

**Borough of Teterboro
Ordinance No. 639**

**Revisions to Ordinances Establishing Fees and Escrow Deposits
For Land Use Applications**

§165-19 Fees and escrow deposits; payment of professionals; procedures

[Amended 5-13-2003 by Ord. No. 453]

A. Fees on account of any application for the rendering of any service by the Planning Board in its review of applications for development, including applications for variances made to the Planning Board sitting as a Board of Adjustment, are as follows:

(1) Applications for variances

Applications for use variances under N.J.S.A. 40:55D-70(d): \$1200.

Applications for appeal or interpretations pursuant to N.J.S.A. 40:55D-70: \$250.

(2) Applications for variances made pursuant to N.J.S.A. 40:55D-70(c), or other types of applications ordinarily made to a Board of Adjustment pursuant to the Municipal Land Use Act, and for variances applied for ancillary to any other application for development: \$650.

(3) Fees for minor subdivisions: \$450 (plus \$150 per lot).

(4) Fees for major subdivisions:

(a) Sketch plat: \$ 250.

(b) Preliminary application: \$2,000 (plus \$100 per lot).

(c) Final application: \$1800.

(d) Combined preliminary and final subdivision application: \$2600.

(5) Fees for site plan.

(a) Minor site plan; or site plan less than ½ acre: \$650.

(b) Major site plan (greater than 1/2 acre) \$1500.

(6) Fees for applications for zoning certificates of occupancy or other permits to the Planning Board: \$100.

B. Escrow deposits to be paid in addition to fees for applications; the planning shall require initial escrow deposits as herein set forth for inspection fees and professional fees allowed at law as determined by the engineer in an amount not to exceed, except for extraordinary circumstances, the greater of \$5000 or 5% of the cost of improvements which is determined pursuant to NJSA 40: 55D-53(h).

1. Minor subdivision. For each separate lot comprising the proposed subdivision, if granted:

(1) Engineering escrow: \$300 per lot.

(2) Planning escrow: \$300 per lot.

(3) Legal escrow: \$300 per lot.

2. Major subdivision without site plan approval or conditional use approval:

(1) Preliminary approval.

(a) Engineering escrow: \$1,000 for each lot up to five lots and \$250 for each lot in excess of five lots.

(b) Planning escrow: \$500 for each lot up to five lots and \$250 for each lot in excess of five lots.

(c) Legal escrow: \$500 for each lot up to five lots and \$250 for each lot in excess of five lots.

(2) Final approval.

(a) Engineering escrow: \$500 for each proposed lot comprising the subdivision.

(b) Planning escrow: \$500 for each lot up to five lots and \$250 for each lot in excess of five lots.

(c) Legal escrow: \$500 for each proposed lot comprising the subdivision.

3. Major subdivision requiring site plan approval or conditional use approval. In addition to the escrow deposit for a major subdivision as required herein, an additional deposit shall be posted in connection with the site plan and/or conditional use aspect of the application in an amount as follows:

(1) Engineering escrow: \$500 for each 10,000 square feet or part thereof of the lot area to be developed, together with \$500 for every 2,500 square feet of proposed principal and accessory buildings and structures or part thereof.

(2) Planning escrow: \$150 for each 10,000 square feet or part thereof of the lot area to be developed, together with \$500 for every 2,500 square feet of proposed principal and accessory buildings and structures or part thereof.

(3) Legal escrow: \$150 for each 10,000 square feet or part thereof of the lot area to be developed, together with \$500 for every 2,500 square feet of proposed principal and accessory buildings and structures or part thereof.

4. Site plan review without conditional use approval:

(1) Preliminary approval.

(a) Engineering escrow: \$500 for each 10,000 square feet or part thereof of the lot area to be developed, together with \$500 for every 2,500 square feet of proposed principal and accessory buildings and structures or part thereof.

(b) Planning escrow: \$150 for each 10,000 square feet or part thereof of the lot area to be developed, together with \$500 for every 2,500 square feet of proposed principal and accessory buildings and structures or part thereof.

