

Application Instructions

This Application Package provides a summary of the requirements to apply for Land Use Board approval. This information is supplied as a courtesy to applicants who are solely responsible for meeting the requirements of the Municipal Land Use Law. The information covers application for development including the following:

- Variance Relief
- Minor Site Plan Approval
- Preliminary and Final Major Site Plan Approval
- Minor Subdivision Approval
- Preliminary and Final Major Subdivision Approval
- Conditional Use Approval
- Certificates of Nonconformity
- Informal Conceptual Review
- Amended Plan and Site Plan Waiver

The process, standards and regulations for a Land Use Application are contained in Chapter 220 of the Township of Hopewell Code. The code is available on our website at www.hopewelltp-nj.com. In addition, the Land Use Board is governed by the New Jersey Municipal Land Use Law (N.J.S.A. 40:55D-1 *et seq.*).

NOTE: Applicants are encouraged to consult with experienced land use professionals, such as attorneys, land surveyors, planners and engineers prior to making any application. A legal representative is required for corporations or partnerships/LLCs at Board meetings.

PRELIMINARY REQUIREMENTS

Application Form/Checklist.

Every applicant must complete the Application and present to the Land Use Planning Board Secretary AT LEAST 21 DAYS before the next regularly scheduled meeting. The Application must include the following:

- Signed and dated Application form. Hopewell Township utilizes the County Development Application which can be found on our website.
- Required fee and initial escrow payment. Application fees are non-refundable. Separate checks should be submitted for application fee and escrow. The fee schedule is on the Township's website.

- Completed Checklist with the signature of the person who completed it. Applications for subdivision or site plan approval must be accompanied by the appropriate checklist for that type of application. Each item on the checklist must be submitted, unless the applicant is seeking a waiver from a particular requirement and explains why it is not applicable to the application. This shall be in writing and shall be submitted with any required back-up material. All checklists can be found on the Township's website.
- Corporate disclosure form, if applicable under NJSA 40:55-48.1

Copies.

The filing for completeness shall consist of the original plus fifteen (15) copies of the application and all supporting documents, including any required maps. **NOTE:** Applicants are required to submit a digital copy of all applications and supporting maps or plans in addition to the required hard copies. The digital copy should be emailed to the board secretary at clerk@hopewelltp-nj.com.

Tax Certification.

It is the applicant's responsibility to obtain Certification from the Tax Collector of Hopewell Township that all taxes on all parcels of land involved in an application to the Land Use Board are paid current through the date of the hearing. This information is provided by the Tax Collector directly onto the application prior to submission.

List of Property Owners Within 200 Feet.

Every application to the Land Use Planning Board requires 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 and certain utilities, adjoining municipalities and state and county agencies. This list is obtained from the Tax Assessor, and there is a fee of \$10.00 for preparation of the list. A sample request is attached to these instructions. 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 adjacent municipalities must be obtained from the Tax Assessor of that municipality, who will also charge a fee for his or her services.

Notice of Public Hearing.

Every applicant must prepare a Notice of Public Hearing and send it via Certified Mail, Return Receipt Requested, to every property owner, utility and agency on the list for property owners within 200 feet provided by the Tax Assessor as mentioned above. A sample Notice is attached to these instructions. The Notices must be mailed at least ten (10) days prior to the hearing. An Affidavit of Service must be provided to the Land Use Board Secretary at least three (3) days prior to the hearing. The Affidavit must include a

copy of the Notice sent to the property owners, a copy of the list from the Tax Assessor and copies of the mailing receipts. A sample Affidavit is attached to these instructions.

Notification by Publication.

Notice in the newspaper must be published a minimum of ten (10) days prior to the hearing (not including the date of the meeting) or the application will be rescheduled to a later date, which will require new notice. A sample Request for Publication is attached to these instructions. Submission can be made to the Legal Ads Department at either the Daily Journal (ganlegpubnotices6@gannett.com) or the South Jersey Times (sjtlegalads@support.njadvance-media.com). Applicant is encouraged to contact the newspaper for requirements to meet the publication deadline. A Proof of Publication obtained from the newspaper must be provided to the Land Use Board Secretary at least three (3) days prior to the hearing.

Completeness.

The Land Use Board will review the application for compliance with the Submission Checklist and carry out one of the following within 45 days of receipt of the application and fees:

- i. Notify applicant that the application is ruled administratively complete and schedule a hearing date;
- ii. Notify the applicant that the application is incomplete and specify the deficiencies from the Checklist;
- iii. The Land Use Board or its designee will formulate a recommendation and the application will be heard for completeness ruling by the Board at the first available Board meeting. A letter or email will be sent notifying applicant of the hearing date.

HEARING PROCEDURES

Hearings.

The Land Use Board of the Township of Hopewell meets on the 3rd Wednesday of the month unless otherwise specified. Meetings start at 7:00 p.m. and are held the Municipal Building, 590 Shiloh Pike, Bridgeton (Hopewell Township). A full list of meeting dates can be found on the township's website (www.hopewelltp-nj.com).

Applicants must attend the hearing scheduled for their application. If applicants are unable to attend a scheduled hearing for any reason, they must notify the Land Use Board Secretary in writing before the hearing that an adjournment is requested. If no written request is submitted, the applicant or applicant's attorney must appear at the hearing to request the adjournment.

