



BOROUGH OF NETCONG LAND USE APPLICATION

PROJECT NAME: _____ **DATE:** _____

BLOCK: _____ **LOT:** _____ **TAX MAP SHEET #:** _____

PROJECT ADDRESS ZONE: Please check the appropriate box below to identify zone of the project

R-1 Single Family Residential	R-3A Single Family Residential	I-1 General Industrial
R-1A Single Family Residential	R-4 Garden Apartments	I-2 Limited Industrial
R-2 Single Family Residential	B Commercial Business	I-3 Limited Industrial & Commercial
R-3 Single Family Residential	R-C Borough Center	LOR Limited Office Research

APPLICATION TYPE: Please check the appropriate box below to identify the application type

Concept Plan	Minor Subdivision	C Variance
Minor Site Plan	Preliminary Subdivision	D Variance
Preliminary Site Plan	Final Subdivision	Conditional Use
Amended Preliminary Site Plan	Amended Preliminary Subdivision	Certificate of Non-Conforming Use
Final Site Plan	Amended Final Subdivision	Appeal
Amended Final Site Plan	Extension of Approval	Interpretation

DEVELOPMENT TEAM CONTACT INFORMATION:

	Name	Address	Telephone	Fax	Email
Applicant					
Owner					
Engineer					
Attorney					
Surveyor					
Planner					
Other					

BOROUGH OF NETCONG
LAND USE APPLICATION

FEES & ESCROWS: Please provide separate checks.

Amount enclosed for Fees: _____ **Check No:** _____

Amount enclosed for Escrow: _____ **Check No:** _____

CERTIFICATION

_____ **Date:** _____

Signature of Applicant

Print or Type Name of Applicant

BOROUGH OF NETCONG

Affidavit of Ownership

AFFIDAVIT OF OWNERSHIP STATE OF NEW JERSEY COUNTY OF _____ I
_____ being of full age and duly sworn according to law
on oath deposed says that the deponent resides at
_____ in the
municipality of _____ in the County of _____ and the State of
_____, that _____ is the owner in fee of all
the certain lot, piece or parcel of land situated, lying and being in the municipality aforesaid and
known and designated as Block(s) _____
Lot(s) _____

_____ DATE _____ Owners
Signature STATE OF NEW JERSEY COUNTY OF _____ SWORN TO AND SUBSCRIBED,
before me This _____ day of _____, 20____.

Seal

Notary Public, State of New Jersey

BOROUGH OF NETCONG
LAND USE APPLICATION

OWNERS AUTHORIZATION

If anyone other than the owner is making this application, the following authorization must be executed.

_____ is hereby authorized to make the within application.

Date: _____ **Owner's Signature:** _____

Print Name & Title: _____

SITE INSPECTION AUTHORIZATION FORM

I hereby give permission for Netcong Borough Municipal Agencies and their agents to enter upon and inspect these premises with respect to this application for _____

Block(s) _____ Lot(s) _____

_____ Date _____

Owner's Signature

BOROUGH OF NETCONG

LAND USE APPLICATION

CORPORATION OR OWNERSHIP FORM

Application before the Planning Board/Zoning Board of Adjustment by a corporation or partnership for a land-use application shall list below the names and addresses of all stockholders or individual partners owning at least 10% of its stock of any class or at least 10% of the interest in the partnership as the case may be as required by N.J.S.A 40:55D-48.1

Name: _____ Address: _____

Name: _____ Address: _____

Name: _____ Address: _____

Name: _____ Address: _____

Name: _____ Address: _____

Please note: No Planning Board, Zoning Board of Adjustment or Municipal Governing Body shall approve the application of any Corporation or Partnership which does not comply with the Act as per N.J.S.A. 40:55D-048.1 et seq. P.L. Chapter 336, Section 3

BOROUGH OF NETCONG
LAND USE APPLICATION
APPLICATION SUMMARY

1. Provide a description of the current and proposed use of the property.

2. Has there been any previous appeal, request or application to this or any other Borough Board, Court, Zoning Official or the Construction Official involving these premises? If yes, state the nature, date and disposition of said matter.

