BOROUGH OF MT. ARLINGTON
ZONING DEPARTMENT
419 HOWARD BOULEVARD
MT. ARLINGTON, NEW JERSEY 07856
TEL.: (973) 398-6832 ext. 14 EMAIL: MTAZONINGOFFICER.COM

March 6, 2013

To: Mt. Arlington Residents

Re: Zoning and Land Disturbance Permit Process

Enclosed hereafter, is a complete copy of all permit applications required for obtaining approval to construct improvements on your property and excavating within a Borough Right-of-Way. This packet does not include the Building Department Applications that may be required depending on the type of improvements you wish to construct onto your property. These applications have not been included at this time since they are not required to be submitted until the Zoning and Land Disturbance Permits have been issued. It should be noted that the enclosed applications are provided as a complete set for which sections may not be applicable to your project. The extent of your proposed improvement will determine which applications will be required to be completed and submitted for approval. The following summary provides a brief explanation of the documents provided and the applicability for their use.

- **Borough of Mt. Arlington Construction Permit Flow Chart:** This chart provides a graphical illustration of the Permitting Process associated with a specific project. You should utilize this chart to determine which applications are required to be completed and returned to the Borough for processing.

- **Borough of Mt. Arlington Zoning Application:** This permit is required for all projects other than maintenance activities for repair and replacement of lawfully existing structures. If a Zoning Permit is denied, an application to the Mt. Arlington Land Use Board for approval of the applicable Variance will be required. (See enclosed: Zoning Permit Application Procedures)

- **Borough of Mt. Arlington Land Use Board Application:** This permit is required for all development projects that result in a variance from a specific zoning ordinance of the Borough and any project that includes Land Subdivision or Site Plan approval. (See enclosed: Land Use Board Application Procedures)

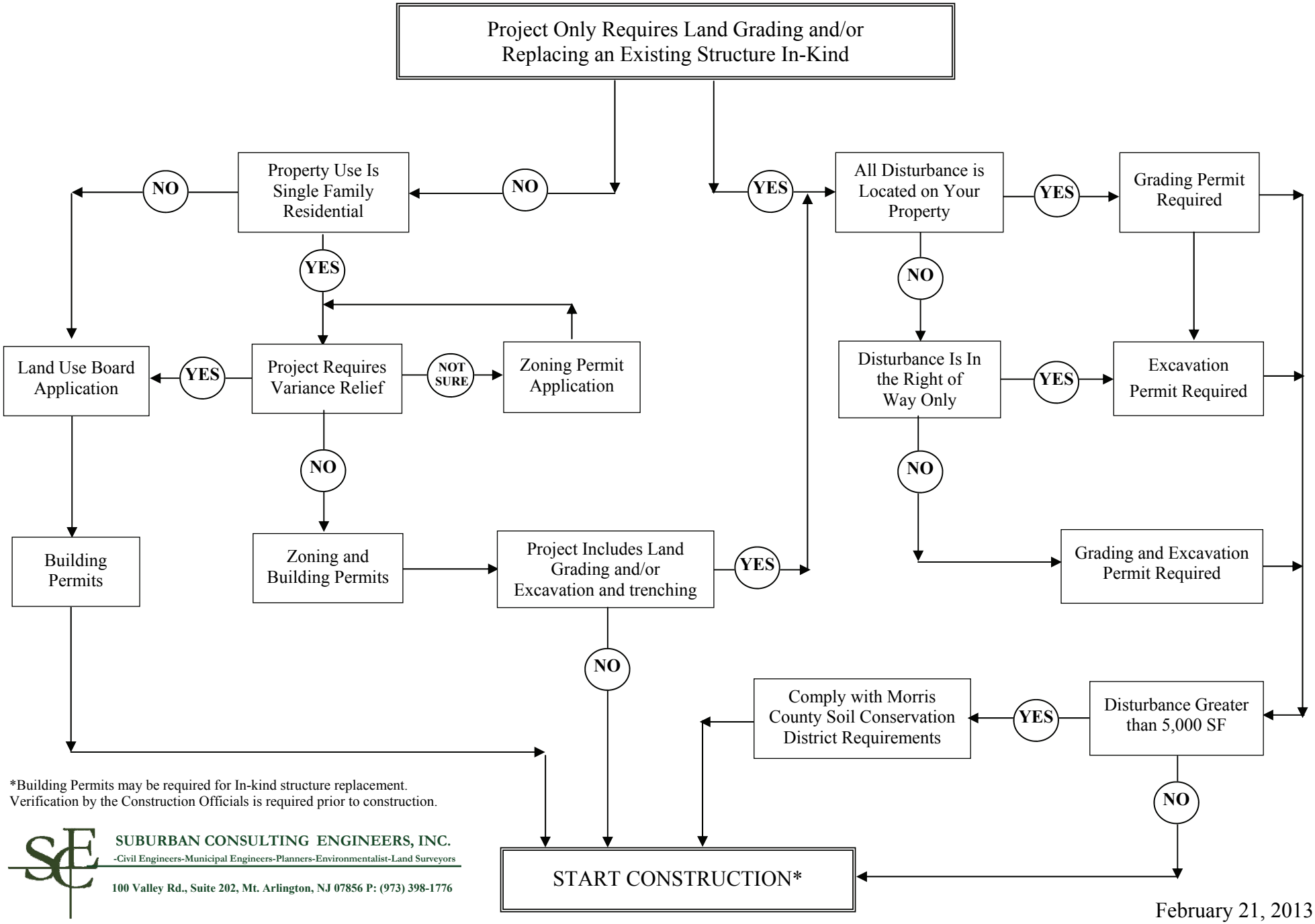
- **Borough of Mt. Arlington Grading Permit Application:** This permit is required for any project that includes the changing of grade on private property. (See enclosed: Grading Permit Application Procedures)

- **Borough of Mt. Arlington Excavation Permit Application:** This permit is required for any project that includes the disturbance of Borough-owned property. (See enclosed: Excavation Permit Application Procedures)

Very truly yours,

Erin B. Abline
Borough Zoning Officer

MT. ARLINGTON LAND DEVELOPMENT PERMITTING – FLOW CHART



*Building Permits may be required for In-kind structure replacement.
Verification by the Construction Officials is required prior to construction.

SUBURBAN CONSULTING ENGINEERS, INC.
-Civil Engineers-Municipal Engineers-Planners-Environmentalist-Land Surveyors
100 Valley Rd., Suite 202, Mt. Arlington, NJ 07856 P: (973) 398-1776

February 21, 2013

ZONING MAP OF THE BOROUGH OF MOUNT ARLINGTON MORRIS COUNTY, N.J.

APRIL 2009

LEGEND

RA-7.5, RA-15, RA-30, RA-40	SINGLE FAMILY RESIDENCE
OSGU	OPEN SPACE GOV'T USE
RG-5	MULTI FAMILY RESIDENCE
B-1	BUSINESS
R-C	RESORT COMMERCIAL
R-PRD	PLANNED RESIDENTIAL DEVELOPMENT
HMC	HOTEL/MOTEL CONFERENCE CTR.
PUD	PLANNED UNIT DEVELOPMENT
OB	OFFICE BUILDING DISTRICT
SRC	SPECIAL RESIDENTIAL CLUSTER
SRC-B	SPECIAL RESIDENTIAL CLUSTER -B

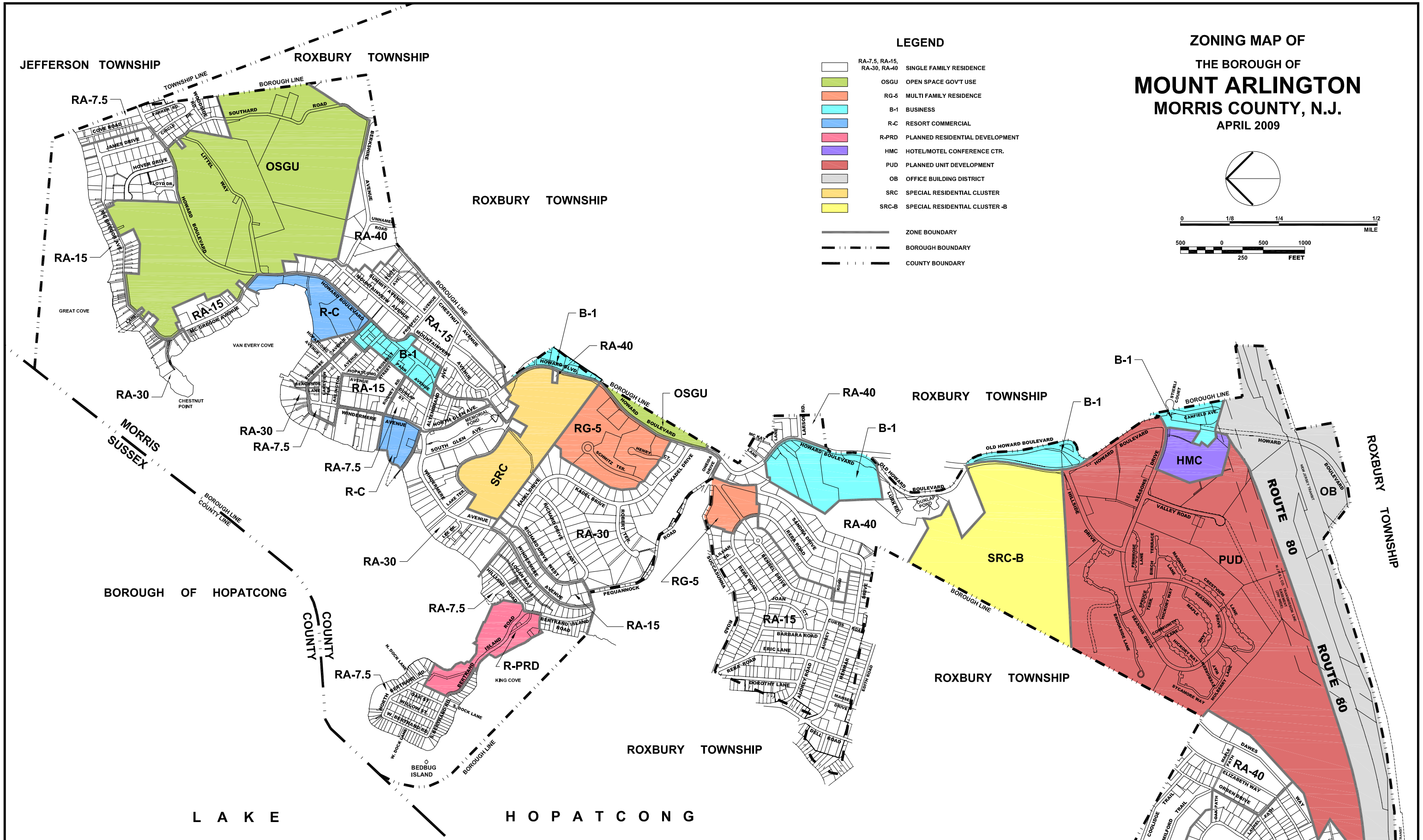
ZONE BOUNDARY

BOROUGH BOUNDARY

COUNTY BOUNDARY

0 1/8 1/4 1/2 MILE

500 0 500 1000 250 FEET



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1318 Route 31 North, Annandale, N.J. 08801 908.238.1776

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SCHEDULE 1

BOROUGH OF MOUNT ARLINGTON
SCHEDULE OF AREA, YARD, AND BULK REQUIREMENTS

	Minimum Size of Lot				Minimum Required Yard Areas								Maximum Height		Notes
	Interior Lots		Corner Lots		For Principal Buildings				For Accessory Buildings						
Zone	Area in Square Feet	Width in Feet	Area in Square Feet	Width in Feet	Front Yard	One Side Yard	Total of Two Side Yards	Rear Yard	Side Yard	Rear Yard	Floor Area Ratio	Maximum Percent of Impervious Lot Coverage	In Stories	In Feet	
RA-40	40,000	175	46,000	200	50	20	50	50	Same as Principal	20	18	20	2½	32	No. 1
RA-30	30,000	125	36,000	150	40	12	25	25	"	15	18	25	2½	32	No. 2
RA-15	15,000	100	18,750	125	35	12	25	25	"	15	28	35	2½	32	
RA-7.5	7,500	50	10,000	75	25	10	20	20	"	15	30	50	2½	32	
OSGU	80,000	225	89,000	250	60	30	75	50	"	20	-	10	2½	32	
RG-5	200,000	200	200,000	300	40	50	100	50	"	50	-	50	2½	32	
B-1	20,000	100	25,000	125	40	10	25	25	"	25	-	60	2½	32	
R-C	20,000	100	25,000	125	25	10	25	25	"	25	-	60	2½	32	
R-PRD	40,000	175	46,000	2,000	----------SEE--NOTES----------						-	15	2½	32	See §17-33.10
HMC	10 ac.	200	10 ac.	200	100	100	200	100	25 or 2x height		-	50	5	60	See §17-31.6
PUD	217,800	200	217,800	300	100	50	100	100	"	100	-	50	2½	32	See §17-31.5a
	(5 ac.)		(5 ac.)								-				No. 3
OB	40,000	200	45,000	225	50	20	50	50	"	50	-	60	3	50	

1. In R-40 zones, minimum lot area may be reduced to 30,000 square feet and 135 minimum frontage with public water or public sewer
2. In R-30 zones, minimum lot area may be reduced to 20,000 square feet and 100 minimum frontage with public water or public sewer
3. RA-40 zone controls single-family development in PUD.

