

BOROUGH OF WHARTON

Board Secretary
Desi Ruffo

T. 973-361-8444 Ext. 2719
F. 973-361-5281
E. druffo@whartonnj.com



Office Hours
Monday – Friday
8:30 a.m. – 4:30 p.m.

10 Robert Street
Wharton, NJ 07885
www.whartonnj.com

Dear Applicant:

Please read these instructions carefully. It is imperative that all pertinent data is completed, to avoid the application being delayed.

This application package contains all forms necessary for the Planning Board to evaluate the request for subdivisions, either major or minor; and site plan approval and to render a decision. Forms that do not pertain to this application may be left blank. Submitting additional information or material is encouraged to better explain and support the proposal.

Please pay strict attention to deadlines, such as the advertisement in the newspaper and the notification to property owners within 200 feet. These requirements are State Law and if the deadlines are not met, the application cannot be heard.

After hearing your application at the scheduled meeting, the Board will render a decision. A resolution granting or denying your request will be prepared by the Board's attorney and presented at the **next regularly scheduled meeting**. Only after the approval of that resolution and the issuance of all required permits, can construction begin.

NO RESOLUTION WILL BE CREATED THE EVENING YOUR APPLICATION IS PRESENTED TO THE BOARD.

If you intend to subdivide and/or intend to build new dwelling(s) or change to a multiple dwelling, additional sewerage and/or potable water allotment is required. **It is the responsibility of the applicant to contact the utilities collector and request the additional allotment. Written documentation must be provided to the Board Secretary of the request and the decision of the Wharton Department of Public Works.**

If the subject property is located on a County Road or right-of-way, an application to the Morris County Planning Board (form attached) must be filed. **It is the responsibility of the applicant to file the necessary forms with the County and provide a copy to the Board Secretary.**

All filing fees and escrow fees must be included with this application. All taxes and utilities must be paid and up to date, prior to the date of the meeting for the subject property. The certified list of property owners must be obtained from the Assessor's office at Borough Hall, the cost of this list is \$10.00 and should be paid directly to the Assessor's office. Any additional utility company that may have an easement or right-of-way to the subject property, must be notified by the applicant.

If there are any questions concerning this application, please contact the Board Secretary at Borough Hall.

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BOARD APPLICATION INSTRUCTION SHEET: NO LATER THAN 45 DAYS PRIOR TO THE TARGET DATE:

Complete all portions of the attached application as they apply. The application must include (6) copies of a site plan or subdivision plat, as they apply to this application. All application and escrow fees must be included with the application. The applicant will then be scheduled to meet with the Tenancy committee (prior to the Board meeting). The application will be reviewed for completeness and the applicant will be notified as to the status or if additional information is required. The Board Secretary will give notice of the date of your scheduled meeting.

WITHIN 15 DAYS OF THE SCHEDULED MEETING WITH THE BOARD, THE APPLICANT MUST SUBMIT THE FOLLOWING MATERIAL TO THE BOARD SECRETARY:

1. Submit 13 copies of the following:
 - a. Completed application,
 - b. Official survey of the subject property,
 - c. Any deed restriction easement of record or protective covenant
 - d. Plot/survey map prepared by or at the direction of the application showing the following:
 - i. Area of subject property
 - ii. Lot line dimensions of subject property
 - iii. Location of all building, structures, or improvements presently on property (pools, decks, sheds etc.)
 - iv. Location of proposed additions or changes indicating dimensions.
 - v. Front, side and rear set-backs
 - vi. Driveways and parking areas (supply dimensions for other than single-family residential use)
 - vii. Easements and rights-of-way
 - e. Topographic maps where grade exceeds 5%,
 - f. Architectural plans or equivalent, prepared by or at the direction of the applicant,
 - g. Zoning Officials denial letter
2. Advertisement of the meeting must be published in the officially designated newspaper of the Borough at least (10) ten days prior to the date of the hearing. It is the applicant's responsibility to submit the notice to the newspaper and request a Proof of Publication. The letter to property owners within 200 feet must be in their possession, a minimum of 10 days prior to the meeting. If the notices are mailed, they must be sent by certified mail, return receipt; if the property owners are personally served, the resident must initial the certified list alongside his/her name. Three days prior to the meeting, the applicant must submit the Proof of Publication, the original Certified Property Owners List and all return receipt cards.

