



Borough of Seaside Park
Planning Board

BOROUGH HALL
1701 North Ocean Avenue
Seaside Park, NJ 08752
(732) 793-3700 FAX (732) 793-3737

Development Application Instructions & Filing Procedures

These instructions are intended to provide general information and guidance for submitting Development Applications to the Seaside Park Planning Board. The information is provided as a service to make the Development Application process easier, but not intended to supersede the detailed requirements outlined in the Borough's Development Regulations Ordinance and the New Jersey Municipal Land Use Law. Applicants are advised to consult with legal counsel as the applicant is responsible for the preparation of the application, providing required notices and presentation at the hearing.

If the proposal includes erecting a new structure or substantial alteration of an existing structure, applicants should consult with the Construction Official for compliance with the Borough Flood Plain Regulations (§200-42 of the Development Regulations Ordinance) before finalizing plans and submitting a Development Application since compliance may affect the structure's height and encroachment of stairs into required setbacks.

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Zoning, subdivision, site plan and other regulations regarding land use and development in New Jersey are governed by the Municipal Land Use Law (N.J.S.A. 40:55D-1 et. seq.) and municipal ordinances adopted in accordance with this law. In the Borough of Seaside Park, these municipal regulations are contained in the Borough's Development Regulations Ordinance (Chapter 200 of the Borough Code). Copies of the Seaside Park Development Regulations Ordinance (\$20.00) are available for review or purchase at the Borough Hall located at 1701 North Ocean Avenue.

The process for approval to develop property, including subdividing land, erecting new structures, altering existing structures, or otherwise changing the use of a property or structure usually begins with an application for a Zoning Permit, which is required prior to the issuance of a Building Permit. Depending on the nature of the application, denial of a Zoning Permit by the Borough's Zoning Officer may be appealed to the Planning Board. Applicants are also authorized by N.J.S.A. 40:55D-72b to file a Development Application without first requesting approval from the Zoning Officer.

PLANNING BOARD

The Planning Board, whose members include the Mayor, a member of the Borough Council, and one other Municipal Official, and six (6) residents of the Borough, plus two Alternate Members, is primarily a policy making body which sets the course for future development within the community by formulating and adopting the Master Plan authorized by the Municipal Land Use Law (N.J.S.A. 40:55D-28). The Planning Board is also authorized to review and approve development proposals which include subdivision and site plans (N.J.S.A. 40:55D-37) and conditional uses (N.J.S.A. 40:55D-67) and may grant some types of variances in conjunction with these approvals. The Planning Board meets once per month in the Meeting Room, located at Sixth & Central Avenues, usually on the 4th Tuesday at 7:00 p.m.

DEVELOPMENT APPLICATION FORMS

In addition to these *Development Application Instructions & Filing Procedures*, the Development Application packet includes the following forms and information:

The *Development Application* form is used for proposals being review by the Planning Board. The *Development Application* form provides the Board and interested parties with information about the applicant, the subject property, the proposal and requested approvals and variances.

The *Schedule of Current Year Meeting Dates* (FORM A) lists the dates the Planning Board will meet during the current year along with the application filing deadline for each meeting date.

The *Request for List of Property Owners* (FORM B) is used to request a certified list of the owners of property within two hundred (200) feet of the subject property.

The *Hearing Notice* (FORM C) is a sample of the notice which, when public notice is required, must be published in the *Ocean County Observer*; provided to the owners of property located within two hundred feet of the subject property; provided to public utilities; and in certain instances must also be provided to the Municipal Clerk of an adjoining municipality; the Ocean County Planning Board; and the New Jersey Department of Transportation.

The *Hearing Notice Affidavit* (FORM D) is used by the applicant to certify that the required notice has been provided in order for the Board to conduct the hearing.

