

## **Planning Board and Zoning Board Application Checklist**

- Fully Completed Application (do not detach pages)
- (3) \$10 checks (1-property owner's list/1-tax lien search/1-municipal lien)
- (1) Check for application fee
- (1) Check for escrow fees (attorney and/or engineer review)
- Original Letter of Denial
- Marked-up survey to scale indicating relationship of existing and proposed structures
- Building plans to scale clearly labeled (proposed addition/existing structure, etc.) and all dimensions noted including proposed height, if applicable

*All checks are to be made payable to the Borough of Pompton Lakes*

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Submit the full application package to the Board Secretary for initial review.

Once the application has been deemed complete, the applicant will be given a hearing date and the property owner's list to begin their notification process. The original application and 6 additional collated copies will be required to be submitted.

### Important Deadlines

20 days prior to hearing – the total application package deemed complete

10 days minimum prior to hearing – property owner's notification complete

10 days minimum prior to hearing – legal notice published in newspaper

**BOROUGH OF POMPTON LAKES  
PLANNING & ZONING BOARD OF ADJUSTMENT  
VARIANCE PROCEDURE**

Fill out the application and return it to the Board Secretary for initial review along with the following:

- Your letter of denial
- A “marked-up” **survey to scale** (do not change the survey size when making the copy)
- Building plans
- The 5 required checks: Application Fee, Municipal Lien search fee, Tax Lien Search fee, 200’ property owner list fee and Escrow deposit. Make checks payable to “Borough of Pompton Lakes”.

*(The Board Secretary may provide minor assistance to the applicant but the burden resides with the applicant to properly complete all of the forms.)*

A Board Professional will then review the application in order to deem it complete. Once deemed complete, you will be assigned a hearing date by the Board Secretary. You will be given a copy of the original application to make 20 copies (see “Other Requirements” for details). You will also be given the certified “Property Owner’s 200 ft. list” for your property. You can then proceed with the notification process.

**NOTIFICATION PROCESS**

**IMPORTANT:** All notifications (property owners, utilities and newspaper) must be completed *at least 10 days* prior to the hearing date. ***There are no exceptions to this Municipal Land Use Law Rule. All parties must be properly noticed or the application cannot be heard.*** There are 4 requirements to the notification process:

1. **PROPERTY OWNERS WITHIN 200 FEET:** You will receive a “Property Owners List” that will contain those homeowners within 200 feet of your property who must be ‘NOTICED’. Those property owners may be noticed by either personal service **or** by certified mail, return receipt requested.
  - **Personal Service:** Hand deliver the homeowner a completed “Notice to be served on Property Owners Affected” sheet and have them ***initial and date*** the original “Property Owners List” next to their name. The original list is returned to the Board Secretary for inclusion in the permanent file.
  - **Notices by Certified Mail:** Send the homeowner a completed “Notice to Be Served on Property Owners Affected” sheet by certified mail, return receipted requested. **ALL** the white receipts should be turned in to the Board Secretary along with the notarized Proof of Service form. The green return receipts should also be turned in to the Board Secretary.
2. **PROOF OF SERVICE:** This form is a part of the application packet and is completed once **ALL** legal notices have been made. This is to inform the Borough of the method of service used to notice each individual on the property owners list. **The form must be notarized and returned to the Board Secretary prior to your hearing date.**

3. **UTILITIES:** You will receive a list of all utilities who must be 'NOTICED'. All utilities must be noticed by certified mail, return receipt requested.
4. **LEGAL NOTICE IN THE NEWSPAPER:** The "Legal Notice" form is part of this packet. The notice is to be PUBLISHED at least **10 days** prior to the hearing date in one of the two designated newspapers for the Board of Adjustment (Suburban Trends or the Herald News.) There is lag time between when you submit your notice and the publication date, so be sure to submit it well ahead of the 10-day deadline. You must ask for an Affidavit of Publication from the newspaper. Return it along with another original notice (cut from the newspaper) to the board secretary **prior** to your hearing date.

### OTHER REQUIREMENTS

**COPIES:** The applicant is responsible for providing 20 copies of the following to the Board Secretary for distribution to the Board members, Professionals and the other municipal agencies whose input is sought **at least 10 days** before the hearing date.

- Fully Completed Application (do not detach pages)
- Original Letter of Denial
- Marked-up survey **to scale** indicating relationship of existing and proposed structures
- Building plans to scale clearly labeled (proposed addition/existing structure, etc.) and all dimensions noted including proposed height, if applicable

**ESCROW FEE:** The Services of the Board Attorney are a requirement in this process, and he will construct a resolution, which is the legal decision of the Board. Sometimes the services of the Board Engineer will also be sought. It is the responsibility of the applicant to pay for any fees incurred by the Board professionals and those invoices will be deducted from the applicant's escrow account. Cost of publication of the resolution will also be deducted as well. Any balance remaining in the escrow account after the process has been completed, will be refunded to the applicant.

