

ORDINANCE 2011-41

AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF SOUTH RIVER, CHAPTER 155 ENTITLED "FEES" BY AMENDING SECTION 155-25. CHAPTER 295, SUBDIVISION, SITE PLAN AND VARIANCE APPLICATIONS

BE IT ORDAINED by the Mayor and Borough Council of the Borough of South River, that Chapter 155 of the Code of the Borough of South River entitled "Fees", Section 155-25. "Chapter 295, Subdivision, Site Plan and Variance applications be amended as follows:

SECTION 1.

§ 155-25. Chapter 295, Subdivision, site plan and variance applications.

A. Application fees:

(1) Subdivisions

Minor subdivision: \$250 base fee, plus \$100 for each lot created.

Preliminary Major subdivision: \$250 base fee, plus \$100 for each lot created

Final Major subdivision: \$250 base fee

(2) Site Plans

Minor site plan: \$300 base fee

Preliminary Major site plan: \$300 base fee

Final Major site plan: \$200 base fee

(3) Conditional use application to Planning Board: \$250 base fee, plus the fee for site plan.

(4) Application for a site plan waiver shall require an application fee of \$150.00

(5) Appeals and Interpretations

Application for appeal of zoning officer decision or action: \$75.00.

Request for zoning ordinance interpretation: \$75.00

(6) Variances

Request for each new single or two family residential bulk variance: \$75.00 each

Request for each multi-family or new non-residential bulk variance: \$100.00 each

Request for use variance: \$250.00

(7) Applications involving utility extensions (Major Applications)

For any application, including the extension of sewer facilities, add \$100 per lot for subdivisions or \$100 per unit for site plans. If a pump station or other special facility is required, add a flat fee of \$700. A review of off-tract improvements shall be the actual review fee of the Engineer, estimated by the Engineer and paid in advance.

For any application involving extension of water facilities, add \$50 per lot for subdivisions or \$50 per unit for site plans. A review of off-tract improvements shall be the actual review fee of the Engineer, estimated by the Engineer and paid in advance.

(8) Final approval of site plans and subdivisions shall be conditioned upon the applicant's paying all necessary water, sewer and electric connection charges and inspection fees.

- (9) Inspection fees shall be posted by certified check or cash prior to final approval in an amount equal to 5% of the cost of the improvements, except where the Borough Engineer deems it necessary to increase same due to special or complex construction requirements. Where construction of facilities will take place after preliminary approval, the inspection fees shall be paid prior to commencing construction.
- (10) Submission of each revised plan shall result in a revised submission application fee of ½ the original total application fee.

B. Escrow Fees

- (1) Subdivisions.
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| Minor subdivision: | \$3,000.00 |
| Preliminary Major subdivision: | \$5,000.00 |
| Final Major subdivision: | \$1,500.00 |
- (2) Site Plans.
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| a. Minor Site Plans: | \$2,500.00 |
| b. Preliminary Major Site Plans | |
| 1. Residential building of 0-10 units: | \$2,500.00 |
| 2. Residential building of 10+ units: | \$5,000.00 |
| 3. Non-residential or mixed uses | \$5,000.00 |
| 4. Non-residential uses with over 5,000 GFA | \$10,000.00 |
| c. Final Major Site Plans: | \$1,500.00 |
- (3) Conditional use application to Planning Board: \$1,250.00, plus the fee for site plan.
- (4) Application for a site plan waiver: \$300.00
- (5) Appeals and Interpretations
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| "a" Appeal of zoning officer decision or action: | \$600.00 |
| "b" Request for zoning ordinance interpretation: | \$400.00 |
- (6) Variances
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| "c" Single or two family residential bulk variances: | \$700.00 |
| "e" Multi-family or new non-residential bulk variances: | \$1,000.00 |
| "d" Request for use variance: | \$1,000.00 |
- (7) Final approval of site plans and subdivisions shall be conditioned upon the applicant's paying all necessary water, sewer and electric connection charges and inspection fees.
- (8) Inspection fees shall be posted by certified check or cash prior to final approval in an amount equal to 5% of the cost of the improvements, except where the Borough Engineer deems it necessary to increase same due to special or complex construction requirements.

Where construction of facilities will take place after preliminary approval, the inspection fees shall be paid prior to commencing construction.

(9) Special design elements. Applicants shall pay escrow fees based upon 33% of the original escrow fee, when and as determined by the reviewing Board, that the proposed project includes a special design consideration, such as, but not limited to sanitary sewer pump station, detention of retention ponds, potable water storage facility, traffic signalization device, off-tract improvements, etc.

(10) Resubmission. Submission of each revised plan shall result in a revised submission escrow fee of 20% the original total escrow fee.

SECTION 2. If any section, paragraph, subdivision, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause, or provision so adjudged and the remainder of the Ordinance shall be deemed valid and effective.

SECTION 3. All Ordinances or parts of Ordinances inconsistent with or in conflict with this Ordinance are hereby repealed to the extent of such inconsistency.

SECTION 4. This Ordinance shall take effect after final passage, adoption, and publication according to law.

Dated:

ATTEST:

RAYMOND T. EPPINGER, Mayor

PATRICIA O'CONNOR, Registered Municipal Clerk