

**Office of  
Planning and Zoning**

10 S. Boyd Street  
Cape May Court House  
New Jersey, 08210  
Phone (609) 465-8742  
Fax(609)465-1343



*Rachel Shepherd*  
**Zoning Officer**

**MIDDLE TOWNSHIP**

*"A Safe and Clean Family Community"*

TO: Applicants & Professionals  
RE: Applications to Middle Township Planning and Zoning Boards

Starting in January there are some changes in the forms and procedures involved in submitting applications to the Township's Planning and Zoning Boards. Please particularly note the following.

A revised application form with instructions was adopted. The new form **MUST BE USED** rather than any previous ones.

All applications are now subject to an **APPLICATION ACCEPTANCE CHECKLIST REVIEW** at the time of submission. **PLEASE REFER TO THE CHECKLIST WHEN COMPLETING YOUR APPLICATION.** If all submission checklist items are not satisfied the application package will be immediately returned to the applicant and will not be sent to the Engineer for a completeness review. Plans, application forms, and other required documents may **NOT** be submitted separately. For example, if an attorney and an engineer are both preparing a part of an application package, one or the other must submit the entire package with application documents, fees, plans, at one time.

All proofs of publication and certified mail receipts together with the service affidavit must be submitted to the Zoning Office **FIVE BUSINESS DAYS** prior to the hearing date. Certified mail receipts shall be placed in the **ORDER OF THE NAMES** specified on the property owner's list. A copy of the "200 foot" list supplied to the applicant shall also be included in the submission.

All plans must be **FOLDED**, not rolled and the title block must be visible.

A Final Subdivision application package must include a FINAL PLAT as well as Final Construction drawings and documents. NO FINAL APPROVALS shall be processed or granted UNTIL all preliminary approval conditions have been satisfied and all other governmental approvals have been secured. Only the Board Engineer and the Board Attorney may permit deviations from this rule. Checking off "final" on the application form for preliminary approval does not negate the requirement of subsequently completing and filing the separate application package for final approval.

Any revised plans submitted before the hearing date must be delivered to the Zoning Office and the Board Engineer at least 10 days prior to the hearing. An additional application fee of \$400.00 and escrow fee of \$600.00 must accompany the revised plans.

As of February 28, 2018 the Township of Middle adopted a Revised Ordinance No 1206-05, amending Chapter 142 of the Code of the Township of Middle. You are now required to submit a separate check made payable to the Bureau of Fire Prevention for the required amount of the review, by the fire department, of the specific type of application you are submitting. You will find an enclosed form titled Bureau of Fire Prevention explaining the fees and procedure.

PLEASE NOTE, at the hearing on an application, attorneys may not “testify”; that is, present an application without witnesses such as an applicant or an engineer.

The County Planning Department forms in the application package must be submitted directly with the County together with the required fees.

In order to aid you in submitting an application package the following are being provided to you: 1) An application acceptance checklist; 2) New applications for the Planning Board, and Zoning Board.

PLEASE ALSO NOTE: NO TELEPHONE REQUESTS FOR 200 FOOT LISTS WILL BE ACCEPTED. ALL LISTS MUST BE SUBMITTED IN WRITING.

If you have any questions, please contact the Zoning Office. Thank you for your cooperation.

MIDDLE TOWNSHIP ZONING OFFICE

## MIDDLE TOWNSHIP PLANNING & ZONING BOARD APPLICATIONS

### **Items an applicant should be aware of when submitting an application**

1. The submission deadline for all meetings shall be the first of the month for the next month's meeting. (For example: January 1, 2009 for the February 2009 meeting.)
2. All required items must be submitted at one time and may not be delivered to the Zoning Office piecemeal.
3. Only the Planning Board and Zoning Board forms, as applicable, are permitted. No other forms shall be accepted. Applications for minor subdivision approval, final major subdivision or final major site plan approval must include the designated application package and the submission of minor or final plans alone will not be accepted.
4. All application forms must be signed and notarized when so noted.
5. All plans must be folded (not rolled) and the title block must be faced up and readable without refolding the plans.
6. **Twenty (20) copies are required** of the subdivision or site plan, **five (5) copies are** required of an architectural plan, one set should be brought to the meeting and entered as an exhibit; application form and attachments to it; applications involving subdivisions, if applicable; applications involving site plans, if applicable. **Three (3) copies** of all other forms are required: this includes traffic studies, environmental impact statements, drainage calculations and similar technical documents.
7. All fees (application and escrow) must be supplied. Separate checks payable to the Township of Middle are required. Final major subdivision and site plan approvals shall not be granted at the same hearing as the preliminary approval. Accordingly, **do not submit the fees for final approval** applications when submitting the preliminary approval application. **Submit one (1) copy of the escrow forms.**
8. A separate check is required for review of the application by the appropriate fire department. You will find an enclosed form explaining the appropriate fee for your type of application. Please make checks payable to **Bureau of Fire Prevention** and submit it to the zoning office with your application package.
9. A signed W-9 form must be supplied together with all other forms relating to application and escrow fees. **Submit one (1) copy only of this form.**
10. The applicant must secure the Tax Collector's Office signature on the proof of payment of taxes form. THIS WILL NOT BE DONE BY THE ZONING OFFICE. **Submit one (1) copy only of this form.**
11. Final Subdivision applications must include a Final Plat not just Final Construction Documents. No Final Approval application is to be submitted until all conditions of preliminary approval have been satisfied and all other governmental approvals have been secured.

12. **Revised plans** submitted prior to the hearing must be received 10 days prior to the hearing date and **must be accompanied by additional application fee of \$400.00 and an additional escrow fee of \$600.00.** Twenty (20) copies are required.

13. **Tax map fee of \$125 per lot** will have to accompany mylars and paper copies. Check made payable to **Township of Middle.**

SUBMISSION FORM BREAKDOWN FOR MIDDLE TOWNSHIP PLANNING BOARD OR  
ZONING BOARD OF ADJUSTMENT  
**ACCEPTANCE CHECKLIST**

When an application for development is submitted to the Zoning Office for filing the application package shall be reviewed before it is accepted for filing and for forwarding to the Board Engineer for a completeness review. If the application does not meet all requirements noted below it shall be returned to the party filing it for correction and re-filing. **Please sign to acknowledge all items are done.**

Date: \_\_\_\_\_

Applicant: \_\_\_\_\_

Applicant's e-mail: \_\_\_\_\_

Block: \_\_\_\_\_ Lot(s): \_\_\_\_\_

- \_\_\_ 1. Twenty (20) copies of all plans (subdivision, site plan)
- \_\_\_ 2. Five (5) copies of architectural plans
- \_\_\_ 3. Twenty (20) copies of the Application Form (you need not copy instruction pages)
- \_\_\_ 4. Twenty (20) copies of either the Subdivision Form or Site Plan Form (whichever pertains to your application)
- \_\_\_ 5. Three (3) copies of photos of the site (if required)
- \_\_\_ 6. One (1) copy of the Survey/Plan/Plat Affidavit
- \_\_\_ 7. One (1) copy of Escrow & Application Fees
- \_\_\_ 8. One (1) copy of W-9 form
- \_\_\_ 9. One (1) copy of completed Proof of Payment of Taxes form
- \_\_\_ 10. One (1) copy of Notice of Hearing of Application form (to be submitted five (5) business days prior to hearing date)
- \_\_\_ 11. One (1) copy of Affidavit of Service & Publication (to be submitted five (5) business days prior to hearing date)
- \_\_\_ 12. Three (3) copies of additional submissions such as traffic studies, environmental impact statements, drainage calculations and similar technical documents (if applicable)

\_\_\_\_ 13. Two (2) separate checks made payable to **Township of Middle** for application and escrow fees

\_\_\_\_ 14. One (1) check made payable to **Bureau of Fire Prevention** (if applicable)

\_\_\_\_ 15. One (1) USB or Floppy Disc with complete plans and application

\_\_\_\_ 16. Submit County forms directly to the County Planning Board along with the appropriate County fees.

