

**TOWNSHIP OF BYRAM
SUSSEX COUNTY, NEW JERSEY**

Ordinance No. 4-2012

**AN ORDINANCE AMENDING THE LAND USE ORDINANCE OF THE
TOWNSHIP OF BYRAM TO UPDATE SUBMISSION REQUIREMENTS FOR
APPLICATIONS FOR DEVELOPMENT**

Purpose Statement: The purpose for this Ordinance is to further the goals and intents of the Byram Township Master Plan, specifically with regard to the 2012 Master Plan Reexamination Report, which was adopted as a component of the Byram Township Master Plan on March 1, 2012. This Ordinance provides an interim regulatory process by which to ensure the consistency of the municipal planning program with the Highlands Regional Master Plan. Consistent with the approval of the Byram Township Petition for Plan Conformance by the New Jersey Highlands Water Protection and Planning Agency (“Highlands Council”), this Ordinance provides for the immediate protection of Highlands resources by ensuring that all Applications for Development submitted to the Township Planning Board are consistent with both the Highlands Regional Master Plan, and the Highlands Council Resolution (#2010-6) granting approval of Byram Township’s Petition for Plan Conformance.

WHEREAS, the Highlands Water Protection and Planning Act (“Highlands Act,” N.J.S.A. 13:20-1 et seq.) was enacted by the State Legislature on August 10, 2004 for the purpose of protecting, enhancing, and restoring the natural resources of the New Jersey Highlands Region, in particular the water resources, which provide drinking water to over 5 million New Jersey residents; and

WHEREAS, the Highlands Act created the Highlands Water Protection and Planning Council (the “Highlands Council”) and charged it with crafting a comprehensive master plan for the New Jersey Highlands Region; and

WHEREAS, the Highlands Regional Master Plan was adopted by the Highlands Council through the adoption of Resolution 2008-27 on July 17, 2008, and became effective on September 8, 2008 as the product of a long-term, participatory, and region-wide planning effort; and

WHEREAS, Resolution 2008-27 included the adoption of Highlands Regional Master Plan as well as the adoption of various technical reports and guidelines that accompanied the Plan including the 2008 Plan Conformance Guidelines; and

WHEREAS, the Plan Conformance Guidelines provides an overview of the Highlands Act’s bifurcated system for municipal conformance with the Highlands Regional Master Plan – mandatory Plan Conformance for any portion (or if applicable, the whole) of a municipality located within the Preservation Area and voluntary Plan Conformance for any portion (or if applicable, the whole) of a municipality lying within the Planning Area; and

WHEREAS, Section 14 of the Highlands Act expressly requires that municipalities must revise and conform their local master plan and development regulations for that portion of their lands within the Preservation Area, as related to development and use of said lands, with the goals, requirements and provisions of the Regional Master Plan within 15 months of the effective date of adoption thereof, or December 8, 2009; and

WHEREAS, Section 15 of the Highlands Act provides for voluntary Plan Conformance where any municipality located wholly or partially in the Planning Area may at any time voluntarily revise and conform its local master plan and development regulations, as related to the development and use of land in the Planning Area, with the goals, requirements and provisions of the Regional Master Plan; and

WHEREAS, the Plan Conformance Guidelines details the requirements for Plan Conformance including amendments to the Environmental Resource Inventory, Master Plan, and Land Use Ordinance, which together are intended to achieve conformance with the Regional Master Plan and provide immediate protections to vital Highlands Resources; and

WHEREAS, the Plan Conformance Guidelines requires conforming municipalities to adopt Initial Revisions as a first step of Plan Conformance; the initial revisions are revisions of the existing master plan and development regulations which are deemed necessary by the Highlands Council for prompt enactment by a petitioning local government in order to ensure the protection and enhancement of the resources of the Highlands Region; and

WHEREAS, the Plan Conformance Guidelines includes the adoption of a Development Application Checklist Ordinance as an Initial Revision in order to ensure that any Application for Development not be deemed complete until such time as certain documents have been submitted by the Applicant and to ensure that Applications for Development are consistent or revised to be consistent with the Regional Master Plan; and

