

ORDINANCE NO. 1-2011

AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL AMENDING THE CODE OF THE TOWNSHIP OF WALL, CHAPTER 140 LAND USE AND DEVELOPMENT REGULATIONS PERTAINING TO SECTION 140-74 “FILING OF APPLICATIONS” AND 140-105 “CHECKLISTS”

WHEREAS, it has been determined that there is a need to have an application completeness checklist as part of the submission package for any person making an application to either the Planning Board or the Board of Adjustment of the Township of Wall; and

WHEREAS, the Municipal Land Use Law, specifically N.J.S.A. 40:55D-10.3 provides that an application has to be deemed complete within a certain time frame upon submission; and

WHEREAS, an application checklist will assist both an applicant and the Township in the smooth processing and review of said applications to determine their completeness; and

WHEREAS, the application checklist will provide the applicant with the information necessary to ensure that an application being made to the Planning Board or Zoning Board of Adjustment is complete; and

WHEREAS, the codification of this checklist is desirable to ensure the smooth efficiency of submission of and review of applications being made to the Planning Board and/or the Zoning Board of Adjustment of the Township of Wall.

NOW THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Wall, in the County of Monmouth and State of New Jersey, as follows:

Section 1. Chapter 140 of the “Land Use and Development Regulations of the Township of Wall”, as amended and supplemented, Section 140-74A (1), “Filing of Applications,” is hereby deleted in its entirety and replaced with the following:

§140-74 Filing of Applications

A. Complete applications.

- (1) Content. An application for development shall include all of the items and information required in the applicable application and checklists adopted herein and listed in §140 Attachment 4:1 et seq. A copy of the required checklist(s) shall be completed by the applicant and submitted with the application. Failure of an applicant to submit a completed checklist as part of an application package shall result in the application being deemed incomplete, and no review shall be undertaken by any employee of the Township until such time as a completed checklist is submitted by the applicant.

Section 2. Chapter 140 of the “Land Use and Development Regulations of the Township of Wall” is further amended by the addition of Section 140-74A (2):

- (2) Checklist Attachments provided herein shall be used to determine the completeness of development applications and shall be provided to all prospective applicants upon request. The approving authority may grant waivers from the submission of any submittal requirements upon the request of the applicant and the provision of proofs to the authority pursuant to the ordinance with the exception of the submittal of an environmental impact statement when required.

Section 3. Chapter 140 of the “Land Use and Development Regulations of the Township of Wall” is further amended by changing the current subsection 140-74A (2) to 140-74A (3).

Section 4. Chapter 140 of the “Land Use and Development Regulations of the Township of Wall” is further amended by the deletion of Article XVII 140—105 in its entirety.

Section 5. Chapter 140 of the “Land Use and Development Regulations of the Township of Wall” is further amended by the addition of §140 Attachment 4:1 et seq as follows:

§140 Attachment 4:1

Application No.: _____ Filing Date: _____

.....
Complete all items listed below.
Do not write above this line.

**TOWNSHIP OF WALL, NJ PLANNING
BOARD/BOARD OF ADJUSTMENT
DEVELOPMENT APPLICATION**

- 1) Applicant's Name: _____ Phone: _____
Mailing Address: _____
Fax: _____ Email: _____
- 2) Present Owner: _____ Phone: _____
Mailing Address: _____
- 3) Attorney Representing Applicant:
Firm Name: _____
Mailing Address: _____
Phone: _____ Fax: _____ Email: _____
- 4) Licensed NJ Surveyor/Architect/Planner/Engineer:
Firm Name: _____
Mailing Address: _____
Phone: _____ Fax: _____ Email: _____
- 5) Interest of Applicant if other than Owner: _____

CERTIFICATIONS

If the applicant is not the property owner, complete both items 18, 19 and 20.

If the applicant is the property owner, complete items 19 and 20 only.

- 18) I certify that the statements and materials submitted herein are true. I further certify that I am the individual **APPLICANT** or that I am an officer of the corporate applicant or partnership and that I am authorized to sign the application for the corporation or partnership.