\_\_\_\_\_  
Signature of the Applicant

\_\_\_\_\_  
Initials from  
Zoning Office

# MIDDLE TOWNSHIP PLANNING BOARD

# APPLICATION FORM

Block:

Lot(s):

Name and address of applicant:

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Applicant's telephone number:

Home:

Work: \_\_\_\_\_

Applicant's fax number:

Home:

Work: \_\_\_\_\_

Applicant's e-mail address: \_\_\_\_\_

Property owner's name, address, telephone number(s) and fax number(s) if different from #1 and #2 above:

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Relationship of applicant to owner:

**If holder of contract to purchase attach copy of contract**

If other than owner, explain status, sign (and have notarized), the Consent To Application by Owner portion of this application form. This is located at the bottom of the **Verification of Application** page.

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List the names, addresses, telephone, fax numbers, professions, and e-mail addresses of ANY and ALL professionals employed by the applicant in completing the application to the Planning Board and/or intended to be called as witnesses at the hearing on the application.

Name:

Address:

E-mail:

Phone:

Fax:

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\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
If applicant is a corporation or partnership, list all stockholders or partners owning 10% or more of the corporation or partnership and list their respective names, addresses, e-mail addresses, and telephone numbers:

Name:	Address:	E-mail:	Phone:
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

Location of premises:

Street address: \_\_\_\_\_

Tax Block: \_\_\_\_\_ Tax Lot(s): \_\_\_\_\_

Tax Map Sheet No.: \_\_\_\_\_

Zoning District in which premises is located: \_\_\_\_\_

B	Business
CD	Coastal Development
HV	Hildreth Village
R	Residential
RB	Residential Business
RC	Rural Conservation
SR	Suburban Residential
TB	Town Business
TC	Town Center
TP	Town Professional
TR	Town Residential
VC	Village Commercial
VR	Village Residential

\_\_\_\_\_ Use is a permitted use in the applicable Zoning District

\_\_\_\_\_ Use is a conditional use in applicable Zoning District

Type of application presented: (designate all types of approvals sought)

\_\_\_\_\_ Hardship variance (N.J.S.A. 40:55D-70c(1))\*

\_\_\_\_\_ Flexible (C) variance/balancing benefits and detriments  
(N.J.S.A. 40:55D-70c(2))\*

\_\_\_\_\_ Permit to build in street bed (N.J.S.A. 40:55D-34)\*

\_\_\_\_\_ Permit to build where lot does not abut street (N.J.S.A. 40:55D-36)\*

\*Where application involves a subdivision, site plan or conditional use approval, but not a  
Variance pursuant to N.J.S.A. 40:55D-70d.

\_\_\_\_\_ Site plans \*

\_\_\_\_\_ Minor

\_\_\_\_\_ Major

\_\_\_\_\_ Preliminary

\_\_\_\_\_ Final

\_\_\_\_\_ Waiver of site plan itself

\_\_\_\_\_ Subdivision

\_\_\_\_\_ Minor

\_\_\_\_\_ Major

\_\_\_\_\_ Preliminary

\_\_\_\_\_ Final

\_\_\_\_\_ Waivers from subdivision and/or site plan standards \*

\_\_\_\_\_ Conditional Use Approval where all conditional use standards are  
satisfied

\_\_\_\_\_ Other

Request is made for permission to: (Describe project and type of approval(s) sought.)

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If variances are sought: (Describe type of relief sought and Ordinance Sections not satisfied.  
**ALL** variances must be listed.)

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If waivers from subdivision/site plan standards are sought: (Describe type of relief sought and  
Ordinance Sections not satisfied. **ALL** waivers must be listed.)

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Supply the following information concerning this application. If more than one lot is involved,  
attach additional sheets.

	EXISTING CONDITION	REQUIRED BY ORDINANCE	PROPOSED	VARIANCE REQUIRED YES/NO
<b>LOT SIZE:</b>				
Lot Area	_____	_____	_____	_____

Lot Frontage \_\_\_\_\_

Lot Width \_\_\_\_\_

**PRINCIPAL BUILDING**

Side Yard  
Each \_\_\_\_\_  
Side Yard  
Total \_\_\_\_\_

Front Yard \_\_\_\_\_

Rear Yard  
Building  
Height (max.) \_\_\_\_\_

**ACCESSORY BUILDING**

Side Yard,  
Each \_\_\_\_\_

Rear Yard \_\_\_\_\_

Distance to  
Other buildings \_\_\_\_\_

Building  
Height (max) \_\_\_\_\_

**MAXIMUM COVERAGE**

Building  
Coverage (%) \_\_\_\_\_

Lot Coverage (%) \_\_\_\_\_

**BUFFER**

(Describe type)

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## VARIANCE

EXISTING	REQUIRED BY CONDITION	PROPOSED ORDINANCE	REQUIRED	YES/NO
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### PARKING

No. of spaces	_____	_____	_____	_____
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### SIGNS

(List all separately)

Size	_____	_____	_____	_____
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Number	_____	_____	_____	_____
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Type (Free- Standing or Building Mounted)	_____	_____	_____	_____
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### OTHER REGULATIONS

Is a public water line available?	_____	_____
	Yes	No

Is a public sanitary sewer line available?	_____	_____
	Yes	No

Has there been any previous appeal, request or application to this Board or to the Zoning Board involving these premises? If yes, state which Board, state the nature of application, date of application, date of hearing and result received from Board.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

List any adjoining lands owned by applicant and or by owner of parcel subject to the application. Supply tax block(s) \_\_\_\_\_ and lot(s) \_\_\_\_\_

### JUSTIFICATION FOR RELIEF SOUGHT

A short summary of the reasons why the applicant is entitled to the relief sought from the Planning Board is to be provided on a **separate sheet(s) of paper** and enumerated with the appropriate paragraph number under which the relief is sought (paragraph numbers 1-9 inclusive).

See **APPENDIX** of this form for information concerning proofs necessary to secure approvals for applications of the type noted in paragraphs 1-9 inclusive.

1. Attach to this application a statement of facts showing why the variance relief sought can be granted without substantial detriment to the public good and without substantially impairing the intent and purpose of the Middle Township Zoning Plan and Zoning Ordinance. State why the variance can be granted without substantial harm to the neighborhood and without significant overturning of the Township Zoning Plan.
2. Attach to this application a statement specifying the hardship/exceptional conditions of the specific property involved justifying the granting of a variance pursuant to N.J.S.A. 40:55D-70c(1).
3. Attach to this application a statement setting forth the facts supporting the contention that the purposes of the Municipal Land Use Law would be advanced by a deviation from the Zoning requirements in question and the benefits of that deviation would substantially outweigh any detriment pursuant to N.J.S.A. 40:55D-70c(2).
4. Waivers from specific individual standards set forth in the Subdivision/Site Plan Ordinance.

