

**BOROUGH OF PENNINGTON
ORDINANCE 2010-12**

**AN ORDINANCE AMENDING AND SUPPLEMENTING
CHAPTER 34, LAND USE PROCEDURES, OF THE CODE
OF THE BOROUGH OF PENNINGTON**

WHEREAS, Borough Council of the Borough of Pennington, on the advice of the Pennington Borough Planning Board, seeks to amend procedures and requirements affecting the filing of land use applications in the Borough;

NOW, THEREFORE, BE IT ORDAINED by the Borough Council of the Borough of Pennington as follows:

1. Chapter 34 of the Code of the Borough of Pennington, concerning Land Use Procedures, is amended as follows:

A. Section 34-9. A, concerning applications for development to the Planning Board, is amended to provide the time for filing a completed application as simply no later than 30 days prior to the hearing date, as follows:¹

“A. Procedure for filing. Applications for development within the jurisdiction of the Planning Board pursuant to the provisions of N.J.S.A. 40:55D-1 et seq. shall be filed with the Borough Land Use Administrator. Applicant shall file the completed application, fees and required number of plans no later than **[the first day of the month of the month prior to the desired hearing date, but in no case less than]** 30 days prior to the hearing date. Applicant shall file 20 copies of a sketch plat; 20 copies of applications for minor subdivision approval; 20 copies of application for major subdivision approval, or 20 copies of an application for site plan review, conditional use approval, or planned development. The applicant shall obtain all necessary forms from the Land Use Administrator. The Land Use Administrator shall inform the applicant of the steps to be taken to initiate applications and of the regular meeting dates of the Board.”

B. Section 34-16B, concerning appeals and applications to the Planning Board acting as a Board of Adjustment, is amended by extending to 30 days prior to hearing the time for submission of a bulk variance application involving an addition to an existing residential dwelling, as follows:

“B. Applications addressed to the original jurisdiction of the Planning Board acting as a Board of Adjustment without prior application to an administrative officer shall be filed with the Land Use Administrator **in conformance with the requirements of applicable checklists adopted by ordinance and incorporated herein by reference.** Twenty copies of the application shall be filed. At the time of filing the appeal or application, the applicant shall also file 20 copies of all plot plans, maps, or other papers required by virtue of any provision of this article or any rule of the Planning Board acting as a Board of Adjustment. The applicant shall obtain all necessary forms **and applicable checklists** from the Land Use Administrator who shall inform the applicant of the steps to be taken to initiate proceedings and of the regular meeting dates of the board. The filing deadlines for use variances and bulk variances (“c”) for nonresidential properties shall be as provided in Article I, Sec. 34-9, hereof. Applications for bulk variances for residential properties involving additions to an existing residential dwelling shall be submitted to the Land Use Administrator no **[less than 15] later than 30** days prior to the requested hearing date. In addition to the required copies of the application, the applicants shall also submit the required number of copies of the plot plan showing the proposed work, the proper fee and escrow and any other supporting documents. The applicant shall also provide the statutory notice as set forth in Article III, Sec. 34-27.”

2. The Variance Application Checklist in the form attached to this ordinance is hereby adopted pursuant to N.J.S.A 40:55D-10.3.

3. This ordinance shall be effective upon adoption and publication as provided by law.

Introduced: September 7, 2010

Advertised: September 16, 2010

Public Hearing: October 4, 2010

Adopted: October 4, 2010

Published: October 14, 2010

ATTEST:

APPROVED:

Elizabeth Sterling, Borough Clerk

Anthony Persichilli, Mayor

¹Brackets [] indicate language to be deleted; underlining _____ indicates new language.