DEVELOPMENT APPLICATION INSTRUCTIONS

Applicant Information

Provide the name, address, and daytime telephone number of the application. All correspondence and required notices regarding the application will be mailed to the applicant at the address indicated with copies forwarded to the applicant's attorney if one is listed in the *Applicant Experts* section of the application. Corporate applicants must be represented by an attorney authorized to practice law in New Jersey. In the space provided, indicate if the applicant is the Property Owner, Tenant, Contract Purchaser or Other. If the application is not the property owner, the *Property Owner Authorization* section of the application must be completed. As required by N.J.S.A 40:55D-48.1, if the applicant is a corporation or a partnership, list the name, address and percentage of ownership of any person owning 10% or more of the corporate stock or partnership in the space provided. If a corporation or partnership owns more than 10% or more of the applicant, the name, address and percentage of ownership must be provided until the names and addresses have been listed of all non-corporate stockholders and individual partners with 10% or more ownership. Attach a separate sheet if additional space is needed.

Property Information

Provide the Street Address, Block & Lot, Lot Dimensions, and Lot Area of the subject property and indicate if a corner lot. This information is available from the current tax bill, from the Code Enforcement Office, or Tax Office. Indicate the Zoning District of the subject property (available from the current Zoning Map or the Code Enforcement Office.) Indicate the total number of buildings, excluding garages and storage sheds, located on the subject property.

In the space for Current Use, indicate if the property is currently vacant (no structures), used as a residence (single family, two family, multiple family), hotel-motel or commercial. If Multi-Family, include the total number of dwelling units. If Commercial, include the total number of separate commercial units; the total combined gross floor area and the nature of each commercial use. If Hotel or Motel, include the number of dwelling units (containing living, cooking, sleeping, and sanitary facilities) including efficiencies and the number of motel rooms (without cooking and eating facilities). If the current use of the property is "mixed" with residential and commercial uses, indicate the number of residential and commercial unities and provide a detailed description of each non-residential use. Attach a separate sheet if additional space is needed.

Indicate the Proposed Use in the space provided. If the proposed use is the same as the current uses indicate "No Change."

In the spaces provided indicate:

- If the proposal increases the existing number of uses or dwelling units located on the property or within any building.
- If there has been any previous Planning Board action involving the subject property. This information and copies of written decisions on previous applications are available from the Board Secretary
- If there are any deed restrictions, covenants or easements affecting the subject property. If yes, attach copies.
- If the applicant owns any adjacent property.
- If any adjacent property is vacant

In the spaces provided, indicate if any of the following apply to the subject property:

- If the subject property is located on Block 1, Block 5.01, or Block 8, the property is located within 200 feet of Berkeley Township.
- If the subject property is located on Block 83, Block 87, Block 91, or selected portions of Block 97, the property is located within 200 feet of the Borough of Seaside Heights.
- If the subject property is located adjacent to one of the following streets which are County Roads: Ocean Avenue, Boulevard, Barnegat Avenue, Bayview Avenue, Porter Avenue, "J" Street (between Central & Ocean Avenues), "I" Street (between Bayview & Central Avenue), Fifth Avenue, and 14th Avenue.
- If the subject property is located adjacent to Central Avenue which is part of State Highway 35.

Proposal Information

In the space provided summarize the proposed physical changes and use of the property. For example, indicate if the proposal includes a new structure or an addition to an existing structure, the number and use of the rooms being added. If the application includes a request for classification approval as an Exempt Site Plan, include the estimated cost of all structural, exterior, and interior alterations. Attach a separate sheet if additional space is needed.

The requested Lot Information On-site Parking Information and Building Information is available from a property survey or the Zoning Permit denial issued by the Zoning Officer. Please note the second Building Information section is to be used if the subject property is on a corner lot since corner lots have two front yards, two side yards and no rear yard.

Action Requested

Indicate the Board to which the application is submitted. This section also includes a list of the various types of approvals and variances which can be granted by the Planning Board. In some instances more than one type of action is required. Check all that apply. The type of approval and variances required is include on the Zoning Permit denial issued by the Zoning Officer. In accordance with §200-24 (Simultaneous Review or Separate Applications) of the Seaside Park Development Regulations Ordinance, an applicant may submit a separate application requesting approval of a variance followed by a subsequent application for any required approval of a subdivision, site plan or conditional use.