BOROUGH OF MOUNT ARLINGTON
ZONING PERMIT APPLICATION PROCEDURE

419 Howard Blvd., Mt. Arlington, NJ 07856 ◆ (973) 398-6832 ext. 14

These rules shall be applicable to every development project that results in the fabrication or placement of a structure on or under a parcel of land and/or the removal of trees in the Borough of Mt. Arlington. No improvement project is exempt from Zoning except for a project that only consists of regrading a yard. Failure to comply with the provisions set forth below will result in a delay in your application being processed.

I. Application Submission Process

1. **Submission of Application:** Every applicant shall submit one (1) original application that shall include a copy of the property survey (see item 3 below). One (1) copy of any additional information required for the Zoning Officer to confirm compliance with the Ordinances should be included (see item 5 below). The applicant will also be required to submit an application permit fee (see item 2 below). Any application that is missing any of these items shall be considered incomplete; **an incomplete application will result in the denial of a zoning permit.** At the time of submittal, the application will be logged in and dated for future reference.

2. **Payment of Fees**:

   Zoning

   The review fee of fifty dollars ($50) shall be paid upon submission of an application and the permit fee of one hundred dollars ($100) shall be paid upon issuance of an approved permit. It should be noted that each resubmitted application resulting from a denial will require an additional review fee of fifty dollars ($50).

   Temporary Sign

   The fee for temporary advertising signs other than political or housing rental and sale is ten dollars ($10).

   Tree Removal

   The fee for tree removal when not associated with a site plan, subdivision or variance application is twenty-five dollars ($25) per acre of removal. When associated with a site plan, subdivision or variance application the fee is fifty dollars ($50) per acre of removal.

   All fees shall be made payable to the Borough of Mt. Arlington.

3. **Survey Required:** The location of proposed improvements must be based on a signed and sealed property survey prepared by a Land Surveyor licensed to practice in the State of New Jersey. The survey must be an accurate representation of all existing

conditions. If it is determined that the map is not up-to-date to reflect **all** existing improvements on the subject lot, the permit will be denied.

4. **Consent of Owner:** In the event that an application is submitted by someone other than the owner in fee of the subject property, documentation that the property owner consents to the submission of the zoning permit application is required. All Zoning Permits will be denied if the consent is not included at the time of submitting the application.

5. **Additional Documentation:** Additional information will only be required for verification of compliance with zoning ordinances and not intended for all aspects of the proposed improvements. Additional documentation that may be required shall include but not be limited to: manufacturer's construction details, footing details and building elevations. The requirement for providing additional documentation will depend on the location and extent of improvements.

II. Completing the Application

1. **Applicant, Owner & Property Information:** Provide the name and address of the applicant and owner of the property, as well as the address, block and lot of the property where the improvements will be constructed. If the applicant and owner are not the same, documentation that the property owner consents to the proposed improvements must be provided.

2. **Description of the Improvements:** Check the appropriate box for the improvements being constructed; check all that apply. If an improvement does not fall into one of the named categories, check "other" and provide a description. Also, give a specific description of the improvements being installed; length, width and materials of structures; length, height and materials of fences, etc.

3. **Bulk Conditions:** Provide the setbacks of the principal structure from the front, rear and side lot lines and the width of the subject property. Lot width is the average distance between the side lot lines measured at the front lot line and front building line. Follow the directions on the back of the application to complete the tables and calculate the F.A.R. and Impervious Coverage percentage for your property before and after construction of the proposed improvements.

4. **Home Owners / Civic Association:** Check the appropriate box regarding an Association. **If Yes**, documentation that the Association approves of the proposed improvements must be provided.

5. **Applicant Signature:** Sign and date the application that the information provided is true and accurate.

III. Application Review and Decision

1. **Review:** Upon submission of a complete permit application, the Borough Zoning Officer shall review the proposed improvements to confirm compliance with the Borough Zoning Ordinances. **A Zoning Permit cannot be issued for any improvements which do not conform to the requirements of the Borough Zoning Ordinance.** An application to the Borough Land Use Board will be necessary to obtain a variance for deviations from the requirements of the Zoning Ordinances and can be obtained from the Land Use Board Secretary.

2. **Decision / Appeal:** An application that has been determined to be in compliance with all Zoning requirements will receive a Zoning Permit; an application for improvements which are not in compliance will receive a Denial. The denial will include an explanation of the ordinance(s) for which variances are required. The applicant may appeal the decision of the Zoning Officer or request approval of the required variances. Either one of these actions will require the submission of a formal application to the Borough Land Use Board. A copy of all applications can be obtained from the Land Use Board Secretary. **Issuance of a Zoning Permit does not eliminate the requirements for obtaining any other applicable permits including but not limited to Construction, Grading and Excavation.**

SCHEDULE 1

BOROUGH OF MOUNT ARLINGTON
SCHEDULE OF AREA, YARD, AND BULK REQUIREMENTS

	Minimum Size of Lot				Minimum Required Yard Areas								Maximum Height		Notes
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B-1	20,000	100	25,000	125	40	10	25	25	"	25	-	60	2½	32	
R-C	20,000	100	25,000	125	25	10	25	25	"	25	-	60	2½	32	
R-PRD	40,000	175	46,000	2,000	----------SEE--NOTES----------						-	15	2½	32	See §17-33.10
HMC	10 ac.	200	10 ac.	200	100	100	200	100	25 or 2x height		-	50	5	60	See §17-31.6
PUD	217,800	200	217,800	300	100	50	100	100	"	100	-	50	2½	32	See §17-31.5a
	(5 ac.)		(5 ac.)								-				No. 3
OB	40,000	200	45,000	225	50	20	50	50	"	50	-	60	3	50	

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ZONING MAP OF THE BOROUGH OF MOUNT ARLINGTON MORRIS COUNTY, N.J.

APRIL 2009

LEGEND

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SRC-B	SPECIAL RESIDENTIAL CLUSTER -B

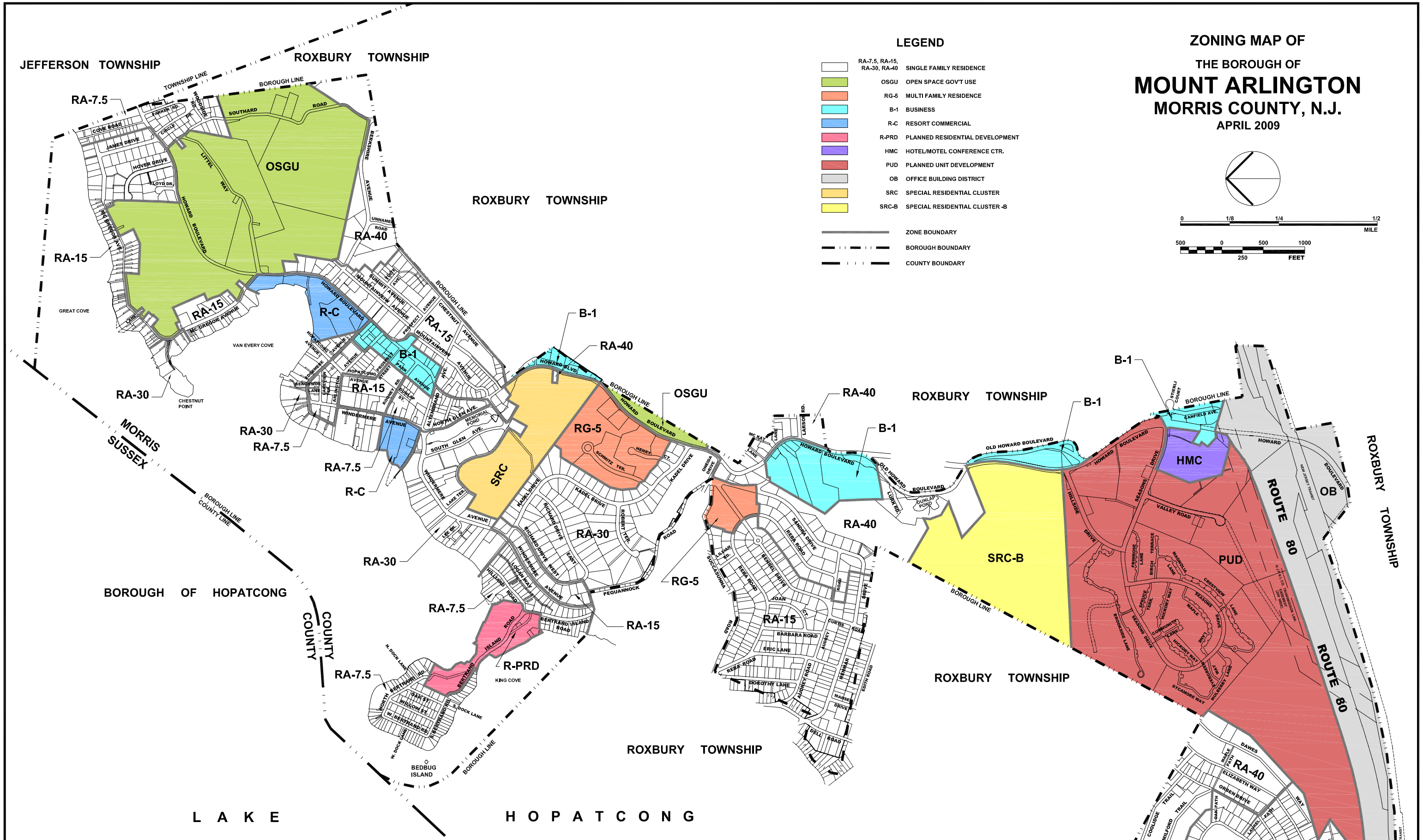
ZONE BOUNDARY

BOROUGH BOUNDARY

COUNTY BOUNDARY

0 1/8 1/4 1/2 MILE

500 0 500 1000 250 FEET



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E:\SCE\Mt Arlington\2525 Mt Arlington\Mt.Arlington Zoning 04-09.dwg Fri, Jul 31, 2009 - 4:57pm jweaver Suburban Consulting Engineers, Inc.

BOROUGH OF MOUNT ARLINGTON
ZONING PERMIT APPLICATION

PLEASE PRINT CLEARLY

A Zoning Permit shall be required prior to the erection or structural alteration of any building or structures (including signs, storage sheds, fences, pools etc.) or portion thereof and prior to the use or changes in use of a building or land in the Borough of Mount Arlington. Construction permits may not be issued until Zoning Approval is received. A current survey of the parcel(s) in question with the proposed project drawn to scale must accompany this application.

1. **Applicant Name:** _____ **Phone No.**_____

   Address: _____ **Zip Code**: _____

   Owner's Name: _____ **Phone No.**_____

   Address: _____ **Zip Code**: _____

   Description of land to be developed:

   Street Address: _____ Block: _____ Lot: _____

2. Type of Development:

   ☐ New Construction ☐ Addition ☐ Garage ☐ Fence ☐ Shed

   ☐ Pool ☐ Sign ☐ Use Permit ☐ Deck ☐ Porch

   ☐ Other:_____

   Project description (give dimensions, describe materials, and descriptive information.)

   _____

   _____

3. Existing Bulk Conditions: Setbacks: Front _____ Rear_____ Side_____ Side _____

   Lot Width _____

   Floor Area Ratio (F.A.R.)(%) _____ (see reverse for worksheet)

   Impervious coverage (%) _____ (see reverse for worksheet)

4. Is this property covered by a Home Owners Association? ☐ YES ☐ NO
   If Yes please provide a copy of the Home Owners Association Approval.

   I swear that the above application is true and correct to the best of my knowledge.

5. APPLICANTS SIGNATURE_____DATE_____

**********OFFICE USE ONLY**********

DATE RECEIVED_____BY_____

☐ APPROVED ☐ REJECTED DATE_____

COMMENTS:

FLOOR AREA RATIO AND IMPERVIOUS COVERAGE WORKSHEET

To calculate floor area ratio (F.A.R.) and impervious lot coverage you must know the total square footage of your property which can be obtained from the survey of your property. If your survey only notes the acreage of your property, multiply it by 43,560 to convert to square feet.

