

CITY OF SALEM

INSTRUCTIONS FOR FILING AN APPLICATION FOR APPROVAL OF MINOR SUBDIVISION, SITE PLAN, SITE PLAN WAIVER, MAJOR SUBDIVISION, AND/OR VARIANCE

Mail or deliver the following items to the Planning Board Secretary at the Municipal Building, 17 New Market Street, Salem, New Jersey.

1. Fifteen (15) copies of COMPLETED Application.
2. Fifteen (15) copies of sealed plans and legal descriptions.
3. Fifteen (15) copies of COMPLETED Checklist (with any other items requested therein).
4. Required fees.

Your application will be assigned a number that should thereafter appear on all papers or documents concerning your application.

ALL items must be in the hands of the Planning Board Secretary 14 days prior to the Planning Board meeting for review by Planning Board Attorney, Engineer and Secretary. You will be notified of the results of the review. If the Planning Board professionals find the application “complete”, you will be notified that your public hearing will be scheduled for the Planning Board meeting the following month. After the public hearing, the Planning Board’s decision will be memorialized in a resolution at the following months meeting; and within a few days thereafter that decision will be published in The South Jersey Times (the designated publication).

IT IS RECOMMENDED THAT APPLICANT SECURE THE ASSISTANCE OF AN ATTORNEY OF HIS/HER CHOICE OR READ THE APPLICABLE SECTION OF THE SALEM CITY LAND DEVELOPMENT ORDINANCE (LAND USE) BEFORE ATTEMPTING TO COMPLETE THIS APPLICATION.

** Be sure that your attorney has a copy of these instructions.

RULES AND PROCEDURES FOR APPLICATION TO THE SALEM CITY PLANNING BOARD

1. All applications to the Salem City Planning Board are governed by the Salem City Land Development Ordinance, New Jersey’s Municipal land Use Law (N.J.S.A. 40:55D-1), the procedural rules specified herein, and all other applicable federal, state, and local laws and regulations including, but not limited to those of the Water, and Fire Departments, the Salem County Planning Board, the Salem County Dept. of Health, the New Jersey Department of Environmental Protection (including wetland and CAFRA regulations), and the New Jersey Department of Transportation. All applicants will be presumed to have knowledge of all regulations, laws, and rules, and are therefore encouraged to consult with an attorney or otherwise become familiar with them. **The Board’s attorney represents the Board ONLY and CANNOT give legal advice to the applicants.**

2. All applications must be made using the forms supplied by the Planning Board Secretary: Application and Checklist. All information specified in the Checklist applicable to each application must be provided (unless the subject of a waiver or variance request) in order for the application to be considered complete. Each waiver or variance requested must be clearly stated, with its rationale.
3. Fifteen (15) completed copies of each applicable Application form must be filed with the Planning Board Secretary, together with Fifteen (15) copies of all other documents, plans and materials required as part of the application.
4. The Planning Board Attorney, Engineer and Secretary will review the application to determine whether the application is complete. The Board may grant or deny submission waivers upon completeness review. **No application will be determined to be complete unless and until all applications and escrow fees have been paid in full. The Board will not consider or grant any request for waiver of application/escrow fees.**
5. If the Planning Board professionals determine an application to be complete, the Secretary will give the applicant written notice of completeness within 45 days of the submission of the application. Upon receipt of the completeness notice, the applicant should confer with the Planning Board Secretary to schedule the application for hearing at a regular Board Meeting. If there is no response from an applicant within a reasonable time after completeness notification, and it appears to the Board that the application will not be heard at a regular meeting in sufficient time for the Board to take action as required by New Jersey law, the application will be denied. After completeness has been certified, the Board may require such additional information from the applicant as it believes may be necessary to make an informed decision.

The board can and may elect at its sole discretion to hear applications that do not require notice immediately upon determination of completeness. For this reason, applicants who are not required to give such notice may wish to attend the completeness review meeting in the event the Board requires the applicant's testimony or consent to conditions of approval.

6. **Incomplete applications will not be scheduled for hearing.** If the Board determines an application to be incomplete, the Board will give the applicant written notice of incompleteness within the aforesaid 45-day period, informing the applicant of the information and materials which must be submitted to complete the applications. The applicant may thereafter supplement the application to satisfy the deficiencies. The Board will conduct a subsequent completeness review within 45 days after receipt of any such supplemental submission. The Board may require that an applicant's escrow be replenished to its initial amount as part of any supplemental submission.
7. All corporate applicants must be represented through the application process by a New Jersey licensed attorney. Other applicants may proceed without legal counsel provided that in all such instances the applicant appears personally to testify at the application hearing(s). Although the applicant may present professionals such as surveyors, architects, engineers, and realtors as witnesses to testify during the application hearing(s) (provided that their names, addresses, and area of expertise are

included in the list provided pursuant to the application) such professional(s) cannot legally “represent” the applicant.

