

WANTAGE LAND USE BOARD

INSTRUCTIONS AND APPLICATION.

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

1. Wantage Township has **combined** the Zoning Board of Adjustment and the Planning Board into a single board known as the **Wantage Land Use Board**. Additionally, the secretarial and administrative duties of the former Board Secretary are now carried out by the **Land Use Secretary**. All correspondence, applications and inquiries shall be directed to:

Stella Salazar, Land Use Secretary 973-875-7192 

ADDRESS: Wantage Township Municipal Building, 888 Route 23 South, Wantage, New Jersey 07461.

2. All applications for development, fees and supporting documentation shall be **filed** with the Land Use Administrator at least **21** days in advance of the target hearing date. Applications shall be on the forms provided by the Land Use Administrator. All information, unless requested to be waived in writing, shall be supplied.

3. An **original and 14 copies** of all applications and **15** sets of maps and plats shall be filed.

4. Proof that all **real estate taxes** have been paid to date shall be supplied by the applicant before a hearing will be scheduled. This certification can be obtained from the Tax Collector during normal business hours at **(973) 875-7194**. (See Addendum "A")

5. Once the applications, supporting documentation, maps and plats are received and proof of taxes paid to date, provided the application is deemed **complete**, the applicant will be notified by the Land Use Administrator of the **date of the hearing**.

6. **Once an application is deemed complete**, if applicable, **NOTICE** (see Addendum "C") **must** be served at least **ten (10)** days prior to the hearing to all entitled to notice. The notice must also appear in the New Jersey Herald, Daily or Sunday edition, at least **ten (10)** days prior to the hearing. The list of those entitled to service (property owners within 200 feet) can be obtained for ten (**\$10**) dollars, from the Tax Assessor during normal business hours at **(973) 875-7193**. (See Addendum "B").

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 or Interpretation
6. Any Request for Certification of a Pre-Existing, Non-conforming use to the Land Use Board

IMPORTANT: In certain situations, another municipality, the Sussex 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.

7. The **affidavit of service** and **proof of publication** (see Addendum "E") must be filed with the Land Use Administrator at least **three (3)** business days prior to the hearing. If the affidavit of publication is not received from the newspaper in time to submit, the applicant may substitute a photocopy copy of the newspaper notice as it appeared in the newspaper. Failure to file these documents shall delay the hearing on the application.

8. All **corporations** must be represented by an **Attorney** licensed to practice law in New Jersey.

9. All **corporations or partnerships** applying to the Land Use Board for a variance to construct a multiple dwelling of 25 or more family, for approval to subdivide a parcel into 6 or more lots, or for approval for a site to be used for commercial purposes, shall supply the names and addresses of all stockholders or individual partners owning at least 10% of stock of any class or at least 10% of the interest of the partnership. Applicants shall use the form supplied by the Board Secretary. Failure to comply will delay the hearing of the application.

10. Any dedications or easements, either envisioned as part of the original application, or deemed necessary by any reviewing agency, must be accompanied by either an **attorney opinion letter** or **title report** indicating the dedicated or easement areas are free and clear of all easements, encumbrances, mortgages or liens.

11. All **deeds** required after any approval must be submitted to the **Board Engineer and Attorney** for review and approval.

12. All application fees and escrows are to be in separate checks payable to "**Wantage Township**".

13. Please refer to the appropriate **checklist** for each respective application's requirements. All **requests for waivers** from the checklist requirements must be in writing.

14. If the subject property has previously been before either the Planning or Zoning Boards or the Land Use Board, all previous **Resolutions** must be **attached**.

15. **Four (4) photographs** of current on-site conditions are **required** for all applications.

16. All appropriate **spaces** on application form are to be **filled** in. If the information is “not applicable” then fill in “N/A”.

17. The **FORM of NOTICE** and other **FORMS** attached to the application are the **suggested** forms for Applicants to use.

18. Certain matters may qualify as minor site plans, which may be approved with limited plans.

19. Conceptual plans. These are informal, non-binding and require some maps, an explanation and a filing fee in order to be listed on the agenda.

WANTAGE LAND USE BOARD TYPICAL CONDITIONS OF APPROVAL

1. The development of this parcel shall be implemented in accordance with the plans submitted and approved.

2. This approval is granted strictly in accordance with the plat prepared by

_____ (Preparers name) dated _____ (Date of plans).

3. This variance expires one year from the date of memorialization of the decision, or the expiration of a site plan or subdivision, which was part of the application, unless a building permit as been obtained or as otherwise permitted by law.