Example: Acreage x 43,560 = Total Square Footage of Property

Floor Area Ratio (F.A.R.) is the ratio of the floor area of all buildings and accessory structures associated with the lot to the lot area. Floor area shall include the summation of all horizontal floor areas associated with all principal and accessory buildings and accessory structures. Open porches, decks or patios that do not include privacy walls or solid fencing on any one side shall not be included in the calculation.

***** The floor area of any buried floor level that is more than sixty-five percent (65%) buried shall be exempt and not included in the FAR calculation.

	Existing	Proposed
1st Floor		
2nd Floor		
Basement *		
Shed		
Garage		
Enclosed Deck / Porch		
Other		
TOTAL (Square Feet)		
F.A.R. (%)		

To calculate F.A.R. add all the measurements from all the above items then divide the sum by the total square footage of your property then multiply it by 100; this is the F.A.R. for your property.

Impervious Cover Percentage (Lot Coverage) is calculated when you measure the square footage of all buildings, home, shed, garages, covered porches or covered decks, sunrooms, any structure that has a roof, driveway,(including gravel areas),patio, walkway or sidewalk and pool.

	Existing	Proposed
Home		
Shed		
Garage		
Covered Deck / Porch		
Walkway & Sidewalk		
Patio		
Pool		
Driveway		
Other		
TOTAL (Square Feet)		
Impervious Lot Coverage (%)		

To calculate lot coverage add all the measurements from all the above items then divide the sum by the total square footage of your property then multiply it by 100; this is the impervious lot coverage for your property.

BOROUGH OF MOUNT ARLINGTON
LAND USE BOARD PROCEDURES

419 Howard Blvd., Mt. Arlington, NJ 07856 ◆ (973) 398-6832 ext. 14

These rules shall be applicable to every application submitted to the Land Use Board of the Borough of Mount Arlington, unless specifically waived. (See section on Waiver Requests.) Failure to comply with the provisions set forth below will result in a delay in your application being processed. It is recommended that you read through this entire procedures document before commencing in the preparation of your application.

I. Initial Application Submission

1. **Submission for Completion:** The applicant shall submit one (1) copy of all pertinent data as requested by ordinance. These requirements are also summarized in the Land Development Checklists of the Borough. Applications are to be submitted to the Land Use Board Secretary with the required completeness checklist and any additional information as requested below. The Borough will proceed with a formal review of the information provided, to determine if the application is complete. The Borough will provide a report summarizing the review of the documentation. This report will either verify that the documents are acceptable or provide a description of all deficiencies. Any incomplete application will not be considered by the Board at a publically noticed meeting. Applicants are advised that the time limit for the Board to act does not begin to run until such time as an application is deemed complete. The applicant shall submit the appropriate application and escrow review fees as calculated by ordinance with the submission of the application. A fee calculation shall accompany the application providing the breakdown of both fees. (See Fee Schedule) The application will be reviewed by the Board Secretary and the Borough Engineer who will review the application for completeness. Upon reviewing the application documents as a complete submission, the application will be placed on the next available Land Use Board Meeting agenda to be accepted as complete by the Board. If accepted as a complete application, the Board will schedule a date for the public hearing.

   Waiver Requests: Waiver requests shall be submitted in writing for each item that is not being provided. The Applicant shall provide a detailed description of what is not being provided and the supporting information as to why the waiver should be granted. It should be noted that the Board will require all pertinent data that may arise during the hearing. This will minimize the potential of adjourning an application for additional information to be provided. It is the intent of the Borough's procedures to require all pertinent information prior to the public hearing.

2. **Preparation of Plans:** Pursuant to law, all plans submitted to the Land Use Board must be signed and sealed by a Professional Engineer and/or Architect, licensed to practice in the State of New Jersey. All plans must be based on an accurate boundary survey prepared by a Land Surveyor licensed to practice in the State of New Jersey. This requirement is jurisdictional and cannot be waived by the Board.

3. **Payment of Taxes:** No application will be considered by the Board unless the applicant provides proof that his/her taxes, sewer fees, and any other relevant municipal assessment accounts are current. The applicant is required to provide proof that no outstanding assessments exist on their property.

4. **Escrows:** Every applicant is obliged to maintain an escrow account in an amount sufficient to offset the costs of processing the application. No application will be heard if the escrow balance is insufficient to attend to the costs of processing same and has not been replenished at least ten (10) days in advance of the assigned public noticed meeting. All escrow fees required by Ordinance must be posted with the Board before an application can be heard. No final maps, plats, deeds, or approvals will be signed unless all escrow balances have been paid in full. Any applicable vouchers submitted by the Board's professionals incurred during the review of the application, will be deducted from the applicant's escrow. If the vouchers exceed the deposit, the applicant will be required to deposit additional funds immediately.

5. **Time of Submission and Action by Board:** Each application will be reviewed for completeness in accordance with NJSA 40:55D and will be acted upon by the Land Use Board. Applications considered complete will be scheduled for a noticed public meeting. Any application considered incomplete will require resubmission of all corrected documentation. Any document which will be considered on an application before the Board must be received at the Board Secretary's office no later than twenty (20) calendar days prior to such noticed public meeting.

II. Submission of Complete Application

1. **Post Completeness Review and Acceptance Submittal:** Every applicant shall submit one (1) original with full size plans, one (1) copy with full size plans and fifteen (15) copies with half scale plans of the complete application containing all documents identical to the information provided as the submission for completeness. It should be noted that the font size used on the full size plans must be equivalent to a minimum of 10 point font size when reduced to half scale. (Example of ten (10) point font size) Illegible documents will not be accepted by the Board Secretary. The Board may request that additional municipal agencies be provided with copies of the application and supporting documents.

2. **Proof of Service and Notice Requirements:** In all cases in which a variance is requested, on all appeals, requests for interpretations and subdivision applications (except final subdivision), it is the responsibility of the applicant to provide notice of the application. Applicants are advised that the notice requirements are also jurisdictional. Therefore, the Board cannot consider or approve an application unless proper notice has been given. At least ten (10) days prior to the date set for the public hearing on your application, you must serve notice either personally or by certified mail, to all owners of property within 200 feet of the property which is the subject of the

application. ***If you choose to serve notice personally, you must physically hand the notice to the <u>property owner</u> and have him/her sign a receipt. It is not sufficient to leave it in the mailbox.*** A certified list of property owners must be obtained from the office of the Tax Assessor for a fee in accordance with the fee schedule. The list you use for notice must be no more than 90 days old at the time you send your notice. In addition to notifying residents within 200 feet within the Borough, you are required to serve notice upon residents in other municipalities, if your property is within 200 feet of theirs, and also to the municipal clerk of the neighboring Municipality, if applicable to the subject property.

This list is not intended to be exclusive, and notice is the applicant's responsibility. You are also required to publish notice of your application in an official Borough newspaper, at least ten (10) days before the public hearing. This requirement is also jurisdictional. If, for any reason proper notice is not published at least ten (10) days before the hearing, your application cannot be heard and you will be compelled to re-notice for the public meeting for which your application is re-scheduled.

You must also submit a completed application to the Morris County Planning Board, P.O. Box 900, Morristown, New Jersey 07963-0900 for all major and minor subdivisions, and site plans with greater than one (1) acre of impervious surface.

On any application for which, by law, the applicant must provide notice of the hearing, applicant shall, no later than five (5) days prior to the hearing, provide proof of such notice and proof of publication to the Board Secretary. Such proof shall be in the form of an affidavit setting forth the name and address of the affiant, the address of the property and the name of the applicant, and affixing thereto the original postal receipts for the certified mail letter mailed to individuals and entities entitled to notice, a copy of the notice sent, the certified list of property owners obtained from the Tax Assessor, and the original proof of publication in the official newspaper designated by the Board. Failure of the applicant to provide such proof in a timely manner shall result in the hearing being adjourned. ***Proof of publication will not be accepted at the meeting itself***.

3. **<u>Payment of Fees:</u>** Fees shall be paid by the applicant in such amount as is set forth on the fee schedule as established per Borough Ordinance. Additional fees, as stipulated by Ordinance, may be requested. These requests will be brought to the applicant's attention by the Board or a Board representative.

4. **<u>Duplicate Audio Recordings:</u>** Audio Recordings of any Board Meeting can be purchased from the Board by making a request in writing to the Borough Deputy Clerk and tendering a fee in accordance with the fee schedule.

5. **<u>Consent of Owner:</u>** In the event that an applicant before the Board is someone other than the owner in fee of such property, an application for development shall be deemed

complete by the Board only when the owner has provided consent in writing for the application to proceed.

6. **Outside Agency Review:** The applicant is required to obtain and provide copies of all outside Agencies' permits which have jurisdiction on the subject application. A list of all outside agencies having jurisdiction on the subject application must be provided in the application documents.

III. Public Hearing Process

1. **Submission of Additional Documents:** Should it be determined that additional information concerning the application is required, the applicant is required to provide the requested documents, revised plans or maps. The applicant may also elect to supplement the application with such documents, revisions or modifications provided that such documents are submitted to the Board and the appropriate municipal agencies no later than twenty (20) days prior to the date the application is scheduled to be heard. The applicant must provide seventeen (17) copies of each supplemental document to the Board Secretary. Any supplemental submission of plans should follow full size/half scale requirements as previously requested.

2. **Appearances Before the Board:** Corporate applicants must be represented by legal counsel. You may represent yourself if you are an individual applicant. If you are not representing yourself before the Board, the only person that can appear for you is an attorney. Although an attorney is not required for individual applications, you may elect to be represented if you do not understand the documents that are required or the nature of the testimony that you must provide.

3. **Burden of Proof:** On any application for development, the burden of proof is upon the applicant to demonstrate, to the satisfaction of the Board, that he/she is entitled to the approval requested. This must be done through the submission of evidence which the Board is permitted by law to consider. Petitions, letters, affidavits, and the like are generally not proper proofs. On specialized questions, such as engineering matters, planning matters, the impact of development, the effect upon surrounding properties or the Borough as a whole, expert testimony may be necessary. An applicant who proceeds before the Board without such experts does so at his/her own peril and risk. Applicants are strongly urged to seek the advice of competent counsel and professionals, especially on applications involving complex issues.

4. **Public Hearings**: All applications for development, except for those specifically exempted by statute, shall be considered at public hearings. All persons testifying before the Board must swear or affirm that they will tell the truth or be subject to punishment. The applicant shall present his/her case, with all witnesses being subject to cross-examination by any interested party and questioned by members of the Board and the Board professionals. The applicant and/or representatives must be present at a hearing for his/her application to be considered. It is the responsibility of the applicant to be prepared on all aspects of his/her proposed project. Should an applicant be unable

to satisfy the concerns of the Board, resulting in the necessity to provide additional testimony, the public hearing will be carried to subsequent scheduled meetings. (See attached information regarding variances)

IV. Post Hearing Process

1. **Resolution:** At the conclusion of the testimony, a Board Member will make a motion to either grant or deny the application. A vote will be taken and recorded. The Board Attorney will be responsible for the preparation of a resolution summarizing the details of the application, the variances requested and the action of the Board. This resolution will be distributed to the Board Members, prior to the next meeting, for their review. The draft resolution is then voted upon at the following meeting (barring any revisions) and memorialized by the Board.

2. **Formal Endorsement of Final Plans:** Prior to formal endorsement of the plans, the applicant is responsible to revise the plans in accordance with all the conditions in the memorialized resolution. Upon making all required revisions, the applicant must submit one (1) full size copy of the revised plan to the Board Secretary. The Board Professionals will review and verify that all required revisions were made.

   The Board Secretary will notify the applicant that the revised plans are acceptable or distribute a letter report of the deficiencies. Once the plan has been deemed acceptable, six (6) additional full size copies will be required for endorsement by the Board Engineer and Land Use Board representatives. A pre-requisite to the endorsement of the final revised plans will be the receipt of copies of all outside agency permits and any other conditions as listed in the resolution of approval. The adopted resolution and copies of the signed plans will be distributed to the appropriate Borough Departments. Four (4) sets of endorsed plans will be returned to the applicant for their files. The applicant is now eligible to apply for a building permit; one copy of the endorsed plans and resolution must accompany the applicant's construction permit application.

3. **Public Notice of Resolution and 45-day appeal period: The Board Secretary will** publish notice of the Board's decision regarding an application in the Borough's official newspaper. Publication is done after memorialization of a resolution. Be advised that the Board's decision can be appealed within forty-five (45) days from the date this notice is first published. Any questions concerning the possibility of an appeal should be directed to an attorney representing the applicant.

