

Explanation: This Ordinance amends Chapter XV entitled “Land Use Procedures and Development” of *The Revised General Ordinances of the Township of Warren* by revising Subsection 15-5.1 entitled “Development Application Fee Schedule” to revise certain application fees, and Subsection 15-5.3.a. entitled “Escrow Funds Required to be Deposited for the Planning Board, Zoning Board of Adjustment, Technical Coordinating Committee and Other Review Committees” to revise certain escrow deposits.

**TOWNSHIP OF WARREN  
ORDINANCE 20-27**

**AN ORDINANCE OF THE TOWNSHIP OF WARREN IN THE COUNTY OF SOMERSET, STATE OF NEW JERSEY, TO AMEND THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF WARREN BY REVISING SUBSECTION 15-5.1 ENTITLED “DEVELOPMENT APPLICATION FEE SCHEDULE” AND SUBSECTION 15-5.3.A ENTITLED “ESCROW FEES REQUIRED TO BE DEPOSITED FOR THE PLANNING BOARD, ZONING BOARD OF ADJUSTMENT, TECHNICAL COORDINATING COMMITTEE AND OTHER REVIEW COMMITTEES”.**

**BE IT ORDAINED** by the Township Committee of the Township of Warren, in the County of Somerset, State of New Jersey, as follows:

**SECTION 1.** Subsection 15-5.1 entitled “Development Application Fee Schedule” of Section 15-5 entitled “Fees” of Chapter XV entitled “Land Use Procedures” of *The Revised General Ordinances of the Township of Warren* is hereby amended to read as follows:

§15-5.1           **Development Application Fee Schedule**

a.

1. Application for minor subdivision: ~~\$200~~ \$300
2. Application for extension for filing: \$50

b.

1. Application-sketch plan: \$200  
    Plus 1-3 lots: \$50  
    4-10 lots: \$100  
    11-50 lots: \$300  
    50± lots: \$400

c.

1. Application preliminary subdivision-with sketch plan approval: \$350  
    Plus 1-3 lots: \$50

4-10 lots: \$400  
11-50 lots: \$800  
50± lots: \$1,600

2. Subdivision without sketch plat approval: \$500.

Plus 1-3 lots: \$50  
4-10 lots: \$800  
11-50 lots: \$1,600  
50± lots: \$3,200

3. Application for extension of preliminary approval: \$100

d.

1. Application for final major subdivision: ~~\$200~~ \$300

Plus 1-3 lots: \$50  
4-10 lots: \$100  
11-50 lots: \$300  
50± lots: \$400

~~2. Application for extension of preliminary approval: \$100~~

e. Application for preliminary site plan (nonresidential):

1. Building area 10,000 square feet or less: ~~\$550~~ \$600

2. Building area more than 10,000 square feet to 50,000 square feet: ~~\$1,100~~  
\$1,500

3. Building area more than 50,000 square feet to 100,000 square feet: \$2,200

4. Building area more than 100,000 square feet: \$3,300

5. Application for extension of preliminary approval: \$100

f. Application for final site plan (nonresidential):

1. Building area 10,000 square feet or less: \$300

2. Building area more than 10,000 square feet to 50,000 square feet: \$600

3. Building area more than 50,000 square feet to 100,000 square feet: \$1,200

4. Building area more than 100,000 square feet: \$1,800
  5. Application for extension of final approval: \$100
- g. Application for preliminary site plan (Residential): \$350 plus \$10/unit.
  - h. Application for final site plan (Residential): \$200 plus \$10/unit.
  - i. Watercourse Protection Area. Site plan for watercourse protection area for new construction on unimproved tract: \$200  
 Watercourse Protection Area. Site plan for watercourse protection area for additional improvement improved tract: \$100
  - j. Soil removal/fill permit: \$50
  - k. Driveway permit: \$50 plus \$20 for each inspection.
  - l. Minor site plan: \$200
  - m. Resubmission of Plans. On the applications where substantially similar plans are resubmitted within three months from the date of the original submission, the fee shall be equivalent to ½ the current fee for said submission.
  - n. Certificate of Approval: (N.J.S.A. 40:55D-56): \$25.
  - o. Zoning permits (as required by Chapter **16**, entitled “Zoning”): subsection 16-23.14: \$25.
  - p. Tree ordinance fees as required by Section 17-9b1: \$25.
  - q. Development reapplication fee.
    1. Fee: \$100.
    2. The escrow amount set forth in subsection **15-5.3a**. shall be ½ the amount set forth.
  - r. Tax map revision fee: ~~In addition to the application fees set forth above, the following sums shall be due and payable at the time maps are submitted for signature by the Board to defray the cost of professional services required to effect revisions to the Township Tax Map necessitated by the development application.~~
    - ~~1. Minor subdivision plat: \$75 per lot.~~
    - ~~2. Final major subdivision plat: \$50 per lot.~~

~~3. Site plan application creating condominium units (whether residential or commercial units): \$50 per unit.~~

In addition to the application fees set forth above, the engineering department will submit invoices against the applicant's inspection fees necessary to defray cost of professional services required to effect revisions to the Township Tax Map necessitated by the development application for minor subdivision plats, final major subdivision plats, and site plan applications created condominium units (whether residential or commercial units).

**SECTION 2.** Paragraph a. entitled “General” of Subsection 15-5.3 entitled “Escrow Funds Required to be Deposited for the Planning Board, Zoning Board of Adjustment, Technical Coordinating Committee and Other Review Committees” of Section 15-5 entitled “Fees” of Chapter XV entitled “Land Use Procedures” of *The Revised General Ordinances of the Township of Warren* is hereby amended to read as follows:

**§15-5.3 Escrow Funds Required to be Deposited for the Planning Board, Zoning Board of Adjustment, Technical Coordinating Committee and Other Review Committees**

a. General.