WHEREAS, the Township of Byram is located in the Highlands Region with lands lying within both the Preservation Area and the Planning Area, as defined by section 7 of the Highlands Act; and

WHEREAS, the Governing Body of the Township of Byram, on behalf of the municipality, petitioned the Highlands Council on December 8, 2009 for Plan Conformance with respect to Township lands located within both the Planning Area portion and the Preservation Area portion of the Highlands Region; and

WHEREAS, the Petition filed with the Highlands Council contained proposed amendments to the municipal planning program, including amendments to the Environmental Resource Inventory, Master Plan, and Land Use Ordinance, which together were intended to achieve conformance with the Regional Master Plan and provide immediate protections to vital Highlands Resources located within the Township; and

WHEREAS, the Petition in addition included a request for Highlands Council designation of the full extent of Byram's Planning Area as a Highlands Center, to be effectuated by additional Master Plan and Land Use Ordinance provisions and modifications, as needed to effectuate same; and

WHEREAS, the Byram Township Petition for Plan Conformance, inclusive of the requested Highlands Center designation, was approved by the Highlands Council with conditions, as memorialized by Highlands Council Resolution 2010-6, adopted on September 23, 2010; and

WHEREAS, the Township Planning Board did subsequently adopt the revised Highlands Environmental Resource Inventory as a supplement to the Township Master Plan, on May 19, 2011; and

WHEREAS, the Township Governing Body did subsequently adopt a Planning Area Petition Ordinance, as required pursuant to the Highlands Act and the Highlands Council Resolution approving Byram's Petition for Plan Conformance (Resolution #2010-6), on June 21, 2011; and

WHEREAS, the Governing Body finds that the remaining changes to the municipal planning program needed to complete the Plan Conformance process, are of broad and significant effect, are vital to the protection of the Highlands resources of the municipal Highlands Area, and are compelling to the interests and general welfare of the community; and

WHEREAS, the Governing Body recognizes that preparation and formal municipal adoption of the remaining components of the revised planning program must take place in sequential order in accordance with all statutory requirements, involving public hearings and deliberation by the Planning Board and Governing Body; a process that will require an additional undetermined period of time; and

WHEREAS, the Governing Body is aware that lands within the Planning Area are not regulated by the New Jersey Department of Environmental Protection's Highlands Rules (N.J.A.C. 7:38-1 et seq.) and, with the exception of Wastewater Management Plans and Water Allocation Permits, would remain without the full suite of Highlands Regional Master Plan protections during the interim period preceding adoption of the applicable ordinances and regulations that will provide such protections; and

WHEREAS, an immediate level of protection to the resources located within the Highlands Region by adoption of revised submission requirements pertinent to Applications for Development therein is required by the Plan Conformance Guidelines; and

WHEREAS, the adoption of revised submission requirements pertinent to Applications for Development therein is essential to ensuring that Applicants achieve compliance with the standards and protections required under the Highland Regional Master Plan despite the interim status of the municipal Plan Conformance ordinances and regulations, this interim period not constituting an appropriate instance in which municipal approvals based upon existing municipal regulatory requirements, can appropriately be

issued conditioned upon subsequent approval by the Highlands Council or the New Jersey Department of Environmental Protection (NJDEP), as may occur under usual circumstances; and

WHEREAS, the Governing Body finds that the adoption of such submission requirements are important not only to provide such immediate resource protections, but to ensure the proper management of Applications for Development involving lands within the Highlands Area of the municipality; and

WHEREAS, the Highland Council deems the immediate protections ascribed by this Ordinance to lands in the Planning Area and the Preservation Area of the municipality, eligible for application of the provisions of the Highlands Act at N.J.S.A. 13:20-22 and N.J.S.A. 13:20-24 regarding legal representation to municipalities filing for Plan Conformance and regarding the strong presumption of validity and extraordinary deference afforded to such ordinances;

NOW THEREFORE, BE IT ORDAINED by the Governing Body of the Township of Byram that the Land Use Ordinance of the Township of Byram be and is hereby amended to incorporate the following provisions:

SECTION 1

Chapter 240 entitled “Zoning” is hereby amended to add the attached applications’ checklists, including the Highlands requirement described herein, as “240 Attachment 3 Checklists for Applications.”

