

**AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 205, “LAND USE”
OF THE CODE OF THE TOWNSHIP OF NORTH BRUNSWICK**

BE IT ORDAINED, by the Township Council of the Township of North Brunswick, County of Middlesex and State of New Jersey, that Chapter 205, Land Use, be amended and supplemented as follows:

Article XXXVI Fees; Deposits; General Provisions

§ 205-139(B) Fees shall be replaced in its entirety as follows:

1. Zoning Permit fees. A non-refundable Zoning Permit Application review fee, calculated pursuant to the Department of Community Development Fee Schedule as adopted by resolution of the Township of North Brunswick Council, shall be paid to the Township of North Brunswick before any construction permit is issued, and prior to the commencement of use or before any structure is erected, restored, added to or structurally altered. The established fee shall be due at the time of the submission of the zoning permit application, and shall be payable to the Township of North Brunswick in connection with projects such as, but not limited to, new use or tenant, new buildings, building additions or alterations, decks, porches, sheds, gazebos, pergolas, fences, patios, detached garages, above or in-ground pools, solar panels, generators, finished basements, signs, antennas, temporary portable storage units, temporary storage containers, and temporary tents. If more than one structure is proposed, the applicant shall pay applicable fees for each such structure.

2. Engineering Permit fees. A non-refundable Engineering Permit Application review fee, calculated pursuant to the Department of Community Development Fee Schedule as adopted by resolution of the Township of North Brunswick Council, shall be paid prior to the construction of any nonresidential building or residential dwelling unit, installation of public and private improvements, private driveway expansion or extension, installation of in-ground pools, retaining walls, and alteration of existing grades. For the purposes of this paragraph, retaining walls shall be defined as vertical, self-supporting structures which exceed 30 inches in height, and constructed of concrete, durable wood, masonry or other materials, and designed to resist the lateral displacement of soil or other materials.

3. Land use application fees. A non-refundable development application fee, calculated pursuant to the Department of Community Development Fee Schedule as adopted by resolution of the Township of North Brunswick Council, shall be paid at the time of filing for an approval or appeal before the Zoning Board of Adjustment or Planning Board. If more than one approval is required, the applicant shall pay the fee required for each such approval.

§ 205-139(C) Fees and escrow deposits shall be replaced in its entirety as follows:

C. Technical review escrow deposits. A technical review escrow deposit calculated in accordance with this subsection shall be paid at the time of filing for any approval or action listed herein. The required escrow deposits for technical review fees shall be as follows:

- (1) Minor subdivision (new additional lots created): \$750 per lot. Lot line adjustment (no additional lots created): \$500.
- (2) Preliminary major subdivision: \$500 per lot for the first 10 lots, plus \$200 per lot for all lots in excess of 10, including a minimum escrow deposit fee of \$2,000 and up to a total maximum escrow deposit fee of \$20,000.
- (3) Final major subdivision: 1/3 of the escrow deposit calculated for preliminary major subdivision.
- (4) Site plan.
 - (a) For non-residential development: an amount equal to \$0.15 per square foot up to 15,000 square feet of lot area, plus \$0.05 per square foot for all lot area in excess of 15,000 square feet, including a minimum escrow deposit fee of \$2,000 and up to a total maximum escrow deposit fee of \$20,000. In cases where only a portion of the parcel or site is to be involved in the proposed site plan, the fee shall be based on the total area of disturbance, including grading and landscaping.
 - (b) For residential development: an amount equal to \$200 per unit for the first 50 units, plus \$100 per unit for all units in excess of 50, including a minimum escrow deposit fee of \$2,000 and up to a total maximum escrow deposit fee of \$20,000.
 - (c) Site plan waiver request: \$500.
- (5) Revised subdivision and site plan submissions. One-third of the total escrow deposit calculated for the original submission.
- (6) General development plan: \$2,000.
- (7) Conditional uses: \$2,000.
- (8) Variances pursuant to N.J.S.A. 40:55D-70(c):
 - (a) Single and two-family dwellings: \$350.
 - (b) All other applications: \$300 per variance.

- (9) Variances pursuant to N.J.S.A. 40:55D-70(d):
 - (a) Individual single-family home: \$500 per variance.
 - (b) All other applications: \$2,000 per variance.
- (10) Development permit (N.J.S.A. 40:55D-34 and 40:55D-35): \$1,000.
- (11) Extension of time:
 - (a) Single-family and two-family homes: \$300.
 - (b) All other extensions: \$500.
- (12) Appeal from decision of Zoning Officer: \$750.
- (13) Interpretation of Zoning Map or ordinance: \$750.
- (14) Request for zoning change: \$2,000.
- (15) Certificate of nonconformity (N.J.S.A. 40:55D-68): \$750.
- (16) Requests for processing of sanitary sewer or potable water applications: \$500.
- (17) Special meetings (scheduled and convened for the benefit of an applicant): \$2,500 per meeting.

BE IT FURTHER ORDAINED, that if any section, paragraph, subsection, clause or provision of this Ordinance shall be adjudged by the courts to be invalid, such adjudication shall apply only to the section paragraph, subsection, clause or provision so adjudicated, and the remainder of the Ordinance shall be deemed valid and effective; and

BE IT FURTHER ORDAINED, that any ordinances or parts thereof in conflict with the provisions of this Ordinance are repealed to the extent of such conflict.

BE IT FURTHER ORDAINED, This Ordinance shall take effect upon passage and publication in accordance with applicable law.

TITLE

This Ordinance shall be known as may be cited as the Ordinance
Amending and Supplementing Chapter 205, Land Use
Article XXXVI Fees; Deposits; General Provisions

Michael C. Hritz
Director of Community Development

Justine Progebin
Interim Business Administrator

Ronald H. Gordon, Township Attorney
(Approved as to legal form)

RECORDED VOTE FIRST READING

COUNCIL MEMBER	YES	NO	ABSTAIN	NOTES
CORTES				
LOPEZ				
GUADAGNINO				
DAVIS				
SOCIO				
ANDREWS				
MAYOR WOMACK				

RECORDED VOTE SECOND READING

COUNCIL MEMBER	YES	NO	ABSTAIN	NOTES
CORTES				
LOPEZ				
GUADAGNINO				
DAVIS				
SOCIO				
ANDREWS				
MAYOR WOMACK				

CERTIFICATION

I hereby certify that the above Ordinance was duly adopted by the Township Council of the Township of North Brunswick, County of Middlesex, at its meeting held on December 14, 2020.

Lisa Russo, Township Clerk

EFFECTIVE DATE

This Ordinance shall take effect on January 1, 2021, upon passage and publication in accordance with applicable law.

- APPROVED
- REJECTED

Francis M. Womack III, Mayor
Township of North Brunswick

Date Signed: _____, 2020