4. Payment of all fees, costs and escrows due or to become due. Any monies are to be paid within twenty (20) days of any request by the Land Use Administrator.

5. Certificate that taxes are paid to date of approval.

6. Any condition within a specific time limit shall be complied with within six months of the date of this Resolution’s memorialization.

7. Subject to all other applicable rules, regulations, ordinances and statutes of the Township of Wantage, County of Sussex, State of New Jersey, or any other jurisdiction.

ADDENDUM "A"

Ms Marcia Snyder
Tax Collector
TOWNSHIP OF WANTAGE
888 State Route 23
Wantage, NJ 07461

RE: **Block** _____ **Lot** _____

Dear Madam:

Please provide the undersigned with a certificate that taxes have been paid to date for the above referenced property. This certificate is required for an application before the Wantage Township Land Use Board.

Very truly yours,

Applicant

NOTE TO APPLICANTS: Be sure to include your return address on a self-addressed stamped envelope.

ADDENDUM "B"

Ms. Melissa Rockwell
Tax Assessor
TOWNSHIP OF WANTAGE
888 State Route 23
Wantage, NJ 07461

RE: **Block** _____ **Lot** _____

Dear Madam:

Please provide a certified list of property owners within 200 feet of the above referenced property within seven (7) days as provided by the Municipal Land Use Law.

A check in the amount of ten dollars and return envelope are enclosed.

Very truly yours,

Applicant

NOTE TO APPLICANTS: Be sure to include a check for \$10.00 payable to Wantage Township along with your return address on a self-addressed stamped envelope.

ADDENDUM "C"

**SUGGESTED
NOTICE OF HEARING
WANTAGE TOWNSHIP LAND USE BOARD**

PLEASE TAKE NOTICE that the undersigned has made application to the Wantage Township Land Use Board for property known as Block _____, Lot _____, located at _____ in the _____ zone, as follows:

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

This application is now on the calendar for the Wantage Township Land Use Board and a public hearing has been set for _____ at the Wantage Township Municipal Building, 888 State Route 23, Wantage, NJ 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 designed by the Land Use Board at this public meeting without additional notice.

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

This notice is provided pursuant to the rules of procedure of the Wantage Township Land Use Board.

ADDENDUM "D"

SUGGESTED "BUY/SELL" LETTER

Adjoining Property Owner
Street Address
Wantage, New Jersey

Re: **Block** _____, **Lot** _____

Dear Adjoining Property Owner:

I own a lot adjacent to your lot and am applying to the Wantage Township Land Use Board for a variance to construct a single-family residence. In this case, our lot is undersized under the current Wantage 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 buildable lot. It is important to emphasize that the price we would be entitled to request would be a building-lot price and not mere raw acreage.

Nevertheless, the purpose of this letter is to inquire of you 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 Board know 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 Board.

Very truly yours,

_____, Applicant

VIA CERTIFIED MAIL, RRR# _____ & Regular Mail

cc: Wantage Land Use Administrator

_____ I have an interest.

_____ I have no interest.

ADDENDUM "E"

**SUGGESTED
WANTAGE TOWNSHIP LAND USE BOARD
AFFIDAVIT OF SERVICE**

Re: _____

APPLICATION No. _____

STATE OF NEW JERSEY:

SS:

COUNTY OF SUSSEX:

1. 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 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, Wantage Township, County of Sussex, 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.
2. Notices were also served upon: (Utilities, County Planning Dept., DOT, etc. if applicable)

3. Notice was also published in the New Jersey Herald, the official newspaper of Wantage Township as required by law, and **Proof of Publication** is attached as Exhibit "B". NOTE: If proof of publication has not been received from the newspaper, applicants may use a photocopy of the notice.
4. Attached as Exhibit "C" is a **copy of the Certified list of Property owners within 200 feet** of the affected property who were served, showing the lot and block numbers of each property as shown on the Wantage Township Tax Map.

Applicant or Agent

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

Notary Public

NOTICE: AFFIDAVIT OF SERVICE MUST BE FILED WITH LAND USE ADMINISTRATOR AT LEAST THREE (3) DAYS PRIOR TO HEARING OR MATTER WILL NOT BE HEARD.