BOROUGH OF WHARTON
GENERAL APPLICATION FORM

APPLICATION IS HEREBY MADE TO THE BOARD OF ADJUSTMENT FOR THE FOLLOWING:

- A. _____ Appeal alleging administrative error in enforcement of the Zoning ordinance (N.J.S.A. 40:55D-70a)
- B. _____ Interpretation or Decisions on Special Questions relating to the zoning map or an ordinance (N.J.S.A. 40:55D-70b)
- C. _____ Applications and Appeals alleging peculiar and exceptional practical difficulties or exceptional undue hardship (N.J.S.A. 40:55D- 70c).
- D. _____ Applications to grant variances to allow a structure or use in a district restricted against such structure or use (N.J.S.A. 40:55D-70d)
- E. _____ Appeal for lot that does not abut a street.

NAME OF APPLICANT _____

ADDRESS _____

TELEPHONE (HOME) _____ BUSINESS _____

NAME OF OWNER _____

ADDRESS _____

TELEPHONE (HOME) _____ BUSINESS _____

PREMISES AFFECTED: BLOCK _____ LOT _____
STREET ADDRESS _____
ZONE _____

Application is being made for relief of terms of Article _____,

Section _____ of the Borough of Wharton Land Use Ordinance so as to

Permit _____

This appeal is based on the (order issued) (decision rendered) by the Zoning Official,

Construction Code Official dated _____ and reading as follows:

Presently this property is used as _____

Does the owner or applicant own or have any interest in any adjoining property?

YES _____ NO _____. If yes, please specify Block/Lot
BLOCK _____, LOT _____.

Has any prior application been made to the Zoning Board on this property?

YES _____ NO _____. If yes please specify date, relief sought and
disposition.

DATE: _____, RELIEF _____

DISPOSITION _____.

Has any appeal of a decision been made on this property? YES _____ NO _____
If yes, please specify date and details.

DATE _____

DETAILS _____

The subject property is located along a _____ County road, _____ State Highway
_____ Municipal road, _____ Private road/drive.

Is new construction proposed? _____ YES _____ No. If yes, what is the total floor area of
all buildings? _____.

How many parking spaces are required _____? How many parking spaces are
proposed _____?

BASIS OF VARIANCE APPLICATION

It is a requirement of New Jersey Law that the applicant establishes the criteria set forth in either Section 1 or Section 2 below in order for a variance to be granted. Answer completely and fully either Section 1 or 2.

SECTION 1: (UNIQUE PHYSICAL CONSTRAINTS OF THE PROPERTY)

By reason of physical, topographical or other unique features affecting this specific property, the strict application of the provisions of the Borough Of Wharton Land Use Ordinance would result in peculiar and exceptional difficulties or exceptional undue hardship under N.J.S.A. 40:55 D-70c. List in detail facts showing that this application conforms to this requirement, including, if applicable, reference to the exceptional narrowness, shallowness, or shape of the property, or the exceptional topographical conditions affecting the property, or any other exceptional situation or conditions of the property which applicant contends warrants the granting of this variance.

SECTION 2: NON-COMPLIANCE WITH ZONING USE.

A. There are special reasons under N.J.S.A. 40:55D-70d affecting this property which permits a variance for the land and/or proposed structure to be used for a use not permitted in the district in which this property is zoned. The following are reasons:

B. List in detail the reasons why the granting of this variance will not be substantially detrimental to the public good and will not substantially impair the intent and purpose of the zone plan and Land Use Ordinance.

SIZE OF SUBJECT PROPERTY

	<u>EXISTING</u>	<u>PROPOSED</u>	<u>REQUIRED</u>
Lot Frontage	_____	_____	_____
Lot Depth	_____	_____	_____
Lot Area	_____	_____	_____

SIZE OF PROPOSED BUILDING OR ACCESSORY STRUCTURE

Frontage	_____	_____	_____
Depth	_____	_____	_____
Area	_____	_____	_____
Total Height	_____	_____	_____
Number of stories	_____	_____	_____

SET BACK FROM PROPERTY LINE

	<u>PRINCIPAL</u>	<u>ACCESSORY</u>	<u>REQUIRED</u>
Front Yard	_____	_____	_____
Side Yard	_____	_____	_____
Side Yard	_____	_____	_____
Rear Yard Depth	_____	_____	_____

PERCENTAGE OF LOT OCCUPIED BY ALL STRUCTURES (LOT AREA - BUILDING AREA)

CERTIFICATION OF TAX COLLECTOR

I, _____, tax collector for the Borough of Wharton do
herein state that all property taxes on Block _____, Lot _____,
commonly known as _____ are current and that there
are no liens being held by the Borough of Wharton on the property described
above.