SECTION 2

A. APPLICATIONS FOR DEVELOPMENT IN THE PRESERVATION AREA.
No Application for Development (as defined pursuant to the Municipal Land Use Law (N.J.S.A. 40:55D-1 et seq.) involving property located (or partially located) in the Preservation Area of the Highlands Region, for which application submission requirements apply under this Ordinance, shall be deemed complete or considered for review by the Township Planning Board until and unless the Applicant has obtained and provided a copy of:

1. A Consistency Determination from the Highlands Council indicating that the application is consistent with the Highlands Regional Master Plan; or
2. A Consistency Determination from the Highlands Council indicating that the application is not consistent with the Highlands Regional Master Plan, accompanied by a certification, as detailed in Section 2.C below, by the Applicant’s professional(s) that the application has been revised since review by the Highlands Council to achieve consistency with the Highlands Regional Master Plan.

B. APPLICATIONS FOR DEVELOPMENT IN THE PLANNING AREA.

No Application for Development (as defined pursuant to the Municipal Land Use Law (N.J.S.A. 40:55D-1 et seq.) involving property located wholly or partially in the Planning Area of the Highlands Region, for which application submission requirements apply under this Ordinance, shall be deemed complete or considered for review by the Township Planning Board until and unless the Applicant has obtained and provided a copy of:

1. A Consistency Determination from the Highlands Council indicating that the application is consistent with both the Highlands Regional Master Plan, and the Highlands Council Resolution (#2010-6) granting approval of Byram Township's Petition for Plan Conformance; or
2. A Consistency Determination from the Highlands Council indicating that the application is not consistent with the Highlands Regional Master Plan and/or the Highlands Council Resolution (#2010-6) granting approval of Byram Township's Petition for Plan Conformance, accompanied by a certification, as detailed in Section 2.C below, by the Applicant's professional(s) that the application has, since the review by the Highlands Council, been revised to achieve consistency with the Highlands Regional Master Plan and the Highlands Council Resolution (#2010-6) granting approval of Byram Township's Petition for Plan Conformance.

C. FINDINGS OF INCONSISTENCY. Where a Highlands Council Consistency Determination indicates that an Application for Development is inconsistent with the Highlands Regional Master Plan or the Highlands Council Resolution (#2010-6) granting approval of Byram Township's Petition for Plan Conformance, no such application shall be deemed complete or considered for review by the Township Planning Board, until or unless the Applicant has obtained from the professional(s) responsible for preparation of the Applicant's plans, a certification indicating that to the best of the knowledge and abilities of such professional(s), the plans have been revised to achieve consistency with the Highlands Regional Master Plan and the Highlands Council Resolution (#2010-6) granting approval of Byram Township's Petition for Plan Conformance, and specifically describing the revisions made to achieve such consistency.

D. EXCLUSIONS. The following specific improvements and related applications shall be excluded from the provisions of this Section:

1. Any improvement to a single family dwelling in lawful existence as of the effective date of this Ordinance, provided that such improvement: a) is related and dedicated solely to the single-family residential use of either the dwelling or the property upon which it is situated; b) results in the ultimate disturbance of less than one (1) acre of land; and c) produces a cumulative impervious surface area of less than one-quarter ($\frac{1}{4}$) acre.
2. The reconstruction, within the same footprint, of any building or other structure lawfully existing as of the effective date of this Ordinance, in the event of its destruction or partial destruction by fire, storm, natural disaster, or any other unintended circumstance.