(c) Legal escrow: \$150 for each 10,000 square feet or part thereof of the lot area to be developed, together with \$500 for every 2,500 square feet of proposed principal and accessory buildings and structures or part thereof.

(2) Final approval

(a) Engineering escrow: \$500 for each 10,000 square feet or part thereof of the lot area to be developed, together with \$200 for every 2,500 square feet of proposed principal and accessory buildings and structures or part thereof.

(b) Planning escrow: \$50 for each 10,000 square feet or part thereof of the lot area to be developed, together with \$200 for every 2,500 square feet of proposed principal and accessory buildings and structures or part thereof.

(c) Legal escrow: \$100 for each 10,000 square feet or part thereof of the lot area to be developed, together with \$200 for every 2,500 square feet of proposed principal and accessory buildings and structures or part thereof.

5. Site plan review together with conditional use approval:

(1) Preliminary approval.

(a) Engineering escrow: \$500 for each 10,000 square feet or part thereof of the lot area to be developed, together with \$600 for every 2,500 square feet of proposed principal and accessory buildings and structures or part thereof; \$250 for a site plan review ancillary to an application for a conditional use approval for a mobile cellular communications tower.

(b) Planning escrow: \$200 for each 10,000 square feet or part thereof of the lot area to be developed, together with \$600 for every 2,500 square feet of proposed principal and accessory buildings and structures or part thereof; \$250 for a site plan review ancillary to an application for a conditional use approval for a mobile cellular communications tower.

(c) Legal escrow: \$200 for each 10,000 square feet or part thereof of the lot area to be developed, together with \$600 for every 2,500 square feet of proposed principal and accessory buildings and structures or part thereof; \$250 for a site plan review ancillary to an application for a conditional use approval for a mobile cellular communications tower.

(2) Final approval

(a) Engineering escrow: \$50 for each 10,000 square feet or part thereof of the lot area to be developed, together with \$200 for every 2,500 square feet of proposed principal and accessory buildings and structures or part thereof; \$100 for a site plan review ancillary to an application for a conditional use approval for a mobile cellular communications tower.

(b) Planning escrow: \$50 for each 10,000 square feet or part thereof of the lot area to be developed, together with \$200 for every 2,500 square feet of proposed principal and accessory buildings and structures or part thereof; \$100 for a site plan review ancillary to an application for a conditional use approval for a mobile cellular communications tower.

(c) Legal escrow: \$100 for each 10,000 square feet or part thereof of the lot area to be developed, together with \$200 for every 2,500 square feet of proposed principal and accessory buildings and structures or part thereof; \$100 for a site plan review ancillary to an application for a conditional use approval for a mobile cellular communications tower.

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

(1) Without site plan or subdivision approval

(a) Engineering escrow: \$1,500.

(b) Planning escrow: \$2,000.

(c) Legal escrow: \$1,500.

(2) With site plan and/or subdivision approval.

(a) Engineering escrow: \$1,500 together with the escrow fees required for site plan and/or subdivision approval as required herein.

(b) Planning escrow: \$2,000 together with the escrow fees required for site plan and/or subdivision approval as required herein.

(c) Legal escrow: \$1,500 together with the escrow fees required for site plan and/or subdivision approval as required herein.

7. Variance pursuant to N.J.S.A. 40:55D-70(c), otherwise known as "bulk variances."

(1) Engineering escrow: \$750 for the first variance applied for and \$250 for each additional variance.

(2) Planning escrow: \$750 for the first variance applied for and \$250 for each additional variance.

(3) Legal escrow: \$750 for the first variance applied for and \$250 for each additional variance.

8. Planned residential development applications together with preliminary or preliminary and final site plan approval.

(1) Engineering escrow: \$50 for each 10,000 square feet of lot area or part thereof to be developed, together with \$100 for every 2,500 square feet of proposed principal and accessory buildings and structures or part thereof together with the escrow fees required for site plan and/or subdivision approval as required herein.