Applicant's Expert

Use these spaces to provide the name, address, telephone and fax numbers of the professionals or experts, if any, involved with application. Corporate applicants must be represented by an attorney authorized to practice law in New Jersey. While not all applications or applicants may require the services of these professionals, the applicant is reminded the Municipal Land Use Law mandates Development Applications meet certain legal and technical requirements which are the responsibility of the applicant.

Property Owner Authorization

This section must be completed and signed by the property owner if the applicant is not the owner of the subject property.

Review Fee Escrow Agreement & Applicant Certification

Section §200-11 (Application & Review Fees) of the Borough's Development Regulations Ordinance requires the applicant to execute an Escrow Agreement agreeing to pay all legal, planning engineering, and other professional costs incurred by the Borough of Seaside Park in reviewing the Development Application. This required Escrow Agreement has been incorporated in to the Development Application form. The Development Application must be signed by the applicant or an authorized agent and notarized.

REQUIRED ATTACHMENTS

The following items must be attached to the Development Application *or the applicant must request a waiver* of the requirement:

All Applications:

- Application Fee & Review Fee Escrow Deposit. (See *Application & Review Fees*)
- Tax Certification, issued by the Borough Tax Collector, which indicates the status of property taxes on the subject property in order to determine compliance with the requirement the taxes are not delinquent. The Tax Collector's Office (732) 793-3700 is located in the Borough Hall at 1701 North Ocean Avenue.
- Water-Sewer Utility Certification, issued the Borough Water-Sewer Utility, which indicates the current Water & Sewer charges on the subject property have been paid. The Water-Sewer Utility Office (732) 793-3700 is located in the Borough Hall at 1701 North Ocean Avenue.
- Must provide three (3) copies of any deed restrictions, covenants and/or easements affecting the subject property for review by the board attorney and board engineer. One copy to be available at the board hearing.

Appeal Alleging Zoning Officer Error

- Zoning Permit denial or, if applicable, Stop Work Notice issued by the Zoning Officer.

Interpretation of Zoning Map or Zoning Ordinance

- Section of Seaside Park Development Regulations Ordinance requiring interpretation.

Variance Requests

- Zoning Permit denial issued by the Zoning Officer. (Optional)
- 15 copies of survey or a plot plan based on a survey, which reflects current conditions on the subject property.
- 15 copies of plot plan of subject property which shows existing and proposed parking spaces, dimensions of all existing and proposed structures (including decks, etc.) and dimensions from lot lines.
- 15 copies of elevation drawings which indicates the height of all existing and proposed structures, or additions to existing structures.
- 15 copies of floor plan which shows the use and dimensions of all rooms.
- Current Photos of subject property.

Exempt Site Plan Classification Approval

- Zoning Permit denial issued by the Zoning Officer. (Optional)
- 15 copies of survey of subject property or a plot plan based on a survey, which reflects current conditions.
- 15 copies of plot plan of subject property which shows existing and proposed parking spaces, dimensions of all existing and proposed structures, and dimensions of all existing and proposed setbacks.
- 15 copies of floor plan which shows the use and dimensions of all rooms.
- Current Photos of subject property.

Site Plan Approval

- 15 copies of Environmental Impact Report.
- 15 copies of plat in accordance with Article 5 of the Seaside Park Development Regulations Ordinance.

Subdivision Approval

- 15 copies of plat in accordance with Article 5 of the Seaside Park Development Regulations Ordinance.