Signature _____

Sworn to and subscribed before me this _____ day of _____ 20_____

NOTARY AND SEAL

- 19) I, the **OWNER** of the subject property, hereby give permission to the Township of Wall and its Boards, Commissions, agents, representatives, consultants and employees permission to enter and inspect the property in question for purposes relating to the review and reporting on this application.

Signature _____ Date _____

- 20) 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 and representations made herein, and the decisions made hereof in the same manner as if I were the applicant.

Signature _____

Swore to and subscribed before me this _____ day of _____

20_____

NOTARY AND SEAL

§140 Attachment 4:2

TOWNSHIP OF WALL
DEVELOPMENT APPLICATION CHECKLISTS

Applicants submitting Development Applications to the township shall provide the following documentation in order for the application to be certified as complete and forwarded to the Planning Board or Board of Adjustment for hearing purposes. This checklist is to be used to determine the completeness of Development Applications as required by NJS 40:55d-10.3 and township ordinance §140-105. Submittal items that are missing or incomplete as required on the following sheets will prevent an application from being certified as complete.

- C-1 Essential Documents
- C-2 Uniform Drawings
- C-3 Basic Information
- C-4 Plat & Plan Details
- C-5 Special Requirements
- C-6 General Development Plan

Checklist compliance is required for the following application types as shown below. Not all checklist requirements apply to every application and additional information may be requested in unique circumstances.

Bulk Variance: C-1, C-2 & C-3.

Interpretation/Appeal: C-1, C-2 & C-3

Use Variance (bifurcated): C-1, C-2, C-3 & C-5C

Use Variance & Site Plan: C-1, C-2, C-3, C-4 & C-5

Site Plan: C-1, C-2, C-3, C-4 & C-5

Minor Subdivision: C-1, C-2, C-3 & C-4
Major Subdivision: C-1, C-2, C-3, C-4 & C-5
Planned Development: C-1, C-2, C-3, C-4, C-5 & C-6

The following documents and document items must be included as a part of a complete development application. Any items missing or incomplete will prevent the application from being certified as complete and it will not be considered by the approving authority.
**

§140 Attachment 4:3

C-1 Essential Documents

- 1) Original with 17 copies of the Development Application for with all items completed.
- 2) Eighteen (18) copies of all drawings, diagrams, attachments and supportive documents packaged as a group or rolled if in map form. ***
- 3) Five (5) copies of all ancillary reports including but not limited to engineering, planning, traffic, and environmental.
- 4) Eighteen (18) copies of site plans or subdivisions reduced to an 8.5"x11" print; for site plans, colored building elevations and floor plans shall be included.
- 5) Eighteen (18) copies of the tax map sheet identifying the property in question reduced to an 8.5"x11" print.
- 6) Eleven (11) folded full size copies of the plat or site plan page for any subdivision or site plan.
- 7) Administrative application fees.
- 8) Professional escrow fees (Soc. Sec. or FID# or W-9 Required) See Fee Schedule attached.
- 9) All plans shall provide an ownership status certification by the applicant on the title sheet.
- 10) Map depicting property owners within 200 feet of the subject property with a listing by block and lot of the owner's names and addresses.
- 11) A Tax Status Certificate prepared and signed by the Township Tax Collector.
- 12) All applications requiring sewer access shall submit proof that a copy of the application and development plan has been forwarded to the applicable sewer authority with a request for comment to be sent to the approving authority.

**** The items listed above are considered jurisdictional items and they will not be waived by the Planning Board or Board of Adjustment.**

***** Submittals for completeness review may initially include one (1) set of site plans or subdivision plans for review.**