Signed: _____

Dated: _____

AUTHORIZATION

If anyone other than the owner of the property is making this application, the following authorization MUST BE executed:

To the Borough of Wharton Planning Board:

_____ is hereby authorized to make the within application.
Print Applicant's Name

APPROVED:

Property Owner's Signature

____/____/____
Month Day Year

Print Property Owner's Name

Property Owner's Address

Sworn and subscribed to me this _____ day of _____, 20__.

Notary Public

AFFIDAVIT OF OWNERSHIP

STATE OF NEW JERSEY)
COUNTY OF MORRIS) SS.

_____ of full age, being duly sworn according to
(Print Name)

law, on oath deposes and says that the deponent resides at

_____ in the (City) (Town) (Borough) of _____
 Street Address

Name of City, Town or Borough _____ County of _____
Name of County _____

and the State of _____, that _____
(Name of State) (Name of Owner)

Is the owner in fee of all that certain lot, piece or parcel of land situated, lying

and being in the municipality aforesaid, and known and designated as

Lot _____ Block _____

Owner's Signature

Print Owner's Name _____

Sworn and subscribed to before me this _____ day of _____, 20__.

Notary Public of New Jersey

AFFIDAVIT OF APPLICANT

STATE OF NEW JERSEY)
COUNTY OF MORRIS) ss.

_____ of full age, being duly sworn according to
(Print applicant's name)
on oath deposes and says that all of the above statements and the statements
contained in the paper submitted herewith are true.

(Applicant's signature)

(Print applicant's name)

Sworn and subscribed to before me this _____ day of _____, 20__.

Notary Public of New Jersey

SAMPLE OF LETTER TO BE SENT TO PROPERTY OWNERS WITHIN 200 FEET

To: _____

Owner of Premises: _____

PLEASE TAKE NOTICE:

That the undersigned has applied to the Planning Board of the Borough of Wharton, N.J. for a:

to permit _____

on the premises located at _____

which is within 200 feet of property owned by you. This application is now on the Board's

calendar and a public hearing has been ordered for _____

(Date)

at _____ p.m. in the _____

(Time)

(Place)

at which time you may appear either in person or by agent, or Attorney and present any objection
which you may have to the granting of this application.

This notice is sent to you by the applicant, by order of the Planning Board, Borough of
Wharton.

Respectfully,

Applicant

SAMPLE OF ADVERTISEMENT

To All Applicants:

Public Notice - (Publication) Applicant is required to give public notice of the hearing on any application for development and include any variances or possible variances. This notice must appear in print in the legal notices of the Borough's officially designated newspaper at least (10) ten days prior to the date of the hearing. At the time of the hearing, the applicant is required to produce a copy of this notice with date of publication certified by the newspaper.

The following is a sample of the advertisement:

NOTICE OF HEARING

NOTICE IS HEREBY GIVEN that an application for

(subdivision, site plan, variance)

has been made to the Planning Board of the Borough of Wharton by

(Applicant's name)

who proposes to: _____

Said property is located on _____

(Street Address)

Wharton, New Jersey and shown on the tax map as Block _____ Lot _____

in the _____ Zone.

A hearing on this _____

(Subdivision, Site Plan, Variance)

has been set by the Planning Board for _____

(Date)

at the Municipal Building, 10 Robert Street, Wharton, N.J. at 7:00 p.m. Copies of documents

submitted with the application are on file at the above-named municipal building for public

inspection, 10 days prior to the meeting, between the hours of 8:30 a.m. and 4:30 p.m., Monday

through Friday.

Applicant: _____

Address: _____

AFFIDAVIT

State of New Jersey) ss
County of Morris)

_____ of full age, being duly sworn according to law, on his/her
oath deposes and says that he/she resides at _____
in the _____ of _____
County of _____ and State of _____
and that he/she did on _____, at least ten days prior to the
hearing date, give personal notice to all property owners within 200 feet of the property located at
_____ and affected by the
application of _____ before the Planning Board of the
Borough of Wharton.

Said notice was given by sending written notices thereof by registered or certified mail, return receipt, and copies of these receipts are attached or by handing a copy thereof to said property owners or by leaving a copy at the property owners usual place of abode, with a person over 14 years of age. A signed receipt of personal service is attached, for hand delivered notices.

