



# *Township of Branchburg*

1077 US HIGHWAY 202 NORTH, BRANCHBURG, NJ 08876-3936

TELEPHONE: (908) 526-1300 x139 FAX: (908) 526-7479 [www.branchburg.nj.us](http://www.branchburg.nj.us)

OFFICE OF THE ADMINISTRATIVE OFFICER

## **VARIANCE APPLICATION AND PROCEDURE**

### **Variance Procedure**

1. The Administrative Officer determines that a variance(s) is necessary.
2. The Applicant completes the necessary documentation contained in the application packet and furnishes the required fees and escrow for the variance to the Administrative Officer; an additional fee for \$10.00 is required for a certified list of property owners within 200 feet of the property. The application fee and the property owner's list fee can be combined on one check; the escrow must be a separate check. Both checks are payable to the Township of Branchburg.
3. The Administrative Officer will compile a list of property owners within 200 feet of the property for which the application is made, and mail it to the Applicant. This list should be retained for future use. The instructions for noticing will be sent by the Zoning Board of Adjustment Clerk at a later date.
4. The Administrative Officer has forty-five (45) days from the time the application is submitted to review it for completeness. If the application is not complete, the Applicant will be notified in writing of the deficiencies. Once the deficiencies are addressed, the Applicant will resubmit the application. When the application is resubmitted, the Administrative Officer has another forty-five (45) days to review it for completeness. When the application is deemed complete the Applicant is notified in writing and the application is forwarded to the Zoning Board of Adjustment Clerk to be scheduled for a public hearing. The Zoning Board of Adjustment has one hundred and twenty (120) days from the time the Administrative Officer deems the application complete to hear and render a decision. Depending on the backlog the Board may request an extension of time from the Applicant. The Clerk will send a packet of information containing instructions for noticing and the time, date and location of hearing.
5. If the Board approves the variance(s) and prior to proceeding with construction, the Applicant must obtain all necessary building permits.



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## Variance Application

The Applicant shall provide all the information required as well as any additional information that may be requested by the Board, to aid in reaching a decision.

The following must be submitted for the review process:

1. One original and two (2) copies of the application (attached).
2. Seventeen (17) copies of the plot plan, with drawn to scale the location of all proposed and existing building structures, driveways, landscaping, **septic systems (if applicable)**, **wells (if applicable)** and buffering.
3. Seventeen (17) copies of the construction details.
4. The Applicant shall submit proof that no taxes or assessments for local improvements are due or delinquent on the subject property.
5. The Applicant shall submit the required application filing fee, and when applicable the escrow deposit. This fee is to be determined by the Administrative Officer.
6. The applicant will be required to obtain a certified list of adjoining property owners within 200 feet from the Administrative Officer, when public notice is required. This is an additional \$10.00 fee.

### NOTE:

- When the application involves the construction of an addition or accessory use to an existing single-family dwelling, the plot plan and construction details may be prepared and signed by the Owner or Applicant.
- When an application involves a site plan it is to be prepared by a NJ licensed Architect or Engineer



**VARIANCE APPLICATION  
ZONING BOARD OF ADJUSTMENT**

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

Location: \_\_\_\_\_

Proposed use/construction: \_\_\_\_\_

Description of work \_\_\_\_\_

Reason for variance: \_\_\_\_\_

Applicant: \_\_\_\_\_ Phone: \_\_\_\_\_  
Please  if unlisted

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

Owner: \_\_\_\_\_ Phone: \_\_\_\_\_  
Please  if unlisted

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

Attorney: \_\_\_\_\_ Phone: \_\_\_\_\_

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

Email: \_\_\_\_\_

Plans prepared by: \_\_\_\_\_ Phone: \_\_\_\_\_

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

\_\_\_\_\_  
Applicant's signature Date

**Authority of Property Owner (must be completed if Applicant does not own the property)**

I, \_\_\_\_\_, the owner of the subject property have reviewed this application and accompanying information and do hereby grant \_\_\_\_\_ permission to file this appeal with the Branchburg Township Administrative Officer.