APPLICATION & REVIEW FEES

In accordance with §200-11 of the Borough’s Development Regulations Ordinance, the following Non-Refundable Application Fees & Review Fee Escrow Deposits (payable to Borough of Seaside Park) must be submitted with an Application for Development:

- A. Non-Refundable Application Fees. The Non-Refundable Application Fees have been established to defray the administrative and clerical costs of operating the Planning Board exclusive of legal, planning, engineering and other professional costs incurred in reviewing applications. These fees shall be payable to the Borough at the time an application for development is filed. Additionally, applicants shall pay a Review Fee Escrow Deposit and execute an Escrow Agreement as provided in paragraph B below. Proposals involving more than one use shall pay a fee equal to the sum of the fees for the component parts of the plan. In the event any development application requires more than two (2) hearings, other than any requested special meetings, the applicant shall pay an additional fee of \$200 for each hearing date.
- B. Review Fee Escrow Deposits In addition to the Non-Refundable Application Fees set forth above, the applicant shall also pay an amount equal to the legal, planning, engineering and other professional costs incurred by the Borough in reviewing an application for development. The following schedule of Review Fee Escrow Deposits are estimates of these professional costs and shall be deposited with the Borough at the time an application for development is filed. Additionally, applicants shall execute an Escrow Agreement, in a form approved by the Borough Council, consenting to pay these review costs and specifically stating that in the event the fees imposed are not paid, any development approvals granted shall be considered null and void. The Review Fee Escrow Deposit shall be held in an escrow account to the credit of the applicant. The Borough shall be responsible to keep a record to determine the actual review costs attributed to each application.
 - 1. In the event that the initial deposit is not sufficient to cover the professional charges incurred in reviewing an application, the applicant shall be required to deposit additional funds as determined by the Borough. The Approving Authority shall not be required to process the application or take further action upon an application until such additional deposits are made by the applicant. If these additional deposits remain unpaid for a period of sixty (60) days, the development application shall be deemed to be withdrawn and shall be dismissed without prejudice.
 - 2. In the event the Review Fee Escrow Deposit shall be in excess of the amounts necessary to cover the professional charges incurred in reviewing an application, the excess funds shall be returned to the applicant within forty-five (45) days of the final decision on the application, or adoption of a resolution memorializing the decision, which occurs later.

| | APPLICATION FEE | ESCROW DEPOSIT |
|---|--------------------|--------------------------|
| Appeal Alleging Zoning Officer Error (NJSA40:55D-70a) | \$230 | \$460 |
| Interpretation of Zoning Map or Zoning Ordinance & Special Questions (NJSA 40:35D-70b) | \$230 | \$460 |
| Request for Hardship (Bulk) Variances (NJSA 40:55D-70c) | \$280 | \$690 |
| Variances relating to the construction of fences/accessory structures | \$230 | \$460 |
| Single Family Residential | \$280 | \$690 |
| All Others | \$280 | \$690 |
| Request for Use Variance (NJSA 40:55D-70d) | | |
| Residential Use/Single Family Residential | \$345 | \$690 |
| Other Uses/Multi-Family Residential | \$520 | \$1,150 |
| Minimum/Business & Commercial | \$520 | \$1,150 |
| Request: Direct Issuance of a Permit to Build in Bed of Mapped Street (NJSA40:55D-76a-1) | \$230 | \$460 |
| Request: Direct Issuance of a Permit to Build on Lot not Abutting a Street (NJSA40:55D-76a-2) | \$230 | \$460 |
| Request: Issuance of Certificate or Non-Conforming Use (NJSA 40:55D-68) | \$230 | \$460 |
| Conditional Use Approval (NJSA 40:55D-67) | \$345 | \$690 |
| Waiver of Required Submissions | \$230 | \$460 |
| Extend Time Period for Previously Approved Application | | 50% original fee/deposit |

