

Chapter 88. Fees and Escrow

§ 88-10. Land use development application and escrow fees.

[Amended 5-2-1990 by Ord. No. 1990-5; 12-4-1991 by Ord. No. 1991-26; 4-1-1998 by Ord. No. 1998-8; 9-4-2002 by Ord. No. 2002-11; 4-15-2009 by Ord. No. 2009-07; 9-28-2017 by Ord. No. 2017-14]

A. There shall be a continuing obligation to pay application fees and professional and consulting fees incurred during the course of review. Applicants submitting the applications set forth herein shall pay such application and escrow fees as are due and all costs for professional services incurred by the Township in connection with the review and approval. In conjunction with payment of such professional and consulting fees, the applicant shall make an escrow deposit in the amount and manner set forth herein and shall execute an agreement in a form provided by the Township obligating itself to pay such fees. The application fee is a flat fee to cover direct administrative expenses and is nonrefundable.

(1) Example: application fees calculation.

(a) An application for minor site plan approval that does not include a request for variance relief would pay an application fee of \$200.

(b) An application for minor site plan approval that includes a request for "C" variance relief from one or more ordinance requirements would pay the site plan application fee of \$200 plus the "C" variance application fee of \$100 (if a "D" variance is requested the "D" variance application fee of \$200 would apply in place of the "C" variance application fee of \$100). The required initial escrow deposit is not cumulative, and as such the escrow deposit would be based on the higher of the two amounts listed within the ordinance. In this example the required escrow deposit for minor site plan review is \$2,000 while the escrow deposit for a "C" variance is \$300. The amount required for initial escrow deposit is \$2,000.

(c) A residential application (with no site plan) that requests variance relief from one or more standards would submit the variance application fee of \$100 and escrow deposit of \$300 (the application fee and escrow deposit is not cumulative for each variance).

B. Amount of fees and escrow deposits due. Each applicant shall, prior to its application being deemed complete, submit to the Community Development Director or his or her designee, in cash or by certified check or money order, the following application fees and escrow deposits, together with a fully executed escrow agreement in the form provided by the Township:

(1) Interpretation of chapter (N.J.S.A. 40:55D-70b) or appeal of Zoning Officer's interpretation (N.J.S.A. 40:55D-70a).

(a) Application fee: \$50.

(b) Escrow deposit: \$300.

(2) Zoning variance. The application fees and initial escrow deposits listed within Subsection B(2)(a) and (b) below are for applications that do not request site plan

review and approval. In the event site plan review and approval is required, a separate application form, along with the appropriate fee and escrow, shall be submitted. For example: If an applicant submits an application for a "D" variance that results in a site plan approval being required, the applicant must submit the application, fees, and escrow for site plan approval. **[Amended 11-8-2018 by Ord. No. 2018-15]**

(a) Application fee.

[1] "C" variance under N.J.S.A. 40:55D-70c: \$100.

[2] "D" variance under N.J.S.A. 40:55D-70d: \$200.

[3] "D" variance under N.J.S.A. 40:55D-70d: \$50 for a prohibited animal on a property zoned residential.

(b) Escrow deposit.

[1] "C" variance under N.J.S.A. 40:55D-70c: \$300.

[2] "D" variance under N.J.S.A. 40:55D-70d: \$1,000.

[3] "D" variance under N.J.S.A. 40:55D-70d: \$300 for a prohibited animal on a property zone residential.

(3) Informal review.

(a) Application fee: \$100.

(b) Escrow deposit: \$500.

(4) Site plan review (minor; preliminary major; final major; and amended preliminary/final major).

(a) Application fee: \$200 (plus variance fee if necessary).

Note: The application fee above is for each required approval. For example: If an application is filed for both preliminary and final major site plan approval, the site plan review fee shall be calculated as follows: $\$200 + \$200 = \$400$. If one or more variances are requested, the variance fee of \$100 for "C" or \$200 for "D" shall also be submitted. Applications for amended preliminary/final major site plan or subdivision approval shall be required to pay one application fee of \$200 and post initial escrow in accordance with the amounts listed for final approval.

(b) Escrow deposit.

[1] Minor site plan: \$2,000.

[2] Major site plan preliminary approval.

[a] Nonresidential: \$2,000 plus \$300 per acre or fraction thereof; or

[b] Residential: \$2,000 plus \$100 per dwelling unit.