Subdivision/Site Plan Ordinance standards from which waivers are sought:

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Proposed alternative:

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5. State Residential Site Improvement Standards. (See number 1 above)

6. Waivers of Site Plan Itself

Supply required information for site plan waiver as noted above.

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7. Conditional Uses. Attach to this application, a statement setting forth how the application meets the standards for approving a Conditional Use. Conditional uses must meet general requirements listed in the Middle Township Zoning Ordinance (Section 250-26.1) as well as those applicable to the respective, specific use noted in Section 250-27 through 250-46 inclusive.

8. Attach supporting reasons for applications pursuant to N.J.S.A. 40:55D-34 (Issue a permit for structures to be in the bed of a street).
9. Attach supporting reasons for applications pursuant to N.J.S.A. 40:55D-36 (Permit to erect structure on lot not abutting approved street).
10. All applicants must supply with this application the required fees (application and escrow) the necessary survey, plan, plat, architectural plans and the following Planning Board forms (as appropriate for the type of application involved) together with all attachments required in connection with the forms:

**Application Form including Verification of Application**

**Survey, Plan, Plat Affidavit**

**Application for Development Fees**

**Escrow fees and Application fees**

**Proof of Payment of Taxes**

**Notice of Hearing (if applicable)**

**Affidavit of Service\***

**Applications involving Subdivisions**

**Applications involving Site Plans**

**Applications involving Conditional Uses/Applications involving Variances**

**Subdivisions and Site Plans requiring County Planning Board approval**

**\* To be filed no less than five (5) business days before the hearing date.**

**VERIFICATION OF APPLICATION**  
(INDICATE STATUS OF APPLICANT BELOW)

- \_\_\_\_\_ Applicant is owner of property  
\_\_\_\_\_ Applicant is not owner of property but has an Agreement of Sale and the consent of the owner to make this application.  
\_\_\_\_\_ Other (specify)

STATE OF NEW JERSEY:

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COUNTY OF CAPE MAY:

\_\_\_\_\_, being of full age and duly sworn according to law, upon his/her oath, deposes and says that the information set forth in the application form, survey, subdivision plan, site plan and related documents submitted in connection with this application is true and correct and that they accurately portray the proposed project for which Planning Board approvals are sought.

\_\_\_\_\_  
Applicant's Signature

Sworn and subscribed to  
before me this \_\_\_\_\_  
day of \_\_\_\_\_, 20\_\_\_\_.  
Notary Public  
My Commission Expires \_\_\_\_\_

**CONSENT TO APPLICATION BY OWNER OF PREMISES**  
(NEED NOT BE SIGNED IF OWNER IS APPLICANT)

I hereby consent to the application submitted to the Middle Township Planning Board with regard to the premises referred to in this application which premises is owned by me. Further, I agree to be bound by the following:

- 1) The application as submitted to the Board.
- 2) Representations made by the applicant as contained in the application and any and all documents submitted with the application or submitted at the hearing on the matter.
- 3) All representations made by the applicant to the Board at the hearing on the matter.
- 4) All agreements made by the applicant with regard to any and all requirements of the Board and any and all conditions of approval imposed by the Board.

\_\_\_\_\_  
Owner's Signature

Sworn and subscribed to  
before me this \_\_\_\_\_  
day of \_\_\_\_\_, 20\_\_\_\_.  
Notary Public  
My Commission Expires \_\_\_\_\_

**NOTE:** A corporate applicant and/or owner certification must be signed by a fully authorized corporate officer and the seal of the corporation must be affixed. For partnership applicants and/or owners this certification must be signed by a general partner and he must be designated as such by notation beneath his signature.

## **APPENDIX FOR APPLICATION FORM**

### **Paragraphs 1-9**

This Appendix shall not be attached to the Application Form. It is provided in order to supply Applicant with information concerning types of proofs that will be required for the various applications to the Planning Board.

A short summary of the reasons why the Applicant is entitled to the relief sought from the Planning Board must be provided on a separate sheet of paper and enumerated with the appropriate paragraph numbers under which the relief is sought (Paragraph numbers 1-9).

By law, variances can only be granted where the applicant is able to satisfy both positive and negative criteria established by the Municipal Land Use Law. No variance relief of any type may be granted unless the variance or relief can be granted without substantial detriment to the public good and without substantially impairing the intent and purpose of the zone plan and zoning ordinance. Hardship variances (40:55D-70c(1)) can only be granted where an exceptional condition exists with regard to a specific piece of property, where exceptional topographical conditions or physical features uniquely affect a specific piece of property or where by reason of an extraordinary and exceptional situation uniquely affecting a specific piece of property or the structures lawfully existing thereon the strict application of the zoning requirement would result in peculiar and exceptional practical difficulties to or exceptional and undue hardship upon the developer of the property. Relief under the flexible C type variance (N.J.S.A. 40:55D-70c(2)) can only be granted where, with regard to a specific piece of property, the purposes of the Municipal Land Use Law would be advanced by a deviation from the zoning ordinance requirement and the benefit of the deviation would substantially outweigh any detriment. Use and related variances (N.J.S.A. 40:55D-70d) can only be granted where there are special reasons as specified by the Municipal Land Use Law. The burden is upon the applicant to provide proof of satisfaction of the aforesaid requirements pertaining to his application.

#### **1. Variance – Negative Criteria**

State what factors would indicate that variance relief can be granted without substantial detriment to the public good and without substantially impairing the intent and purpose of the Zone Plan and Zoning Ordinance. With respect to the first item, the focus is on the variance's effect on surrounding properties. The Board must determine whether granting the variance would cause damage to the character of the neighborhood as to constitute a substantial detriment to the public good. Here the Board weighs the zoning benefits from the variance against the zoning harms and detriments whether the benefits outweigh the harms. With regard to the question of substantial impairment of the intent and purpose of the Zoning Plan and Zoning Ordinance, the focus is the extent to which the variance would constitute the giving up of zoning authority by the governing body to the Planning Board.

#### **2. Variance – N.J.S.A. 40:55D-70c(1)**

State what is unique about the applicant's specific piece of property noting such things as an exceptionally narrow, deep, or otherwise unusually shaped lot; physical features located on the

lot that prevent its use in a normal manner that would be allowed by the existing zoning; that specific location of existing structures that limit compliance with the required zoning. Note how the circumstances relating to the applicant's particular lot differ from other lots in the neighborhood. State what hardships would result should the variance not be granted.

### 3. Variance – N.J.S.A. 40:55D-70c(2)

Among the purposes of the Municipal Land Use Law are the following: promotion of public health, safety and welfare; provision of adequate light, air and open space; establishment of appropriate population densities; provision of sufficient space for agricultural, residential, recreational, commercial and industrial uses and open space; promotion of a desirable visual environment; conservation of historic sites, districts, open space and natural resources; encouragement of senior citizens housing. Cite which of these apply to the applicant and further, cite the characteristics of the land that will present and opportunity for improved zoning and planning to benefit the community.