**POST VARIANCE APPROVAL:** Should the Board grant an approval for the variance(s), the Board Attorney will construct a resolution that will be read and adopted at the Board's next scheduled meeting and the decision will be published in the newspaper.

At this point there begins a 45-day waiting period in which time "any interested party" may appeal the decision of the Board. The applicant may choose, however, to sign a Waiver for this waiting period and accept all responsibilities should an appeal arise.

Should you have any questions with regard to this process, please contact the Board Secretary at 973-835-0143, Ext. 241. Emails: [planning@pomptonlakes-nj.org](mailto:planning@pomptonlakes-nj.org) / [boardofadjustment@pomptonlakes-nj.org](mailto:boardofadjustment@pomptonlakes-nj.org).

## ZONING AND LAND USE

### *190 Attachment 5*

#### **APPENDIX D RULES AND REGULATIONS FOR FILING DEVELOPMENT APPLICATIONS FOR THE BOROUGH OF POMPTON LAKES**

All applicants for development, whether for a site plan, subdivision and/or variance application, shall file an original and 18 copies and shall be filed with the Secretary of the appropriate Board. Appropriate application forms are attached hereto.

The applicant shall file 18 copies of all the necessary plans and shall comply with the requirements of the Checklist, with reference to the particular application being filed, attached hereto and made a part hereof, wherever applicable.

The applicant may request that one or more of the submission requirements be waived, which request shall be in writing setting forth the reason(s) for the waiver request. The waiver request shall be considered by the Board having jurisdiction in accordance with the municipal ordinance requirements. The application shall not be deemed complete until such time as the Board has acted upon the waiver as requested.

Upon the submission of an application, the Board Secretary shall review minor subdivision and minor site plan applications for completeness and forward all other applications to the Technical Review Committee (TRC) established to determine completeness of the application. Within 45 days of the date of submission of the application, the TRC shall inform the applicant, in writing, that the application is complete or incomplete. If the application is deemed incomplete, the notice shall indicate the deficiencies in the application. Upon the submission of the deficient items, the same shall be forwarded to the TRC, and the TRC shall, within 45 days from the date of the submission of the deficient items, deem the application complete or incomplete. Notification shall be made in writing, and if the application is still deemed to be incomplete, the process shall repeat. Nothing herein shall prevent the Board from requesting additional information pursuant to N.J.S.A. 40:55D-10.

Once the application is deemed complete by the TRC, it shall be listed for the next available meeting of the Board having jurisdiction. The Board Secretary shall also refer the application to the various agencies and individuals as required by ordinance for review and comment. Scheduling of additional public hearings and/or formal review is at the discretion of the reviewing Board, provided that the application is acted upon within the time period as set forth in the Municipal Land Use Law (N.J.S.A. 40:55D-1 et seq.) unless the time period pursuant to the statute is extended in writing by the applicant. The notice of the complete application shall be submitted in writing to the applicant and shall state the date on which the application is scheduled to be discussed by the Board.

If the applicant is requested to revise the plans and/or provide additional documentation, after consideration of the application by the Board, the applicant shall submit the amendments and/or additional documentation at least 10 days prior to the next scheduled meeting at which time the Board will review the additional information and/or revisions.

## POMPTON LAKES CODE

At least 10 days prior to the time appointed for a public hearing, the applicant shall give notice to all owners of property within a two-hundred-foot radius of the subject property, and where required, the adjoining counties and municipalities and utility companies (N.J.S.A. 40:55D-12 and 40:55D-12a) in the state by sending written notice thereof by certified mail, return receipt requested, to the last known address of the property owner(s) or by handing a copy thereof to said property owner(s) or officials. The list of property owners and addresses shall be obtained by the applicant from the current tax records of the municipality or from a list of property owners prepared by the Borough Tax Assessor upon request by the applicant and the payment of the prescribed fee.

The applicant shall prepare and sign, before a notary public, one copy of the affidavit of proof of notice provided and submit it, together with a copy of the required notice, to the Board at least two days prior to the date of the Hearing.