\_\_\_\_\_  
Signature Date

**For Office Use Only**

Fees paid: \_\_\_\_\_ Case number: \_\_\_\_\_



**APPLICANT OWNER DISCLOSURE STATEMENT**  
Exhibit A

The Municipal Land Use Law requires that in certain circumstances an applicant for the Planning Board, Board of Adjustment or the governing body seeking developmental approval, make disclosure about ownership if the applicant is a partner or corporation. A principal purpose of such disclosure is to avoid potential conflicts of interest. Approval may not be granted unless this kind of disclosure is made.

Please fill out the following disclosure statement and have it signed before a Notary Public. Cross out words which are not applicable.

State of New Jersey, County of \_\_\_\_\_, \_\_\_\_\_  
(name of person making affidavit)

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

1. I am a partner, shareholder, or owner of \_\_\_\_\_, a  
(name of applicant or application)  
\_\_\_\_\_ Corporation or partnership with offices at \_\_\_\_\_  
(other state) (business address)

2. The names and addresses of all persons owning 10% or more of the stock of the corporation, or a 10% or greater ownership interest in the partnership are:

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

Sworn to and signed before me  
On this \_\_\_\_\_ day \_\_\_\_\_, 20\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_  
(name of deponent)



## 7-2 Fees

### 7-2.1 APPLICANT FEES AND ESCROW DEPOSITS

The following schedule of fees and escrow deposits for filing applications shall be paid to the Township of Branchburg. Such payment shall be made in two (2) separate checks made payable to the Township of Branchburg and shall be submitted to the Administrative Officer at the time of filing the application, unless exempted as provided elsewhere in this Article.

<b><u>Type of Application</u></b>	<b><u>Application Charge</u></b>	<b><u>Initial Deposit to Escrow Account</u></b>
Concept plans:	\$250	\$500
1) Subdivisions:		
a. Minor Plat	\$150	\$1,000
b. Major Preliminary Plat	\$250 plus \$10 per provided a minimum \$1,000 shall be deposited	\$150 for each of lot, first 10 lots; \$75 per of lot thereafter; minimum deposit of \$5,000
c. Major Final Plat	\$200	\$100 per lot; minimum deposit of \$2000
2) Site Plans:		
a. Minor Plans	\$200	\$1,000
b. Preliminary Plan	\$250	\$150 per acre or part or part thereof and thereof and \$5 per dwelling, provided a minimum of \$2,000 shall be deposited
c. Final Plan	\$200	\$25 per acre or part thereof and \$3 per dwelling, provided a minimum of \$2,000 shall be deposited
3) Variances		
a. Appeals (40:55D-70a)	\$150	\$500*
b. Interpretation (40:55D-70b)	\$150	\$500*
c. "c" variance (40:55D-70c)	\$150	\$400
d. "d" variance (40:55D-70d)	\$250	\$1,500
e. Conditional Use Permit (40:55D-34 & 35)	\$150	\$250
4) Appeals to Township Committee	\$250	None required
5) Proof of Nonconformity	\$150	\$500
6) Certified list of property owners	\$0.25 per name or \$10, whichever is greater	None required
7) Copy of transcripts	As provided in resolution or ordinance adopted pursuant to N.J.S.A. 47:1A-1	None required
8) Copy of minutes or decision	N.J.S.A. 47:1A-1	None required



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9) Wireless telecommunications applications:

a. No tower proposed	\$5,000	\$2,500
b. Tower proposed	\$10,000	\$5,000

**\*Amount required will not exceed \$500.00; if expenses are less, the difference will be refunded.**

The application charge is a flat fee to cover direct administrative expenses and is nonrefundable. The escrow account is established to cover the costs of professional services including engineering, legal, planning and other expenses for the review of the application and for the preparation of required legal documents. Sums not utilized in this process shall be returned to the Applicant. If additional sums are deemed necessary, the Applicant shall be notified of the required additional amount and shall add such sum to the escrow within 14 days of such notice. Statements of the escrow balance shall be available upon request not more often than monthly at a cost of \$10.00 (ten dollars) each.

Where one application for development includes several approved requests, the sum of the individual required fees shall be paid.

1. In accordance with this subsection, each applicant for subdivision or site plan approval shall pay all reasonable costs for professional review of the application and for preparation of any required legal documentation, including a mandatory Developer’s Agreement, plus costs incurred with any informal review of a concept plan which may have preceded the submission of a preliminary application. Additionally, each applicant shall pay all reasonable costs for the municipal inspection and testing of the improvements during installation and/or as constructed.