| | | |
|---|--------------------------|---------|
| Pre-Applications | | |
| Exempt Site Plan Classification Approval | \$280 | \$690 |
| Minor Site Plan Approval: | | |
| Preliminary and Final | \$345 | \$690 |
| Major Site Plan Approval: | | |
| Informal Review | \$345 | \$690 |
| Preliminary Plat | \$345 | \$690 |
| Final Plat | \$345 | \$690 |
| Combined Preliminary and Final Plat | \$690 | \$1,380 |
| Amended Preliminary and Final Hal | 50% original fee/deposit | |
| Request for Exception to Site Plan Requirements & Standards (NJSA 40:55D-51b) | \$230 | \$460 |
| Minor Subdivision Approval: | | |
| Preliminary and Final | \$345 | \$690 |
| Major Subdivision Approval: | | |
| Informal Review | \$230 | \$460 |
| Sketch Plat | \$230 | \$460 |
| Preliminary Plat | \$345 | \$690 |
| Final Plat | \$345 | \$690 |
| Combined Preliminary and Final Plat | \$690 | \$1,380 |
| Amended Preliminary and Final Plat | 50% original fee/deposit | |
| Request for Exception to Subdivision Requirements & Standards (NJSA 40:55D-51a) | \$345 | \$690 |
| Change of Use | \$345 | \$690 |
| Design Variances | \$345 | \$690 |
| Special Meeting | \$700 | |
| Flood Plain Regulations | \$230 | \$460 |
| Tax Map Maintenance Fee: | | |
| Minor Subdivision, 2 to 4 lots | \$460 | |
| Final Major Subdivision, up to 6 lots | \$690 | |

FILING APPLICATIONS & SCHEDULING HEARINGS

The Development Application, together with all required attachments (see Required Attachments) and the required fee (see Application & Review Fees), must be submitted to the Board Secretary before the filing deadline. The deadline for filing an application is the close of business twenty-one (21) days prior to the scheduled meetings. See the Schedule of Current Year Meeting Dates (FORM A) for a list of meeting dates and application filing deadlines for the current year.

Upon submission for the Development Application, the Board Secretary will review the application for completeness and calculation of the required fee. Applications which include subdivision and sit plan approval will be reviewed by the Board Engineer to determine compliance with the plat design standards contained in Article 5 (development Review Procedures * Plat Details for Subdivisions and Site Plans) of the Seaside Park Development Regulations Ordinance. Upon determination the Development Application is complete; the Board Secretary will assign an application number, schedule a hearing on the application and notify the applicant of the scheduled hearing date. Hearings will be scheduled in the order Development Applications are certified complete.

The applicant may request a scheduled hearing be continued to a future meeting date upon written request to the Board Secretary provided the request includes the applicant's consent to extend all applicable time limits.

HEARING NOTICE REQUIREMENTS

The Municipal Land Use Law prohibits the Planning Board from considering a Development Application unless all notice requirements have been met by the applicant.

When Notice Is Required

The Municipal Land Use Law (C'4J.S.A. 40:55D-11 & 12) and the Seaside Park Development Regulations Ordinance require public notice of all applications except those which only involve:

- Appeal Alleging Zoning Officer Error
- Exempt Site Plan Classification Approval
- Site Plan Informal Review
- Subdivision Informal Review

Notice must be provided for all applications which include requests for any other action.

N.J.S.A. 40:55D-12 requires that notice must be provided at least ten (10) days prior to the date of the hearing. Applicants should not provide the required notice until the Development Application has been submitted, certified complete by the Board Secretary and a hearing scheduled.

What the Notice Should Include

N.J.S.A. 40:55D-11 requires the notice include the date, time, and place of the hearing, the nature of the matters to be considered, the street address, and block and lot identification of the subject property, and the location and times at which the application and related documents are available for review. The Hearing Notice (FORM C) is a sample which can be used by the applicant to provide the required notice. ***The notice must be legible and should be typed.***

Who Should Receive Notice

The applicant must provide notice to the owners of property located within 200 feet in all direction of the subject property whether located within the Borough of Seaside Park or in an adjoining municipality at least ten (10) days prior to the date of the hearing. A certified list of Seaside Park property owners and their addresses as shown on the current tax duplicate can be obtained by submitting the *Request for List of Property Owners* (FORM B) to the Seaside Park Tax Assessor together with the required \$10.00 fee. (See REQUESTING LIST OF PROPERTY OWNERS) In accordance with N.J.S.A. 40:55D-12b, notice shall be given by serving a copy on the property owner, or an agent in charge of the property, or by mailing a copy by certified mail to the property owner at the address shown on the current tax duplicate. Notice to partnerships, corporations and condominium associations must be made in accordance with the requirements of N.J.S.A 40:55D-12b.