**WANTAGE TOWNSHIP LAND USE BOARD
UNIVERSAL APPLICATION FORM**

NOTICE: Wantage Township has combined its Zoning and Planning Boards into a combined Board known as the Land Use Board. This is the only form to be used for all applications for development and other matters before the Land Use Board.

APPLICANT- SUPPLY WITH SUBMISSION

- 15 NUMBER OF PLATS**
- PROPOSED FORM OF NOTICE** (if applicable)
- CERTIFICATION OF CURRENT TAX STATUS**
- AFFIDAVIT OF OWNERSHIP** (if applicable)
- CORPORATE DISCLOSURE STATEMENT** (if applicable)
- LIST OF PROPERTY OWNERS WITHIN 200 FEET**
- APPROPRIATE CHECKLIST**
- FOUR (4) PHOTOGRAPHS OF CURRENT CONDITIONS**

IF APPLICATION IS MADE FOR MULTIPLE RELIEF OR APPROVALS (ie "D" Variance and Site Plan) THEN APPLICANTS MUST SUPPLY ALL FORMS AND CHECKLISTS FOR ALL REQUESTED RELIEF OR APPROVAL.

DATE SUBMITTED: _____

TYPE OF APPLICATION: [check all that apply]

- MINOR SUBDIVISION
 - PRELIMINARY MAJOR SUBDIVISION
 - MINOR SITE PLAN (See Checklist for filing requirements)
 - FINAL MAJOR SUBDIVISION
 - PRELIMINARY MAJOR SITE PLAN
 - FINAL MAJOR SITE PLAN
 - "C" VARIANCE
 - "D" VARIANCE
 - APPEAL
 - INTERPRETATION
 - OTHER (INFORMAL, PLANNING VARIANCE, NONCONFORMANCE CERTIFICATE, EXTENSION OF APPROVAL, ETC.)
- _____

I. PROJECT NAME: _____

II. APPLICANT'S NAME, ADDRESS AND INTEREST: _____

TELEPHONE: _____ FAX: _____

III. PROPERTY'S STREET ADDRESS: _____

BLOCK(S): _____ LOT(S): _____

ZONE: _____ TAX MAP SHEET# _____

SIZE OF PROPERTY (in acres): _____

PRESENT USE OF PREMISES: _____

PROPOSED USE OF PREMISES: _____

IV. PRIOR ACTIVITY.

CHECK ONE: This property () has or () has not been the subject of prior applications.

Previous Application No. _____ Previous Date: _____

Action Taken: _____

ATTACH COPIES OF PRIOR RESOLUTION: _____

V. NAME AND ADDRESS OF PROPERTY OWNER: _____

TELEPHONE: _____

VI. **ALL CORPORATE OR PARTNERSHIP APPLICANTS**-All corporations or partnerships applying to the Land Use Board for a variance to construct a multiple dwelling of 25 or more family, for approval to subdivide a parcel into 6 or more lots, or for approval for a site to be used for commercial purposes, shall supply the names and addresses of all stockholders or individual partners owning at least 10% of stock of any class or at least 10% of the interest of the partnership. Applicants shall use the form supplied by the Land Use Administrator. Failure to comply will delay the hearing of the application.

CORPORATE DISCLOSURE STATEMENT

Pursuant to the Municipal Land Use Law, N.J.S.A. 40:55D-1 et. seq., corporations or partnerships must list the names and addresses of all stockholders owning at least 10% of stock of any class or those owning at least 10% or more of the interest in the partnership.

NAME

ADDRESS

APPLICANT'S PROFESSIONALS

VII. APPLICANT'S ATTORNEY OR REPRESENTATIVE:

FIRM: _____
ADDRESS: _____
TELEPHONE: _____ FAX: _____

VIII. APPLICANT'S SURVEYOR: _____
PLATS PREPARED BY: _____
FIRM: _____
ADDRESS: _____
TELEPHONE: _____ FAX: _____

IX. APPLICANT'S ENGINEER: _____
PLATS PREPARED BY: _____
FIRM: _____
ADDRESS: _____
TELEPHONE: _____ FAX: _____

X. APPLICANT'S ARCHITECT: _____
PLATS PREPARED BY: _____
FIRM: _____
ADDRESS: _____
TELEPHONE: _____ FAX: _____

XI. APPLICANT'S PLANNER: _____
PLATS PREPARED BY: _____
FIRM: _____
ADDRESS: _____
TELEPHONE: _____ FAX: _____

XII. OTHER PROFESSIONALS: _____
FIRM: _____
ADDRESS: _____
TELEPHONE: _____ FAX: _____

APPLICANT REQUESTS THE FOLLOWING:

I. SUBDIVISION:

- Minor Subdivision
- Preliminary Major Subdivision
- Final Major Subdivision

Area of tract before subdivision: _____ acres

Number of Lots Created: _____

Number of proposed dwelling units: _____

Additional Comments: _____

(attach additional pages as needed)

II. SITE PLAN:

- Minor Site Plan
- Preliminary Major Site Plan
- Final Major Site Plan
- Amendment or Revision to an Approved Site Plan

TYPE: New Construction Addition to existing structure

Parking Other:

Area to be disturbed: _____ (square feet or acres).

Waiver Requested and Additional Comments: _____

(attach additional pages if needed)

III. **VARIANCES:** CHECK ALL THAT APPLY

- () “A” Administrative Appeal
- () “B” Interpretation
- () “C” Variance
- () “D” Variance
- () Planning Variance
- () Other: _____

The proposed structure will have a side line measuring _____, with a front yard of _____ and a back yard of _____. The lot measures _____ feet by _____ feet. The prevailing front yard in the area is _____.

Individual Variance Applications.

[Check all that apply]

- () **Height Variance** – The maximum allowable height in the zone is _____ feet. The proposed structure will stand _____ feet.
- () **Use Variance** – The structure will be designed for use as a _____, a non-permitted use in the zone.
- () **Planning Variance** (N.J.S.A. 40:55D-35 & 36):
- () **Conditional Use Variance.**
- () **Expansion of a non-conforming use.**
- () **Other:** _____

() **Substandard lot case.**

NOTICE TO ALL APPLICATIONS REGARDING VACANT SUBSTANDARD LOTS-The Wantage Land Use Board strongly recommends the **buy/sell** (see Addendum “D”) letter be followed in corresponding with abutting property owners. Applicants are not required to use the exact wording on the form (the wording may be modified for individual applicants if appropriate); the **substance** of the form must be followed. The **buy/sell** letter must be sent at least **twenty (20)** days in advance of your scheduled hearing date for completeness by **both** certified and regular mail. Failure to comply will delay a hearing on this matter. You must be prepared at the hearing date to offer into evidence the **buy/sell** letter and any response. Responses **must** be in writing. The **buy/sell** letter is in **ADDITION** to the **required statutory notice** you must give to all property owners within 200 feet as well as those others entities entitled to notice by law.

NOTICE TO ALL APPLICANTS- ATTACH AN EXPLANATORY STATEMENT CONTAINING OTHER PROPOSALS, LEGAL POSITIONS, WAIVERS REQUESTED OR OTHER INFORMATION THAT WOULD ASSIST THE BOARD IN MAKING A DETERMINATION AS TO THE MERITS OF YOUR APPLICATION.

IV. OTHER APPROVALS REQUIRED (FOR ALL APPLICATIONS)

| <u>CHECK ALL THAT APPLY</u> | <u>YES</u> | <u>NO</u> | <u>STATUS</u> |
|--|------------|-----------|---------------|
| () <u>SUSSEX COUNTY PLANNING BOARD</u> | _____ | _____ | _____ |
| () <u>WANTAGE TOWNSHIP SOIL EROSION & SEDIMENT CONTROL PLAN</u> | _____ | _____ | _____ |
| () <u>SUSSEX COUNTY HEALTH DEPARTMENT</u> | _____ | _____ | _____ |
| () <u>N.J.D.E.P.</u> | _____ | _____ | _____ |
| () <u>N.J. D.O.T.</u> | _____ | _____ | _____ |
| () _____ (Other) | _____ | _____ | _____ |

ESCROW STATEMENT AND APPLICANT'S CERTIFICATION

As Applicant, I understand that monies associated with this application have been deposited in an escrow account (Builder's Trust Account). In accordance with the Township of Wantage 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 Township's Professionals as chargeable time, and the publication of the decision by the Wantage Township Land Use Board. 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.

Further, I certify that the foregoing statements and materials submitted are true. I further certify that I am the individual applicant or that I am an Officer/General Partner/Managing Member of the Corporation/General Partnership/L.L.C. making application and that I am authorized to sign the application for the Corporation/General Partnership.

SIGNATURE OF APPLICANT/ATTORNEY
DATE: _____

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

NOTARY PUBLIC