- a. Sell lot(s) only _____
- b. Construction of house(s) for sale _____
- c. Other _____

XVII. Deed restrictions that apply or are contemplated

XVIII. List proposed improvements and utilities and intentions to install or post performance guarantee prior to final approval.

Improvement

Intention

- 1. _____
- 2. _____

Town of Morristown
PLANNING BOARD & ZONING BOARD OF ADJUSTMENT
Application Form, Page 6

3. _____

(The following section is for Conditional Use applications only)

XIX. Conditional use:

- a. Describe the proposed use _____
- b. List reasons for granting _____

(The following section is only for properties located in a flood plain)

XX. Flood Plain Data

- a. Property located in a floodway? _____ In a flood fringe? _____
- b. Proposed use is permitted? _____ Restricted? _____ Prohibited? _____
- c. List reasons for granting permit _____
- d. Has NJ DEP approval been sought? _____

XXI. Tax Information

All taxes and sewer user fees on the property in question have been paid through the _____ quarter of 20___. (Certification by the Morristown Tax Collector required.)

XXII. I hereby certify that all of the facts contained in the within application are true to the best of my knowledge or belief. I realize that I may be subject to prosecution if any information contained herein is willfully or deliberately false.

DATE _____

Signature of Applicant or Legally
Authorized Officer/Partner

Signature of Property Owner
(If Other Than Applicant)

**APPLICATION
ESCROW CONTACT INFORMATION
(MUST BE FILLED OUT COMPLETELY)**

NAME _____

ADDRESS _____

PHONE # _____

FAX # _____

E-MAIL _____



Client Fund Manager (CFM) Third-Party Setup Form

Please complete a form for each third-party account being requested.

1. CFM Customer Information – Complete all Fields

Customer Name	Phone Number	Ext
THE TOWN OF MORRISTOWN	(973) 292-6660	
Customer Account Address		
200 SOUTH STREET, MORRISTOWN, NJ 07960		
Account Number (account to which the new third-party account will be linked)	Internal Use Account Product Name	COD
2030000801976	DDA	

2. Third-Party Information – Complete all Applicable Fields. Information Requested in this Section Pertains to your Client.

Client Name	DBA (doing business as) Client Name – if applicable		
Client Address (1) – No P.O. Boxes (include apartment # and building # if applicable)	Client Address (2)		
City	State	Zip Code	Country
Client Date of Birth (individual) or Entity Formation Date (non-individual)	Client Occupation/Profession (individual) or Type of Business (non-individual)		
Country of Citizenship (individual)	If not a U.S. citizen, are you a permanent resident alien?		
<input type="radio"/> U.S. <input type="radio"/> Other:	<input type="radio"/> Yes <input type="radio"/> No		
Client Tax Identification Number (TIN) - attach W-9. If no TIN, provide the number and country of issuance of any other government-issued identification document and attach W-8.			
Does your client conduct business in non-U.S. countries? If so, please list.			
Describe the business relationship with your client and the services provided.			
Please indicate if account should be interest or non-interest bearing.			

Yes No Will this account have interest splitting? If YES, what percent of interest should be paid to the CFM customer account? _____%
 Whole percentages only. **NOTE:** If applicable, review state/federal regulations and contract with third party and verify that you are eligible for interest splitting. Rent Security accounts in New York and Pennsylvania are automatically set to pay 1% to the master account in Washington, Rent Security accounts are automatically set to pay 100% to the master account.

Yes No For Rent Security Customers in New York or Pennsylvania, do you wish the Bank to issue an annual interest check to your tenant?
NOTE: Fee applies. For Rent Security Customers in New Jersey, Connecticut, and Illinois the Bank will automatically send annual interest checks to tenants.

Include W-8/W-9 Attachments for your Client

Expected Monthly Transaction Activity	Volume – Number of Deposits	Dollar Amount – For Rent Security customers, this amount is used to track security deposits for tenants and to calculate interest splitting, if applicable.
		\$



FO01-00000WBA3061-01

Account Number (account to which the new third party account will be linked)	Internal Use	
	Account Product Name	COID
	DDA	

3. Customer Approval – (Authorized Signature Required)

Each person who signs this form on Customer's behalf is authorized to do so by resolution, agreement or other legal sufficient action of the governing body of Customer, if Customer is not an individual, or is an Authorized Signer on Customer's account.