4. **Refund of Unexpended Escrow:** The applicant will receive a refund of any escrow balance remaining after all vouchers pertaining to the application have been submitted. A written request must be submitted to the Board Secretary stating that the application process is complete and all remaining escrow money may be returned. This process can take up to three (3) months from the time of issuance of a Certificate of Occupancy/Approval by the Construction Department since the refund request must be

approved by the Board, and then Borough Council prior to being received by the Finance Department.

The "A" Variance":

The Board has the authority to hear and decide appeals where the applicant alleges the Borough's Zoning Officer has made and error in his or her enforcement of the Borough's Zoning Ordinance:

"Hear and decide appeals where it is alleged by the appellant that there is error in any order, requirement, decision or refusal made by an administrative officer based on or made in the enforcement of the zoning ordinance."

Should the Board rule in favor of the appellant, the appellant would then be obliged to acquire the necessary zoning permit from the Borough's Zoning Officer and provide a copy of the formal decision to the Zoning Officer. Should the Board rule in favor of the Zoning Officer, the denial would stand and an application for obtaining the applicable "C" or "D" Variance would be required.

The "B" Variance:

The Board may hear and decide applications where the applicant is seeking interpretation of the zoning map or ordinance in any areas where ambiguities may exist.

"Hear and decide requests for interpretation of the zoning map or ordinance or for decisions upon other special questions upon which such board is authorized to pass by any zoning or official map ordinance…"

Upon hearing a request for an interpretation, the Board will make a decision that will be documented in writing. An appellant can then proceed with processing a zoning permit or variance application as may be deemed necessary.

The "C" Variance:

When applying for a "C" Variance, or a Hardship Variance, it does not mean a "personal" hardship, but rather a hardship to the property, such as stated in the Municipal Land Use Law:

"Whereby reasons of exceptional narrowness, shallowness or shape of a specific piece of property, or 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 any regulation pursuant to Article 8 of this act, would result in peculiar and exceptional practical difficulties to, or the exceptional and undue hardship upon the developer of such property, grant, upon an application of such regulation so as to relieve such difficulties or hardship."

The following are not reasons to grant a "C" Variance:

1. Increase in value – the mere fact the value of the land will be increased is no reason to grant a variance.

2. Self-Inflicted Hardship – Those who purchase property with full knowledge of the limitations imposed by the zoning and then allege that these measures restrict them in the use of their land, unless it can be proven that there have been changes in the character of the land or neighborhood which have occurred since the purchase which make it impossible to carry on without hardship under the terms of the ordinance.

If the subject property is lacking in frontage or area or side yard requirements and adjacent property is available to secure the current lack in size, the property owner should attempt to make reasonable effort to purchase enough additional land to conform to the ordinance. Proof of making a reasonable effort must be provided to the Board.

It must be determined that the hardship incurred stems from physical peculiarities of the subject property and no other cause. It must be found that alleged hardship does not stem from the personal problems of the property owners. Illness, physical disability or unemployment cannot provide a basis for granting of a variance.

Testimony for "C" Variance:

As a brief explanation to illustrate the process requirement, the applicant should be prepared to provide the following information during the public hearing for a "C1" Variance (Hardship Variance). It should be noted that this is provided as an example, and does not limit the responsibility of each applicant to fulfill the requirements of their burden of proof to support the request for a variance. It should be further noted that not all "C" Variances are associated with a hardship resulting in the necessity to provide testimony in support of "the special reasons" for granting a "C2" Variance.

1. Dimensions of all existing and proposed structures on the subject property and the existing and proposed impervious coverage.
2. Setbacks (front, side and rear) of all existing and proposed structures on the subject property.
3. Approximate setbacks of homes on the neighboring lots. Be prepared to identify the name of the property owners as well as block and lot number.
4. Is there any location on the property that would support the proposed addition that would not require a variance? Explain why other alternatives would not be feasible due to the topography of the site, trees, rock formations, location of the well and septic, etc.
5. Using the floor plans, identify all existing and proposed rooms and the use of each room or living space along with how the proposed room geographic location and arrangement is required.
6. Is it possible to build upwards instead of outwards?
7. Provide photographs if they will be helpful in the proving of your case.
8. Do the benefits of approving the variance requested outweigh the detriments or negative impact that might occur by granting the variance? These requirements are further explained in the Municipal Land Use Law.

The "D" Variance:

A "D" or Use Variance denotes a change in use that is specifically prohibited by the Borough's ordinance. The Municipal Land Use Law states that no use variance or other relief may be granted unless such variance or other relief can be granted without substantial detriment to the public good and will not substantially impair the intent and the purpose of the zone plan and zoning ordinance. The following is a list of deviations that classify as a "D" or Use Variance:

D1 – A use or principle structure in a district restricted against such use or principle structure.

D2 – An expansion of a non-conforming use.

D3 – Deviation from a specification or standard pursuant to Section 54 of P.L. 1975, c. 291 (C. 40:55D-67) pertaining solely to a conditional use.

D4 – An increase in the permitted floor area ratio as defined in Section 3.1 of P.L. 1975, c. 291 (C. 40:55D-4).

D5 – An increase in the permitted density as defined in Section 3.1 of P.L. 1975, c.291 (C. 40:55D-4) except as applied to the required lot area for a lot or lots for detached one or two unit buildings, which lot or lots are either an isolated undersized lot or lots resulting from a minor subdivision.

D6 – A height of a principle structure which exceeds by ten feet or 10% the maximum height permitted in the district for a principle structure

An applicant must obtain five (5) favorable votes, a "Super Majority," from the Board in order for the variance relief to be granted. An applicant's presentation to the Board during the public hearing must include, but not necessarily be limited to, responses to the following questions:

1. Would granting of the variance contribute in a significant way to the general objectives of zoning and to the community's Master Plan, in particular?
2. Is the applicant being deprived of the value of his/her property under the current zoning ordinance unless the variance is granted?
3. Is the nature of the lot and its surrounding neighborhood such that the applicant could not possibly use it for any permitted use?
4. Would granting of the variance be detrimental to the public good or substantially impair the zone plan?
5. Does the proposed use of the application advance the purpose of Zoning as listed in the Municipal Land Use Law.

NOTE: Due to the complex testimony necessary in support of a "D" variance, it is recommended that the applicant retain counsel. It is further recommended that a Professional Planner licensed in the State of New Jersey be retained to provide the reports and testimony in support of this type of application.

ZONING MAP OF THE BOROUGH OF MOUNT ARLINGTON MORRIS COUNTY, N.J.

APRIL 2009

LEGEND

RA-7.5, RA-15, RA-30, RA-40	SINGLE FAMILY RESIDENCE
OSGU	OPEN SPACE GOV'T USE
RG-5	MULTI FAMILY RESIDENCE
B-1	BUSINESS
R-C	RESORT COMMERCIAL
R-PRD	PLANNED RESIDENTIAL DEVELOPMENT
HMC	HOTEL/MOTEL CONFERENCE CTR.
PUD	PLANNED UNIT DEVELOPMENT
OB	OFFICE BUILDING DISTRICT
SRC	SPECIAL RESIDENTIAL CLUSTER
SRC-B	SPECIAL RESIDENTIAL CLUSTER -B

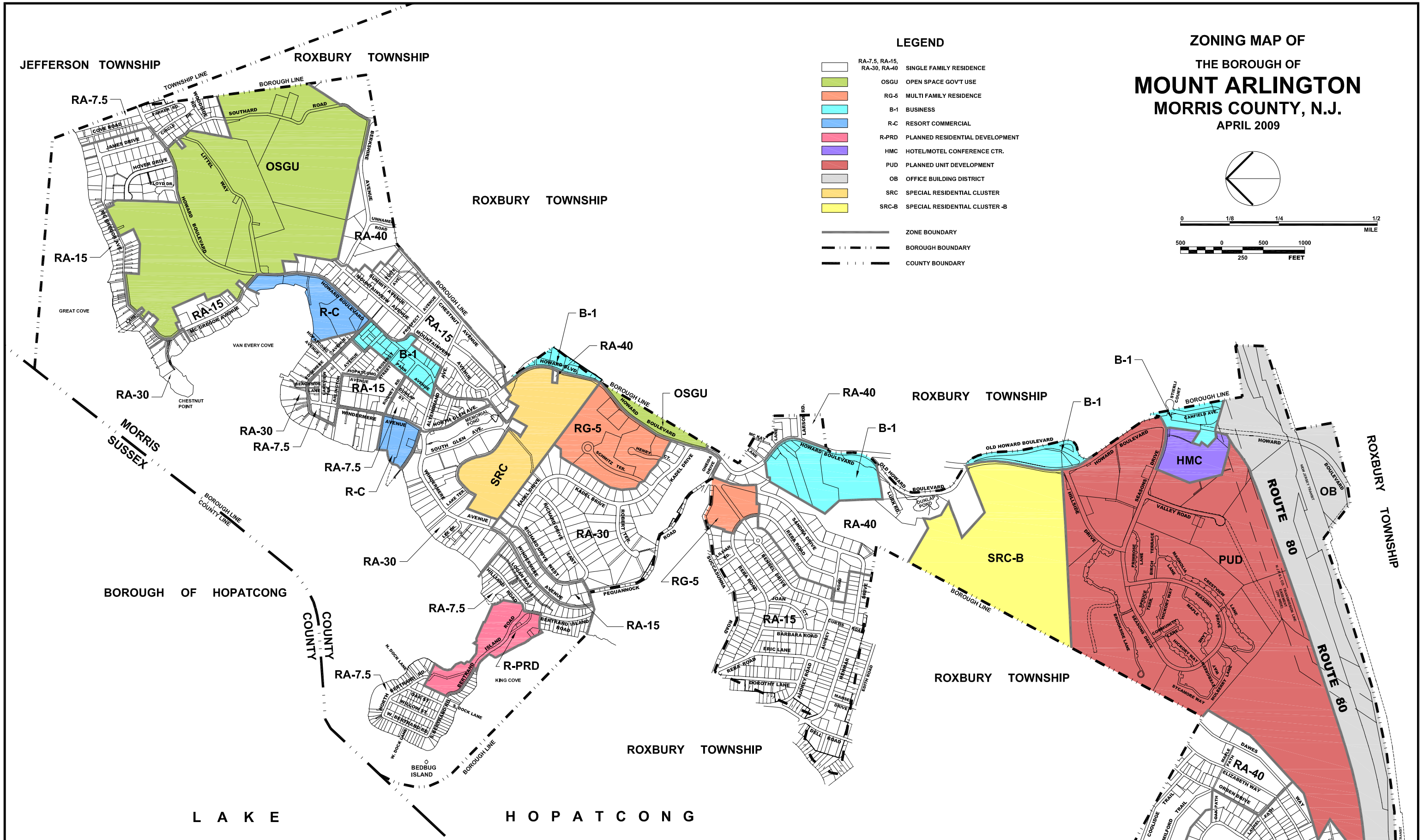
ZONE BOUNDARY

BOROUGH BOUNDARY

COUNTY BOUNDARY

0 1/8 1/4 1/2 MILE

500 0 500 1000 250 FEET



SUBURBAN CONSULTING ENGINEERS, INC.

• Civil Engineers • Municipal Engineers •
• Planners • Environmentalists • Land Surveyors •

100 Valley Rd., Suite 202 , Mt. Arlington, N.J. 07856 973.398.1776
1318 Route 31 North, Annandale, N.J. 08801 908.238.1776

E:\SCE\Mt Arlington\2525 Mt Arlington\Mt.Arlington Zoning 04-09.dwg Fri, Jul 31, 2009 - 4:57pm jweaver Suburban Consulting Engineers, Inc.