Borough of Netcong
VARIANCE APPLICATION

Please provide a separate application for each variance requested.

ORDINANCE SECTION	DESCRIPTION OF VARIANCE REQUEST

Explain all reasons why this property cannot comply with ordinance section noted above.

Explain how the ordinance deviation noted above can be approved without substantial detriment to the public good or impairment to the intent of the ordinance or neighborhood scheme.

Borough of Netcong
VARIANCE APPLICATION

Borough of Netcong
VARIANCE APPLICATION

Explain ways the proposed deviation from the ordinance benefits the community and any benefits that outweigh detriments.

If applying for a use in a zone where such a use is not permitted, explain how the proposed use will promote purposes of zoning or general welfare.

Please provide any documentary evidence or photographs you believe to be relevant to your proposal.

Consent of Owner

I certify that I am the Owner of the property, which is the subject of this application, herby consent to the making of this application and the approval of the plans submitted here within. I further consent to the inspection of this property in connection with this application as deemed necessary by the Planning Board and its professionals. I further consent that all fees must be paid in accordance with the Planning Board application, and in the event the applicant does not pay all appropriate fees, including application and escrow fees, the landowner consents to have any unpaid balance placed as an added assessment against the property at issue, to be collected by the Borough Tax Collector's Office.

Sworn & Subscribed to before me this

Signature (Applicant) Date

_____ day of _____, 20____ (year)

Print Name

_____ (notary)

Disclosure Statement

Pursuant to N.J.S.A. 40:55D-48.1 & 48.2, please answer the following questions:

Is this application to subdivide a parcel of land into six (6) or more lots?	Yes	No
Is this application for a variance to construct a multiple dwelling of twenty-five (25) or more units?	Yes	No
Is this application for approval of a site (or sites) for non-residential purposes?	Yes	No
Is the applicant a corporation?	Yes	No
Is the applicant a limited liability corporation?	Yes	No
Is the applicant a partnership?	Yes	No

Pursuant to N.J.S.A 40:55D-48.1 a corporation or partnership applying to a planning board or board of adjustment or to the governing body of a municipality for permission to subdivide a parcel of land into six or more lots, or applying for a variance to construct a multiple dwelling of 25 or more family units or for approval of a site to be used for commercial purposes shall list the names and addresses of all stockholders or individual partners owning at least 10% of its stock of any class or at least 10% of the interest in the partnership, as the case may be.

List the names and addresses of all stockholders or individual partners owning at least 10% in stock of any class or at least 10% of the interest in partnership (whichever is applicable) on Appendix attached.

Applicant signature

Date

Survey Waiver Certification

As of the date of this application, I hereby certify that the survey submitted with this application, under the date of _____, 20____ shows and discloses the premises in its entirety, described as Block(s)_____ Lot(s)_____; and I further certify that no buildings, fences, or other facilities have been constructed, installed, or otherwise located on the premises after the date of the survey with the exception of the structures shown.

Sworn & Subscribed to before me this

Signature (Applicant)

Date

_____ day of _____, 20____ (year)

Print Name

_____ (notary)

Escrow Agreement

As Applicant, I understand that monies associated with this application have been deposited in an escrow account in accordance with Netcong Borough's Ordinances. I further understand that the escrow account is established to cover the cost of professional services including engineering, planning, legal and other expenses associated with the review of the submitted materials, any communications with the Board's or Borough's Professionals as chargeable time. Sums not expended in the review process will be refunded. If additional sums are necessary, I understand that I will be notified of any additional amount and shall replenish the escrow account within 20 days of notification. Additionally, until such funds are fully replenished, no further consideration, review, processing of any pending application shall be permitted by the Planning Board, nor shall any further inspections be performed by or on behalf of the Borough until such additional escrow has been deposited. Failure to post sufficient escrow funds to cover costs incurred or anticipated shall toll the period for action by the approving authority, as required by N.J.S.A 40:55D.1 et. seq. and particularly N.J.S.A.40:55D.51 and N.J.S.A. 40:55D.73 thereby barring an applicant from seeking a default approval under N.J.S.A. 40:55D-10.4.