### 4. Site Plan Waivers from Individual Standards

Waivers can only be granted where the applicant can clearly demonstrate that, because of peculiar conditions pertaining to his land, the literal enforcement of these standards is impracticable or will exact undue hardship. In such cases the Planning Board may permit such exemptions as may be reasonable, within general purpose and intent of the rules, regulations and standards established by the Subdivision/Site Plan Ordinance.

### 5. SRSIMS – see the **Application Form**

### 6. Complete Site Plan Waivers

A complete Site Plan Waiver, that is a waiver of the site plan itself, may be granted where there is a change in use or occupancy, and no extensive construction or improvements are sought. The waiver may be granted only upon a resolution by the Board finding that the use will not affect existing drainage, circulation, relationship of buildings to each other, landscaping, buffering, lighting, parking and other considerations of site plan approval, and that the existing facilities do not require upgraded or additional site improvements, except that curbing and sidewalks may be required by the Board in areas of the Township where curbs and sidewalks are to be provided and they do not exist at the site at the time of application for site plan waiver. The application for a waiver of site plan shall include a description of the prior use of the site, the proposed use, and its impact.

### 7. Conditional Uses

The Board shall give due consideration to all reasonable elements which could affect the public health, welfare, safety, comfort and convenience, such as but not limited to the proposed use(s), the character of the area, vehicular travel patterns and access, pedestrian ways, landscaping, lighting, signs, drainage, sewage treatment, potable water supply, utilities and building and structure location(s) and orientation(s). All proposed structures, equipment, or material shall be readily accessible for fire and police protection. The proposed use shall be of such location, size and character that, in general, it will be in harmony with the appropriate and orderly development of the district in which it is proposed to be situated, will be free of nuisance characteristics, and will not be detrimental to the orderly development of adjacent properties in accordance with the zoning classification of such properties.

8. Issue of Permit for Structures In Bed of Street – N.J.S.A. 40:55D-34

Attach to this application a statement setting forth the facts showing that the parcel cannot yield a reasonable return to owner unless a building permit is granted; that issuance of permit will cause minimal change in the official map; and that the approval will promote the health, morals, safety and general welfare of the public.

9. Permit to Erect Structure Not Abutting Approved Street – N.J.S.A. 40:55D-36

Attach to this application a statement setting forth the facts showing that the requirement of access on an improved street would entail practical difficulties or undue hardship and that there will be adequate access for firefighting equipment, ambulances and emergency vehicles necessary for protection of health and safety.

## MIDDLE TOWNSHIP PLANNING BOARD

### APPLICATION INSTRUCTIONS

#### **Application/Time for Submission of Application/Number of Copies.**

Application instructions and forms shall be secured from the Planning Board Secretary. The application with supporting documentation must be filed with the Planning Board Secretary no later than the first day of the month prior to the month which the hearing is desired to be held. If applicant is a partnership or a corporation, disclosure information is required in the application form. Disclosure information is required for partnerships and corporations that own the property but are not the applicant. In such cases where the applicant is not the owner the consent to application form must be signed by the owner. See application form.

Twenty copies of the application form and applications involving subdivisions OR site plans (if applicable) must be completed and submitted to the Middle Township Planning Board Secretary. Forms must be fully completed. Write “not applicable” as an answer to any application question that does not apply. The verification at the end of the form must be properly signed and notarized. There are other application forms included within the application package that must be completed and submitted to the Planning Board Secretary. If a number of required copies is not stated, THREE (3) copies of that respective form must be filed. Applicant must also supply at least three photographs of the subject premises.

The forms supplied by the Planning Board must be used. No others will be accepted.

In all cases where a subdivision or site plan is involved, the applicant must file a copy of the application, together with the required fee with the Cape May County Planning Department located at 4 Moore Rd, Cape May Court House, NJ. Mailing address: DN309, Cape May Court House, NJ. County application forms and fee schedules are supplied for your convenience. Check with the County Planning Department directly at 465-1080 to confirm that their forms or fee schedules have not been changed.

#### **Plot Plan and Architectural Plans.**

Twenty (20) copies of the Plot Plan of the land to be affected including all the adjoining lots within a 200' radius of the said property must be submitted. The Plot Plan must be drawn to a scale of not less than 1"=50'. The plan may be drawn to some other scale only upon approval of the Township Engineer and in any case, the scale must be sufficient to clearly show the required information in an easily readable manner. It shall contain a north arrow and designation of the applicable zoning district. The drawing must show all buildings located on each adjoining lot that appears on the map. Existing conditions and all proposed development on the site must be indicated on the Plot Plan. Additionally, information including, but not limited to, setbacks, buffers, streets, highways, driveways and lot dimensions must be shown on the map. The block and lot number of each lot must be clearly shown. All applicable checklist items and plan information must be supplied unless a waiver is sought for such items. **Survey/Plan/Plat Affidavit** must be completed, signed, notarized and submitted with the Plot Plan. Also see

**Applications Involving Subdivisions, Applications involving Site Plans** with respect to applications involving Subdivisions and Site Plans. Twenty (20) copies of architectural plans (in the form of elevations and floor plans) shall be provided where buildings are to be constructed.

### **Submission of Subdivision Plats and Site Plans for Approval.**

For requirements relating specifically to Subdivisions and Site Plans complete forms **Applications involving Subdivisions or Applications involving Site Plans**. Twenty (20) copies of the applicable form are required.

At the time of application for final approval, the Developer's Engineer shall submit, in addition to the proper forms, plats/plans and fees, a detailed improvement cost estimate for review and approval by the Township Engineer.

### **Submission of Applications Involving Conditional Uses and Variances.**

Complete **Applications involving Conditional Uses**. Twenty (20) copies are required.

### **Application Fee and Escrow Fee**

The required, non-refundable application fee and the required escrow fee must be paid at the time of submission of the application. Separate checks are required. The fee schedule lists the application and escrow fee. The escrow and application breakdown sheet, together with the attached escrow release and I.R.S. W-9 form, must be completed, signed and submitted with the application.

### **Payment of Taxes.**

An application will not be scheduled or heard unless all taxes on the property are current as to payment. The **Proof of Taxes** form must be taken to the Middle Township Tax Collector for proof of payment and after the form is signed by the Tax Collector, it must be submitted with the application.

### **Processing of Application/Completeness.**

Acceptance of an application by the Planning Board Secretary and/or her supplying to you a hearing date does not guarantee a position on the agenda of the next meeting or the meeting otherwise specified.

Each application presented to the Planning Board is subject to a review for "completeness". This process involves review of all application forms and all documentation presented with the application. Failure to use the forms supplied by the Planning Board or to provide the properly completed forms, surveys and related documents will result in an application being deemed incomplete. Applicant will not be given a hearing date and will be unable to proceed to a hearing on any date supplied by the Planning Board Secretary unless the application has been deemed complete.

Applicant should not publish or serve notice of a hearing until he has been supplied with a specific hearing date by the Planning Board Secretary. This shall be supplied once the application has been deemed complete.

A determination of completeness shall require compliance with all applicable compliance with all applicable checklist items including:

- 1) Twenty (20) copies of application form; Subdivision/Site Plan form; Conditional Use form; variance form (if applicable) and supporting documents.
- 2) Payment of all application and escrow fees.
- 3) Certification by Tax Collector that taxes are paid.
- 4) Twenty (20) copies of plot plan, survey, subdivision plan or site plan as applicable and of architectural plans (elevations and floor plans where building is involved).
- 5) Affidavit of ownership if applicable.
- 6) Photographs (3) of the subject premises where site plan or conditional use Application is involved.