BOROUGH OF MOUNT ARLINGTON
APPLICATION FOR DEVELOPMENT
(Refer to Zoning Permit Denial form to complete application, if applicable)

CASE NO: _____ DATE: _____

_____ _____
Name of Applicant Telephone Number

_____
Address of Applicant

_____ _____
Name of Owner Telephone Number

_____
Address of Owner

---

1. An application is hereby made for hearing by the Land Use Board to:

_____ N.J.S.A. 40:55D-34 – Building in bed of mapped street, drainage way or flood basin. (Planning Variance)

_____ N.J.S.A. 50:55D-36 – Building adjacent to an unimproved street. (Planning Variance)

_____ N.J.S.A. 40:55D-37 – Site Plan / Subdivision Approval.

_____ N.J.S.A. 40:55D-70(a) – Appeal from determination of Zoning Official.

_____ N.J.S.A. 40:55D-70(b) – Interpretation of zoning map or special question.

_____ N.J.S.A. 40:55D-70(c) – Bulk Area Variance.

_____ N.J.S.A. 40:55D-70(d) – Use Variance.

2. The purpose of this application is to: _____

_____

_____

3. This application is based on the decision rendered by the Zoning Official dated _____
(Appeal & Variances Only)

4. The section(s) of the Mt. Arlington Land Development Ordinance the appeal is based on:

_____

_____

(Appeal & Variances Only)

5. (a) Applicant asserts that the reasons for the Board to grant relief are:

_____

_____

_____

(Appeal & Variances Only)

(b) The specific facts upon which the above reasons are based are:

_____

_____

_____

(Appeal & Variances Only)

6. The specific facts which show that any relief sought can be granted without substantial detriment to the public good and will not substantially impair the intent and purpose of the zone plan and zoning ordinance are:

_____

_____

_____

(Appeal & Variances Only)

7. There (has) (has not) been a previous application involving the premises affected. If so, the date of filing, character of request and disposition:

   _____

   _____

8. Premises affected are known as Block _____ Lot _____ on the Tax Map of the Borough of Mount Arlington and located at:

   _____

   _____

   (Please fill in street address and/or cross streets or Landmarks to identify lot(s))

9. Zone: _____ Is there community water? _____ Well? _____

   Is there community sewerage? _____ Septic System? _____

10. Description of property, structure or use: _____

    _____

    _____

    Size of lot in square feet: _____

    Dimensions of Lot:

    Across front _____feet Depth _____feet Across rear _____feet

11. Present size of building at street level and setbacks:

    Width _____feet Depth _____feet

    Height _____feet Stories _____

    Front yard setback _____feet Rear yard setback _____feet

    Side yard(s) setback _____feet and _____feet

    Front yard setback abutting a side street on a corner lot _____feet

12. Proposed size of building at street level and setbacks with addition/alteration:

Width _____feet Depth _____feet_____feet

Height _____feet Stories _____

Front yard setback _____feet Rear yard setback _____feet

Side yard(s) setback _____feet and _____feet

13. Date of acquisition of property: _____

Property purchased from: _____

Prevailing front yard setback of adjoining lots: _____feet

14. The application (is) (is not) accompanied by a separate application for subdivision /site plan.

Will an attorney represent the applicant? If so, please indicate the attorney's name, address, and telephone number below.

Also, please indicate any additional parties (i.e. architect) below who may contact the Board concerning your application.

_____

_____

_____

_____

_____

_____ _____

Date

_____

_____

Signature of Applicant and/or Attorney

NOTE: All property owners must sign this application.

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SCHEDULE 4	Application Checklist **Minor Subdivision**
SCHEDULE 5	Application Checklist **Site Plan**
SCHEDULE 6	Application Checklist **Preliminary Major Subdivisions**
SCHEDULE 7	Application Checklist **Final Site Plan or Final Major Subdivision**
SCHEDULE 8	Application Checklist **"C" Variances**
SCHEDULE 9	Application Checklist **"D" Variances**

SCHEDULE 1

BOROUGH OF MOUNT ARLINGTON
SCHEDULE OF AREA, YARD, AND BULK REQUIREMENTS

	Minimum Size of Lot				Minimum Required Yard Areas								Maximum Height		Notes
	Interior Lots		Corner Lots		For Principal Buildings				For Accessory Buildings						
Zone	Area in Square Feet	Width in Feet	Area in Square Feet	Width in Feet	Front Yard	One Side Yard	Total of Two Side Yards	Rear Yard	Side Yard	Rear Yard	Floor Area Ratio	Maximum Percent of Impervious Lot Coverage	In Stories	In Feet	
RA-40	40,000	175	46,000	200	50	20	50	50	Same as Principal	20	18	20	2½	32	No. 1
RA-30	30,000	125	36,000	150	40	12	25	25	"	15	18	25	2½	32	No. 2
RA-15	15,000	100	18,750	125	35	12	25	25	"	15	28	35	2½	32	
RA-7.5	7,500	50	10,000	75	25	10	20	20	"	15	30	50	2½	32	
OSGU	80,000	225	89,000	250	60	30	75	50	"	20	-	10	2½	32	
RG-5	200,000	200	200,000	300	40	50	100	50	"	50	-	50	2½	32	
B-1	20,000	100	25,000	125	40	10	25	25	"	25	-	60	2½	32	
R-C	20,000	100	25,000	125	25	10	25	25	"	25	-	60	2½	32	
R-PRD	40,000	175	46,000	2,000	----------SEE--NOTES----------						-	15	2½	32	See §17-33.10
HMC	10 ac.	200	10 ac.	200	100	100	200	100	25 or 2x height		-	50	5	60	See §17-31.6
PUD	217,800	200	217,800	300	100	50	100	100	"	100	-	50	2½	32	See §17-31.5a
	(5 ac.)		(5 ac.)								-				No. 3
OB	40,000	200	45,000	225	50	20	50	50	"	50	-	60	3	50	

1. In R-40 zones, minimum lot area may be reduced to 30,000 square feet and 135 minimum frontage with public water or public sewer
2. In R-30 zones, minimum lot area may be reduced to 20,000 square feet and 100 minimum frontage with public water or public sewer
3. RA-40 zone controls single-family development in PUD.

SCHEDULE 2

BOROUGH OF MOUNT ARLINGTON
APPLICATION CHECKLIST
GENERAL REQUIREMENTS ALL DEVELOPMENT APPLICATIONS

Applicant Name _____ Block_____Lot_____

For Official Use Only

Application#_____ Date Received _____ By_____

	Applicant			Reviewing Official	
	Complete	N/A	Waiver Requested	Complete	Incomplete
1. Application Forms and documents. One original and three copies for completeness review.	☐	☐	☐	☐	☐
2. Fees and Escrow	☐	☐	☐	☐	☐
3. Certification of Taxes Paid	☐	☐	☐	☐	☐
4. Affidavit of Ownership. If applicant is not the owner, applicant's interest in land must be indicated; e.g., tenant, contract/purchaser, lien holder, etc., and permission of property owner to file the application must be submitted.	☐	☐	☐	☐	☐
5. If applicant is a corporation or partnership applying to the Board for permission to subdivide a parcel of land in six (6) or more lots, or applying for a variance to construct a multiple dwelling of twenty-five (25) or more units or for approval of a site to be used for commercial purposes, list the names and addresses of all stockholders or individual partners owning at least 10% of its stock of any class as required by N.J.S. 40:55D-48.1 and 48.2.	☐	☐	☐	☐	☐
6. A statement from the property owner granting permission for the Board and any of its experts to enter the subject premises for purposes of inspection in relation to a development application.	☐	☐	☐	☐	☐
7. Statements as to any requirements for which waiver or variance is sought, together with a statement of reasons why same should be granted.	☐	☐	☐	☐	☐

	Applicant			Reviewing Official	
	Complete	N/A	Waiver Requested	Complete	Incomplete
8. For site plans, minor subdivisions, and preliminary major subdivisions, a statement of any and all approvals which are required from other governmental or quasi-governmental entities.	☐	☐	☐	☐	☐
9. If approval from the Morris County Planning Board (PO Box 900, Morristown, NJ 07963-0900) is required pursuant to P.L. 1968,c. 285, a copy of the application submitted to the Morris County Planning Board must be submitted.	☐	☐	☐	☐	☐
10. Property located within 300' of Lake Hopatcong requires submittal of all application documents to Lake Hopatcong Commmission (117 Lakeside Blvd. Landing, NJ 07850) for review.	☐	☐	☐	☐	☐
11. For minor subdivisions not including lot line adjustments, preliminary site plans, and preliminary major subdivisions, one of the following:	☐	☐	☐	☐	☐
a. Letter of interpretation from the NJDEP	☐	☐	☐	☐	☐
b. Letter of exemption from the NJDEP	☐	☐	☐	☐	☐
c. A copy of any application made to the NJDEP for any permit concerning a proposed regulated activity in or around freshwater wetlands; or	☐	☐	☐	☐	☐
d. Documentation from a qualified professional demonstrating that no wetlands exist on adjacent property that would affect or limit development on the property which is the subject of the development application.	☐	☐	☐	☐	☐
12. For site plans, minor sub-divisions, preliminary major sub-divisions and variance applications, a copy of any protective covenants or deed restrictions, if any, affecting the property in question; provided that if none exist, an affidavit	☐	☐	☐	☐	☐

	Applicant			Reviewing Official	
	Complete	N/A	Waiver Requested	Complete	Incomplete
from the owner certifying that no such covenants or restrictions exist shall be submitted.					
13. Complete checklist provided for one of the following development proposals (Applicant check one or more as required):					
Schedule 3 Lot Line Adjustment	☐	☐	☐	☐	☐
Schedule 4 Minor Subdivision	☐	☐	☐	☐	☐
Schedule 5 Site Plan	☐	☐	☐	☐	☐
Schedule 6 Preliminary Major Subdivisions	☐	☐	☐	☐	☐
Schedule 7 Final Site Plan or Final Major Subdivision	☐	☐	☐	☐	☐
Schedule 8 “C” Variances	☐	☐	☐	☐	☐
Schedule 9 “D” Variances	☐	☐	☐	☐	☐

~ End of General Checklist ~

SCHEDULE 3

BOROUGH OF MOUNT ARLINGTON
APPLICATION CHECKLIST
LOT LINE ADJUSTMENT SUBDIVISIONS

Applicant Name _____ Block_____Lot_____

For Official Use Only

Application#_____ Date Received _____ By_____

	Applicant			Reviewing Official	
	Complete	N/A	Waiver Requested	Complete	Incomplete
PREPARED BY LICENSED PROFESSIONAL				☐	☐
1. Title block containing name of applicant and owners, preparer, lot and block numbers, date prepared and date of revisions.	☐	☐	☐	☐	☐
2. Scale of map, both written and graphic, 50 feet to the inch max.	☐	☐	☐	☐	☐
3. Space for signatures of Chairman and Secretary of Board.	☐	☐	☐	☐	☐
4. North arrow.	☐	☐	☐	☐	☐
5. Zoning district in which parcels are located.	☐	☐	☐	☐	☐
6. Existing and proposed property lines for lots in question, with bearings and distances of same.	☐	☐	☐	☐	☐
7. Location of existing easements of rights-of-way including power lines.	☐	☐	☐	☐	☐
8. Location of existing buildings and structures on the subject lots and their setbacks from property lines.	☐	☐	☐	☐	☐
9. Location of existing wells and septic systems and/or connections to public water and sanitary systems.	☐	☐	☐	☐	☐
10. A metes and bounds description of the lots in question based upon current land survey information.	☐	☐	☐	☐	☐
11. The names of all property owners within 200 feet of the subject property.	☐	☐	☐	☐	☐
12. The acreage of affected parcels to the nearest hundredth of an acre.	☐	☐	☐	☐	☐

SCHEDULE 4

BOROUGH OF MOUNT ARLINGTON
APPLICATION CHECKLIST
MINOR SUBDIVISION

Applicant Name _____

For Official Use Only

Application # _____ Date Received _____ By _____

	Applicant			Reviewing Official	
	Complete	N/A	Waiver Requested	Complete	Incomplete
PLAN ACCURACY AND LEGIBILITY SUFFICIENT FOR REVIEW				☐	☐
PREPARED BY LICENSED PROFESSIONAL				☐	☐
1. A general description of the proposed development and a brief assessment of its effect on the site, adjacent properties, the neighborhood and the Borough as a whole, including but not necessarily limited to effects upon the natural environment, land use patterns, traffic and circulation, visual factors, utilities and drainage.	☐	☐	☐	☐	☐
2. A key map showing location of tract to be considered in relation to the surrounding area, within at least 200 feet of the subject site.	☐	☐	☐	☐	☐
3. A statement indicating, what, if any, subdivisions have affected the subject property during the five (5) years prior to the date the application was filed.	☐	☐	☐	☐	☐
4. Title block containing name of applicant and owner, preparer, lot and block numbers, date prepared and date of revisions.	☐	☐	☐	☐	☐
5. Scale of map, both written and graphic. The scale shall contain no more than 50 feet to the inch.	☐	☐	☐	☐	☐
6. Space for signatures of Chairman and Secretary of the Board.	☐	☐	☐	☐	☐
7. North arrow.	☐	☐	☐	☐	☐

	Applicant			Reviewing Official	
	Complete	N/A	Waiver Requested	Complete	Incomplete
8. Zoning district in which parcel is located, and the zone district of adjacent property, with a table indicating all setbacks, lot widths, lot coverage, floor area ratios, and density, both as to required and proposed, for the subject property.	☐	☐	☐	☐	☐
9. The location and width of any abutting streets, both right-of-way and pavement.	☐	☐	☐	☐	☐
10. The boundaries of the tract in question, with dimensions of same.	☐	☐	☐	☐	☐
11. Existing and proposed property lines for the lots in question, with bearings and distances of same.	☐	☐	☐	☐	☐
12. Location of existing easements of rights-of-way including power lines.	☐	☐	☐	☐	☐
13. Contours to determine the natural drainage of the land. Intervals shall be: up to 10% slope - 2 feet; over 10% slope – 5 feet.	☐	☐	☐	☐	☐
14. Location of natural features, including woodlands, streams and other water bodies, wetlands, flood hazard areas and rock outcrops, as well as locations of mining activity.	☐	☐	☐	☐	☐
15. Location of existing buildings and structures and their setbacks from property lines and location of existing buildings and structures within 200 feet.	☐	☐	☐	☐	☐
16. Location of existing wells and septic systems and/or location of connections to public water and sanitary sewer systems.	☐	☐	☐	☐	☐
17. Soil erosion and sedimentation control plan, if required pursuant to P.L. 1975, c. 251.	☐	☐	☐	☐	☐
18. Location of any required dedication or reservation for streets or any area shown on the Official Map.	☐	☐	☐	☐	☐

SCHEDULE 5

BOROUGH OF MOUNT ARLINGTON
APPLICATION CHECKLIST
SITE PLAN

Applicants Name _____

For Official Use Only

Application # _____ Date Received _____ By _____

All applications for site plan approval shall be prepared, signed and sealed by a professional engineer. They shall bear the signature and the seal of a licensed land surveyor as to topographic and boundary survey data and a signed and sealed copy of the survey on which the site plan is based shall be submitted to the reviewing board with the site plan submission.