In accordance with N.J.S.A. 40:55D-14, any notice made by Certified Mail is deemed complete upon mailing.
A return receipt is not required.

The applicant must also provide notice by publishing the Hearing Notice at least ten (10) days prior to the date of the hearing in The Asbury Part Press which has been designated by the Borough of Seaside Park for publication of legal notices. Arrangements for the publication of the notice are made directly with the newspaper.

The Asbury Park Press
3601 Highway 66
Neptune, NJ 077754-0767
Attention: Legal Advertising
Telephone: 888-516-9220
Fax: 888-516-9440

If the subject property is located on Block 1, Block 5.01 or Block 8, the property is located within 200 feet of Berkeley Township and in those instances when notice is required, the applicant must provide notice at least ten (10) days prior to the date of the hearing to:

Municipal Clerk
Township of Berkeley
P.O. Box B
Bayville, NJ 08721

Ocean County Planning Board
129 Hooper Avenue
P.O. Box 2191
Toms River, NJ 08754

If the property is located on Block 83, Block 87, Block 91 or selected portions of Block 97, the property is located within 200 feet of the Borough of Seaside Heights and in those instances when notice is required, the applicant must provide notice at least ten (10) days prior to the date of the hearing to:

Municipal Clerk
Borough of Seaside Heights
P.O. Box 38
Seaside Heights, NJ 08751

Ocean County Planning Board
129 Hooper Avenue
P.O. Box 2191
Toms River, NJ 08754

County Roads in Seaside Park include Ocean Avenue, Boulevard, Barnegat Avenue, Bayview Avenue, Porter Avenue, "J" Street (between Central & Ocean Avenues), "I" Street (between Bayview & Central Avenue), Fifth Avenue, and 14th Avenue. If this subject property is located adjacent to one of these County Roads, in those instances when notice is required, the applicant must provide notice at least ten (10) days prior to the date of the hearing to:

Ocean County Planning Board
129 Hooper Avenue
P.O. Box 2191
Toms River, NJ 08754

Central Avenue in Seaside Park is part of State Highway 35. If the subject property is located adjacent to Central Avenue in those instances when notice is required, the applicant must provide notice at least ten (10) days prior to the date of the hearing to:

Commissioner, N.J. Department of Transportation
1035 Parkway Avenue
CN 600
Trenton, NJ 08625

REQUESTING LIST OF PROPERTY OWNERS

A certified list of Seaside Park property owners and their addresses as shown on the current tax duplicate can be obtained by submitting the *Request for List of Property Owners* (FORM B) to the Seaside Park Tax Assessor. The \$10.00 fee for this list (payable to "Borough of Seaside Park") must accompany the request. This request form should be delivered to the Office of the Tax Assessor located in the Borough Hall, 1701 N. Ocean Avenue, Seaside Park, NJ 08752.

In those instances when notice must be provided to the owners in Berkeley Township or the Borough of Seaside Heights (see HEARING NOTICE REQUIREMENTS) the certified list of property owners may be obtained by contacting the following:

Planning/Zoning Bd. Of Adjustment Secretary
Township of Berkeley
P.O. Box B
Bayville, NJ 08721
(732) 244-7400

Tax Assessor
Borough of Seaside Heights
P.O. Box 38
Seaside Heights, NJ 08751
(732) 793-9100

In accordance with N.J.S.A. 40:55D-12c, the applicant is entitled to rely upon the information contained in the list provided by a municipality and failure to give notice to an owner not on the list shall not invalidate any hearing or proceeding. Applicants are not required to obtain the list of property owners from the Borough of Seaside Park or other municipality. If the applicant wishes to compile the list, it is the applicant's responsibility to make certain the list is accurate. If the applicant compiles the list of property owners and fails to provide notice to a property owner entitled to notice, the Board cannot begin the hearing until proper notice is provided.