### **Notice of Public Hearing on Application.**

Notice must be given of a Planning Board hearing on an application for any Variance, Conditional Use approval, Authorization to build in a street-bed, Authorization to build without improved street frontage, Preliminary Major Site Plan Approval, Waiver of Site Plan itself, Minor Site Plan and Preliminary Major Subdivision Approval. Notice is NOT required for a minor subdivision approval, final subdivision approval, or final site plan approval. If notice is required as above, the notice must also include all approvals sought. For example, if a variance is required in connection with a minor subdivision, the minor subdivision must be indicated in the notice notwithstanding the fact that a minor subdivision application is not normally required to be noticed.

A list of the persons and bodies to which the notice must be sent can be applied for at the Middle Township Planning Office. The list is certified by the Township Tax Assessor. There is a fee of \$10.00 for the list if it contains 40 items or less, and \$0.25 is charged for each item over 40. If there are any property owners located within 200' of the subject property but outside of Middle Township, the names and addresses of those parties shall be secured from the Administrative Official of the municipality within which they are located. Notice to the listed parties must be made by personal service or by Certified Mail. If notice is made by personal service, the person to whom the notice is delivered must sign a receipt for it and the date of delivery must be noted on the receipt. In addition to the listed property owners within 200', notice must also be given to the following if the property is located as noted:

- 1) Municipal Clerk of adjoining municipality (if property is within 200 feet of an adjoining municipal boundary).
- 2) Cape May County Planning Board (if property is within 200 feet of County Land, County Road, County property, or adjoining municipal boundary).
- 3) New Jersey Commissioner of Transportation (if property is adjacent to a State road).
- 4) State Planning Commissioner (if request involves 150 acres or 500 dwelling units).
- 5) Any public utility, cable TV company or local utility which possesses a right-of-way or easement within the Township and which has registered with the Township in accordance with the Municipal Land Use Law.

Notice may be given to the condominium association in the case of any unit owner whose unit has a unit above or below it and to the horizontal property regime, in the case of any co-owner whose apartment has apartments above or below it. If notice is to a partnership owner, it may be made by service upon any partner. Notice to a corporate owner may be made by service upon its

president, vice-president, secretary or other person authorized by appointment or by law to accept service on behalf of the corporation. If addressed to a condominium association, horizontal property regime, community trust or homeowners' association, because of its ownership of common elements or areas located within 200' of the property which is the subject of the hearing, notice may be made in the same manner as to a corporation without further notice to unit owners, co-owners or home owners on account of such common elements or areas.

Notice must be given at least ten days prior to the hearing date. If notice is by mail, it must be sent by certified mail. Upon receipt of proof of such mailing, notice shall be deemed complete upon the mailing date.

Public notice must also be published in The Press of Atlantic City, the official newspaper of the Township, at least ten days prior to the hearing date. Publication in any other newspaper will **not** be accepted.

The required form of notice is included within the application materials. Use the provided form of notice in order to ensure that all the required information is included within the notice served and published. Also see the instructions attached to the **Notice** form.

Applicant must provide proof of service and publication of proper notice by submitting **Affidavit of Proof and Service** to the Planning Board Secretary and by providing all attachments and proofs required by it. All proof and service materials (including proof of publication of notice) must be submitted to the Planning Board Secretary at least five (5) business days **before** the hearing date. Proofs of service and/or publication will not be accepted at the hearing, and failure to provide them in advance of the hearing, as required above, may result in the postponing of the hearing on an application.

### **Appearance at Hearing.**

The applicant, the applicant's representative authorized in writing by the applicant, or applicant's attorney and appropriate witnesses must appear at the hearing. Realtors and other interested parties may not act as counsel for the applicant, but may appear as witnesses. If an applicant is a corporation, it must be represented by an attorney.

### **Hearing Procedures.**

Hearings shall be conducted in accordance with the By-Laws adopted by the Planning Board.

Meetings shall commence at 6:00 PM. No new case will be commenced after 10:00 PM and no additional testimony will be taken after 11:00 PM.

Applications will be heard in the order in which they are designated complete by the Planning Board Secretary or as she otherwise determines to be most expeditious under the circumstances of the meeting involved.

Although every effort is made for expeditious handling of all applications on each Agenda, at times the number of applications necessitates continuance of an application until the following meeting. Placement on a specific Agenda does not guarantee that an applicant's hearing will be held and completed on that date.

Following the hearing on the application, the action taken by the Planning Board will be advertised in the Township's official newspaper. A copy of the Planning Board's decision will be sent to applicant or applicant's attorney in Resolution for after adoption by the Board.

### **Continuance of Hearing.**

Any request to the Board for a continuance of a hearing date must be submitted in writing and must specifically waive the applicable time limitations for Board action. Failure to comply with this requirement may lead to the Board's dismissing the application without prejudice in which case revisions to the application forms may be required, and personal service and publication of notice of the new hearing date shall be required.

### **Submission of Subdivision Plats and Site Plans After Final Approval.**

Upon final approval of a Minor or a Major Subdivision, three mylar copies, and twelve revised paper copies of the subdivision plat must be submitted to the Planning Board Secretary for signatures of the appropriate Township officials. The \$50.00 fee to cover County filing costs is collected at the time of submission of the application. Payment of an \$800.00 fee for each street light shall also be required for Final Major Subdivision Approval.

The Municipal Land Use Law contains time limitations within which subdivision plats must be filed with the Cape May County Clerk. All maps submitted must comply with the requirements of the New Jersey Filing Law as amended and supplemented, N.J.S.A. 46:23-9.10, et seq. Check with your attorney and/or your engineer to make certain that this requirement is met.

Upon final approval of a Minor or Major Site Plan, three revised, signed and sealed paper copies must be submitted to the Planning Board Secretary. The plan shall be stamped "**Final Construction Plans**".

Performance guarantees, inspection fees and maintenance guarantees shall be supplied, where applicable. The performance guarantee shall be in the amount of 120% of the site improvements. For improvements not installed prior to filing, a performance guarantee shall be made payable to Middle Township and shall be in the form of cash, certified check, performance bond tri-party agreement. 10% of the required amount shall be in cash. The applicant shall also submit the required inspection fees in an amount totaling 5% of the total project cost for Major Subdivisions and Major Site Plans. A maintenance guarantee for 15% of the original estimated cost of improvements shall be kept for a period of two years after improvements are completed.

### **Effect and Duration of Approvals.**

The rights obtained by subdivision and site plan approvals and the duration and possible extension of such rights is governed by the Municipal Land Use Law. (N.J.S.A. 40:55D-1 et seq.)

A variance granted by the Planning Board shall expire unless construction, alteration, conversion or use shall have been actually and actively commenced within three (3) years from the date of publication of notice of the granting of the variance.