Printed Name of Authorized Signer	Phone	
		Ext
Signature	Date	
X		

4. Wells Fargo Relationship Manager Information – Complete all Fields

Relationship Manager Name	Phone Number	
		Ext

For Business Banker Use Only

Completed By	Phone	
		Ext

Current business documentation has been validated and is on file Yes No

All SVP profiles have been created or updated and match the current business documentation Yes No

Business Banker Signature	Date Completed	
Business Banking Manager Approval	Date Completed	



FO01-00000WBA3061-02

TOWN OF MORRISTOWN

RESIDENT INFORMATION FOR ATTENDING/PARTICIPATING IN A ZONING BOARD OF ADJUSTMENT OR PLANNING BOARD MEETING

Welcome to the public hearing of the Town of Morristown Zoning Board of Adjustment or Planning Board. The Board is glad you are here and we can all benefit from your attendance and input. This bulletin outlines, in summary fashion, the procedures which the New Jersey Municipal Land Use Law (MLUL) requires the Zoning Board of Adjustment and Planning Board to follow. Zoning Board of Adjustment members, who are appointed by the governing body, are charged by law with reviewing and determining all types of variances including use “d” variances, dimensional “c” variances, appeals and interpretations. Planning Board members, who include the Mayor and appointed by the Mayor are charged by law with reviewing site plans, subdivisions, which include dimensional “c” variances, zoning ordinance amendments, re-examination and/or adoption of the master plan in accordance with the **MLUL N.J.S.A. 40:55D-1 et seq.** You may obtain a copy of the MLUL by contacting the New Jersey Planning Officials at www.njpo.org or at 908-412-9592 for further assistance. Approvals or denials of applications may be legally challenged (for instance, in New Jersey Superior Court). Therefore, it is very important that the process laid out in the MLUL be closely followed.

AGENDAS

An agenda is available before all meetings. It is posted on the bulletin board in Town Hall outside Town Clerk’s office on the first floor and outside the Planning & Zoning Office on the second floor, at least 48 hours before the meeting and can also be found on the Town of Morristown website at www.townofmorristown.org, click on meetings and agendas, then Zoning Board of Adjustment or Planning Board current agendas.

PUBLIC QUESTION AND COMMENTS

Each application is reviewed in accordance with MLUL procedures. The Zoning Board of Adjustment or Planning Board is a quasi-judicial body, and its procedures are similar to those used in a courtroom. The chairperson conducts the meeting as a judge might and the Board is comparable to a jury that votes to make a final decision. All members of the Zoning Board of Adjustment or Planning Board are resident volunteers and serve in the public interest without compensation. Board members are required to complete a state-mandated training course, which is also available to the public. Each year board members must file a financial disclosure statement which is required by the New Jersey Ethics Law with the Municipal Clerk

The public may comment on applications before the board. The timing of such comment depends on the complexity of the application. In general, less complex applications have one public comment period. For example, an application in which a resident seeks permission to encroach into the side yard set-back of a residential lot to allow for an expanded family room, might have one public comment. More complex applications have public question periods after each expert witness presents testimony, and in general public comment period after the completion of the presentation of the application. When asking a question regarding a specific witness’s testimony, the public may only ask a question only about that expert’s testimony. The public may comment on any aspect of the application during the public comment period at the close of the application.

Completeness Review: No submission to the boards will be accepted unless it is accompanied by the required application fee and escrow deposit. When an application along with the required fee and escrow deposit has been submitted, the application will be reviewed for completeness in accordance with the appropriate checklists. **(NOTE: Under the MLUL, N.J.S.A 40:55D-10.3. et seq., the municipality has 45 days within which to conduct a 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.

APPLICATION PROCEDURES

When an application is announced by the chairperson, the applicant or his/her attorney comes forward. If the applicant is to provide testimony, he/she introduces him/herself, affirms that his/her testimony will be truthful (while being sworn under oath by the Zoning Board of Adjustment or Planning Board Attorney) and then explains the nature of the application. If the applicant is represented by an attorney, the attorney presents the application and, where applicable, the order of the applicant's expert witnesses. If there are expert witnesses, they will be sworn in before presenting their testimony. Following the testimony of each witness, the Board will ask questions and seek clarifications needed for an informed review of the application. The chairperson will then ask if there are any questions from the public regarding the testimony.

If you have a question, raise your hand. When the chairperson calls on you, please walk to the microphone. You will then be sworn under oath by the Board Attorney. Please speak clearly into the microphone. All witnesses must state their names and addresses and spell their last names before asking a question or making appropriate comments. The public is limited to five minutes per person to ensure adequate time for all speakers for all applications. Verbal statements from the public should be supportable and not hearsay.

The applicant has the right to cross-examine any members of the public who speak. Written statements or letters from individuals who are not present, petitions or speaking on anyone else's behalf are not allowable according to the **MLUL N.J.S.A. 40:55D-10.d**. Written statements from the public in favor of or opposing the application cannot be accepted as the Board cannot cross-examine written statements; however, a member of the public may provide the secretary with a written copy of his/her remarks after speaking. Only the chairperson may decide who speaks at a given time. Comments called out from the audience will not be considered part of the record.