ZONING AND LAND USE

190 Attachment 8

**BOROUGH OF POMPTON LAKES  
SITE PLAN APPLICATION SUBMISSION CHECKLIST**

Submit copies of the following:

		Concept	Preliminary	Final	Compliance
1.	Application forms: Original and 18 copies	A	A	A	
2.	County Planning Board application: 2 copies	A	A	A	
3.	Protection covenants, deed restrictions, easements: 2 copies	A	A	A	
4.	18 copies or sets of development plans	A	A	A	
5.	Development plan checklist: 2 copies	A	A	A	
6.	Drainage calculations and stormwater management plan: 3 copies. Show drainage area contributing to site	N/A	A	A	
7.	Fee as provided in fee schedule	A	A	A	
8.	Letter(s) signed by a responsible officer of the water company, sewer authority, utility company which provides gas, telephone and electricity stating approval for each proposed utility installation design and indicating who will construct the facility	N/A	A	A	
9.	Certificate for payment of taxes	A	A	A	
10.	All plan details shall comply with chapter requirements; if not, a letter explaining the difference and a request for a waiver or a variance shall be submitted	A	A	A	
11.	All application forms, engineering drawings, architectural drawings and other submitted material and information shall be consistent and complement each other	A	A	A	
12.	All development plans, reports, etc., shall be signed and sealed as provided by law	A	A	A	
13.	Proof of application to County Soil Conservation District. Soil erosion and sediment control plan	N/A	A	A	

POMPTON LAKES CODE

		Concept	Preliminary	Final	Compliance
14.	New Jersey State approvals: Department of Transportation, Department of Environmental Protection	N/A	A	A	
15.	Deed(s) and affidavit of title for land being conveyed to borough for road widening, open space, recreation, utilities and easements	N/A	A	A	
16.	Public hearing notification for all development requiring same	N/A	A	A	
17.	As-built plans: 2 mylars, 2 cloth and 15 prints	N/A	A	A	
18.	Proof that applicant, Construction Official and Zoning Official provided written notice to the Planning Board Engineer, Health Officer and Operations Manager of the Pompton Lakes Municipal Utilities Authority, if the development encroaches upon wellhead protected areas, as defined by Borough ordinance.	A	A	A	
19.	For property located within the DRA-1 or DRA-2 Zones, proof that the Applicant has been designated as the Designated Redeveloper by the Pompton Lakes Redevelopment Agency.	A	A	A	

NOTES:

N/A equals nonapplicable

ZONING AND LAND USE

190 Attachment 9

**BOROUGH OF POMPTON LAKES  
SUBDIVISION APPLICATION SUBMISSION CHECKLIST**

Submit copies of the following:

		Type of Application			
		Minor/ Concept	Preliminary	Final	Compliance
1.	Application forms: original and 18 copies	A	A	A	
2.	County Planning Board application form: 2 copies	A	A	A	
3.	Protection covenants, deed restrictions, easements: 2 copies	A	A	A	
4.	18 copies or sets of development plans	A	A	A	
5.	Development plan checklist: 2 copies completed by applicant	A	A	A	
6.	Drainage calculations and stormwater management plan: 3 copies. Show drainage area contribution to site	N/A	A	N/A	
7.	Fee as provided in fee schedule	A	A	A	
8.	Letter(s) signed by a responsible officer of the water company, sewer authority, utility company which provides gas, telephone and electricity stating approval for each proposed utility installation design and indicating who will construct the facility	N/A	N/A	A	
9.	Certificate for payment of taxes	A	A	A	
10.	All plat details shall comply with chapter requirements; if not, a letter explaining the difference and a request for waiver or a variance shall be submitted	A	A	A	
11.	All application forms, engineering drawings, architectural drawings and other submitted material and information shall be consistent and complement each other	A	A	A	
12.	All development plans, reports, etc., shall be signed and sealed as provided by law	A	A	A	
13.	Proof of application to County Soil Conservation District. Soil erosion and sediment control plan	N/A	A	A	

POMPTON LAKES CODE

		Type of Application			
		Minor/ Concept	Preliminary	Final	Compliance
14.	New Jersey State approvals: Department of Transportation, Department of Environmental Protection	N/A	A	A	
15.	Deed(s) and affidavit of title for land being conveyed to borough for road widening, open space, recreation, utilities and easements	N/A	N/A	A	
16.	Public hearing notification for all development required	N/A*	A	N/A	
17.	Final plat: 2 mylars, 2 cloth and 15 paper prints	N/A	N/A	A	

NOTES:

**\*Unless a variance is requested pursuant to N.J.S.A. 40:55D-70.**

**A equals Applicant's responsibility.**

**N/A equals Nonapplicable.**

If the applicant believes that an item is not applicable, the same should be reviewed with the borough's administrative officer or his designee