- [3] Major site plan final approval.
 - [a] Nonresidential: \$1,500 plus \$150 per acre or fraction thereof; or
 - [b] Residential: \$1,500 or \$50 per dwelling unit.
- (c) The above fees shall also apply to conditional use applications.
- (d) Waiver of site plan requests.
 - [1] Application fee: \$100.
 - [2] Escrow deposit: \$500.
- (5) Minor subdivision review.
 - (a) Application fee: \$200 (plus variance fee if necessary).
 - (b) Escrow deposit: \$600 per lot (including existing lot).
- (6) Major subdivision sketch plat review:
 - (a) Application fee: \$200.
 - (b) Escrow deposit: \$1,000.
- (7) Major subdivision review, preliminary.
 - (a) Application fee: \$200 (plus variance fee if necessary).
 - (b) Escrow deposit: \$3,500 plus \$200 per lot.
- (8) Major subdivision review, final.
 - (a) Application fee: \$200.
 - (b) Escrow deposit: \$1,750 plus \$150 per lot.
- (9) Escrow deposit for Tax Map preparation (to be submitted at time of initial application).

Number of Lots	Cost per Lot
1 to 5	\$80
6 to 20	\$55
21 to 50	\$40
Greater than 50	\$30

- (10) Development/redevelopment proposal review. Prior to submission of an application to Council or the Planning Board, fees shall be payable based on the size of the proposed project.
 - (a) Application fee: \$200.

- (b) Escrow deposit in accordance with the following schedule:

Gross Floor Area (square feet)	Deposit
Less than 6,000	\$500
6,001 to 10,000	\$1,500
10,001 to 15,000	\$2,000
15,001 to 20,000	\$2,500
20,001 to 40,000	\$4,500
Over 40,001	\$5,500

- (11) Grading plan (plot plan) review. The initial escrow deposit for professional grading plan (plot plan) review and inspection services is \$600. If curb and/or sidewalk installation is required, an additional initial escrow deposit of \$800 shall be posted with the Township for inspection of curb and/or sidewalk construction. Reference §§ 88-10D(2) and 178-18C(3). **[Amended 9-28-2017 by Ord. No. 2017-15]**
- C. All relevant provisions regarding the collection, deposit and disposition of application and escrow fees as set forth in the Municipal Land Use Law, N.J.S.A. 40:55D-1 et seq., are hereby incorporated herein by reference fully.
- D. Inspection fees and escrow. **[Amended 9-28-2017 by Ord. No. 2017-15; 5-9-2019 by Ord. No. 2019-07]**
- (1) In accordance with N.J.S.A. 40:55D-53, as amended by P.L. 2017, c. 312, the obligor shall reimburse the Township for all reasonable fees paid to the Municipal Engineer for the inspection of improvements.
 - (2) The municipality shall require from the developer a deposit for the inspection fees in an amount not to exceed, except for extraordinary circumstances, the greater of:
 - (a) \$500; or
 - (b) Five percent of all private and public site improvements.
 - (c) For those developments for which the inspection fees are less than \$10,000, fees may, at the option of the developer, be paid in two installments. The initial amount deposited by a developer shall be 50% of the inspection fees. When the balance on deposit drops to 10% of the inspection fees because the amount deposited by the developer has been reduced by the amount paid to the Municipal Engineer for inspection, the developer shall deposit the remaining 50% of the inspection fees. For those developments for which the inspection fees are \$10,000 or greater, fees may, at the option of the developer, be paid in four installments. The initial amount deposited by a developer shall be 25% of the inspection fees. When the balance on deposit drops to 10% of the inspection fees because the amount deposited by the developer has been reduced by the amount paid to the Municipal Engineer for

inspection, the developer shall make additional deposits of 25% of the inspection fees. The Municipal Engineer shall not perform any inspection if sufficient funds to pay for those inspections are not on deposit.

- (3) Curb and/or sidewalk inspection initial escrow deposit per § 178-18C(3): \$800.
- E. Each applicant who shall submit a plan for site approval shall agree in writing, by execution of an escrow agreement, to pay all reasonable costs for professional review of the plans and application and for inspection of the improvements required by the Planning Board or Zoning Board. All costs shall be paid in full before any occupancy of the premises is permitted or occupancy permit is issued.
 - F. Requirements for a complete application.
 - (1) No application for development shall be deemed complete if there are outstanding, uncollected fees and/or escrows resulting from past applications or prior submissions involving the property in question or a part thereof, including the base tract, and no application shall be deemed complete if there are outstanding taxes.
 - (2) Proof of payment of taxes and sewer and water charges shall be a prerequisite of certification as a complete application. No date for hearing shall be set until the Community Development Director certifies the application as complete which may include assistance from the Board professionals.