3. The repair or maintenance of any building or other structure lawfully existing as of the effective date of this Ordinance. This exclusion shall not be construed to permit repairs or maintenance activities that alter the footprint of such building or structure.
4. The interior improvement, rehabilitation, or modification of any building or other structure lawfully existing as of the effective date of this Ordinance. This exclusion shall not be construed to permit activities that alter the footprint of such building or structure.
5. The attachment of signs or other ornamentation to any building or structure, the installation of windows, doors, chimneys, vents, shafts, heating, ventilation, or air conditioning equipment, or any other such improvement to a building or structure provided it occupies a surface area footprint of not more than 50 square feet. This exclusion shall not be construed to permit ultimate disturbance or cumulative impervious surface in excess of that provided at 1, above, for single-family dwellings.
6. Any improvement or alteration to a building or other structure lawfully existing as of the effective date of this Ordinance, where such improvement or alteration is necessary for compliance with the provisions of the Americans with Disabilities Act, or to otherwise provide accessibility to the disabled.
7. Any activity, improvement or development project located (or partially located) in the Preservation Area for which a Highlands Applicability Determination is not required as a pre-condition of NJDEP permitting, as provided pursuant to N.J.A.C. 7:38-2.4(b)1 through 2.4(b)10.

E. EXEMPTIONS. Any activity, improvement or development project listed and demonstrated to constitute a Highlands Act exemption shall be exempt from the provisions of this Section.

1. Demonstration of a Highlands Act exemption for an Application for Development involving lands located (or partially located) in the Preservation Area shall consist of a Highlands Applicability Determination issued by the NJDEP pursuant to N.J.A.C. 7:38-2.4.
2. Demonstration of a Highlands Act exemption for an Application for Development involving lands located wholly in the Planning Area shall consist of a Highlands Exemption Determination issued by the Highlands Council.

F. WAIVER. The Township may issue a waiver from the provisions of this Section where it can be established by the Applicant and can be verified by the designated representative(s) of the Township that:

1. The activity, improvement or development proposed by the subject Application for Development has not yet been formally determined to be exempt from the Highlands Act, but eligibility for an exemption has been sufficiently established by the Applicant; or

2. The activity, improvement or development proposed in the Application for Development will neither encroach upon a Highlands Resource or Highlands Resource Area, nor be of detrimental impact to any Highlands resource or Highlands Resource Area as these are identified and delineated in the Highlands Regional Master Plan. The Applicant's professional(s) responsible for preparation of the Applicant's plan shall establish compliance of the above through a formal certification specifically addressing the Highlands Resources and Resource Areas and related policies and objectives as identified in Chapter 4 of the Highlands Regional Master Plan.

G. **HIGHLANDS COUNCIL CALL-UP.** All municipal waivers or findings of application completeness issued pursuant to this Section shall be issued in writing, inclusive of a statement indicating the rationale for the determination. All such determinations shall be subject to Highlands Council call-up review and shall specifically include conditions requiring same consistent with this paragraph. The municipality shall within five (5) calendar days of issuance of all such determinations, provide a copy of the decision to the Applicant and to the Highlands Council. The Highlands Council call-up review period shall expire 15 calendar days following its receipt of such notice. Absent any notice to the municipality from the Highlands Council within that timeframe, the application shall be considered complete, with the date of the waiver or application completeness to be as of the date of first issuance by the municipality. Upon determining to exercise this authority for call-up review, the Highlands Council shall transmit notice to the Applicant and the municipality.

H. **DEFINITIONS.** For the purpose of this Ordinance, the following terms, phrases, words, and their derivations shall have the meanings stated herein unless their use in the text of this Ordinance clearly demonstrates a different meaning. When not inconsistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.

Applicant – means a developer submitting an Application for Development.

Application for Development – means the application form and all accompanying documents required by ordinance for approval of a subdivision plat, site plan, planned development, conditional use, zoning variance, or direction of the issuance of a permits pursuant to section 25 or section 27 of P.L.1975, c.291 (C.40:55D-34 or C.40:55D-36).t

Disturbance – means the placement of impervious surface, the exposure or movement of soil or bedrock, or the clearing, cutting, or removing of vegetation.