	Applicant			Reviewing Official	
	Complete	N/A	Waiver Requested	Complete	Incomplete
PLAN ACCURACY & LEGIBILITY SUFFICIENT FOR REVIEW				☐	☐
PREPARED BY LICENSED PROFESSIONAL				☐	☐
1. An environmental impact assessment, prepared in accordance with Article XI of the Borough Code.	☐	☐	☐	☐	☐
2. A key map showing location of tract to be considered in relation to the surrounding area, within at least 200 feet of the subject site.	☐	☐	☐	☐	☐
3. Title block containing name of applicant and owner, preparer, lot and block numbers, date prepared and date of revisions.	☐	☐	☐	☐	☐
4. Space for signatures of Chairman and Secretary of the Board and Borough Engineer.	☐	☐	☐	☐	☐
5. Scale of map, both written and graphic. The scale shall contain no more than 50 feet to the inch.	☐	☐	☐	☐	☐
6. North arrow.	☐	☐	☐	☐	☐
7. Zoning district in which parcel is located, and the zone district of adjacent property, with a table indicating all setbacks, lot widths, lot coverage, floor area ratios, and density, both as to required and proposed, for the subject property.	☐	☐	☐	☐	☐

		Applicant			Reviewing Official	
		Complete	N/A	Waiver Requested	Complete	Incomplete
8.	The boundaries of the tract in question, with dimensions of same. Where it is physically impossible to show the entire property on the required sheet; a key map is permitted.	☐	☐	☐	☐	☐
9.	Location of existing easements of rights-of-way including power lines.	☐	☐	☐	☐	☐
10.	Location of natural features, including woodlands, streams and other water bodies, wetlands, flood hazard areas and rock outcrops, as well as locations of mining activity. If such features are located on adjacent property, but have the potential to affect the site development, they shall be shown.	☐	☐	☐	☐	☐
11.	Existing and proposed topographic contours of the site and adjacent areas affecting the site. Contour intervals shall be no greater than: 10% slope or less – 2 feet; over 10% slope – 5 feet.	☐	☐	☐	☐	☐
12.	Proposed spot elevations at the corners of all in appropriate pavement locations if new buildings or paved areas are proposed, or if regrading near existing building is proposed.	☐	☐	☐	☐	☐
13.	Location of existing buildings and their setbacks from property lines, plus the location of existing buildings and paved areas on adjacent properties.	☐	☐	☐	☐	☐
14.	Floor plans for existing and proposed buildings, showing the use and layout of internal space, and front, rear and side building façade elevations, both at a scale not exceeding eight (8) feet per inch.	☐	☐	☐	☐	☐
15.	Location and design of existing and proposed parking, loading, access and circulation improvements, showing dimensions of same.	☐	☐	☐	☐	☐

		Applicant			Reviewing Official	
		Complete	N/A	Waiver Requested	Complete	Incomplete
16.	Existing and proposed signs, including the size, materials, nature of construction, location and illumination of same.	☐	☐	☐	☐	☐
17.	The location and design of fences, walls, sidewalks and similar improvements to be constructed.	☐	☐	☐	☐	☐
18.	Existing and proposed utility service, including septic systems with test hole locations and soil log information, connections to sanitary sewers, wells, connections to water mains, fire hydrants, etc.	☐	☐	☐	☐	☐
19.	Existing and proposed storm drainage design and improvements, including a map showing the entire drainage area, the drainage area contributing to each pertinent drainage structure and drainage tabulation sheets showing calculations for each drainage structure and drainage tabulation sheets showing calculations for each drainage area. Provisions for rooftop drainage shall also be shown.	☐	☐	☐	☐	☐
20.	Existing and proposed site illumination, including height and location of fixture, type of fixture and bulb, pole material, and manufacturer's isocandela diagram superimposed upon the site plan.	☐	☐	☐	☐	☐
21.	Location and description of existing and proposed landscaping. Information for proposed landscaping shall include common and botanical names, number of plants, planted size and root specifications.	☐	☐	☐	☐	☐
22.	Soil erosion and sedimentation control plan, if required pursuant to P.L. 1975, c. 251.	☐	☐	☐	☐	☐

		Applicant			Reviewing Official	
		Complete	N/A	Waiver Requested	Complete	Incomplete
23.	Location of any required dedication, or reservation for streets or any area shown on the Official Map.	☐	☐	☐	☐	☐
24.	The location and design of solid waste disposal containers, recycling containers and monitoring wells, if such wells are required by this chapter or the Board.	☐	☐	☐	☐	☐
25.	Construction details and specifications sufficient to illustrate the nature of site improvements, including but not necessarily limited to the following, when appropriate; paving, curbing, walls, fences, utility and storm drainage structures, tree protection devices, light fixtures and standards, signs, planting and staking details, and barrier-free access design.	☐	☐	☐	☐	☐

SCHEDULE 6

BOROUGH OF MOUNT ARLINGTON
APPLICATION CHECKLIST
PRELIMINARY MAJOR SUBDIVISIONS

Applicants Name _____

For Official Use Only

Application # _____ Date Received _____ By _____

	Applicant			Reviewing Official	
	Complete	N/A	Waiver Requested	Complete	Incomplete
PLAN ACCURACY & LEGIBILITY SUFFICIENT FOR REVIEW				☐	☐
PREPARED BY LICENSED PROFESSIONAL				☐	☐
1. An environmental impact assessment, prepared in accordance with Article XI of the Borough Code.	☐	☐	☐	☐	☐
2. A key map showing location of tract to be considered in relation to the surrounding area, within at least 200 feet of the subject site.	☐	☐	☐	☐	☐
3. Title block containing name of applicant and owner, preparer, lot and block numbers, date prepared and date of last amendment.	☐	☐	☐	☐	☐
4. The name of the proposed subdivision.	☐	☐	☐	☐	☐
5. Space for signatures of Chairman and Secretary of the Board and the Borough Engineer.	☐	☐	☐	☐	☐
6. Scale of map, both written and graphic. The scale shall contain no more than 50 feet to the inch.	☐	☐	☐	☐	☐
7. North arrow.	☐	☐	☐	☐	☐
8. Zoning district in which parcel is located, and the zone district of adjacent property, with a map and a table indicating all setbacks, lot areas, lot widths, lot coverage, floor area ratios, density, number of parking spaces, and slope disturbances, both as to required and proposed, for the subject property.	☐	☐	☐	☐	☐

		Applicant			Reviewing Official	
		Complete	N/A	Waiver Requested	Complete	Incomplete
9.	The name of all adjacent property owners, and the names of adjacent subdivisions, if any.	☐	☐	☐	☐	☐
10.	The boundaries of the tract in question, with dimensions of same.	☐	☐	☐	☐	☐
11.	Existing and proposed property lines for the lots in question, with dimensions of same, and tentative lot and block numbers.	☐	☐	☐	☐	☐
12.	Location of existing easements or rights-of-way including power lines, drainage easements, access easements, stream encroachment lines, sight easements, utility easements, existing schools and parks, and the location of areas to be reserved for public use and other common areas.	☐	☐	☐	☐	☐
13.	Location of natural features, including woodlands, streams and other water bodies, wetlands, flood hazard areas and rock outcrops, as well as locations of mining activity. If such features are located on adjacent property, but have the potential to affect the site development, they shall be shown.	☐	☐	☐	☐	☐
14.	Existing and proposed topographic contours of the site and adjacent areas affecting the site. Contours to determine the natural drainage of the land. Intervals shall be: up to 10% slope – 2 feet; over 10% slope – 5 feet.	☐	☐	☐	☐	☐
15.	The location and width of any abutting streets, both rights-of-way and pavement, and any railroad rights-of-way.	☐	☐	☐	☐	☐
16.	The location dimensions and profiles for all streets, sidewalks and alleys to a minimum distance of two hundred (200) feet beyond the tract boundaries.	☐	☐	☐	☐	☐
17.	Location of existing buildings and structures and their setbacks from property lines and location of existing buildings and structures within 200 feet.	☐	☐	☐	☐	☐

		Applicant			Reviewing Official	
		Complete	N/A	Waiver Requested	Complete	Incomplete
18.	Existing and proposed utility service, including septic systems with test hole locations and soil log information, sanitary sewer mains and connections to same, wells, water mains and connections to same, fire hydrants, etc.	☐	☐	☐	☐	☐
19.	Existing and proposed storm drainage design and improvements, including a map showing the entire drainage area, the drainage area contributing to each pertinent drainage structure and drainage tabulation sheets showing calculations for each drainage area.	☐	☐	☐	☐	☐
20.	Soil erosion and sedimentation control plan, if required pursuant to P.L. 1975, c. 251.	☐	☐	☐	☐	☐
21.	Location of any required dedication or reservation for streets or any areas shown on the Official Map.	☐	☐	☐	☐	☐
22.	The location and design of fences, walls, sidewalks and similar improvements to be constructed.	☐	☐	☐	☐	☐
23.	Location and description of proposed street trees, reforestation and any landscaping. Information shall include common and botanical names, number of plants, planted size and root specification.	☐	☐	☐	☐	☐
24.	Construction details and specifications sufficient to illustrate the nature of site improvements, including but not necessarily limited to the following, when appropriate: paving, curbing, walls, fences, utility and storm drainage structures, soil erosion control structures, tree protection devices, light fixtures and standards, signs, planting and staking details, and barrier-free access design.	☐	☐	☐	☐	☐

	Applicant			Reviewing Official	
	Complete	N/A	Waiver Requested	Complete	Incomplete
25. Any preliminary major subdivision in any situation that has the potential for discharge of any pollutant or contaminant on or into the ground or water shall show the location of all monitoring wells as regulated in the Borough Ordinances and as required by the Borough Engineer and the Borough Health Department.	☐	☐	☐	☐	☐

SCHEDULE 7

BOROUGH OF MOUNT ARLINGTON
APPLICATION CHECKLIST
FINAL SITE PLAN OR FINAL MAJOR SUBDIVISION

Applicants Name _____

For Official Use Only

Application # _____ Date Received _____ By _____

	Applicant			Reviewing Official	
	Complete	N/A	Waiver Requested	Complete	Incomplete
PLAN ACCURACY & LEGIBILITY SUFFICIENT FOR REVIEW				☐	☐
PREPARED BY LICENSED PROFESSIONAL				☐	☐
1. A general description of the proposed develop-	☐	☐	☐	☐	☐
FINAL MAJOR SITE PLAN ( ) APPLICABLE ( ) NOT APPLICABLE					
1. Those items required for preliminary major site plan pursuant to Checklist Form C, shown in final form.	☐	☐	☐	☐	☐
2. Information sufficient to demonstrate that all of the conditions of preliminary approval have been satisfied.	☐	☐	☐	☐	☐
FINAL MAJOR SUBDIVISION ( ) APPLICABLE ( ) NOT APPLICABLE					
1. Those items required for preliminary major subdivision plan pursuant to Checklist Form D, shown in final form.	☐	☐	☐	☐	☐
2. The required front, side and rear setback lines pursuant to the zoning regulations, on all lots.	☐	☐	☐	☐	☐
3. The location and description of all monuments.	☐	☐	☐	☐	☐
4. All lot lines, showing bearings and distances to the nearest hundredth of a foot.	☐	☐	☐	☐	☐
5. All lot areas, to the nearest tenth of a square foot.	☐	☐	☐	☐	☐
6. The radius and central angle of all arcs and curves along all street lines.	☐	☐	☐	☐	☐

		Applicant			Reviewing Official	
		Complete	N/A	Waiver Requested	Complete	Incomplete
7.	Block and lot numbers assigned by the Tax Assessor, and street addresses assigned by the Post Office, for each of the lots.	☐	☐	☐	☐	☐
8.	The location of all telephone, electric, gas and cable television lines and easements.	☐	☐	☐	☐	☐
9.	Information sufficient to demonstrate that all of the conditions of preliminary approval have been satisfied.	☐	☐	☐	☐	☐
10.	Certification from a licensed surveyor as to the accuracy of the details on the plat and as to compliance with provisions of the Map Filing Law.	☐	☐	☐	☐	☐
11.	Certification from the Borough Engineer as to the plat's compliance with the provisions of the Map Filing Law and all applicable Borough ordinances and requirements.	☐	☐	☐	☐	☐
12.	A statement form the Borough Engineer that he has received a map showing all utilities in exact location and elevation identifying those portions already installed and those to be installed, and that the developer has installed all improvements in accordance with all Borough regulations, and/or a statement by the Borough Clerk that proper performance guarantees have been posted with the Borough Council for the installation of required improvements.	☐	☐	☐	☐	☐
13.	When approval of a plat is required by an officer or agency of the Borough, County or State, approval shall be referenced and certified on the plat.	☐	☐	☐	☐	☐

SCHEDULE 8

BOROUGH OF MOUNT ARLINGTON
APPLICATION CHECKLIST
"C" VARIANCES

Applicants Name _____

For Official Use Only

Application # _____ Date Received _____ By _____

The following information shall be submitted for all applications for a "C" variance to the Land Use Board, including those cases when the variance application has been bifurcated from any other applications which may be required.