The written notice referred to in this paragraph shall be sent to:

Name: _____

Address: _____

Unless otherwise shown, receipt shall be presumed to have occurred three (3) days after mailing. The notice required under this paragraph shall be in the form of a letter requesting the additional sums.

After a period of forty-five (45) days from the notice from the Borough, the applicant's failure to deposit the additional funds shall be grounds for denial of the application or for the dismissal of the application without prejudice. In the event the Board approves the application, the obligation to pay for professional plan reviews by depositing the funds in escrow shall be a condition of the approval granted by the Board. If the escrow funds are depleted, after the application is filed or granted, the applicant shall pay additional funds upon demand within the aforementioned (20) day period. The failure to pay the demanded funds may also result in a voiding of any prior approvals upon due notice to the applicant by the Board. In addition to the foregoing, the applicant hereby agrees that in the event the reasonable and necessary amounts charged by the professionals for review of the application are not paid, the outstanding fees shall be placed as an added assessment against the property at issue, to be collected by the Borough Tax Collector's office.

Sworn & Subscribed to before me this

Signature (Applicant)

Date

_____ day of _____, 20____ (year)

Print Name

_____ (notary)

Owner Disclosure Statement

Name of Corporation, Partnership, LLC or LLP:

Listed below are the names and addresses of all owners of 10% or more of the stock/interest* in the above referenced corporation, partnership, limited liability corporation (LLC) or limited liability partnership (LLP):

NAME		ADDRESS
1		
2		
3		
4		
5		
6		
7		
8		
9		
10		

*If a corporation or a partnership owns 10% or more of the stock of a corporation, or 10% or greater interest in a partnership, that corporation or partnership shall list the names and addresses of its stockholders holding 10% or more of its stock or of 10% or greater interest in the partnership, and this requirement shall be followed until the names and addresses of the non-corporate stockholders and individual partners, exceeding the 10% ownership criterion established have been listed.

Sworn & Subscribed to before me this

Signature (Applicant)

Date

_____ day of _____, 20____ (year)

Print Name

_____ (notary)

Certification of Taxes Paid

Mrs. Cynthia Eckert, CTC
Netcong Borough
23 Maple Ave.
Netcong, NJ 07857

I hereby certify that the real estate taxes are paid currently on:

Block(s): _____

Lot(s): _____

Address: _____

Borough of Netcong Tax Collector

Date

Request for Certified List of Property Owners

I am requesting a list of property owners within two hundred feet (200') of the following subject property:

Address: _____

Owner: _____

Block: _____ Lot: _____

Requestor's Name: _____

Address: _____

Email: _____

Phone: _____

Signature

Date

Fee: \$10.00 per list (Separate fee for each block and lot)

Please enclose a self-addressed, stamped envelope.

Mr. Richard Proctor
Administrative Assistant
Netcong Borough
23 Maple Ave.
Netcong, NJ 07857

Fee Paid: _____

Date: _____

Notice of Hearing to Newspaper

Sample Notice of Hearing

PLEASE TAKE NOTICE that the undersigned has made an application to the Netcong Borough Planning Board for property known as Block(s) _____, Lot(s) _____, located at _____.

In addition, the applicant will request such variances, waivers, permits, approvals, or licenses that are deemed necessary or appropriate by the Applicant or the Planning Board.