## **State Residential Site Improvement Standards.**

Effective June 3, 1997, New Jersey's residential site improvement standards became effective. These site improvement standards are state-wide, uniform, mandatory rules for the development of residential sites in New Jersey. They apply to any residential development requiring a major subdivision, site plan approval, variance, or any other residential approval required or issued by the municipal agency involved. They do NOT apply to Minor Subdivisions. In applications, to the Planning Board, which are subject to the state standards they cover streets and parking, water supply, sanitary sewers and stormwater management. The new State standards supersede existing Township Ordinances and must be considered, in the areas covered, the technical standards for residential development. As part of the Planning Board's review process relating to your application, the State Residential Site Improvement Standards must be applied to your application unless your application qualifies for an exception or waiver or unless you, the applicant, and the Township agreed to exceed a State Standard. For more information concerning exceptions, waivers and agreements to exceed and for forms pertaining to that call the Middle Township Zoning Office at 609-465-8742. Please contact your engineer for further details concerning the standards and forms and to aid you in completing any applicable forms.

**MIDDLE TOWNSHIP PLANNING BOARD**

**SURVEY/PLAN/PLAT AFFIDAVIT**

State of New Jersey:

ss

County of Cape May:

\_\_\_\_\_ being duly sworn according to law,  
(Name)

upon his oath deposes and says:

- 1) I am the owner of the property known and identified as Block \_\_\_\_\_, Lot(s)\_\_\_\_\_ in the Township of Middle or I am the applicant for development in this matter.
- 2) The attached sealed survey/plan/plat prepared by \_\_\_\_\_ and dated \_\_\_\_\_, accurately reflects the physical condition of the property as of the date of this affidavit and there have been no changes or alterations to the property since the date of the sealed survey/plan/plat.
- 3) I make this affidavit in support of an application for development before the Middle Township Planning Board and understand that said Board shall rely on the current accuracy of the said survey/plan/plat in considering the application for development of the property.

\_\_\_\_\_  
Signature of Owner/Applicant

NOTE: The survey submitted with an application must be prepared and dated within 12 months of the date of the application to the Board. The above Affidavit covers the time period from the date of the survey submitted to the date of the Application. If there have been significant changes to the premises a current survey may be required by the Planning Board Secretary and/or Planning Board Engineer.

Sworn and subscribed to

Before me this \_\_\_\_\_

Day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Notary Public

My Commission Expires \_\_\_\_\_.

**BUREAU OF FIRE PREVENTION**  
MIDDLE TOWNSHIP FIRE DISTRICTS #1 & #4  
115 Mechanic Street PO Box 21  
Cape May Court House, NJ 08210  
Phone: (609) 465-8710  
Fax: (609) 465-3851  
[firebureau1@verizon.net](mailto:firebureau1@verizon.net)

October 4, 2005

To: Zoning Office / All Applicants

From: Bureau of Fire Prevention

RE: Site and or Plan Review

As of September 28, 2005 the Township of Middle adopted a new Ordinance No 1206-05, amending Chapter 142 of the Code of the Township of Middle.

The Fire Official shall review any site or subdivision plan for the purpose of fire prevention, as to the location and size of fire department access roads, fire lanes, zones and areas, water mains, drafting locations and the location/placement of all fire hydrant(s). Said submission of plans to the Bureau of Fire Prevention shall include any plans submitted to the Zoning Office, Planning Board or Zoning Board of Adjustment for the development, construction or improvement of properties in the Township of Middle.

Said reviews shall include, but not be limited to, any construction or improvement of any use group, as defined in Chapter 3 (use and occupancy classification) of the International Building Code "New Jersey Edition" adopted by the State of New Jersey, as amended. Prior to the issuance of any building permit, the above projects must receive Fire Official approval.

Each applicant shall pay the following fees to the Bureau of Fire Prevention for review of any site or subdivision plans and will be required at time of submission:

- |    |                         |   |
|----|-------------------------|---|
| 1) | Minor site plan         | \$60.00   |
| 2) | Major site plan         | \$96.00   |
| 3) | Minor subdivision       | \$120.00  |
| 4) | Major subdivision       | \$156.00  |
| 5) | Resubmission and review | \$36.00 (only after the initial application and the review process has been completed.) |

All plans will be reviewed and returned to the Zoning office with letter of explanations or requirements prior to any required action date.

**PLEASE MAKE CHECKS  
PAYABLE TO  
BUREAU OF FIRE PREVENTION**

Virginia Westerland  
Fire Official

**MIDDLE TOWNSHIP PLANNING BOARD  
APPLICATION FOR DEVELOPMENT FEES**

The attached fee schedule from the Township's Subdivision and Site Plan Ordinance (Ordinance 218-47) shall be applied to all applications before the Zoning Board of the Township of Middle.

*Application fees and Escrow fees recited are "the minimums" which must accompany the application. An application shall not be deemed complete until the Application Fee and Escrow Fee required have been paid. Additional funds may be required when the original amount is depleted by 60% and the Development Application is still in progress.*

**MIDDLE TOWNSHIP PLANNING BOARD  
33 MECHANIC ST  
CAPE MAY COURT HOUSE, NJ 08210**

**Date:** \_\_\_\_\_

**Re: Block** \_\_\_\_\_ **Lot(s)** \_\_\_\_\_

**File** \_\_\_\_\_

I hereby acknowledge that the escrow funds that I have deposited in conjunction with my Zoning Board/Planning Board application are to be used for services and reviews by Township professionals. I understand that additional funds may be required to be deposited when the original amount is depleted by sixty (60%) and the development application is still in progress.

I further understand that pursuant to Middle Township Ordinance section 218-48D, escrow amounts not actually used shall be refunded to me upon my request and upon recommendation of the Planning Board and/or the Zoning Board of Adjustment and the Township Engineer, and that if I fail to request said unused escrow funds for a period of two (2) years, from the date of written certification by the Township Engineer, that all site work for my development project has been completed, said funds shall be rendered non-refundable.

Also, pursuant to the Municipal Land Use Law, the Township will not give to me any interest on the escrow account funds which does not exceed one hundred (\$100.00) dollars per year. If the interest exceeds one hundred (\$100.00) per year, the Township will retain, for administrative purposes, thirty-three and one-third (33 1/3) percent of the interest amount.

\_\_\_\_\_  
Applicant

**MIDDLE TOWNSHIP PLANNING BOARD  
ESCROW FEES AND APPLICATION FEES**

Applicant's Name: \_\_\_\_\_

Address: \_\_\_\_\_

Address of Property  
Subject to the  
Application \_\_\_\_\_  
(Street Address)

Block: \_\_\_\_\_ Lot(s) \_\_\_\_\_

Amount of required escrow \$ \_\_\_\_\_

Amount of required application fees \$ \_\_\_\_\_

Application fees and escrow fees must be submitted in separate checks payable to **Middle Township**. The escrow fee shall be forwarded by the Zoning Officer to the Treasurer of Middle Township for deposit into a Developer's Escrow Account. The application fee shall be deposited in the Planning Board Account. Additional funds may be required when the original amount is depleted by 60% and the Development Application is still in progress. The amount of additional funds needed shall be determined by the Zoning Officer and the Township Engineer. Said escrow funds shall be used to pay the fees of professional personnel employed to assist the Middle Township Planning Board in the review of the application, to prepare board resolutions and other legal documents relating to the application, and to inspect and approve construction. Professional fees shall be billed through the Municipality's voucher system and approved for payment by the Township Committee. Any excess funds remaining in the escrow account at the time when all required improvements have been finally accepted and all professional work completed, shall be returned to the applicant provided the applicant applies within two years after the completion of the project and completes, at the time of the application to the Planning Board, the request form and the W-9 form attached to this form.