Attached to this affidavit is a list of owners of property within 200 feet of affected property showing the lot and block numbers of each property as same appears on the Municipal Tax Map.

Signature of Owner or Agent

Sworn and subscribed to,
before me this _____
day of _____, 20____.

Notary Public of New Jersey

APPENDIX "A"
FORM 3
SITE PLAN SUBMISSION DETAILS AND REQUIREMENTS

Applicant's Name _____

Date Received _____

All applications for site plan approval shall be prepared, signed and sealed by a professional engineer. They shall bear the signature and the seal of a licensed land surveyor as to topographic and boundary survey data. A signed and sealed copy of the survey on which the site plan is based shall be submitted to the reviewing board with the site plan submission.

SCALE: 1" = 10:20:30:40:50

PLAN LEGIBILITY: Satisfactory () Unsatisfactory ()

REQUIRED INFORMATION

All site plans shall comply with the requirements hereinafter set forth and shall contain the following information and data where applicable:

YES	NO	
()	()	1. A title block shall be indicated in the lower right-hand corner of the plan and shall include the name and address of the record owner, including the block and lot number of the site; the title of the development; and the name, address, license number and seal of the person preparing the plan. If the owner is a corporation, the name and address of the president and secretary shall be submitted with the application.
()	()	2. A date block of the site plan adjacent to the title block containing the date of preparation. All subsequent revisions shall be clearly noted and dated.
()	()	3. A key map showing the location of the tract with reference to surrounding areas and existing street intersections within five hundred (500) feet of the boundaries of the subject premises.
()	()	4. A place for the signatures of the Chairman of the Board, Secretary of the Board and the Borough Engineer.
()	()	5. A scale of not less than fifty (50) feet to the inch shall be used and a graphic representation of the scale shall be displayed, and a North arrow. All distances and dimensions shall be in feet and decimals of a foot and all bearings shall be given to the nearest ten (10) seconds. In the case of an exceptionally large tract of land, a scale of not less than one hundred (100) feet to the inch may be employed.
()	()	6. The names of all owners of adjacent property within two hundred (200) feet of the subject premises, together with the block and lot numbers of the said property, as shown on the current municipal tax records.
()	()	7. Zone boundaries shall be shown on the site plan as they affect the parcel. Adjacent zone districts within two hundred (200) feet shall also be indicated. Such features may be shown on a separate map or as a key on the detail map itself.
()	()	8. Survey data showing boundaries of the property, required building or setback lines from existing and proposed streets, lots and areas dedicated to public use, including grants, restrictions and rights-of-way, lot area.

- () () 9. Reference to any existing covenants, deed restrictions, easements or exceptions that are in effect or are intended to cover all or any of the tract. A copy of such covenant, deed restriction, easement or exception shall be submitted with the application. If there are no known covenants, deed restrictions, easements or exceptions affecting the site, a notation to that effect shall be indicated on the site plan map.
- () () 10. Location of existing buildings on the site which shall remain, including all existing setback dimensions, and all other structures such as walls, fences, culverts, bridges, roadways, etc. with spot elevations of such structures. Structures to be removed shall be indicated by dashed lines; structures to remain shall be indicated by solid lines.
- () () 11. All distances as measured along the right-of-way lines of existing streets abutting the property to the nearest intersection with any other street.
- () () 12. Location plans and elevations of all proposed buildings and other structures, including required yard and setback areas, building height in feet and stories, lot coverage and improved lot coverage calculations.
- () () 13. Location, height, dimensions and details of all signs, either freestanding or affixed to a building. Where signs are not to be provided, a notation to that effect shall be indicated on the site plan.
- () () 14. Location of all storm drainage structures, soil erosion and sediment control devices and utility lines, whether publicly or privately owned, with pipe sizes, grades and direction of flow. The estimated location of the said existing underground utility lines shall be shown.
- () () 15. Existing and proposed contours, referred to United States Coast and Geodetic Survey datum, with a contour interval of one (1) foot for slopes of three percent (3%) or less, an interval of two (2) feet for slopes of more than three percent (3%) but less than fifteen (15) percent and an interval of five (5) feet for slopes of fifteen (15) percent or more. Existing contours are to be identified by dashed lines and proposed contours are to be identified by solid lines.
- () () 16. Location of existing rock outcrops, high points, watercourses, depressions, ponds, marshes, wetlands, wooded areas and other significant existing features, including previous flood elevations of watercourses, where available, and ponds and marsh areas, as may be determined by survey. Unusual major conditions affecting the subject property or surrounding areas shall be indicated.
- () () 17. All proposed streets with profiles indicating grading, and cross sections showing width of roadway, location and width of sidewalks, where required, and location and size of utility lines, according to community standards and specifications.
- () () 18. The proposed use or uses of land and buildings and proposed location of buildings, including proposed grades. Floor plans and area of all buildings and estimated number of employees, housing units and other capacity measurements, where required, shall also be indicated. If the precise use of the building is unknown at the time of application, an amendment plan showing the proposed use shall be required prior to a certificate of occupancy.
- () () 19. All means of vehicular ingress and egress to and from the site onto public or private streets, showing the size and location of driveways and curb cuts, including the possible organization of traffic channels, acceleration and deceleration lanes, additional width and other traffic controls which may be required. Improvements such as roads, curbs, sidewalks and other design details shall be indicated, including dimensions of parking stalls, access aisles, curb radii, direction of traffic flow and other conditions as may be required in the Zoning Ordinance or this Code.
- () () 20. The location and design of any off-street parking areas or loading areas showing size and location of bays, aisles and barriers.
- () () 21. The location of all proposed water lines, valves and hydrants and all sewer lines or alternative means of water supply or sewage disposal and treatment in conformance with the municipal standards and appropriate utility companies, where applicable.