This application is now on the calendar for the Netcong Borough Planning Board and a public hearing has been set for _____ at the Netcong Borough Municipal Building, 23 Maple Ave., Netcong, NJ 07857 at 7:30 p.m. When the case is called, you may appear either in person or by attorney to present any evidence, which you may have regarding the application. The matter will be heard on the above date, or any adjourned date designated by the Planning Board at the public meeting without additional notice.

The maps, plans, plats and application for which approval is being sought are on file with the Planning Board Secretary and are available for inspection at the Municipal Building during normal business hours.

Notice must be published at least **10 days prior** to the meeting in The Daily Record newspaper.

**Sample Notice of Hearing to Property Owners within 200 Feet of Subject Parcel to be Heard
Before the Planning Board**

In accordance with the requirements of the Netcong Borough ordinances and Municipal Land Use Law N.J.S.A. 40:55D-12 of the Revised Statutes of New Jersey, you are hereby notified that an application has been filed by the undersigned with the Planning Board. The application and plans are available for examination in the Planning Board Office during normal business hours.

Take notice that a public hearing will be conducted before the Planning Board in connection with this application at the Netcong Borough Municipal Building, 23 Maple Ave., Netcong, NJ 07857 on the _____ day of _____ 20_____ at 7:30p.m.

Property Involved:

Street Address: _____

Block(s): _____ Lot(s): _____

Present Use:

Proposed Use:

Nature of relief or variance

Requested: _____

and any other variances, waivers or approvals deemed necessary by the Planning Board.

Further take notice that said Planning Board may at its discretion, adjourn, postpone, or continue the said hearings from time to time, and you are hereby notified that you should make diligent inquiry of the Planning Board Secretary concerning such adjournments, postponements or continuations.

Applicant

**Netcong Borough Planning Board
Affidavit of Service**

STATE OF NEW JERSEY:

SS:

COUNTY OF SUSSEX:

The undersigned, of full age, being duly sworn according to law, on his/her oath deposes and says that he/she is the APPLICANT or AGENT and that he/she did on

_____, at least ten (10) days prior to the hearing date, give personal notice to all property owners within 200 feet of the property known as Block _____, Lot _____, with a street address of _____, in the _____

zone, Netcong Borough, County of Morris, State of New Jersey, and all public utility and cable television companies serving the municipality by Certified Mail – Return Receipt requested. A copy of the Notice (Exhibit “A”) and the registered receipts are attached.

Notices were also served upon utilities, County Planning Department, N.J.D.O.T. etc...if applicable.

Notice was also published in The Daily Record, the official newspaper of the Netcong Borough Planning Board as required by law, and Proof of Publication is attached (Exhibit “B”). Note: if proof of service has not been received from the newspaper, applicants may use a photocopy of the notice.

Attached (Exhibit “C”) is a copy of the Certified List of Property owners within 200 feet of the affected property who were served, showing the block and lot numbers of each property as shown on the Netcong Borough Map.

Sworn & Subscribed to before me this

Signature (Applicant)

Date

_____ day of _____, 20____ (year)

Print Name

_____ (notary)

Notice: Affidavit of Service must be filed with the Planning Board Secretary at least three (3) days prior to hearing or the matter will not be heard.

Sample Buy/Sell Letter

Adjoining Property Owner
Street Address
Netcong, NJ 07857

Re: Block: _____, Lot: _____

Dear Adjoining Property Owner:

I own an adjacent to your lot and I am applying to the Netcong Borough Planning Board for a variance to construct _____. In this case, our lot is undersized under the current Netcong Borough ordinances.

The purpose of this letter, in addition to the variance notice which you will be served with, is to inquire whether you have any interest in either: (a) purchasing this lot at its fair market value as a building lot (which assumes the variance has been granted), or (b) selling additional land to us in order to make the lot conforming or more conforming.

You should be aware that in the event you purchase the lot as a building lot at its fair market value, it would have to be merged with your lot and not remain a separate building lot. It is important to emphasize that the price we would be entitled to request would be a building-lot price and not a mere raw acreage.