**\*\*The application fee is non-refundable and is a separate charge from the escrow fee.\*\***

I understand and consent to the foregoing.

Date: \_\_\_\_\_  
Applicant

ATTACHED FEE BREAKDOWN SHEET, W-9 FORM AND ESCROW FUND RELEASE FORM  
MUST BE COMPLETED AND SUBMITTED.

**MIDDLE TOWNSHIP PLANNING BOARD**

**FEE BREAKDOWN SHEET**

*When submitting the required Escrow Fees and Application Fees, the Applicant shall breakdown the manner in which he calculated the required fees by completing this form.*

Application Type(s):

Application Fee:

Escrow Fee:

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Application Fee(s)

Total: \$ \_\_\_\_\_

Escrow Fee(s)

Total \$ \_\_\_\_\_

\_\_\_\_\_  
Applicant's Signature

\_\_\_\_\_  
Date

**MIDDLE TOWNSHIP PLANNING BOARD**

**PROOF OF PAYMENT OF TAXES**

Every application for development submitted to the Planning Board shall be accompanied by this form.

Applicant's Name & Address:

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Property Owner's Name & Address:

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Address of Property Subject to the Application:

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Block: \_\_\_\_\_ Lot(s): \_\_\_\_\_

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**TO BE COMPLETED BY TAX COLLECTOR**

A. All taxes are current through the \_\_\_\_\_ quarter of \_\_\_\_\_.

Date: \_\_\_\_\_ Middle Township  
Tax Collector: \_\_\_\_\_  
(Signature)

B. Taxes are due on the above referenced property as follows:

Amount of taxes due through the  
\_\_\_\_\_ quarter of \_\_\_\_\_, \_\_\_\_\_ \$ \_\_\_\_\_

Date: \_\_\_\_\_ Middle Township  
Tax Collector: \_\_\_\_\_  
(Signature)

**MIDDLE TOWNSHIP PLANNING BOARD  
NOTICE OF HEARING ON APPLICATION FOR DEVELOPMENT**

Applicant's Name: \_\_\_\_\_

Address: \_\_\_\_\_

Owner's Name: \_\_\_\_\_

Address: \_\_\_\_\_

Subject Property – Street Address: \_\_\_\_\_

Subject Property – Tax Map Block: \_\_\_\_\_ Lot(s): \_\_\_\_\_

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PLEASE TAKE NOTICE that on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, at 6:00 PM, prevailing time, at the Middle Township Municipal Building, located at Boyd and Mechanic Streets, Cape May Court House, NJ 08210, the Middle Township Planning Board will hold a hearing on the application for development of the undersigned. Applicant seeks all required approvals and relief so as to permit

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

at the subject premises noted above. Specifically, the following variances and approvals are sought: \_\_\_\_\_

\_\_\_\_\_

A copy of the said application and accompanying documents will be on file with the Secretary of the Middle Township Planning Board/Zoning Officer and may be inspected, during normal business hours, in the Middle Township Zoning Office, Middle Township Municipal Building, Boyd and Mechanic Streets, Cape May Court House, New Jersey, by all interested parties at least ten (10) days prior to the said hearing. Further, any interested party may appear in person or by attorney at said hearing and participate therein in accordance with the rules of the Middle Township Planning Board. This notice is sent pursuant to the requirements of the Municipal Land Use Law.

\_\_\_\_\_  
Applicant

**NOTE: THIS INFORMATION IS SUPPLIED AS AN AID TO COMPLETING THE NOTICE OF HEARING FORM AND IS NOT TO BE SERVED OR PUBLISHED.**

After the “so as to permit” language in the Notice Form, insert a brief description of the proposed project.

After “the following approvals/variances are sought:” language, insert the specific type of application involved:

\*Hardship Variance (N.J.S.A. 40:55D-70c(1))

\*Flexible/Balancing Benefits and Detriments Variance (N.J.S.A. 40:55D-70c(2))

Permit to Build in Street-bed (N.J.S.A. 40:55D-34)

Permit to Build Where Lot Does Not Abut Street (N.J.S.A. 40:55D-36)

Site Plan Approval

Major

Preliminary

Final

Minor

Waiver of Site Plan itself

Subdivision

Major

Preliminary

Final

Minor

Conditional Use Approval with All Conditional Use Standards Met

Other (e.g., House moving)

If more than one type of approval/variance is sought, list **all** those approvals/variances sought. Example: Minor Subdivision Approval and a Lot Width Variance.

Note that in conjunction with variances, **all** requested relief must be listed. If the application involves variances from more than one standard, *example*: lot area, lot frontage and lot width, all of the aforesaid must be listed in the notice.

In all cases, the specific type of relief sought must be stated and a general statement (such as “any and all other variances, waivers or approvals deemed necessary by the Board”) is **NOT** satisfactory notice.

Note that Final Major Site Plan Approval, Final Major Subdivision Approval, and Minor Subdivision Approval **do not** require notice when standing alone. However, if the application consists of a non-noticeable item and any item that **must** be listed, all relief sought, including that which would not normally require notice, must be listed in the legal notice.

**NOTE:** Notice of application is required for house moving and must be served on all listed property owners within one thousand (not 200) feet of the subject property.

**MIDDLE TOWNSHIP PLANNING BOARD**

**AFFIDAVIT OF SERVICE AND PUBLICATION**

Applicant's Name: \_\_\_\_\_  
Applicant's Address: \_\_\_\_\_

Subject Property:  
Street address of subject property: \_\_\_\_\_

Tax Block: \_\_\_\_\_ Lot(s): \_\_\_\_\_

STATE OF NEW JERSEY:

ss

COUNTY OF CAPE MAY:

\_\_\_\_\_ of full age, being duly sworn according to law, on his oath, deposes and says:

- 1) that he resides at \_\_\_\_\_;
- 2) that he is the applicant or applicant's attorney in this matter in which the Middle Township Zoning Board shall conduct a hearing;
- 3) that he, on \_\_\_\_\_, 20\_\_\_\_, at least ten days prior to the hearing date on the application, gave notice to all property owners within 200 feet of the subject property and all other persons whose names appeared on the certified list obtained from the Township of Middle and as listed on the Middle Township Planning Board Application instructions (where applicable); (one thousand feet for house moving);
- 4) that notice was given either by personal service of a notice on the property owner or by sending the notice by Certified Mail as noted on the attached list of persons served. Certified mail receipts showing the mailing of notice to the interested parties are attached. Certified mail notices shall be attached in the same order as the names appear on the parties to be served list. Acknowledgements of service by persons personally served are attached.
- 5) that a copy of the notice so served is attached hereto and made a part hereof;
- 6) that the notice was also published in the official newspaper of the municipality on \_\_\_\_\_, 20\_\_\_\_. Attached hereto and made a part hereof is a Proof of Publication received from the official newspaper of the Township of Middle;
- 7) that also attached hereto and made a part hereof is a certified list (received from the designated Township official) of all property owners and other parties to whom notice was required to be sent, showing the names and addresses of the persons served and the lot and block numbers of each person's property as same appear on the current Middle Township Tax Assessment List.

Summary of Required Proofs: Certified Mail receipts; acknowledgement of service by persons personally served; copy of notice served; Proof of Publication of notice published; certified list of property owners.