HEARING NOTICE AFFIDAVIT

In accordance with N.J.S.A. 40:55D-12h, in those instances when notice is required, the applicant must file with the Board an affidavit certifying proof of service before the Board can consider the application. The *Hearing Notice Affidavit* (FORM D) should be used by the applicant to provide the required certification. The Hearing Notice Affidavit must be signed, notarized, and filed with the Board Secretary prior to the scheduled hearing together with the following:

- Copy of Hearing Notice
- List of Property Owners who were provided notice together with their address.
- Post Office certified mail receipts (postmarked with the date of mailing) to property owners who were provided notice.
- Affidavit of Publication, provided by the newspaper, which certifies the date on which the Hearing Notice was published in the newspaper.

HEARING PROCEDURES

The Municipal Land Use Law places the burden of demonstrating justification for requested approvals and variances with the applicant. At the scheduled hearing the applicant must appear in person, or be represented by an attorney, to present the application and provide the Board with information to support the requested approvals or variances.

The Planning Board will begin no new hearings after 10:00 p.m. If the hearing on an application has not begun before 10:00 p.m. on the scheduled meeting date, the application will be carried to the next scheduled meeting. The applicant may request a special meeting upon payment of the required fees.

Hearings on Development Applications are conducted in accordance with the following procedures:

- When a case is called by the Board Chairman, the applicant, or attorney representing the applicant, is required to provide a summary of the proposal and the approvals and variances being sought. The applicant, or attorney, is required to present testimony by way of witnesses, documentary evidence or exhibits which the applicant intends to rely upon to establish the right to the relief and approvals sought. At the conclusion of the testimony by each witness, the Board Chairman will permit reasonable cross-examination relating to the presented testimony by Board members, Board professionals, and members of the public.

- After the applicant has submitted all evidence, objectors may comment on the Development Application, including the calling of witnesses and introduction of documentary evidence. Each witness shall be subject to reasonable cross-examination relating to the presented testimony by the applicant, or attorney, Board members, Board professionals, and members of the public.
- After all evidence has been presented to the Board supporting and opposing the application, the applicant may present rebuttal testimony or evidence
- Board members may place relevant evidence, official or personal knowledge regarding the application and subject property before the Board, including facts ascertained from viewing the site and general area.

DECISIONS

The Municipal Land Use Law requires the Board to make a decision on a Development Application within an allotted time period from the date the application is certified complete, unless the time period is extended with the consent of the applicant. These time limits vary depending on the nature of the application; 45 days for most Subdivision and Site Plan approvals; 95 days for Conditional Use approvals; and 120 days for variance requests. Since these time limits commence when an application is certified complete, no hearing will be scheduled until all required attachments and supporting documentation is filed with the Board Secretary

N.J.S.A. 40:55D-10 requires decisions of the Planning Board be reduced to writing. In most instances, a resolution memorializing the decision is adopted by the Board within 45 days after the date of the meeting at which the Board voted to grant or deny approval.

N.J.S.A. 40:55D-10h requires a copy of the Board's decision be mailed to the applicant within ten (10) days of the date of the decision. N.J.S.A. 40:55D-10i requires publication of a brief notice of the Board's decision in the newspaper designated by the municipality. In accordance with §200-17 of the Seaside Park Development Regulations Ordinance, the Board Secretary will arrange the publication of this notice.

ISSUANCE OF BUILDING PERMITS

The zoning approval required in conjunction with the issuance of building permits cannot be granted until the resolution memorializing the Board's decision has been adopted. Applications which include subdivision and/or site plan approval cannot be granted zoning approval and building permits cannot be issued until the final plat is signed by the Board Chairman and Board Secretary, and until required performance guarantees and inspection fees, if any, are posted in accordance with §200-12 (Guarantees & Inspections) of the Seaside Park Development Regulations Ordinance.

APPEALS

Any interested party, including the applicant or an objector, may appeal a decision of the Planning Board to Superior Court within 45 days after the publication of the notice of the decision in accordance with N.J.S.A 40:55D-17h and 40:55D-18.