Nevertheless, the purpose of this letter is to inquire of our as adjoining property owners of your interest in the matter and if you have no interest in buying or selling as described above to let the Planning Board know of your position. Would you please indicate on a copy of the letter enclosed your position with respect to this letter, which I will provide to the Planning Board?

Very truly yours,

Applicant

Via Certified mail, RRR# _____ & Regular Mail
cc: Netcong Borough Planning Board Secretary

_____ I have and interest. _____ I have no interest.

Instructions

NOTICE: These instructions are for informational purposes only. If you are unsure of how to proceed, you should consult with a Land Use Professional.

Step 1: Application Submission

A. All applications for development, fees and supporting documentation shall be filed with the Planning Board Secretary at the Netcong Borough Municipal Building, 23 Maple Ave., Netcong, NJ 07857, Monday through Friday between the hours of 8:00am and 4:30pm and at least twenty-one (21) days prior to the meeting date in order to be added to the agenda for a completeness hearing.

B. 1 Original and 14 Copies of a Completed Planning Board Application. (15 Total) Applications shall be on the forms provided by Netcong Borough. All information, unless requested to be waived in writing, shall be supplied.

C. All application fees and escrows are to be in separate checks payable to Netcong Borough. All escrow accounts are to be brought up to opening balance prior to being put on the agenda.

B. Signed Escrow Agreement and W-9 tax form.

C. All required fee and escrow payments as set forth in the fee schedule. Application fees are non-refundable. All checks should be made payable to Netcong Borough. Separate checks should be submitted for fees and escrow.

D. Completed application checklist and required submission materials as denoted in the checklists. If an item on the checklist is not applicable, a submission waiver may be requested with justification for such a waiver.

E. Property owners list request and associated fee

F. Request a tax search from the Tax Collector. Documentation of taxes paid and current must be provided before the application can be deemed complete.

G. For any Corporation or Partnership applying for a variance for non-residential purposes or to construct a multi-residential dwelling of 25 or more units, a list of the names and addresses of all stockholders or individual partners owning at least 10% of its stock of any class of 10% interest in the partnership and an affidavit verifying its accuracy.

H. All materials shall be filed with the Planning Board Secretary 21 days in advance of the target completeness hearing date.

Step 2: Completeness Review (Within 45 days of submission)

A. Once received, the application will be distributed to Board Professionals and Members.

B. Board Members and Professionals will review the documentation submitted and check to ensure that all required checklist items have been submitted.

C. All required documentation should be provided, or waivers may be requested from various checklist submission requirements. If necessary, items have not been submitted, a completeness review report will be sent to the applicant (within 45 days of submission) indicating which items are outstanding. The required outstanding items must be addressed prior to being scheduled for a hearing.

D. Once all necessary items are submitted, the application will be deemed complete and formally scheduled for a hearing date.

Step 3: Public Notification (a minimum of 10 days prior to hearing)

Notice must be provided (pursuant to N.J.S.A. 40:50D-12) in the official newspaper of the Board (The Daily Record) and to property owners within 200 feet of the subject parcel (utilize the list provided by the tax assessor). Please review the following instructions regarding proper notice procedures:

A. Do not provide notice until you have been formally scheduled for a hearing.

B. Notice must be provided a minimum of ten (10) days prior to the hearing (not including the date of the meeting) or the application will be rescheduled to a later date, which will require new notice.

C. Complete the Notice of Hearing

1.) The description of the relief sought must be provided on the form.

2.) Copies of the form must be distributed to all persons/entities listed on the Property Owners list either by certified mail or hand delivery in accordance with N.J.S.A. 40:55D-12.

D. Complete the Affidavit of Service of Notice, sign, notarize, and attach original certified mail receipts.

E. Complete Public Notice and submit it to The Daily Record.

1.) Legal notices must be published at least ten (10) days prior to the hearing date. Please contact The Daily Record for their submission deadlines.

2.) The description of the relief desired should reflect that of the Notice of Hearing form.