8. The Board may, in its sole discretion, schedule, reschedule, postpone, adjourn, or continue any application hearing as permitted by law. **The Board will not hear the application(s) of any applicant who has failed to replenish application escrows, or to pay any other amounts owed to the City. The Board reserves the right to dismiss the application(s) of any applicant who has failed to replenish application escrows, or to pay any other amounts owed to the City.**
9. Unless otherwise decided by majority vote, the Board will not allow any application hearing to begin after 10:00 p.m., and will hear no testimony after 10:30 p.m.

CITY OF SALEM

APPLICATION # _____

APPLICATION FEE \$ _____	RECEIVED _____
BY _____	
ESCROW FEE \$ _____	RECEIVED _____
BY _____	
ACTION BY PLANNING BOARD PROFESSIONALS:	
<input type="checkbox"/> CONSIDERED APPLICATION COMPLETE	
<input type="checkbox"/> CONSIDERED APPLICATION INCOMPLETE	
ACTION BY PLANNING BOARD:	
APPROVED _____ DENIED _____ OTHER _____	
DATE OF PUBLICATION PRIOR TO MEETING _____	
DATE OF PUBLICATION OF DECISION _____	

(Do not write above this line – official use only)

APPLICANT'S NAME _____

APPLICANT'S ADDRESS _____

APPLICANTS TELEPHONE _____

APPLICANT'S E-MAIL ADDRESS _____

OWNER'S NAME _____

OWNER'S ADDRESS _____

RELATIONSHIP OF APPLICANT TO OWNER (i.e. tenant, agent, purchaser under contract, same person, or other) _____

LOCATION OF PREMISES _____

BLOCK NUMBER _____ LOT NUMBER(S) _____

THE PREMISES ARE SITUATED ON (East, West, North, South) side of _____

_____ (Street) (Avenue) (Road) approximately _____ feet from _____

_____ (Landmark or intersection of another street)

THE PREMISES ARE LOCATED IN THE FOLLOWING ZONE (Check One):

- | | |
|--|---|
| <input type="checkbox"/> AR Agricultural Residential | <input type="checkbox"/> C Commercial |
| <input type="checkbox"/> R Residential | <input type="checkbox"/> I Industrial |
| <input type="checkbox"/> VR Village Residential | <input type="checkbox"/> CI Commercial/Industrial |
| <input type="checkbox"/> VC Village Commercial | |

Area to be disturbed (square feet) _____

Total number of proposed dwelling units _____

_____ Request for Waiver from Site Plan Review and Approval

Reason for request _____

NECESSARY RELIEF:

_____ Appeal decision of an Administrative Officer (NJS 40:55D-70a)

_____ Map of Ordinance Interpretation of Special Question (NJS 40:55D-70b)

_____ Variance Relief (hardship) (NJS 40:55D-70c (1))

_____ Variance Relief (substantial benefit) (NJS 40:55D-70c(2))

_____ Variance Relief (use) (NJS 40:55D-70d)

_____ Conditional use Approval (NJS 40:55D-70d)

_____ Direct issuance of a permit for a structure in bed of a mapped street, public drainage way, or flood control basin (NJS 40:55D-34)

_____ Direct issuance of a permit for a lot lacking street frontage (NJS 40:55D-35)

Section(s) of Ordinance from which a variance is requested _____

Waivers requested of Development Standards and/or Submission requirements: (attach additional pages needed) _____

Attach a copy of the Notice to appear in the official newspaper of the municipality and to be mailed to the owners of all real property, as shown on the current tax duplicate, located within the State and within 200 feet in all directions of the property which is the subject of this application. The Notice must specify the sections of the Ordinance from which relief is sought, if applicable.

The publication and the service on the affected owners must be accomplished at least TEN (10) days prior to the date scheduled for the hearing.

An affidavit of service (proof of service upon all property owners, personally or by certified mail) and a proof of publication (furnished by the newspaper) must be in the hands of the Solicitor before the start of the public hearing.

Explain in detail the exact nature of the application and the changes to be made at the premises, including the proposed use of the premises (attach pages as needed).

NOTE: All deed restrictions, covenants, easements, associations by-laws, existing and proposed must be submitted for review and must be written in easily understandable English in order to be approved.