(2) Planning escrow: \$50 for each 10,000 square feet of lot area or part thereof to be developed, together with \$100 for every 2,500 square feet of proposed principal and accessory buildings and structures or part thereof together with the escrow fees required for site plan and/or subdivision approval as required herein.

(3) Legal escrow: \$50 for each 10,000 square feet of lot area or part thereof to be developed, together with \$100 for every 2,500 square feet of proposed principal and

accessory buildings and structures or part thereof together with the escrow fees required for site plan and/or subdivision approval as required herein.

9. Variances in connection with signs or fences:

- (1) Residential property.
 - (a) Engineering escrow: \$250.
 - (b) Planning escrow: \$250.
 - (c) Legal escrow: \$250.

- (2) Commercial property.
 - (a) Engineering escrow: \$500.
 - (b) Planning escrow: \$500.
 - (c) Legal escrow: \$500.

10. Residential variances. For purposes of this chapter, "residential variances" shall mean bulk variances [N.J.S.A. 40:55D-70(c)] on a residential property consisting of one lot with an existing single-family residence. The applicant shall post an escrow deposit for legal fees in the amount of \$1,000; provided, however, that the Planning Board may require additional escrow deposits for legal, planning, engineering or outside consultants should the Board determine it necessary for the fair consideration of the application.

APPROVED BY: JOHN P. WATT
MAYOR

ATTESTED TO:
VIRGINIA A. ALCURI, RMC
MUNICIPAL CLERK

INTRODUCTION DATE: November 9, 2023
ADOPTION DATE: December 12, 2023

BOROUGH OF TETERBORO

MUNICIPAL BUILDING
510 ROUTE 46 WEST
TETERBORO, NEW JERSEY 07608

Tel: 201-288-1200
Fax: 201-288-3203

Virginia A. Alcuri, RMC, CMR
Municipal Clerk
Municipal Registrar

Graciela M. Ramirez, CMR
Deputy Municipal Clerk
Deputy Municipal Registrar

December 18, 2023

CERTIFIED MAIL: 7020 3160 0000 2893 6645

Mr. Joseph Baladi, P.E., P.P.
Bergen County Department of Planning & Engineering
One Bergen County Plaza, 4th Plaza
Hackensack, NJ 07601-7076

RE: ORDINANCES REVISIONS -

- 1. Ordinance No. 638 - Revisions to Ordinances for Issuance of Certificates of Occupancy**
- 2. Ordinance No. 639 - Revisions to Ordinances Establishing Fees and Escrow Deposits for Land Use Applications**

Dear Mr. Baladi:

Enclosed are the adopted ordinances as per above captioned along with copies of Resolution No. 23-92 and Resolution No. 23-93 accordingly for your information. Thank you.

Very truly yours,



Virginia A. Alcuri, R.M.C.
Municipal Clerk

VAA:gr

Cc: Carl Leppin, Construction Code

Encs.

**BOROUGH OF TETERBORO
RESOLUTION**

OFFERED BY: Councilman Ramirez

SECONDED BY: Councilman Watt


BE IT RESOLVED that an Ordinance No. 639 entitled:

**BOROUGH OF TETERBORO
ORDINANCE # 639**

**Revisions to Ordinances Establishing Fees and
Escrow Deposits For Land Use Applications**

be passed upon second and final reading and that the Municipal Clerk be and she is hereby authorized and directed to advertise the same according to law by publishing same by title only in THE RECORD.

I, VIRGINIA A. ALCURI, MUNICIPAL CLERK of THE BOROUGH OF TETERBORO, do hereby certify that the aforesaid is a true copy of the resolution adopted by the Mayor and Council at a Regular Meeting held December 12, 2023.


Virginia A. Alcuri, RMC
Municipal Clerk

<u>ROLL CALL</u>	<u>YES</u>	<u>NO</u>	<u>ABSENT</u>	<u>ABSTAIN</u>
MAYOR WATT	X			
COUNCILMAN STEIN	X			
COUNCILMAN RAMIREZ	X			
COUNCILMAN WATT	X			
COUNCILWOMAN EMDEN	X			