- | | | | |
|-----|-----|-----|---|
| () | () | 22. | The proposed location, direction of illumination, power and time of proposed outdoor lighting, including type of standards to be employed, radius of light and intensity in footcandles. |
| () | () | 23. | The proposed screening, landscaping and planting plan indicating natural vegetation to remain and areas to be planted. A plant schedule indicating botanical name, common name, size at time of planting, quantity and any special remarks for all plant material proposed. Planting and construction details and specifications. |
| () | () | 24. | The proposed refuse and recycling collection facility including location, dimensions and screening elements. |
| () | () | 25. | The proposed rooftop appurtenances including total area, height and screening elements. |
| () | () | 26. | The proposed stormwater management system s to conform with Chapter 267 Stormwater control. |
| () | () | 27. | Complete building elevation drawings of proposed structure(s). |
| () | () | 28. | Location, size, and nature of contiguous property owned by the applicant or in which the applicant has direct or indirect interest. |
| () | () | 29. | Soil Erosion and Sediment Control Plan. |
| () | () | 30. | Traffic Study (where required by the Board). |
| () | () | 31. | Environment Impact Study (where required by the Board). |
| () | () | 32. | Any other information deemed necessary by the Board. |

ESCROW FEES

	<u>PLANNER</u>	<u>ENGINEER</u>	<u>ATTORNEY</u>
VARIANCE APPLICATION	\$500.00	\$500.00	\$ 500.00
MINOR SUBDIVISION	\$ 500.00	\$500.00	\$1000.00
MAJOR SUBDIVISION	\$1000.00	Less than 10 lots \$1500.00 More than 10 lots \$3000.00	\$2000.00
SITE PLAN	\$1500.00	Less than 1 acre \$1000.00 More than 1 acre \$2500.00	\$2000.00

APPLICATION FEES

Schedule of application fees to be paid at the time of the filing of the application.

<u>SUBMISSION</u>	<u>APPLICATION FEE</u>
Sketch Plat for Classification/Concept Plan	\$50.00
Minor Subdivision Plat	\$100.00
Major Subdivision/Preliminary	\$100.00 + \$25.00 per lot
Major Subdivision/Final	\$50.00 + \$25.00 per proposed lots
Site Plan: 1. For each 20,000 square feet of lot area up to 3 acres 2. For each acre over 3 acres 3. For each 1,000 square feet of floor area up to 10,000 square feet 4. For each 1,000 square feet of floor area over 10,000 square feet	\$200.00 \$300.00 \$150.00 \$100.00
Variances: 1. Appeals in accordance with N.J.S.A. 40:55D-70a 2. Interpretations in accordance with N.J.S.A. 40:55D-70b 3. Hardship applications in accordance with N.J.S.A. 40:55D-70c 4. Conditional Use 5. Use in accordance with N.J.S.A. 40:55D-70d	\$200.00 \$200.00 \$200.00 \$200.00 \$250.00
Amendments: 1. No expansion of building or outside facility 2. If expansion is proposed fees established for site plans apply	\$200.00 See site plan fees
Appeals pursuant to N.J.S.A. 40:55D-34 and 55D-36	\$100.00