The chairperson has the right to close the public portion of a hearing if he/she feels the audience is unruly or is making comments that are not relevant to the application. The chairperson also has the right to have any member of the audience removed from the hearing room for unruly behavior. The meetings are recorded using a computer audio system. However, the applicant may also choose to hire a court reporting service at his/her personal expense. Minutes will be prepared and summarized by the Board's Secretary.

Hearings that are not completed at one meeting may be further considered at future meetings. The chairperson will verbally announce that an application is carried to the next regularly scheduled meeting. To confirm a continuation or rescheduling, call the board office at 972-292-6723 weekdays from 8:30AM to 4:30PM. When you follow the procedures discussed above, your input will have maximum impact on the board's deliberations. Please note that all applications are judged on their individual merits. The Board cannot predetermine the outcome of an application.

MEETING MINUTES

Meeting minutes are posted on the Town's website at www.townofmorristown.org after the Board approves them, usually at the following month's meeting. The minutes are typically posted the day following their approval.

The information and guidelines provided in this bulletin are subject to any changes in the MLUL and are subject to any procedures or deviations established by the land use boards to implement the MLUL in effect at that time.

(These guidelines are for the purpose of assisting interested parties in understanding and participating in the municipal land use process. Each application is unique and deviations from this outline may necessarily occur. Such deviations should not be considered a basis for an argument in any appeals of a decision rendered by the Board.)

Thank you for participating in the municipal land use process.

Chapter XXX
Land Use Regulations
Application Fees

Preliminary Major Subdivision	\$500.00
Plus Per Lot	40.00
Final Mayor Subdivision	300.00
Plus Per Lot	30.00
Minor Subdivision	350.00
Major Site Plan	\$500.00
Per 10k sq. ft, over 20k	150.00
Sq. ft. lot area	
Per 1 k over 1k floor area	\$20.00
Minor Site Plan	250.00
Dimensional or Bulk Variances	
(Except Parking)	
1 Dwelling Unit	\$60.00
2-4 Dwelling Units	250.00
5 or More Dwelling Units	400.00
Per Each Unit Over 5	30.00
Non-Residential	500.00
Parking Variances	
1 Dwelling Unit	\$60.00
4 Dwelling 2Units	250.00
5 or more Dwelling Units	400.00
Non – Residential	500.00
Conditional Uses	
Home Occupation	\$350.00
Residential	150.00
Non – Residential	500.00
Use Variances	
1 – 4 Dwelling Unit	\$400.00
5 or more	750.00
Non – Residential	850.00
Environmental Impact Statement	\$300.00
Per 1K over 1k sq. ft. lot area	30.00
Per 1k over 1k floor areas	20.00

Requests for Interpretation	
1-4 dwelling Units	\$250.00
5 or more dwelling units	400.00
Non residential	450.00
Request for Concept or Zone change	\$400.00
Appeals to the Board of Adjustment alleging an error By the Administrative Officer	\$200.00
Request for final approval extension	
1 dwelling unit	\$150.00
All other residential c variances and minor sub	350.00
Nom residential c variances and major subdivision	600.00
Site plan	600.00
Use variance	1,500.00
Request for special meeting of Board of Adjustment or Planning Board	\$1,500.00
Application for checklist waiver	
Waiver of site plan	\$200.00
Waiver of EIS	200.00
All other checklist items	60.00
Per item (max 4 per each type of checklist)	
Submission of revised plans and applications	\$200.00
Submission of signature review plans	\$200.00
Certification of pre-existing or non-conforming use by Administrative Officer	\$100.00
Certification of pre-existing non-conforming use by Board of Adjustment	\$250.00

Chapter XXX
Land Use Regulations
Escrow Deposits

Preliminary Major Subdivisions	\$5,000.00
Final Major Subdivisions	\$5,000.00
Major Site Plan	\$5,000.00
Minor Site Plan	\$1,500.00
Minor Subdivision	\$1,500.00
Variance – dimensional or bulk C	
Single Family - Flat Fee	\$750.00
All other C per variance (max. 3 var.)	\$600.00
Conditional Use	\$1,500.00
Use Variance D	\$5,000.00
Flood Hazard Area Restricted	\$600.00
EIS	\$600.00
Plus per 10K over 10sq.ft.	\$100.00
Per 1 K over 1k sq. ft. floor areas	\$20.00
Appeals to Board of Adjustment	
Alleging Errors of Administrative Officer	\$450.00
Seeking Interpretation of Ordinance	\$350.00
Certification of Pre-existing Non-Conforming Use	\$500.00
Zone Change or Concept Review	\$500.00
Amendments / Revised Plans	\$1,500.00
Ext. of Final Approval Single Family	\$400.00
Ext. of Final Approval all others	\$1,500.00
Checklist Waiver Requests	\$400.00
Waiver of Site Plan Approval	\$600.00