Present use of the premises: _____

Applicant's Attorney _____
Address _____
Telephone Number _____ Fax Number _____
E-Mail Address _____

Applicant's Land Surveyor _____
Address _____
Telephone Number _____ Fax Number _____
E-Mail Address _____

Applicants Planning Consultant _____
Address _____
Telephone Number _____ Fax Number _____
E-Mail Address _____

Applicants Engineer _____
Address _____
Telephone Number _____ Fax Number _____
E-Mail Address _____

List any other Expert who will submit a report or who will testify for the Applicant: (Attach additional sheets as may be necessary)

Name _____
Field of Expertise _____
Address _____
Telephone Number _____ Fax Number _____
E-Mail Address _____

Application Represents a Request for the Following:

SUBDIVISION

- _____ Minor Subdivision Approval
- _____ Major Subdivision Approval (Preliminary)
- _____ Major Subdivision Approval (Final)
- Number of lots to be created (including remainder lot) _____
- Number of proposed dwelling units (if applicable) _____

SITE PLAN

- _____ Site Plan Approval
- _____ Preliminary Site Plan Approval (Phases, if applicable _____)
- _____ Final Site Plan Approval (Phases, if applicable _____)
- _____ Amendment of revision to an Approved Site Plan
- _____ Sketch Plats/Sketch Plans (not required, but recommended)

Have any proposed new lots been reviewed with the Tax Assessor to determine appropriate lot and block numbers? _____

Are any off-tract improvements required or proposed? _____

Is the subdivision to be filed by Deed or Plat? _____

What form of security does the applicant propose to provide as performance and maintenance guarantees? _____

Other approvals which may be required and date plans submitted:

	Yes	No	Date Plans Submitted
Municipal Utilities Authority	_____	_____	_____
Salem County Health Department	_____	_____	_____
Salem County Planning Board	_____	_____	_____
Salem County Soils Conservation District	_____	_____	_____
NJ Dept. of Environmental Protection	_____	_____	_____
Sewer Extension Permit	_____	_____	_____
Sanitary Sewer Connection Permit	_____	_____	_____
Stream Encroachment Permit	_____	_____	_____
Waterfront Development Permit	_____	_____	_____
Wetlands Permit	_____	_____	_____
Tidal Wetlands Permit	_____	_____	_____
Potable Water Construction Permit	_____	_____	_____
NJ Department of Transportation	_____	_____	_____
Atlantic City Electric	_____	_____	_____
South Jersey Gas Company	_____	_____	_____

Certification required from Tax Collector that all taxes due on the subject property have been paid.

List of Maps, Reports and other materials accompanying the application (attach additional pages as required for complete listing).

Quantity	Description of Item
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

IT IS THE RESPONSIBILITY OF THE APPLICANT to mail or deliver copies of the application form and all supporting documents to the Planning Board Secretary. The documentation must be received by the Planning Board Secretary at least 14 days prior to the meeting of the Planning Board in order for the matter to be on the agenda.

The Applicant hereby requests that copies of the reports of the professional staff reviewing the application be provided to the following of the Applicants Professionals:

CERTIFICATION: I certify that the foregoing statements and the materials submitted are true. I am aware that if any statements made by me in the application are willfully false, I shall be subject to punishment. I further certify that I am the individual APPLICANT or that I am an officer of the Corporate applicant and that I am authorized to sign the application for the Corporation of that I am a general partner of the partnership applicant. (If the applicant is a corporation this must be signed by an authorized corporate officer. If the applicant is a partnership, this must be signed by a general partner.)

Signature of Applicant

CERTIFICATION: I certify that I am the OWNER of the property which is the subject of this application, that I have authorized the Applicant to make this application and that I agree to be bound by the application, the representations made and the decision in the same manner as if I were the applicant. I am aware that if any statements made by me are willfully false, I shall be subject to punishment. (If the owner is a corporation this must be signed by an authorized corporate officer. If the owner is a partnership, this must be signed by a general partner.)

INDIVIDUAL....Print name under signature:

Owner

Corporation.... Print name of Corporation:

ATTEST:

Secretary

President

PARTNERSHIP...Print name of partnership:

General Partner

I understand that the sum of \$ _____ has been deposited in an escrow account (Builders Trust Account), in accordance with the Ordinances of the City of Salem. I further understand that the escrow account is established to cover the cost of professional services, including engineering, planning, legal and other expenses associated with the review of submitted materials and the publication of the decision by the Board. Sums not utilized in the review process shall be returned. If additional sums are deemed necessary, I understand that I will be notified of the required additional amount and shall add the sum to the escrow account within fifteen (15) days after notification.

DATE: _____

Signature of Applicant