§140 Attachment 4:4

C-2 Uniform Drawing

- 1) All plan sheets submitted shall be of the same standard size and no larger than 30" x 42".
- 2) All plan sheets submitted shall contain a graphic scale. Site plans and subdivision plans shall be at one of the following standard engineering scales: 1" = 10', 20', 30', 40', 50', 100', 200', 500', or 1000'. All architectural plans shall be at one of the following standard architectural scales: 1' = 1/16", 3/32", 1/8", 3/16", 1/4", 3/8", 1/2", 3/4", or 1".
- 3) All map sets consisting of more than one sheet shall be of the same size and drawn at the same scale. All sheets shall be identified by title, consecutively numbered and bound together on the left edge including surveys, renderings, architectural plans, etc. Required architectural plans shall be attached at the end of any applicable site plan set. All map sets shall be rolled together, not folded or rolled separately.
- 4) Where an entire tract cannot be shown on one sheet, match-lines and references to adjoining sheets shall be provided. A project key sheet shall be provided on each sheet at a smaller scale. The key shall show the overall project with a sub-sheet and map-line delineation.
- 5) All drawings shall have a title containing reference to the Township of Wall, Monmouth County, the name of the development and the type of the development.
- 6) A table of revisions showing the original issue date, all revision dates, and a summary of each revision shall be shown on each sheet. Each table shall be updated when a revision is made and the plan is reissued. The title sheet of each plan shall contain a table showing the original issue date and last revision date for each sheet of the plan.
- 7) The first sheet of each plan set shall provide an appropriate approval certification section for the board chairman, board secretary, township clerk and any board professionals as may be required. Minor subdivisions (plat or deed) shall contain an undated County Clerk filing deadline statement for completion by the board secretary.
- 8) No drawing or other supporting document shall be accepted for consideration unless it bears the signature, seal, license or certification number, address and telephone number of the person or entity responsible for its preparation.
- 9) Surveys submitted for bulk and use variance applications shall not be more than three (3) years old.
- 10) All development plans shall provide a reference meridian and a key map identifying the property in question in relation to all streets, major water bodies, and water courses within 10,000 feet of the perimeter of the property. The names of all major geographical features shall be provided.

§140 Attachment 4:5

C-3 Basic Information

- 1) All plans and plan sets shall provide a schedule showing the following: existing and proposed parcels, tax map sheet number, block and lot numbers, metes and bounds

descriptions of the tract and all lots therein, streets with names, rights-of-ways and easements, all bodies of water, public facilities and utilities, and natural features.

- 2) All plan and plan sets shall provide a zoning table/schedule identifying the zoning district for the tract, all applicable bulk zoning requirements for the zone district and those provided for the proposed development tract and all parcels therein. All items noted in the submittal checklists shall be provided unless a waiver request has been requested. All items noted on the Zoning Compliance Checklist shall be addressed and, if non-compliant, a variance requested. Waiver and zoning variance requests shall be listed on the application form and on the plans submitted.
- 3) All plans shall depict the street system and a mapping and schedule showing the following: All existing and proposed roadways, curbs, and sidewalks within the site and within 200 feet along with the widths of all rights-of-way, roadways and sidewalks. Details shall be provided for the curb, gutter, sidewalks, driveways, and grading within the rights-of-way.
- 4) All plans shall show the location, shape and layout of all existing buildings, structures, and paved areas onsite and within 200 feet. The plans shall also show all existing onsite roadways, parking areas, loading areas, landscaping, fire zones, and refuse/recycling areas. The height in feet and stories of all existing buildings shall be identified.
- 5) All plans shall show the location, shape, and layout of all proposed buildings, structures, building renovations and building additions. The plans shall also identify the location, layout, dimensions, setbacks, building and impervious coverage, floor plans, and elevations (all sides including proposed exterior materials, colors, roof lines, parapets, mechanical locations and screening), and all structures to be removed.
- 6) All plans shall provide a comparison schedule/table showing ordinance standards for all features for which standards are imposed including but not limited to the number of lots, lot area(s), setback dimensions, building coverage, impervious coverage, building height, the number of parking and loading spaces, the amount location and type of landscaping, the amount and depth of landscape buffering, and the dimension of sight triangles. See sample attached.
- 7) All plans shall provide a mapping and schedule of environmental conditions including but not limited to any deed restrictions, classification exception areas, hydric soils, freshwater wetlands and transition areas, tidal wetlands, areas of steep slopes in excess of 10%, and 100 year floodplain or 10% flood risk areas showing the extent, area and lot coverage for each feature.
- 8) All plans shall provide a generalized land use plan for the entire tract and include the specific existing and proposed uses for the development by written description, NAICS 1997 edition subsector number, and township ordinance designation.