	Applicant			Reviewing Official	
	Complete	N/A	Waiver Requested	Complete	Incomplete
PLAN ACCURACY & LEGIBILITY SUFFICIENT FOR REVIEW				☐	☐
PREPARED BY LICENSED PROFESSIONAL				☐	☐
1. Title block containing name of applicant and owner, prepare, lot and block numbers, date prepared and date of last amendment.	☐	☐	☐	☐	☐
2. Space for signatures of Chairman and Secretary of the Board.	☐	☐	☐	☐	☐
3. Scale of map, both written and graphic. The scale shall contain no more than 50 feet to the inch.	☐	☐	☐	☐	☐
4. North arrow.	☐	☐	☐	☐	☐
5. Zoning district in which parcel is located, and the zone district of adjacent property, with a table indicating all setbacks, lot widths, lot coverage, floor area ratios, and density, both as to required and proposed, for the subject property.	☐	☐	☐	☐	☐
6. A copy of the certified list of property owners within 200 feet of the subject property prepared by the Tax Assessor. Said certified list shall be no more than 90 days old.	☐	☐	☐	☐	☐
7. A key map showing location of tract to be considered in relation to the surrounding area, within at least 200 feet of the subject site.	☐	☐	☐	☐	☐

		Applicant			Reviewing Official	
		Complete	N/A	Waiver Requested	Complete	Incomplete
8.	The boundaries of the tract in question, with dimensions of same. Where it is physically impossible to show the entire property on the required sheet, a key map is permitted.	☐	☐	☐	☐	☐
9.	Location of existing easements of rights-of-way including power lines.	☐	☐	☐	☐	☐
10.	Location of natural features, including woodlands, streams and other water bodies, wetlands, flood hazard areas and rock outcrops, as well as locations of mining activity. If such features are located on adjacent property, but have the potential to affect the site development, they shall be shown.	☐	☐	☐	☐	☐
11.	Existing and proposed topographic contours of the site and adjacent areas affecting the site. Contours to determine the natural drainage of the land. Intervals shall be: up to 10% slope – 2 feet; over 10% slope – 5 feet.	☐	☐	☐	☐	☐
12.	Location of existing and proposed buildings, including accessory buildings, and their setbacks from property lines. Lines indicating the minimum required front, side and rear setbacks for principal buildings shall also be shown. The approximate location of existing buildings and paved areas on adjacent properties shall also be shown.	☐	☐	☐	☐	☐
13.	If new buildings, expansion of existing buildings or interior renovations are proposed, floor plans for existing and proposed buildings shall be submitted, showing the use and layout of internal space, and front, rear and side building façade elevations, both at a scale not exceeding eight (8) feet per inch.	☐	☐	☐	☐	☐
14.	Location and design of existing and proposed parking, loading, access and circulation improvements, showing dimensions of same.	☐	☐	☐	☐	☐
15.	Existing and proposed signs, including the size, materials, nature of construction, location and illumination of same. If no signs are proposed, a statement indicating same shall be submitted.	☐	☐	☐	☐	☐

16.	The location and design of fences, walls, side-walks and similar improvements to be constructed.	☐	☐	☐	☐	☐
17.	Existing and proposed utility service, including septic systems with test hole locations and soil log information (if new system is proposed), connections to sanitary sewers, wells and connections to water mains.	☐	☐	☐	☐	☐

SCHEDULE 9

BOROUGH OF MOUNT ARLINGTON
APPLICATION CHECKLIST
"D" VARIANCES

Applicants Name _____

For Official Use Only

Application # _____ Date Received _____ By _____

The following information shall be submitted for all applications for a "D" variance to the Land Use Board, including those cases when the variance application has been bifurcated from any other applications which may be required.

	Applicant			Reviewing Official	
	Complete	N/A	Waiver Requested	Complete	Incomplete
PLAN ACCURACY & LEGIBILITY SUFFICIENT FOR REVIEW				☐	☐
PLAN PREPARED BY LICENSED PROFESSIONAL				☐	☐
PLANNING REPORT PREPARED BY P.P.:			☐	☐	☐
1. A general description of the proposed development and a brief assessment of its effect on the site, adjacent properties, the neighborhood and the Borough as a whole, including but not necessarily limited to effects upon the natural environment, land use patterns, traffic and circulation, visual factors, utilities and drainage.	☐	☐	☐	☐	☐
2. A key map showing location of tract to be considered in relation to the surrounding area, within at least 200 feet of the subject site.	☐	☐	☐	☐	☐
3. Title block containing name of applicant and owner, preparer, lot and block numbers, date prepared and date of last amendment.	☐	☐	☐	☐	☐
4. Scale of map, both written and graphic. The scale shall contain no more than 50 feet to the inch.	☐	☐	☐	☐	☐
5. North arrow.	☐	☐	☐	☐	☐

		Applicant			Reviewing Official	
		Complete	N/A	Waiver Requested	Complete	Incomplete
6.	Zoning district in which parcel is located, and the zone district of adjacent property, with a table indicating all setbacks, lot widths, lot coverage, floor area ratios, and density, both as to required and proposed, for the subject property.	☐	☐	☐	☐	☐
7.	The location and width of any abutting streets, both right-of-way and pavement.	☐	☐	☐	☐	☐
8.	The boundaries of the tract in question, with dimensions of same.	☐	☐	☐	☐	☐
9.	Location of existing easements of rights-of-way including power lines.	☐	☐	☐	☐	☐
10.	Contours to determine the natural drainage of the land. Intervals shall be: up to 10% slope – 2 feet; over 10% slope – 5% feet.	☐	☐	☐	☐	☐
11.	Location of natural features, including woodlands, streams and other water bodies, wetlands, flood hazard areas and rock outcrops, as well as locations of mining activity.	☐	☐	☐	☐	☐
12.	Location of existing buildings and structures and their setbacks from property lines and location of existing buildings and structures within 200 feet.	☐	☐	☐	☐	☐
13.	Preliminary floor plans and building facade elevations for existing and proposed buildings.	☐	☐	☐	☐	☐
14.	Location of existing and proposed parking loading, access and circulation improvements, as well as signs.	☐	☐	☐	☐	☐
15.	Location and description of existing and proposed landscaping.	☐	☐	☐	☐	☐
16.	A copy of the certified list of property owners within 200 feet of the subject property prepared by the Tax Assessor. Said certified list shall be no more than 90 days old.	☐	☐	☐	☐	☐
17.	Planning Report stipulating proof of variance in accordance with criteria established in the M.L.U.L.	☐	☐	☐	☐	☐

APPLICATION FEES

All applications for development, interpretation of the Land Development Code or to appeal a decision of the Zoning Officer, shall be accompanied by a processing fee as listed below. This is a non-refundable fee used to defray the cost of processing the application.

Residential Application Fee:	One-Hundred Dollars ($100)
Non-Residential Application Fee:	Two-Hundred Dollars ($250)

ESCROW DEPOSIT(S)

In addition to the application fees required above, all applicants shall be responsible to reimburse the Borough for payments made to professionals for services rendered to the Borough related to such application, appeal or other matter. Such services shall include the review of applications for development, review and preparation of documents, inspections of improvements or other purposes under the provisions of this chapter of the Municipal Land Use Law.

(1) Initial Development Deposit

Applications for development shall be accompanied by an initial escrow deposit as listed below:

Residential Application Fee:	One-Thousand Dollars ($1,000)
Non-Residential Application Fee:	Two-Thousand Five-Hundred Dollars ($2,500)

(2) Interpretations and Appeals

Applications for an interpretation of the Land Development Code or to appeal a decision of the Zoning Officer shall be accompanied by an escrow deposit of five-hundred dollars ($500) for each section or subsection of the code for which interpretation is requested, if professional services are required by the Borough.

Application to appeal a decision of the Zoning Officer shall be accompanied by an escrow deposit of five-hundred dollars ($500) for each decision being appealed, if professional services are required by the Borough.

(3) Requests to amend Master Plan, Zoning Map or Land Development Code

A request made to the Land Use Board to propose an amendment to the Master Plan, Zoning Map or Land Development Code shall require an initial deposit in accordance with the item (1) above. For requests concerning a zone change from residential to non-residential and vice versa, the initial deposit shall be as required for non-residential development. For requests concerning a regulation applicable to residential and non-residential development, the initial deposit shall be as required for residential development.

BOROUGH OF MOUNT ARLINGTON
GRADING PERMIT APPLICATION PROCEDURE

419 Howard Blvd., Mt. Arlington, NJ 07856 ◆ (973) 398-6832 ext. 14

These rules shall be applicable to every development project that results in the regrading of a yard within a privately owned property. Development within a Borough right-of-way shall require a separate Excavation Permit. Issuance of a Grading Permit does not eliminate the requirement of obtaining a Zoning Permit for any proposed structures or an Excavation Permit. Failure to comply with the provisions set forth below will result in a delay in your application being processed.

I. Application Submission Process

1. **Exemptions:** The following work shall be exempted from the five hundred dollar ($500) escrow fee and one hundred dollar ($100) permit fee; **exemption of these fees shall not eliminate the requirement of applying for a Grading Permit or the requirements for obtaining other applicable permits including but not limited to Zoning, Construction and Excavation.**

   a. The replacement in-kind of existing structures including but not limited to sidewalks, driveways, sheds, porches, decks, fences and retaining walls not exceeding 24-inches in height.
   b. Excavation of a trench for the construction of a utility service.

2. **Submission of Application:** Every applicant shall submit one (1) original application that shall include a grading plan signed and sealed by a Professional Engineer or Licensed Architect containing all information required by the Land Development Ordinances (see item 3 below). The applicant will also be required to submit a plan review fee (see item 2 below). Any application that is missing any of these items shall be considered incomplete; **an incomplete application will result in the denial of a Grading Permit.** At the time of submittal, the application will be logged in and dated for future reference.

3. **Payment of Fees**: The minimum required escrow fee of five hundred dollars ($500) shall be paid upon submission of an application. The fee shall be made **payable to the Borough of Mt. Arlington**. The escrow fee will be used to reimburse the Borough for engineering, legal and inspection costs associated with the review and approval of an application. Additional escrow fees may be required as necessary to complete the review approval and inspection of the proposed work. Upon issuance of an approved grading permit the applicant shall be required to submit a permit fee in the amount of one hundred dollars ($100), **payable to the Borough of Mt. Arlington**.

4. **Grading Plan Requirements:** The required Grading Plan must be based on a current signed and sealed property survey prepared by a Land Surveyor licensed to practice in

the State of New Jersey. The survey must be an accurate representation of all existing conditions. If it is determined that the map is not up-to-date to reflect **all** existing improvements on the subject Lot, the permit will be denied. In order for an application to be considered Complete the Grading Plan must at a minimum contain the following information:

1. Date.

2. Layout of proposed buildings and structures (if applicable).

3. North arrow; scale; block and lot number of the subject property (or properties); name and address of record owner; name, address, license number and seal of the person preparing the plan.

4. Complete lot boundary line information based on a current survey prepared by a New Jersey licensed land surveyor.

5. Building setback lines, lines of existing streets, easements affecting the property and any areas dedicated to public use.

6. Location of existing buildings and structures, if any, including walls, fences, culverts and bridges. Spot elevations at the corners of all such structures shall be provided. Structures to be removed shall be indicated by dashed lines.