\_\_\_\_\_  
(Signature of person giving Affidavit)

NOTE: All of the required proofs must be supplied to the Planning Board Secretary no less than five (5) business days prior to the date of the meeting in which the hearing is to be held.

Sworn and subscribed to  
before me this \_\_\_\_\_  
day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Notary Public  
My Commission Expires \_\_\_\_\_

**MIDDLE TOWNSHIP PLANNING BOARD**

**SUBDIVISION INFORMATION FORM TO BE COMPLETED AND FILED WITH APPLICATION**

GENERAL INFORMATION

Number of existing lots: \_\_\_\_\_

Number of lots after subdivision: \_\_\_\_\_

Area of entire tract: \_\_\_\_\_

Is a public water line available? \_\_\_\_\_ YES \_\_\_\_\_ NO

Is a public sanitary sewer line available? \_\_\_\_\_ YES \_\_\_\_\_ NO

List any "off tract" improvements required of proposal:

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List other applications required and state if applied for and/or received

Type:	Not applied For:	Date applied For:	Date Approval Received:
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Soil borings **must** be supplied for all subdivisions.

Drainage calculations must be supplied for major subdivisions.

At the time of an application for final approval the following shall be supplied:

- 1) Estimated cost of site improvement list prepared by developer's engineer
- 2) Performance guarantee in form approved by the municipal solicitor and in amount approved by the municipal engineer.

Variances sought (also list on Application Form)

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Waivers sought (also list on Application Form)

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## **SUBDIVISION DEFINITIONS**

### **MINOR SUBDIVISIONS:**

A subdivision of land of not more than five (5) lots (four (4) new lots and the remaining parcel), provided that such subdivision does not involve a planned development, any new street or the extension of any off-tract improvement, the cost of which is to be prorated pursuant to N.J.S.A. 40:55D-42, and further provided that said subdivision is not further division of an original tract of land for which previous subdivisions have been approved by the Township within the current twelve-month period and where the combination of the proposed and previously approved “minor subdivisions” constitutes a major subdivision.

The original tract of land shall be considered any tract in existence at the time of adoption of the Township’s Land Development Ordinance Amendment as shown on the Township Tax Maps. Any readjustment of lot lines resulting in new lots shall be classified as a “minor subdivision” for purposes of the application submission and review requirements, but not for the purpose of counting whether there has been a subdivision within the current twelve-month period.

### **MAJOR SUBDIVISION:**

Any subdivision not classified as a minor subdivision.

## **APPLICATION PROCEDURES AND SUBDIVISION DETAILS, IN ADDITION TO THOSE REQUIRED BY PLANNING BOARD FORMS.**

Where there is any conflict between the Planning Board Form requirements and the requirements hereinafter noted, the more stringent of the requirements shall be applicable.

### **Minor Subdivision**

Subdivision/Site Plan Ordinance Checklist Numbers 1, 2, 3

### **Major/Preliminary Subdivision**

Subdivision/Site Plan Ordinance Checklist Numbers 1, 2, 4

### **Major/Final Subdivision**

Subdivision/Site Plan Ordinance Checklist Numbers 1 & 5

### **Waiver of Designated Procedures and/or Standards**

Subdivision/Site Plan Ordinance Checklist Numbers 1, 2, 12

Waivers sought (also list on Application Form)

## **SITE PLAN DEFINITIONS**

### **MINOR SITE PLAN:**

Any site plan which proposes building alterations or expansions which do not increase the gross floor area of the structure by more than thirty percent (30%); proposes the addition of five (5) or fewer parking spaces; does not include any planned development or any new street or extension of any off-tract improvement; and contains the information reasonably required in order to make an informed determination as to whether the requirements established by ordinance for approval as a minor site plan have been met.

### **MAJOR SITE PLAN:**

Any site plan which is not exempt or classified as a minor site plan for which no site plan waiver has been granted.

### **SITE PLAN WAIVERS:**

Waivers of the requirements for site plan approval where there is a change in use or occupancy and not extensive construction or improvements (or de minimis construction or improvements) are sought. There must be a finding that the use will not affect existing drainage, circulation, relationship of buildings to each other, landscaping, buffering, lighting, parking and other considerations of site plan approval and that the existing facilities do not require upgraded or additional site improvements, except that curbing and sidewalks may be required.

## **APPLICATION PROCEDURES AND SITE PLAN DETAILS, IN ADDITION TO THOSE REQUIRED BY PLANNING BOARD FORMS.**

Where there is any conflict between the Planning Board Form requirements and the requirements hereinafter noted, the more stringent of the requirements shall be applicable.

### **Minor Site Plan**

Subdivision/Site Plan Ordinance Checklist Numbers 1, 2, 6

### **Minor Site Plan Involving House Moving**

Subdivision/Site Plan Ordinance Checklist Numbers 1, 2, 6, 7

### **Major Site Plan/Preliminary**

Subdivision/Site Plan Ordinance Checklist Numbers 1, 2, 8

### **Major Site Plan/Final**

Subdivision/Site Plan Ordinance Checklist Numbers 1, 2, 8, 8A

### **Waiver Designated Site Plan Procedures and/or Standards**

Subdivision/Site Plan Ordinance Checklist Numbers 1, 2, 12

### **Waiver of Site Plan in its Entirety**

Subdivision/Site Plan Ordinance Checklist Numbers 1 & 11

## **MIDDLE TOWNSHIP PLANNING BOARD**

### **APPLICATIONS INVOLVING CONDITIONAL USES/APPLICATIONS INVOLVING VARIANCES**

#### **CONDITIONAL USES**

Definition: A use permitted in a particular zoning district only upon a showing that such use in a specific location will comply with the conditions and standards for the locations or operation of such use as contained in Chapter 250, Zoning, and upon the issuance of an authorization therefore by the Planning Board.

#### **APPLICATION PROCEDURES AND SITE PLAN DETAILS, IN ADDITION TO THOSE REQUIRED BY PLANNING BOARD FORMS.**

Where there is any conflict between the Planning Board Form requirements and the Ordinance requirements hereinafter noted, the more stringent of the requirements shall be applicable.

##### Conditional Use

Zoning Ordinance Section 250-26.1 & 250-27 through 250-46 as applicable (see application form)

Subdivision/Site Plan Ordinance Checklist Numbers 1, 2, 9

#### **VARIANCES – HEARABLE BY THE PLANNING BOARD**

Definition: Permission to depart from the literal requirements of Chapter 250, Zoning of the Middle Township Code. Pursuant to N.J.S.A. 40:55D-60 the Planning Board hears variances relating 40:55D-70c, pursuant to N.J.S.A. 40:55D-34 and 40:55D-36 **when** a subdivision, site plan or conditional use (but not a use variance under N.J.S.A. 40:55D-70d) is involved.

#### **APPLICATION PROCEDURES AND SITE PLAN DETAILS, IN ADDITION TO THOSE REQUIRED BY PLANNING BOARD FORMS.**

Where there is any conflict between the Planning Board Form requirements and the Ordinance requirements hereinafter noted, the more stringent of the requirements shall be applicable.

##### Variances

Zoning Ordinance, Chapter 250, Zoning

Subdivision/Site Plan Ordinance Checklist Numbers 1, 2, 10 as applicable to the type of variance sought.