§140 Attachment 4:6

C-4 Plat & Plan Details

A. General Plan Requirements (All Site & Subdivision Plans)

- 1) The required tract description shall include a certification that all linear and angular dimensions of the exterior boundaries of the tract balance and their descriptions close within a limit of error of not more than one (1) part in ten thousand (10,000).
- 2) Street information shall include centerline profiles, cross-sections and final design grades of all proposed improvements, abutting streets and intersection curb radii.
- 3) Utility plans and profiles for all underground lines, controls and other structures showing elevations and slopes between structures and connections to existing facilities.
- 4) Grading and Drainage Plans pursuant to C-5D shall be provided. A licensed engineer's certification of compliance with NJAC 7:8, et seq. shall be provided.
- 5) An Environmental Impact Statement, a Landscaping Plan and a Tree Removal Plan shall be provided pursuant to C-5A-C shall be provided.
- 6) A timing schedule for all sections of a development project shall be provided, or in the alternative, a statement indicating that it will be constructed in one (1) phase.
- 7) Construction Specifications prepared by a licensed engineer identifying methods and materials for all site improvements shall be provided.

B. Site Plan/Architectural Plan Requirements

- 1) Plans, details, intensities and dimensions shall be provide for all buildings, structures and improvements including but not limited to buildings, floor plans, roadways, driveways, parking areas, ADA facilities, loading areas, refuse/recycling areas, landscaping, buffering, utilities, lighting, and ornamental features.
- 2) All plans shall provide the dated signature and seal of the preparer. Site Plan not signed or sealed.

C. Subdivision Plat Requirements

- 1) Plat shall be drawn and sealed in accordance with the Map Filing Act (NJS 46:23).
- 2) All residential plats shall provide a certification by the preparer stating compliance with the Residential Site Improvement Standards (NJAC 5:21).

§140 Attachment 4:7

C-5 Special Requirements

(All Site Plans and Major Subdivisions)

A. Environmental Impact Statement (No Waivers; see ordinance §140-105)

- 1) An inventory listing vegetation, soils, topography, surface hydrology, climate, land use, cultural/historical resources, and other physical conditions on or in the vicinity of the tract on which the assessment is based shall be provided.
- 2) A narrative describing the general development limitations and environmental impacts generally associated with the environmental conditions, including any protective covenants, easements or deed restrictions, copies of which shall also be

provided. A detailed and summarized evaluation of the tract's physical assets shall be provided.

- 3) A narrative describing any special mitigating measures to be used in consideration of site conditions and inventories shall be provided.
- 4) An assessment narrative comparing the consequences of the proposed development with other development alternatives and design concepts shall be provided. It shall include the probable impacts of the development on the environment, on surrounding development (existing and planned), and the impacts of the environment on the occupants of the development assuming mitigation measures have been employed.

B. Landscape and Tree Removal Plans

- 1) A Tree Removal Plan pursuant to township ordinance §140-122 shall be included for site plans and major subdivisions.
- 2) A Landscape Plan pursuant to §140-253 which shall be prepared by a licensed engineer, landscape architect or planner as permitted by law.

C. Traffic Impact Overview

- 1) A Traffic Impact Overview report describing the impact of traffic that will be generated from the proposed development including but not limited to estimated traffic generation, impact on the traffic patterns of the immediate area including surrounding intersection within 200 feet, and any traffic mitigation proposed.
- 2) The Overview shall be prepared by a traffic engineer or planner or other suitable professionals as permitted by the approving authority.

D. Grading and Drainage

- 1) A grading and drainage plan shall be provided that illustrates existing and proposed conditions to a distance of 100 feet beyond the subject tract. It shall identify the slope and natural flow of surface drainage, and the final disposal of surface waters pursuant to NJAC 7:8.
- 2) The plan must provide adequate information addressing the following; existing and proposed water courses and water bodies, existing and proposed storm sewer lines, existing and proposed recharge basins, detention basins or other water conservation devices. It shall also provide for contours as needed, cross-sections, profiles and elevations of sewer system components, stream cross-sections and profiles, and steep slopes. Stormwater calculations for 2, 10, 25 and 100 year storm events for project structures and downstream structures are required including Stormwater Management, Maintenance, Water Quality and Soil Log Reports.