Disturbance, Ultimate – means the total existing or proposed area of disturbance of a lot, parcel, or other legally designated (or otherwise legally recognized) tract or subdivision of land, for the purpose of, and in connection with, any human activity, property improvement, or development, including the surface area of all buildings and structures, all impervious surfaces, and all associated land disturbances such as excavated, filled, and graded areas, and all lawn and landscape areas. Ultimate disturbance shall not include areas of prior land disturbance which at the time of evaluation: a) contain no known man-made structures (whether above or below the surface of the ground) other than such features as old stone

rows or farm field fencing; and b) consist of exposed rock outcroppings, or areas which, through exposure to natural processes (such as weathering, erosion, siltation, deposition, fire, flood, growth of trees or other vegetation) are no longer impervious or visually obvious, or ecologically restored areas which will henceforth be preserved as natural areas under conservation restrictions.

Highlands Council – means the New Jersey Highlands Water Protection and Planning Council.

Highlands Act – means the Highlands Water Protection and Planning Act, P.L. 2004, c.120, as amended, codified in part at N.J.S.A. 13:20-1 *et seq.*

Highlands Applicability Determination – means the determination made by the NJDEP of whether a project proposed for the Preservation Area is a major Highlands development, whether any such major Highlands development is exempt from the Highlands Act, and whether the project is consistent with the applicable Areawide Water Quality Management Plan.

Highlands Area – means that portion of the municipality for which the land use planning and regulation are in conformance with, or are intended or proposed to be in conformance with, the Highlands Regional Master Plan, including specifically in the case of Byram Township, the whole of the municipality.

Highlands Preservation Area Approval (HPAA) – means a permit to engage in a regulated activity in the Highlands Preservation Area issued by the NJDEP pursuant to the Highlands Act and the NJDEP Highlands Water Protection and Planning Act Rules (N.J.A.C. 7:38), including an HPAA that contains a waiver pursuant to N.J.S.A. 13:20-33b. Highlands Preservation Area Approval includes Highlands general permits issued pursuant to N.J.S.A. 13:20-33d and promulgated at N.J.A.C. 7:38-12. HPAA, when used in this Ordinance, includes Highlands general permits unless explicitly excluded.

Highlands Region – means all that area within the boundaries of the municipalities listed in subsection a. of section 7 of the Highlands Act.

Impervious Surface – means any structure, surface, or improvement that reduces or prevents absorption of stormwater into land, including, but not limited to, porous paving, paver blocks, gravel, crushed stone, decks, patios, elevated structures, and other similar structures, surfaces, or improvements.

Impervious Surfaces, Cumulative – means the total area of all existing or proposed impervious surfaces situated or proposed to be situated within the boundary lines of a lot, parcel, or other legally recognized subdivision of land, expressed either as a measure of land area such as acreage, or square feet, or as a percentage of the total lot or parcel area.

Municipal Land Use Law (MLUL) – means the New Jersey Municipal Land Use Law, N.J.S.A. 40:55D-1 *et seq.*

NJDEP – New Jersey Department of Environmental Protection

NJDEP Preservation Area Rules – means the regulations established by the NJDEP to implement requirements of the Highlands Act, titled “Highlands Water Protection and Planning Act Rules,” and codified at N.J.A.C. 7:38-1 *et seq.*

Planning Area – means lands within the Highlands Region not within the Preservation Area (N.J.S.A. 13:20-7).

Plan Conformance – means the process by which a municipality revises the master plan, development regulations and other regulations related to the development and use of land to conform them with the goals, requirements, and provisions of the Regional Master Plan in accordance with the Highlands Plan Conformance Guidelines.

Preservation Area – means that portion of the Highlands Region so designated by subsection b. of section 7 of the Highlands Act.

Regional Master Plan – means the Highlands Regional Master Plan or any revision thereof adopted by the Highlands Council pursuant to N.J.S.A. 13:20-8.

Structure – A combination of materials to form a construction for occupancy, use or ornamentation whether installed on, above, or below the surface of a parcel of land.

SECTION 3

Copies of this Ordinance are on file in the office of the Municipal Clerk, located at: 10 Mansfield Drive, Byram Township, New Jersey for public inspection or purchase during regular weekday business hours (8:30 a.m. to 4:30 p.m.).