7. Location of all existing and proposed storm drainage structures.

8. Existing contours at two-foot intervals where slopes are less than 10% and five-foot intervals where slopes are 10% or greater. Existing contours shall be shown by dashed lines.

9. Proposed contours at a similar interval to existing contours shall be provided. Proposed contours shall be shown by solid lines.

10. Location of existing rock outcroppings, high points, watercourses, depression, ponds, marshes, wooded areas and other significant natural features.

11. Proposed use of land, buildings and other structures, including existing and proposed driveways, roads, curbs, sidewalks and other paved areas.

12. Existing and proposed utility locations.

13. Landscaping plans showing existing vegetation to remain and all areas to be seeded or planted. Size and type of proposed trees and shrubs shall be indicated. All existing trees eight inches DBH or greater shall be shown.

14. Disturbance fencing shall be provided around the limits of all areas of disturbance.

15. Silt fencing and/or hay bales shall be provided downstream of all areas for disturbance.

16. Such other information as may be required by the Borough Engineer in order to determine that the requirements of this section have been met. A request for additional information will not result in the denial and submission of a new application and fee.

5. **Slopes and Vegetation:** The preservation of natural vegetation shall be preserved wherever practical. The regrading or stripping of vegetation on steep slopes shall comply with the following standards:

1. On slopes less than ten percent (10%), vegetation can be stripped from the site necessary to build all buildings and ancillary paved areas as well as that part of the site not to be improved but will be regraded as approved by the Borough Engineer.

2. On slopes between ten percent (10%) and fifteen percent (15%), vegetation shall not be stripped from more than forty percent (40%) of the slopes.

3. On slopes between fifteen percent (15%) and twenty-five percent (25%), vegetation shall not be stripped from more than thirty percent (30%) of the slopes.

4. On slopes twenty-five percent (25%) or greater, vegetation shall not be stripped from more than 15 percent (15%) of the slopes.

5. Irrespective of the above regulations, an applicant may regrade a steep sloped area, provided that in no event shall the applicant disturb or regrade more than two hundred (200) square feet of the lot to be developed.

6. A table should be provided indicating for each slope category the slope area existing on site, the area and percentage of that slope area proposed for disturbance, as well as the permitted disturbance of the slope category.

6. **Consent of Owner:** In the event that an application is submitted by someone other than the owner in fee of the subject property, documentation that the property owner consents to the submission of the grading permit application is required. All Grading Permits will be denied if the consent is not included at the time of submitting the application.

II. Completing the Application

1. **Applicant, Owner & Property Information:** Provide the name and address of the applicant and owner of the property, as well as the address, block and lot of the property where the improvements will be constructed. If the applicant and owner are not the same, documentation that the property owner consents to the proposed improvements must be provided.

2. **Design Information:** Provide the name, address, phone and facsimile numbers of the design professional who has prepared the Grading Plan. Provide the block, lot and address of the property where the work will be performed along with a description of the purpose of the disturbance and the amount of soil to be disturbed.

3. **Requested Waivers:** The applicant may request a waiver from providing any of the Plan requirements listed. If the Borough Engineer determines that the waivers requested are appropriate they will be granted and the application shall be deemed Complete. If the waivers requested are deemed inappropriate the application shall be deemed incomplete.

4. **Applicant Signature:** Sign and date the application that the information provided is true and accurate.

III. Application Review and Decision

1. **Review:** Upon submission of a complete permit application, the Borough Engineer shall review the proposed improvements to confirm compliance with the Borough Land Development Ordinance. The Borough Engineer may grant Waivers from the Design Standards of the Land Development Ordinance, if deemed appropriate. **A Grading Permit cannot be issued for any improvements which do not conform to the requirements of the Borough Zoning Ordinance.** An application to the Borough Land Use Board will be necessary to obtain a variance for deviations from the requirements of the Zoning Ordinances and can be obtained from the Land Use Board Secretary.

2. **Decision / Appeal:** An application that has been determined to be in compliance with the Land Development Ordinance will receive a Grading Permit; an application for improvements which are not in compliance will receive a Denial. The denial will include an explanation of the ordinance(s) for which variances are required and/or improvements for which a Waiver is not appropriate. The applicant may appeal the decision of the Borough Engineer or request approval of the required variances. Either one of these actions will require the submission of a formal application to the Borough Land Use Board. A copy of all applications can be obtained from the Land Use Board Secretary. **Issuance of a Grading Permit does not eliminate the requirements for obtaining other applicable permits including but not limited to Zoning, Construction and Excavation.**

BOROUGH OF MT. ARLINGTON

APPLICATION FOR GRADING PERMIT

1. NAME OF APPLICANT:_____

   ADDRESS:_____

   PHONE NUMBER: BUSINESS: _____HOME: _____

   NAME OF OWNER:_____

   ADDRESS:_____

   PHONE NUMBER: BUSINESS: _____HOME: _____

2. NAME OF APPLICANT'S DESIGN PROFESSIONAL:_____

   ADDRESS:_____

   PHONE NUMBER:_____FACSIMILE NUMBER: _____

   LOCATION OF DISTURBANCE: BLOCK: _____LOT: _____

   ADDRESS OF DISTURBANCE:_____

   PURPOSE OF DISTURBANCE: _____

   _____

   AMOUNT OF DISTURBANCE: AREA: _____VOLUME: _____

3. DETAILED PLAN:

	SUBMITTED	WAIVER REQUESTED
GRADING PLAN INCLUDING EXISTING AND PROPOSED CONTOURS	☐	☐
RETAINING WALL DESIGN PLAN	☐	☐
SOIL EROSION AND SEDIMENT CONTROL PLAN	☐	☐
DRAINAGE PLAN	☐	☐
CONSTRUCTION DETAILS	☐	☐

NOTE: ALL GRADING PLANS MUST BE PREPARED BY A LICENSED PROFESSIONAL ENGINEER OR LICENSED ARCHITECT. **TWO (2) COPIES OF THE APPLICATION DOCUMENTS ALONG WITH THE REQUIRED FEES SHALL BE PROVIDED**. THE BOROUGH ENGINEER SHALL BE NOTIFIED 72 HOURS PRIOR TO ANY LAND DISTURBANCE ACTIVITIES.

4. _____ _____

   APPLICANT / TITLE DATE

BOROUGH USE ONLY

APPLICATION RECIEVED BY: _____ DATE: _____

APPROVED: _____ DATE: _____

BOROUGH ENGINEER

Revised 9/26/11

BOROUGH OF MOUNT ARLINGTON
EXCAVATION PERMIT APPLICATION PROCEDURE

419 Howard Blvd., Mt. Arlington, NJ 07856 ◆ (973) 398-6832 ext. 14

These rules shall be applicable to every development project where work will be performed in the Borough of Mt. Arlington right-of-way. Regrading of a yard within a privately owned property shall require a Grading Permit. Issuance of an Excavation Permit does not eliminate the requirement of obtaining a Zoning Permit for any proposed structures or a Grading Permit. Failure to comply with the provisions set forth below will result in a delay in your application being processed.

I. Application Submission Process

1. **Submission of Application:** Every applicant shall submit one (1) original application that shall include a copy of the property survey (see item 3 below), as well as a cost estimate of the proposed work (see item 4 below). The applicant will also be required to submit a permit fee (see item 2 below). Any application that is missing any of these items shall be considered incomplete; **an incomplete application will result in the denial of an Excavation Permit.** At the time of submittal, the application will be logged in and dated for future reference.

2. **Payment of Fees:** The fee for an Excavation Permit is calculated as one-hundred dollars ($100) for an excavation up to fifty (50) linear feet in length and an additional two dollars ($2) for each linear yard over fifty (50) feet. The minimum required fee of one-hundred dollars ($100) shall be paid upon submission of the application. Upon review of the application if it is determined that the excavation exceeds fifty (50) linear feet in length the additional fee amount shall be paid prior to issuance of the Excavation Permit. Fees shall be made **payable to the Borough of Mt. Arlington**. It should be noted that each resubmitted application resulting from a denial will require an additional permit fee of one-hundred dollars ($100).

3. **Survey Required:** The location of proposed improvements must be based on a signed and sealed property survey prepared by a Land Surveyor licensed to practice in the State of New Jersey. The survey must be an accurate representation of all existing conditions. If it is determined that the map is not up-to-date to reflect **all** existing improvements on the subject Lot, the permit will be denied.

4. **Cost Estimate / Bonding Required:** At the time of submission of the application the applicant shall provide a construction cost estimate for all work proposed within the Borough right-of-way to be reviewed by the Borough Engineer. The applicant shall make any corrections requested by the engineer. Prior to issuance of an Excavation Permit the applicant shall provide a cash bond equal to the cost of the proposed improvements. The bond shall be returned upon completion of the proposed improvements by the applicant. If the applicant fails to complete construction of the

proposed improvements the Borough shall use the applicant's bond to fund the completion of the work.

5. **Escrow Required:** Prior to issuance of an Excavation Permit the applicant shall pay a five-hundred dollar ($500) escrow fee for administration and inspection costs. The applicant shall pay additional escrow fees as required. Upon completion of the work the balance of the escrow fee(s) shall be returned to the applicant.

II. Completing the Application

1. **Applicant / Owner Information:** Provide the name and address of the applicant and owner of the property / person work is being performed for, as well as the address, block and lot of the property the improvements will be constructed near.

2. **Design Information:** Provide the block, lot and address of the property where the work will be performed along with a description of the purpose of the disturbance and anticipated start and end dates of the work.

3. **Requested Waivers:** The applicant may request a waiver from providing any of the Plan requirements listed. If the Borough Engineer determines that the waivers requested are appropriate they will be granted and the application shall be deemed Complete. If the waivers requested are deemed inappropriate the application shall be deemed incomplete.

4. **Applicant Signature:** Sign and date the application that the information provided is true and accurate.

III. Application Review and Decision

1. **Review:** Upon submission of a complete permit application, the Borough Engineer shall review the proposed improvements to confirm compliance with the Borough Land Development Ordinance. The Borough Engineer may grant Waivers from the Design Standards of the Land Development Ordinance, if deemed appropriate.

2. **Decision / Appeal:** An application that has been determined to be in compliance with the Land Development Ordinance will receive an Excavation Permit; an application for improvements which are not in compliance will receive a Denial. The denial will include an explanation of the improvements for which a Waiver is not appropriate. The applicant may appeal the decision of the Borough Engineer to the Borough Council. A request for appeal may be filed with the Borough Clerk. **Issuance of an Excavation Permit does not eliminate the requirements for obtaining other applicable permits including but not limited to Zoning, Construction and Grading.**

BOROUGH OF MT. ARLINGTON

APPLICATION FOR EXCAVATION

1. NAME OF APPLICANT:_____

   ADDRESS:_____

   PHONE NUMBER:_____FACSIMILE NUMBER: _____

   PROPERTY OWNER / PERSON WORK IS BEING DONE FOR: _____

   ADDRESS:_____

   PHONE NUMBER:_____FACSIMILE NUMBER: _____

2. LOCATION OF EXCAVATION: BLOCK: _____LOT: _____

   ADDRESS: _____

   PURPOSE OF EXCAVATION:_____

   _____

   START DATE: _____

   END DATE: _____

   SIZE OF EXCAVATION LENGTH: _____WIDTH: _____DEPTH: _____

   TYPE OF EXCAVATION: STREET: ☐ CURB: ☐ SIDEWALK: ☐ OTHER: ☐
   (Check all that apply)

3. DETAILED PLAN: SUBMITTED ☐ WAIVER REQUESTED ☐

   DETAILED CONSTRUCTION COST ESTIMATE: SUBMITTED ☐

   THE UNDERSIGNED AGREES AS FOLLOWS:
   1) APPLICANT WILL COMPLY WITH ALL ORDINANCES AND LAWS RELATING TO THE WORK TO BE DONE.
   2) APPLICANT SHALL SAVE, HOLD AND KEEP HARMLESS AND INDEMNIFY THE BOROUGH AGAINST ANY LOSS, DAMAGE, CLAIM, DEMAND OR EXPENSE ARISING OUT OF ANY SUIT OR CLAIM FOR DAMAGE OR INJURY ALLEGED TO HAVE BEEN SUSTAINED AS A RESULT OF ANY WORK DONE UNDER THIS PERMIT.

4. _____ _____
   APPLICANT / TITLE DATE

APPROVED: _____ DATE: _____
BOROUGH ENGINEER

AMOUNT OF PERMIT FEE ($100 Minimum): _____

AMOUNT OF PERFORMANCE BOND AND TYPE: _____

AMOUNT OF ESCROW FEE: $500 (If escrow fee is depleted prior to completion of the work, the applicant shall pay additional escrow money as necessary to cover administration costs and engineering inspection.)

Revised 3/23/09