1. In addition to the submission of application filing fees (which are charged to cover general Township administrative costs), as set forth hereinbefore, development applications which meet the criteria established herein shall be accompanied by a deposit of escrow funds in accordance with the provisions of this subsection.

2. Said escrow funds shall be utilized to cover the Township costs of professional charges for review of applications, review and preparation of documents and inspections of developments under construction and review by outside consultants when as application is of a nature beyond the scope of the expertise of the professional normally utilized by the Township. All plan review and inspection fees or charges must be set by resolution by the Planning Board or Zoning Board or Township governing body. The only charge that shall be added to any such charges shall be actual out-of-pocket expenses or any such professionals or consultants, including normal and typical expenses incurred in processing applications and inspecting improvements.

(a) Review fees shall be charged only in connection with an application for development presently pending before the approving authority or upon review of compliance with conditions of approval, or review of requests for modification or amendments made by the applicant.

(b) A professional shall not review items which are subject to approval by any State governmental agency and not under municipal jurisdiction except to the extent

consultation with a State agency is necessary due to the effect of State approvals in the subdivision or site plan.

(c) Inspection fees shall be charged only for actual work shown on a subdivision or site plan or required by an approving resolution. Professionals inspecting improvements under construction shall charge only for inspections that are reasonably necessary to check the progress and quality of the work and such inspections shall be reasonably based on the approval development plans and documents.

3. Sketch Plat. Preliminary Site Plan and/or subdivision approval Inclusive of Minor Site Plan as defined in subsection 15-1.3:

<b>Nonresidential:</b>	<b>Escrow Amount</b>
Less than 10,000 square feet of building area	<del>\$6,000</del> <u>\$7,000</u>
10,001-50,000 square feet of building area	<del>\$15,000</del> <u>\$18,000</u>
50,001-100,000 square feet of building area	\$25,000
In excess of 100,000 square feet	\$35,000

**Residential:**

1-3 lots or units	\$4,000
4-10 lots or units	\$10,000
11-25 lots or units	\$20,000
26-50 lots or units	\$25,000
61-100 lots or units	\$30,000
In excess of 100 lots or units	\$50,000

\*Escrow fees for amended Planning Board and Board of Adjustment applications shall be reduced by 50% of the above posted fees.

4. Final Plan Approval: 1/3 for nonresidential use and 1/2 for residential use of the original escrow fee paid at the time of preliminary plan application.

5. Water Course Protection Area. Filing Permits/Site Plans and Waiver of Site Plan: \$500 per lot.

6. Soil Removal/Fill Permit. An application fee of \$50 shall accompany each application, to be utilized to offset the general administrative costs of the application. In addition to the application fee, the following sums shall be posted in escrow to cover the Township costs of professional and nonprofessional services incurred during the review process and also for inspection costs required during the inspection process:

(a) The sum of \$500 where the application is for the addition, removal or movement of between 100 and 999 cubic yards of soil, except in matters pertaining to the construction of residential swimming pools and other work related directly thereto where the fee shall be \$250.

(b) The sum of \$1,000 where the application is for the addition, removal or movement of between 1,000 and 4,999 cubic yards of soil ~~or more~~.

(c) The sum of \$2,000 where the application is for the addition, removal or movement of between 5,000 cubic yards of soil or more.

(d) No escrow fee shall be required for applications of less than 100 cubic yards of soil.

(e) The sum of \$250 where the application is for the construction of a swimming pool.

(f) The sum of \$500 where the application is for the construction of a footing and foundation unless the construction is included in a project that is exempted hereinafter.

#### 7. Variance.

(a) Appeals filed pursuant to N.J.S.A. 40:55D-70(a):

(1) Residential:\$1,000.

(2) Other: \$2,000.

(b) Appeals filed pursuant to N.J.S.A. 40:55D-70(b):

(1) Residential: \$2,000.

(2) Other: \$5,000.

(c) Appeals filed pursuant to N.J.S.A. 40:55D-70(c):

(1) All residential: \$2,000.

(2) Other: ~~\$5,000~~ \$6,000.

(d) Appeals filed pursuant to N.J.S.A. 40:55D-70(d):

(1) Residential:\$2,500.

(2) Nonresidential: See escrow required under subsection 15-5.3a3.

(e) Appeals filed pursuant to N.J.S.A. 40:55D-34:\$4,000.

(f) Appeals filed pursuant to N.J.S.A. 40:55D-36: \$4,000.

(g) Wireless telecommunications facilities:

(1) If no new tower is proposed:\$5,000.

(2) If a new tower is proposed: \$10,000.

(h) Any application involving more than one of the above categories shall deposit cumulative amounts.

**SECTION 3.** If any section, subsection, paragraph, sentence or any other part of this Ordinance is adjudged to be unconstitutional or invalid, such judgment shall not affect, impair or invalidate the remainder of the Ordinance.

**SECTION 4.** All ordinances or parts of ordinances which are inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

**SECTION 5.** This Ordinance shall take effect after final adoption and publication according to law.

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Note to Codifier: Deleted provisions indicated by brackets ~~striketrough~~.  
New provision indicated in underline \_\_\_\_\_.

ATTEST:

TOWNSHIP OF WARREN

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Cathy Reese, RMC

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Michael C. Marion, Mayor

INTRODUCED: November 19, 2020

ADOPTED: December 10, 2020

EFFECTIVE: December 17, 2020