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 opinion to the application. While strict rules of evidence do not apply to the Land Use Planning Board, procedures are similar to those in a courtroom, albeit with less formality. All hearings are tape recorded and the tapes are the formal record of the hearing. After the Board has heard all available testimony and received all relevant evidence, it will vote to either approve or deny the application. Any approval may be subject to conditions that must be satisfied by the applicant. Decisions are made by a simple majority of a quorum of the Board members.

Adoption of a Resolution.

After the Board votes to approve or deny an application, the Land Use Board Solicitor will prepare a written Resolution to be adopted by the Board at a subsequent meeting to memorialize the Board's decision. The Resolution is usually adopted at the Board's next regular meeting following the decision vote. After the Board votes to adopt the Resolution, the Land Use Board Secretary will send a copy of the signed Resolution to the applicant and will also publish a Notice of Decision in the Township's approved newspaper. The applicant and any other affected person may appeal the decision to the Superior Court within 45 days of publication of the Notice of Decision. Objectors may appeal preliminary approval of major subdivisions and variances to the Township Committee within ten (10) days of publication of the notice. Notice of Appeal to Township Committee must be hand delivered or sent Certified Mail to the Municipal Clerk of the Township.

Compliance with Any Conditions of Approval. After receiving a Resolution approving the application, the applicant must carefully review any conditions that are required in connection with the approval and take whatever steps are necessary to satisfy them. There may be conditions that must be satisfied prior to the issuance of a zoning permit for the approved development or use.

Additional questions can be directed to the Land Use Board Secretary at (856) 455-1230 x-118 or via email at clerk@hopewelltpw-nj.com.

NOTICE TO APPLICANTS: The instructions contained herein are intended only as a summary of the procedures for matters that are heard by the Land Use Board. They are not meant as a substitution 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 Hopewell Township and may be revised at any time.

Date of Request: _____

REQUEST FOR LIST OF PROPERTY OWNERS WITHIN 200 FEET OF:

Block(s) _____ Lot(s) _____

Property Owner: _____

Mailing Address: _____

Phone No.: _____

Requested by: _____

Deliver as follows:

- ☐ Email: _____
- ☐ Fax: _____
- ☐ Call to be picked up: _____

For Official Use Only:

List Prepared on: _____

Delivered per above instructions on: _____

Payment Received: \$10.00 by: ☐ Cash ☐ Check ☐ Money Order

NOTICE OF PUBLIC HEARING TO PROPERTY OWNERS

Township of Hopewell
Land Use Board
Notice of Hearing on Application

RE: **{Insert Property Address}, {Insert Block and Lot(s) Numbers}**

PLEASE TAKE NOTICE that the undersigned has filed an application with the Land Use Board of the Township of Hopewell with regard to the above referenced property for the purpose described below. This notice is being sent to you as an owner of property in the immediate vicinity of the property in question. A public hearing has been set down for the ____ day of _____, 20__ at 7:00 p.m. at the Hopewell Township Municipal Building, 590 Shiloh Pike, Bridgeton, New Jersey. Should you have any objections or comments concerning the proposed application, you have the right to appear in person at the time of the hearing.

The application being made is for the following:

{Insert a description of everything that is being sought in your application including any anticipated requests, (e.g. minor or major site plan approval, variance, etc.)}

You have a right to receive a copy of the application in question and may request a copy of same by directing an email to the Land Use Board Secretary at clerk@hopewelltp-nj.com. You may also view the application and any plans or documents submitted in support thereof in person by contacting the Board Secretary at (856) 455-1230 x-118.

This Notice is being sent to you by the application by order of the Land Use Board.

Respectfully,

{applicant signature}

{type name of applicant}

LEGAL NOTICE TO THE NEWSPAPER

TAKE NOTICE that on the ____ day of _____, 20__ at 7:00 p.m. a hearing will be held before the Hopewell Township Land Use Board at the Municipal Building located at 590 Shiloh Pike, Bridgeton, New Jersey and when the application is called you may appear either in person or by agent or attorney and present any objections you may have to the granting of the relief sought in the petition.

The Property in question is located at _____, Hopewell Township, and is also known as Block _____, Lot(s) _____. The following relief is being sought: **{Insert a description of everything that is being sought in your application including any anticipated requests, (e.g. minor or major site plan approval, variance, etc.)}**

You have a right to receive a copy of the application and may request a copy via email to clerk@hopewelltp-nj.com. You may also view the application and any plans or documents submitted in support thereof in person by contacting the Board Secretary at (856) 455-1230 x-118.

{Insert Name of Applicant}

AFFIDAVIT OF NOTIFICATION TO PROPERTY OWNERS

Name of Applicant: _____

Block: _____ Lot(s): _____

Property Address: _____

State of New Jersey }

County of Cumberland }

_____, being duly sworn upon his own deposes and says:

On _____, I sent copies of the attached notice of the application in question to the property owners list on the attached list. Also attached are receipts returned by the Post Office to me.

{applicant sign}

{type name of applicant}

Sworn and Subscribed to

before me this _____ day

of _____, 2024.

{must be notarized}

{Include the following as attachments to this Affidavit}

- 1. 200' foot list provided by assessor;**
- 2. Copy of letter directed to property owners;**
- 3. Copies of return receipts from post office}**