3.) The newspaper will send you an affidavit of proof of publication, which must be submitted to the Planning Board Secretary.

Step 4: Submit Proof of Notice

Once the application is deemed complete by the Planning Board, notice must be served at least ten (10) days prior to the hearing to all entitled to notice. The notice must also appear in The Daily Record at least ten (10) days prior to the hearing.

The applications that require notice are:

1. Any Variance

2. Any Preliminary Major Subdivision

3. Any Site Plan

4. Conditional Use Approval
5. Any appeal of the Zoning Officer's determination of interpretation
6. Any request for Certification of pre-Existing Non-Conforming use to the Planning Board

In certain situations, another municipality, the Morris County Planning Department, Utilities, Corporations or other entities may be entitled to notice. Applicants are directed to refer to the provisions in the Municipal Land Use Law, N.J.S.A. 40:55D-12, if unsure.

The following items must be submitted to the Planning Board Secretary no later than three (3) days prior to the hearing date:

- 1.) A copy of the Notice of Hearing
- 2.) The Affidavit of Service of Notice
- 3.) Original certified mail receipts
- 4.) The affidavit of proof of publication from The Daily Record

Step 5: Prepare the Presentation

The presentation to the Planning Board should be brief and concise but present all relevant facts and address the requested variances. Photographs, sketches, witnesses, and/or any other pertinent information may be presented. The burden of proof is on the applicant since he or she is asking for an exception to the ordinance. The Planning Board is required to consider certain tests in evaluating your application, as specified in the Municipal Land Use Law.

An attorney must represent all applicants or property owners that are incorporated. Any employed professionals and experts for the applicant will be certified that they possess the appropriate New Jersey licenses prior to any testimony at the hearing. The lack of a New Jersey license does not prohibit an individual from testifying but will preclude their ability to be certified as an expert witness by the Board.

Step 6: Attend the Hearing:

- 1.) An application must be heard by the Planning Board within 120 days of being deemed complete.
- 2.) The Planning Board meets on the fourth Monday of every month, except holidays, in the Netcong Borough Municipal Building, 23 Maple Ave., Netcong, NJ 07857 at 7:30pm. The meeting is open to the public.

Step 7: After the Hearing:

a. Resolution: The resolution will be presented and memorialized by the Planning Board within 45 days of decision. A copy of the resolution will be mailed to the applicant or the applicant's attorney as listed on the application.

B. Notice of Decision: A notice of Decision will be submitted to The Daily Record for publication by the Planning Board Secretary within ten (10) days of the memorialization of the resolution.

C. Appeal Time Period: Any party interested in appealing the decision of the Planning Board, must do so within forty-five (45) days of the publication of the notice of decision.

D. Items to submit After the Hearing:

1.) Conditions of Approval: Any and all conditions of approval must be satisfied (legal documents, additional information, maps for signature, etc...), which should be submitted to the Board Secretary. Certain items will be reviewed by the Board Professionals and may need to be revised as deemed necessary.

2.) Conformance Plans: Four (4) sets of revised plans, which address needed completeness items and comments from the Board Members and Board Professionals, should be submitted to the Board Secretary for signatures.

3.) Escrow: Any outstanding escrow and bond payments must be submitted prior to the issue of any permits. Should a positive balance remain in the escrow account after the project is complete and all bills are submitted and paid, a written request for the refund of the remaining escrow must be submitted to the Planning Board Secretary.

4.) Zoning Permit: A zoning permit application may be submitted once the above items have been completed.

5.) Council on Affordable Housing (COAH): A COAH fee may apply for new construction of single-family homes and larger development projects per the Borough ordinance. Similarly, a non-residential development Fee is required for applicable commercial development, per the Borough's ordinance.

6.) Building Permits: A building permit may be applied for with the Construction Department after all other requirements have been satisfied. A pre-construction meeting may be necessary and should be scheduled with the Board Engineer.