

ORDINANCE NO. 23-17
INTRODUCTION DATE: 11-01-2023
ADOPTION DATE: 12-06-2023

ORDINANCE AMENDING CHAPTER 35 (LAND USE AND DEVELOPMENT REGULATIONS), SECTION 35-3-9.4 (FEE SCHEDULE), SECTION 35-3-3.8 (PUBLICATION OF DECISIONS) AND SECTION 35-6-3.8 (APPLICATION FOR MODIFICATIONS THAT DO NOT SUBSTANTIALLY CHANGE FIRST PRIORITY LOCATIONS) OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF MILLSTONE

BE IT ORDAINED by the Township Committee of the Township of Millstone, County of Monmouth and State of New Jersey as follows (additions are underlined and deletions are in ~~strikeout~~).

I

Chapter 35 (Land use and Development), Section 35-3-9.4 (Fee Schedule) is hereby amended as follows:

- a. Schedule. Fees for the development applications and related development activities are hereby adopted in accordance with the attached Fee Schedule, Schedule 1.

FEE SCHEDULE

TOWNSHIP OF MILLSTONE

Each developer shall, at the time of filing an application, pay a nonrefundable fee to the Township of Millstone by cash, check or bank draft in accordance with the current fee schedule adopted by the Township Committee on file in the Township Clerk's Office. The fee to be paid shall be the sum of the fees for the component elements of the plat or plan. Proposals requiring a combination of approvals, such as preliminary and final subdivision, site plan and/or variances, shall pay a fee equal to the sum of the fee for each element calculated using a fee schedule. Additional fees may be assessed for extraordinary review costs otherwise covered by this section. However, the actual payment to the Township shall be in the form of two separate checks, certified or cashier's (one for application fee and one for escrow amount) in the following amounts:

| Application Type | Application Fee | Escrow Amount |
|--|---|--|
| A. Street Vacation Application and Review of Street Vacation | \$500. <u>00</u> | \$2,500. <u>00</u> |
| B. Subdivision Approval | | |
| 1. Concept Plan/Informal Review | \$500. <u>00</u> | \$3,000. <u>00</u> |
| 2. Minor Subdivision | \$1,000. <u>00</u> | \$5,000. <u>00</u> |
| 3. Preliminary Major Subdivision | \$1,000. <u>00</u> + \$250.00/Lot (unit) | \$8,000. <u>00</u> + \$300. <u>00</u> /Lot (unit) |
| 4. Final Major Subdivision | \$1,000. <u>00</u> + \$150.00/Lot (unit) | {50% of Preliminary Application Escrow Amount} \$4,000.00 + \$150.00/Lot (unit) |
| C. Site Plan Approval | | |
| 1. Sketch Plat/Informal Review | \$500. <u>00</u> | \$3,000. <u>00</u> |
| 2. Minor Site Plan | \$500. <u>00</u> | \$5,000. <u>00</u> |
| 3. Preliminary Major Site Plan: | \$2,500. <u>00</u> | \$8,000. <u>00</u> |
| a. Residential | | |
| b. Nonresidential | \$1,500. <u>00</u> + \$50. <u>00</u> /Ac plus Proposed Building Area \$.05/s.f.* *not to exceed \$5,000. <u>00</u> | {SITE PLAN AREA} \$5,000. <u>00</u> + \$200. <u>00</u> /Ac plus Proposed Building Area \$2,000. <u>00</u> + \$0.20/{ SF s.f.* *not to exceed \$40,000.00 |
| 4. Final Major Site Plan | \$1,000. <u>00</u> | 50% of Preliminary Escrow Amount |
| 5. In-house Administrative Site Plan Review | \$500. <u>00</u> | \$2,500. <u>00</u> |
| D. Appeals of Decision by Administrative Officials to Zoning Board of Adjustment | \$500. <u>00</u> | \$2,000. <u>00</u> |
| E. Interpretation of the Land Use and Development Regulations or Zoning Map by Zoning Board of Adjustment | \$500. <u>00</u> | \$2,000. <u>00</u> |
| F. Variances | | |
| 1. Hardship or Bulk Variances | \$500. <u>00</u> /each | \$1,500. <u>00</u> /each |
| 2. Use/'d' Variance | \$1,000. <u>00</u> | \$5,000. <u>00</u> |
| G. Variance for frontage on unimproved street (Board of Adjustment) | \$1,000. <u>00</u> | \$1,500. <u>00</u> |
| H. Landscape Architectural Services | -0- | \$750. <u>00</u> |
| I. Conditional Uses | \$1,000. <u>00</u> | \$5,000. <u>00</u> |
| J. Request for Extension of Time | | |
| 1. Minor Subdivisions | \$350. <u>00</u> | \$1,000. <u>00</u> |

