

# Westampton Township Land Development Board

## Instructions for Applicants

These instructions are intended as general guidance for property owners and other applicants filing various applications (site plan, subdivision, use variance, bulk variance, etc.) before the Westampton Township Land Development Board.

Applicants that are corporations (profit or non-profit), limited partnerships, limited liability companies or limited liability partnerships must be represented by attorneys licensed to practice in New Jersey. It is recommended, but not required that individuals, couples, estates, trusts and general partnerships be represented by counsel. All surveys, site plans and subdivision plans must be prepared, signed and sealed by surveyors or professional engineers licensed in New Jersey.

### 1. Preliminary Requirements:

- A. Tax Certification:** Every application requires the applicant to obtain a Certification from the Tax Collector of Westampton Township that all real estate taxes on all parcels of land involved in an application to the Westampton Township Land Development Board are paid current through the date of the hearing. There is no fee for this Certification. Certification that taxes are paid and current must be submitted to the Land Development Board Secretary three (3) calendar weeks prior to the hearing date.
- B. List of Property Owners Within 200 Feet:** certain applications (major subdivisions, any applications that involve either use variances or bulk variances) require that a Notice of Public Hearing be sent to the owners of every parcel of land within 200 feet of the boundaries of each lot involved in the application, as well as certain utilities, adjoining municipalities and State and County agencies. This list is obtained from the Tax Assessor for a fee of \$10.00. Please note that if a parcel that is part of an application is within 200 feet of the Township boundary, the property owners in the adjacent municipality must be notified as well. The List of Property Owners to be notified in the adjacent Municipality must be obtained from the Tax Assessor of that municipality, who will also charge a fee for his or her services.

### 2. Application Procedures:

- A. Application Form:** every applicant must complete the appropriate application form. Application forms are available either online on our website or from the Township Clerk's office. Completed application forms must be submitted to the LDB Secretary three (3) calendar weeks before your hearing date.
- B. Notice of Public Hearing:** applicants that are required to prepare a Notice of Public Hearing must either send via certified U.S. Mail or delivery via Personal Service to every property owner, utility and other agency listed on the List of Property Owners

within 200 feet provided by the Tax Assessor. The Notices must be mailed or delivered no later than ten (10) days prior to the hearing date. An affidavit stating that the Notice has been sent must be submitted to the Board Secretary, along with a copy of the Notice, a copy of the list from the Tax Assessor and copies of the mailing receipts at least two (2) days before the hearing date. Forms are contained in the application packet.

- C. Publication of Notice of Public Hearing:** if required to obtain a 200 Foot Listing from the Tax Assessor, applicants must also publish notice in the ***Burlington County Times*** at least ten (10) days prior to the date of the hearing. A form for this is contained in the application packet. An affidavit from the newspaper must be submitted to the Board Secretary at least two (2) days before the hearing date.
- D. Plans and Studies:** all subdivision or site plans, drainage calculations, traffic studies, LOIs and other technical documents necessary for review by the Board's Engineer, Planner or Solicitor must be submitted to the Board Secretary three (3) calendar weeks before the hearing date. This is to provide for enough time for the Board's professional staff to complete their reviews of the application.

### **3. Hearing Procedures**

- A. Agenda:** The Board Secretary will inform the applicant of the date of the hearing at which the applicant's matter will be heard. The agenda for the meeting will be made available approximately one week before the hearing. The Land Development Board may hear matters in a different order than how they are listed on the agenda, and matters listed on the agenda are sometimes adjourned. If your application is deemed to not be administratively complete, it will not be listed on the agenda.
- B. Hearings:** The Westampton Township Land Development Board meets the first Wednesday of each month at 7:00 PM at the Westampton Township Municipal Building, 710 Rancocas Rd., Westampton, NJ. Hearings begin promptly. Applicants should check with the Board Secretary to confirm that the hearing on their matter will proceed as scheduled. Hearings on complicated matters may be continued over several meetings. Applicants that are unable to attend a scheduled hearing for any reason must notify the Board Secretary in writing (faxes are acceptable) before the hearing that an adjournment of their matter is requested; such adjournments are granted routinely. If no written request is submitted, the applicant or the applicant's attorney must appear at the hearing to request the adjournment.
- C. Testimony and Evidence:** All witnesses must swear or affirm the truth of their testimony, under penalty of perjury. Applicants and those objecting to an application may submit plans, photographs, studies and other documentary evidence at the hearing. The public is always invited to question witnesses for the applicant and offer its opinions on the application. While strict rules of evidence do not apply at

the Land Development Board hearings, procedures are similar to those in a court room, albeit with less formality. All hearings are recorded which produces the formal record of the hearing. Any applicant or objector may bring a court stenographer to produce a transcript of the hearing, at his or her own cost.

**D. Decisions and Resolutions:** At the conclusion of a hearing on an application, the Land Development Board discusses the merits of the application and renders a decision. Thereafter, a Resolution summarizing the decision of the Land Development Board is prepared by its Solicitor and is memorialized at the next monthly meeting. All applicants, or applicant's attorney, if represented by one, will receive a copy of the resolution at no charge.

**E. Appeals:** Once the Resolution has been memorialized and notice has been published (by the Board Secretary) in the newspaper several days later, the applicant and any other affected person may appeal the decision to Superior Court within 45 days of publication of the decision. Objectors may appeal preliminary approval of major subdivisions and use variances to the Township Committee within ten (10) days of publication of the decision. Notice of Appeal to the Township Committee must be hand-delivered or sent by certified U.S. Mail to the Clerk of the Township. The procedures are set forth in Subsection 149-27 in accordance with the provisions of N.J.S.A. 40:55D-17.

**F. Fees and Escrows:** All applications submitted for consideration must be accompanied by the correct application and escrow fees. Please note that application fees are non-refundable. Monies deposited into an escrow account will be used to pay the fees of any professional personnel employed to process, review, inspect or report on an application. Sums not utilized for review and in the inspection 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.

*\* These instructions are intended only as a summary of the procedures for matters that are heard by the Westampton Township Land Development Board. They are not meant to be a substitute for the advice of an attorney and are not to be relied upon by applicants, objectors or any other party as a complete depiction of the procedures to follow for any application or description of any party's rights and obligations. These instructions are NOT part of the Zoning Ordinance or Land Development Ordinance of Westampton Township and may be revised at any time.*