SECTION 4

The municipal Clerk is directed to give notice at least ten days prior to the hearing on the final adoption of this Ordinance to the clerks of all adjoining municipalities and the Sussex County Planning Board, and to all others entitled to notice under N.J.S.A. 40:55D-15 and N.J.S.A. 40:55D-63. Upon final passage of this Ordinance, the Municipal Clerk is further directed to publish notice of passage and to file a copy of this Ordinance as finally adopted with the Sussex County Planning Board as required by N.J.S.A. 40:55D-16.

SECTION 5


If any portion, paragraph, clause, sentence or phrase of this Ordinance is determined to be invalid by any court of competent jurisdiction, such invalidity shall not affect the remaining portions of this Ordinance.

SECTION 6

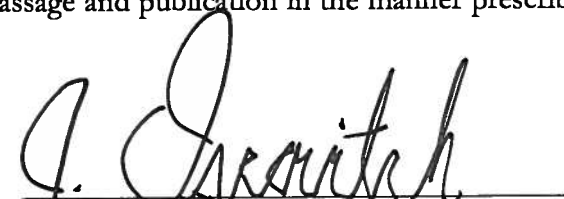
All ordinances or parts thereof inconsistent herewith are hereby repealed to the extent of such inconsistency only.

SECTION 7

This Ordinance shall take effect after final passage and publication in the manner prescribed by law.



Doris Flynn, Township Clerk



James Oscovitch, Mayor

ZONING

240 Attachment 3 Checklists for Applications

All applications pursuant to Township Codes and the Municipal Land Use Law shall comply with the attached checklists which are incorporated herein by reference.

Note: Attach all checklists for this ordinance.

BYRAM TOWNSHIP

MINOR SUBDIVISION CHECK LIST

Applicant's Name: _____

Application #: _____

THE FOLLOWING ITEMS ARE REQUIRED TO PROVIDE A COMPLETE APPLICATION FOR A MINOR SUBDIVISION

1. _____ North arrow and scale not less than 1" : 100'

2. _____ Title block

3. _____ Name of subdivision

Name, address, and certification of:

4. _____ Licensed preparer (P.E., P.P., L. S., A.I.A.)

5. _____ Owner

6. _____ Subdivider

7. _____ Existing tract block and lot numbers and tax sheet (s)

8. _____ Date of preparation and of each subsequent revision

Key map including:

9. _____ North arrow and scale not less than 1" : 1500'

10. _____ Portion of tract to be subdivided

11. _____ Fronting street and at least two (2) closest intersections

12. _____ Adjoining properties, lot & block numbers, and owners

13. _____ Metes and bounds of proposed lot (s)

14. _____ Area of entire tract

15. _____ Area and frontage of proposed lot (s)

16. _____ Frontage of remaining tract

17. _____ Property lines to the nearest hundredth

18. _____ Bearings to the nearest second

19. _____ Lot acreage to the nearest tenth

MINOR SUBDIVISION CHECK LIST

- 20. _____ Existing road locations, type, size, width of R.O.W., paving materials, edge of pavement, curbs, sidewalks, catch basins, and existing buildings within 500'
- 21. _____ Drainage structures, all utilities, R.O.W.'s, easements and connections within 500'
- 22. _____ Natural features including existing vegetation, wet areas, water courses, flood plain limits, rock outcroppings, steep slopes, and certification with respect to critical areas
- 23. _____ One (1) soil log and one (1) perc test per proposed lot
- 24. _____ Septic disposal areas on proposed lot and adjoining lots
- 25. _____ Zone and zone yard requirements
- 26. _____ List of variances, if required
- 27. _____ Certification as to whether property is or is not in a designated flood zone
- 28. _____ Lot number assigned by Tax Assessor

- C Complete
- I Incomplete
- W Waiver Requested
- NA Not Applicable

BYRAM TOWNSHIP
PRELIMINARY MAJOR SUBDIVISION CHECK LIST

Applicant's Name _____

Application # _____

THE FOLLOWING ITEMS ARE REQUIRED TO PROVIDE A COMPLETE APPLICATION FOR A
PRELIMINARY MAJOR SUBDIVISION

1. _____ North arrow, reference meridian and scale not less than 1" : 50'
2. _____ Title Block
3. _____ Name of subdivision