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|---|---|---------------------|
| 2. Minor Site Plans | \$350. <u>00</u> | \$1,000. <u>00</u> |
| 3. Major Subdivisions and Site Plans | \$350. <u>00</u> | \$2,000. <u>00</u> |
| 4. Hardship/Bulk Variance | \$350. <u>00</u> | \$1,000. <u>00</u> |
| 5. Use Variance | \$500. <u>00</u> | \$2,000. <u>00</u> |
| K. List of Adjacent Property Owners | \$0.25 per name or \$10. <u>00</u> , whichever is greater | -0- |
| L. Copy of Land Use and Development Ordinance | \$75. <u>00</u> | -0- |
| M. General Development Plan and Municipal Agreement Review | \$1,000. <u>00</u> | \$20,000. <u>00</u> |
| N. Copy of Township Master Plan (Text and B/W Map) | \$75. <u>00</u> | -0- |
| 1. Amendments to Master Plan | \$50. <u>00</u> | |
| O. Copy of Master Plan Map (24 inches x 36 inches) | | |
| 1. Black and White | \$10. <u>00</u> | -0- |
| 2. Color | \$25. <u>00</u> | -0- |
| P. Copy of Zoning Map (24 inches x 36 inches, B/W) | \$10. <u>00</u> | -0- |
| Q. Tax Map Revision Fees | \$200. <u>00</u> + \$50. <u>00</u> /Lot (unit) | -0- |
| R. Conservation Easements and Dedications Post and Sign | \$50.00 | -0- |
| 1. <u>Conservation Easement Post and Sign</u> | \$50. <u>00</u> | <u>-0-</u> |
| 2. <u>Horse Trail Easement Interior Post and Sign</u> | \$50. <u>00</u> | <u>-0-</u> |
| 3. <u>Horse Trail Easement Entrance Post and Sign</u> | \$100. <u>00</u> | <u>-0-</u> |
| 4. <u>Proposed Easement/Deed of Dedication</u> | <u>-0-</u> | <u>\$1,500.00</u> |
| S. Horse Trail Easement Interior Post and Sign | \$50.00 | -0- |
| T. Horse Trail Easement Entrance Post and Sign | \$100.00 | -0- |
| S. <u>Publication of Decision Fee</u> | <u>-0-</u> | <u>\$100.00</u> |
| T. <u>Request for Special Meeting of Planning Board/Zoning Board of Adjustment</u> | <u>\$750.00</u> | <u>-0-</u> |
| U. <u>Request for Certificate of Nonconformity</u> | | |
| 1. <u>From Zoning Officer (within 1-year of Zone Change)</u> | <u>\$10.00</u> | <u>-0-</u> |
| 2. <u>From Zoning Board of Adjustment</u> | <u>\$500.00</u> | <u>\$2,000.00</u> |

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|---|--------------------------|--------------------------|
| <u>V. Wireless Communications</u> | | |
| <u>Facilities Modifications</u> | | |
| <u>1. Administrative Review of an Application for Modification of an Existing Wireless Communication Tower or Base Station</u> | <u>\$1,000.00</u> | <u>\$2,500.00</u> |
| <u>2. Extension of Approval</u> | <u>\$300.00</u> | <u>\$2,500.00</u> |

II

Chapter 35 (Land Use and Development), Section 35-3-3.8 (Publication of Decisions) is hereby amended as follows:

A brief notice of every final decision shall be published in the official newspaper of the Township of Millstone. Such publication shall be the responsibility of the ~~applicant, except in cases where the relief sought by the applicant is denied, in which case it shall be the responsibility of the~~ Secretary of the Planning Board or Zoning Board of Adjustment, ~~as the case may be~~. Said notice shall be sent to the official newspaper for publication within 10 days of the date of such decision ~~and~~ **requesting** an affidavit of publication ~~shall be provided to the Planning Board or Zoning Board by the applicant, at the applicant's expense.~~ **This must be completed** prior to the final execution of any plans or resolutions pursuant to a decision which requires publication. **The fee for the publication of a notice of decision shall be submitted at the time of application, in accordance with the fee schedule (§35-3-9.4).**

III

Chapter 35 (Land Use and Development), Section 35-6-3.8 (Applications for Modifications That Do Not Substantially Change First Priority Locations) is hereby amended as follows:

- a. No change.
 - 1. A completed Application Checklist for Wireless Communication Facilities Modification to a First Priority Location. **Any fees in accordance with the fee schedule (§35-3-9.4) shall be submitted at the time of application.**
 - 2. - 19. No change.
- b. No change.

IV

All Ordinances and parts of Ordinances inconsistent herewith are hereby repealed.

V

If any section, subparagraph, sentence, clause or phrase of this Ordinance shall be held to be invalid, such decision shall not invalidate the remaining portion of this Ordinance.

VI

This Ordinance shall take effect upon adoption and publication according to law.

EXPLANATORY STATEMENT:

This Ordinance amends the fees for development applications and related development activities, as well as the time of submission and responsibility for publication of the notice of decision, as set forth in Chapter 35 (Land Use and Development Regulations), Section 35-3-9.4 (Fee Schedule), Section 35-3-3.8 (Publication of Decisions) and Section 35-6-3.8 (Applications For Modifications That Do Not Substantially Change First Priority Locations).