§140 Attachment 4:8

C-6 General Development Plan

- 1) A General Development Plan shall contain the required documentation pursuant to NJS 40:55D-39c et seq. as well as the items noted herein.
- 2) Tract mapping shall include the location and names of all street, bodies of water, public facilities, and other landmarks along with existing and proposed uses within 5000 feet of the tract perimeter.
- 3) A General Land Use Plan delineating proposed residential, office, commercial, industrial, recreational, open space and other land use areas for the entire tract. A separate delineation shall be made for each type of structure, density, and coverage ratio and shall be supplemented by schematic footprints of buildings with dimensions and distances to other buildings, parking areas, and tract boundaries. The plan shall include the general layout and location of parking areas, number of parking spaces, and estimates of building coverage, impervious coverage, parking, streets, driveways, and sidewalks.
- 4) A General Circulation Plan indicating all existing and proposed streets, driveways and pedestrian ways, and access to public transportation
- 5) An Open Space Plan delineating areas to be set aside for parks, conservation and recreation purposes.
- 6) A General Utility Plan identifying and locating facilities for all required and proposed utilities.
- 7) A Stormwater Management Plan pursuant to NJAC 7:8 and checklist page C-5D.
- 8) An Environmental Impact Statement pursuant to checklist page C-5A.
- 9) A Community Facilities Plan illustrating the scope, type and location for, but not limited to, educational, cultural, historic, emergency services, and other services of a community nature.
- 10) A General Housing Plan identifying the number of housing units as well as any the provision of affordable units on or off site pursuant to NJAC 5:94 et seq.
- 11) A Local Services Plan providing the scope, type and location of, but not limited to, water, sewer, cable, solid waste disposal and recycling. The plan shall indicate whether the service will be privately or publically provided.
- 12) A Fiscal Report shall be submitted describing the anticipated demand on municipal services to be generated by the development and any other financial impacts to be faced by the township. It shall include a projection of tax revenues which will accrue to the township, County and school district in total and broken down by phasing if applicable.
- 13) A Timing or Phasing Plan which identifies the phasing of the project related to the land use, circulation, drainage, and utilities to ensure functional development.
- 14) A Municipal Development Agreement addressing the development issues including affordable housing.

Section 6. All ordinances, or parts thereof, inconsistent with the provisions of this Ordinance, be and the same are hereby repealed to the extent of such inconsistency.

Section 7. Should any section, paragraph, clause or any other portion of this Ordinance be adjudged by a Court of competent jurisdiction to be invalid, such judgment shall not affect or impair the remainder of this Ordinance.

Section 8. This Ordinance shall take effect upon its passage and publication according to law, and upon the filing thereof with the Monmouth County Planning Board.

NOTICE AND SUMMARY
ORDINANCE NO. 1-2011

AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL AMENDING THE CODE OF THE TOWNSHIP OF WALL, CHAPTER 140 LAND USE AND DEVELOPMENT REGULATIONS, PERTAINING TO SECTION 140-74 "FILING OF APPLICATIONS" AND 140-105 "CHECKLISTS"

This Ordinance amends Chapter 140, Land Use and Development Regulations of the Code of the Township of Wall, to comply with Development Application and Checklist requirements for use by the Wall Township Planning Board and Wall Township Board of Adjustment.

Notice is hereby given that the foregoing Ordinance was introduced and passed on first reading by the Township Committee of the Township of Wall on January 26, 2011, and will further be considered for final passage and adoption at the Wall Township Municipal Building, 2700 Allaire Road, Wall, New Jersey, on February 9, 2011, at 7:30 o'clock p.m., or as soon thereafter as the matter can be reached on the agenda, at which time and place all persons interested therein shall be given an opportunity to be heard, and during the week prior to and up to and including the date of such meeting, copies of said Ordinance will be made available at the Clerk's Office in the Township of Wall, Town Hall, to the members of the general public who shall request the same.

LORRAINE KUBACZ, RMC
TOWNSHIP CLERK

Motion made by Committee person _____, seconded by Committee person _____ and adopted on roll call by the following vote:

MEMBER	YES	NO	ABSTAIN	ABSENT
Mayor Ann Marie Conte				
Deputy Mayor Jeffrey W. Foster				
Committeeman Clinton C. Hoffman				
Committeeman Todd W. Luttman				
Committeeman George K. Newberry				