2. All costs for review and for the preparation of all required legal documentation must be paid before any approved plat, plan or deed is signed; all costs for inspections must be paid before any construction permit is issued; and any remaining costs must be paid before any occupancy of the premises is permitted or a certificate of occupancy is issued.

If an Applicant desires a Court Reporter, the cost of taking testimony and transcribing it and providing a copy of the transcript to the Township shall be at the expense of the Applicant, who shall arrange for the Reporter’s attendance.

The fees and escrow accounts provided for in this section shall be required with respect to any application for development certified as complete on or after November 9, 1987. No other fees for the services described above in paragraph B shall be charged to the proponents of any such application.

Resubmission or extension of preliminary plat:

1. Resubmission: Ten percent (10%) of the original preliminary application fee but, provided that it encompasses the same land as the original submission and further provided that the resubmission is filed within six (6) months of the date of the last Planning Board action on the previous submission or if there was no Planning Board action then within six (6) months of the previous submission.
2. Extension: Ten percent (10%) of the original preliminary application fee for each extension.



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Resubmission of final plat: Ten percent (10%) of the original final application fee if it encompasses the same land as the original final subdivision plat and provided that the resubmission is filed within three (3) years of the preliminary approval of the Planning Board.

Certificate of approval and release of two-year maintenance bond: \$25.00 fee for each lot shown on plat.

Special meeting: Special meetings of the Planning Board or Zoning Board of Adjustment made at the request of any applicant or applicant's authorized representative shall require a fee of \$250.00 to defray the costs of scheduling and holding such special meeting. This fee shall be in addition to all other fees and charges heretofore or hereafter established.

Request to amend zoning map. Any person requesting a zone change shall do so on a Zone Change Request form, available in the Township Clerk's office, accompanied by a fee of \$250.00. Any such request shall be submitted to the Township Clerk. Attached to the request shall be an appropriate scaled map identifying the area to be rezoned in specific relation to the neighborhood and to the entire Township. Zone boundary lines shall be provided for an area within 1,500 feet of the proposed zone change area. Other information to be submitted shall include the rationale why a zone change is requested and the basis for the change.

In the event that the Planning Board or Board of Adjustment finds it necessary to obtain the advice or testimony of specialists or consultants in connection with an application, such specialists or consultants shall be compensated by the Applicant as reasonably required by the Board. Advice or testimony of such consultants shall be given at the hearing with full right of cross examination afforded to the Applicant.

(Ord. No. 2000-839 § 1; Ord. No. 2001-849 § 3)



**PROPERTY OWNER'S ESCROW AUTHORIZATION FORM**  
**(THIS FORM MUST BE COMPLETED IF THE APPLICANT DOES NOT OWN THE SUBJECT LOT)**  
**Exhibit B**

I, \_\_\_\_\_, the owner of the subject  
(print property owner's name)

property, have reviewed this application and accompanying information and do hereby

grant \_\_\_\_\_  
(print authorized agent's name)

permission to file this application with the Township of Branchburg.

I understand that, as a part of this application, the applicant is required to provide escrow funds to pay for the costs of professional services incurred in reviewing this application. I also understand that if the escrowed funds do not cover the total costs of professional services rendered, and the applicant fails to pay the difference, any balance owed may result in a lien being filed against my property. (As per Ordinance no. 2012-193)

\_\_\_\_\_  
Signature of Property Owner

\_\_\_\_\_  
Date

\_\_\_\_\_  
Print Property Owner's Name

\_\_\_\_\_  
Address of Subject Lot

***\*Please be advised additional escrow funds may be necessary during the course of your application. Failure to provide these funds within a timely manner upon request may result in a tax lien\****





**SITE INSPECTION**  
Exhibit C

Re: Lot \_\_\_\_\_ Block \_\_\_\_\_

I, \_\_\_\_\_, the undersigned property owner, do here authorize Branchburg Township Officials and Board Members to inspect the property owned by \_\_\_\_\_ at \_\_\_\_\_  
**Branchburg Township, New Jersey**, in connection with our application to the Board of Adjustment/Planning Board for this property.

\_\_\_\_\_  
(Property Owner or Authorized Agent)

\_\_\_\_\_  
(Title)

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

Phone Number: \_\_\_\_\_



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FORM W-9 ATTACHED HERE