ADDITIONAL INFORMATION

The Zoning Official and Board Secretary are available to answer questions but cannot complete the application or provide legal advice to applicants. Prior to filing a Development Application, applicants are encouraged to attend a meeting of the Planning Board and review documents relating to previously submitted Development Applications.



*Borough of Seaside Park
Planning Board*

Schedule of Current Year Meeting Dates • 2016

Planning Board • 4th Tuesday of each month
Regular Meeting 7:00 p.m.

| <i>Meeting Date</i> | <i>Application Filing Deadline</i> |
|--|------------------------------------|
| January 26 th | December 28 th |
| February 23 rd | January 25 th |
| March 22 nd | February 29 th |
| April 26 th | March 29 th |
| May 24 th | April 25 th |
| June 28 th | May 30 th |
| July 26 th | June 27 th |
| August 23 rd | July 25 th |
| September 27 th | August 29 th |
| October 25 th | September 26 th |
| November 22 nd | October 31 st |
| December 13 th (2nd Tuesday)..... | November 7 th |



**Borough of Seaside Park
Planning Board**

Development Application • Request for List of Property Owners

YELLOW

This request must be submitted to the Borough of Seaside Park Tax Assessor, together with the required \$10.00 fee payable to "BOROUGH OF SEASIDE PARK." Please attach a copy of the 200 foot radius map if one has been prepared by a licensed engineer or land surveyor.

TO: Tax Assessor, Borough of Seaside Park
1701 North Ocean Avenue
P.O. Box B
Seaside Park, NJ 08752
(908) 793-3700 Fax (908) 793-3737

Please prepare a list of the owners of property located within 200 feet of the following property located in Seaside Park:

STREET ADDRESS _____

BLOCK _____ LOT _____

Please hold the list for pick-up.

Please mail the list to the address listed below.

Signature *Date*

Name _____

Address _____

City, State & Zip _____

Telephone (_____) _____



**Borough of Seaside Park
Planning Board**

Development Application • Hearing Notice

PLEASE TAKE NOTICE the undersigned has filed a Development Application requesting approval and, if necessary, variances to:

at the premises located at: _____
and designated on the Seaside Park Tax Map as Block _____ Lot _____

The Development Application and supporting documents are available for review Monday through Friday between the hours of 8:00 a.m. and 4:00 p.m. in the Municipal Offices located at 1701 North Ocean Avenue, Seaside Park.

A hearing on this Development Application before the Seaside Park Planning Board will be held during the meeting scheduled to begin at 7:00 p.m. on _____ in the 2nd Floor Meeting Room located at Sixth & Central Avenues, Seaside Park, at which time interested parties may comment on this Development Application.

Signature *Date*

Printed Name



**Borough of Seaside Park
Planning Board**

Development Application • Hearing Notice Affidavit

CR 018

State of New Jersey)

County of Ocean)

_____, being of full age and duly sworn according to law, deposes and says:

1. Development Application No. _____ has been filed with the Borough of Seaside Park regarding the property located at _____, Seaside Park and designated on the Seaside Park Tax Map as Block _____, Lot _____.
2. The Board Secretary has certified this Development Application complete and has scheduled the required hearing during the meeting to be held at 7:30 p.m. on _____.
3. Attached hereto is a copy of the Affidavit of Publication which certifies notice of this hearing was published in the _____ *Asbury Park Press* on _____ which is at least ten (10) days prior to the scheduled hearing date.
4. Also attached hereto is a copy of the hearing notice together with a list of the owners of property located within 200 feet of the subject property who were either handed a copy of the hearing notice or sent a copy by *Certified Mail* not less than ten (10) days prior to the scheduled hearing date. Copies of the *Certified Mail* Receipts are also attached.
5. Written notice has also been provided at least ten (10) days prior to the scheduled hearing date to (check all that apply):
 - ___ Municipal Clerk of Berkeley Township
 - ___ Municipal Clerk of the Borough of Seaside Heights
 - ___ Ocean County Planning Board
 - ___ New Jersey Department of Transportation

Sworn to subscribed before me this

day of

Signature of Applicant or authorized agent

Notary Public