Name, address and certification of:

4. _____ Licensed preparer (P.E., P.P., L.S., A.I.A.)
5. _____ Owner
6. _____ Subdivider
7. _____ Existing tract block and lot numbers and tax sheet (s)
8. _____ Date of preparation and of each subsequent revision

Key map including:

9. _____ North arrow and scale not less than 1" : 1500'
10. _____ Zone district(s) and boundaries within 500'
11. _____ Portion of tract to be subdivided
12. _____ Fronting street and at least two (2) closest intersections
13. _____ Adjoining properties, lot & block numbers & owner
14. _____ Metes and bounds of proposed lot (s)
15. _____ Area of entire tract to 0.1 acre
16. _____ Area and frontage of proposed lot (s)
17. _____ Frontage of remaining tract
18. _____ Existing and proposed contours at 5' intervals for slopes 15% or greater,
2' intervals for lesser slopes

PRELIMINARY MAJOR SUBDIVISION CHECK LIST

- 19. _____ Property lines to the nearest hundredth
- 20. _____ Bearings to the nearest second
- 21. _____ Lot acreage to the nearest tenth
- 22. _____ Building envelope
- 23. _____ Plan & profiles of road locations, type, size, width of R.O.W., paving materials, edge of pavement, curbs, sidewalks, catch basins, drainage structures, and all utilities, R.O.W.'s easements, existing buildings or other structures within 200'. Profile shall be at a scale of 1" : 5' vertical, 1" : 50' horizontal
- 24. _____ Natural features including existing vegetation, wet areas, water courses, flood plain limits, rock outcroppings
- 25. _____ Certification as to location of critical areas
- 26. _____ Certification as to the designated flood areas
- 27. _____ Open space, buffer zones, recreation areas, municipal and public areas, and lands to be conveyed to the Township if applicable
- 28. _____ Cut and fill limits
- 29. _____ Road cross sections every 50' along centerline at a scale of 1" : 5' horizontal and vertical
- 30. _____ Earthwork summary
- 31. _____ Existing and proposed contours
- 32. _____ Location of proposed drainage structures, curbs, swales, berms, guide rails, edge of pavement, sidewalks
- 33. _____ Construction details for drainage structures, curbs, guide rails, pavement design, sidewalks
- 34. _____ Soil erosion and sediment control plan
- 35. _____ Fire protection details – include number of proposed units, available water supply, water main site, flow, hydrant location
- 36. _____ Environmental impact statement
- 37. _____ Tract landscape and lighting plan

PRELIMINARY MAJOR SUBDIVISION CHECK LIST

- 38. _____ Drainage plan including runoff calculations and a map showing drainage areas
- 39. _____ Copies of stream encroachment permit applications, if applicable
- 40. _____ One (1) soil log and one (1) perc test per proposed lot
- 41. _____ Copies of protective covenants, deed restrictions, or homeowner association documents

- 42. _____ List of variances, if required
- 43. _____ Lot number assigned by Tax Assessor
- 44. _____ Constraints calculation

- C Complete
- I Incomplete
- W Waived
- NA Not Applicable

BYRAM TOWNSHIP

FINAL MAJOR SUBDIVISION CHECK LIST

Applicant's Name _____

Application # _____

THE FOLLOWING ITEMS ARE REQUIRED TO PROVIDE A COMPLETE APPLICATION FOR A FINAL MAJOR SUBDIVISION

1. _____ Two (2) original tracings on mylar
2. _____ North arrow and scale not less than 1" : 50'
3. _____ Title block including:
4. _____ Name of subdivision

Name, address and certification of:

5. _____ Licensed preparer (P.E., P.P., L.S., A.I.A.)
6. _____ Owner
7. _____ Subdivider
8. _____ Date of preparation and of each subsequent revision

Key map including:

9. _____ North arrow and scale not less than 1" : 2000'
10. _____ Entire tract and its relationship to surrounding areas
11. _____ Portion of tract to be subdivided
12. _____ Fronting streets and at least two (2) closest intersections
13. _____ Adjoining properties, lot & block number, & owner
14. _____ Metes and bounds of proposed lot (s)
15. _____ Area of entire tract
16. _____ Area and frontage of proposed lot (s)
17. _____ Frontage of remaining tract
18. _____ Property lines to the nearest hundredth
19. _____ Bearings to the nearest tenth
20. _____ Lot acreage to the nearest tenth

FINAL MAJOR SUBDIVISION CHECK LIST

- 21. _____ Road locations, names, widths of R.O.W.
- 22. _____ Minimum building setback lines
- 23. _____ Location and description of all monuments
- 24. _____ Sight triangle, drainage, utility, driveway or other easements
- 25. _____ Open space areas, municipal and public areas, and lands to be conveyed to the Township
- 26. _____ Provisions for certification and approvals
- 27. _____ Letter itemizing all elements covered under performance bond
- 28. _____ Letter certifying conformance to preliminary plat by applicant’s engineer
- 29. _____ Final map statements included on plat:

“The Byram Township Planning Board approved this plat at a meeting held on _____. Said Board being of proper authority, does hereby certify that this plat complies with the provisions of Chapter 46:23-9.14 known as the “Map Filing Act”. This plat to be filed on or before _____.

Chairman

Secretary

“I certify that _____ are approved road/s by the Planning Board of Byram Township. Approval of this map shall not be construed as acceptance of said roadways indicated herein, nor shall such approval obligate Byram Township to maintain or exercise jurisdiction on said road or street until such time said road may be accepted by Byram Township.”

Signature of _____

Township Clerk

- 30. _____ State, county, and /or local health agency approval for individual water supply or sewage disposal
- 31. _____ Copies of protective covenants, deed restrictions, or homeowner association documents
- 32. _____ Note: An “as-built” of all improvements and utilities shall be submitted prior to release of any performance bonds related thereto
- 33. _____ Lot number assigned by Tax Assessor

C Complete
W Waived

I Incomplete
NA Not Applicable

BYRAM TOWNSHIP
SITE PLAN AND CONDITIONAL USE CHECK LIST

THE FOLLOWING ITEMS ARE REQUIRED TO PROVIDE A COMPLETE APPLICATION FOR A SITE
PLAN OR CONDITIONAL USE

Application Name _____

Application # _____

1. _____ North arrow and scale not less than 1" : 50 '
2. _____ Title block including:
3. _____ Name of development
Names, addresses, and certifications of:
4. _____ Licensed preparers (P.E., P.P. , L.S., A.I.A.)
5. _____ Owner
6. _____ Applicant
7. _____ Site block and lot numbers and tax sheet number
8. _____ Date of preparation and of each subsequent revision

Key map including:

9. _____ North arrow and scale not less than 1":2000'
10. _____ Entire site and its relationship to surrounding areas
11. _____ Zone districts and boundaries within 500'
12. _____ Adjoining properties
13. _____ Area of entire site
14. _____ Metes and bounds of lot (s)
15. _____ Area and frontage of lot (s)
16. _____ Existing and proposed contours at 5' intervals for slopes 10% or greater, 2' intervals for lesser slopes
17. _____ Property lines to the nearest hundredth
18. _____ Lot acreage to the nearest tenth

SITE PLAN AND CONDITIONAL USE CHECK LIST

19. _____ Plan and profile, road locations, type, size, width of R.O.W., paving materials, curbs, sidewalks, catch basins, numbered parking spaces and loading areas, buildings, structure, all utilities, drainage, R.O.W.'s, and easements. Profile shall be to a scale 1" : 5' vertical and 1" : 50' horizontal.
20. _____ Natural features including existing vegetation, water bodies, etc.
21. _____ Open space, buffer zones, recreation areas, municipal and public areas, and lands to be conveyed to the Township
22. _____
23. _____ Building floor plan, elevation views, and first floor elevation
24. _____ Cut and fill limits
25. _____ Earthwork summary
26. _____ Existing and proposed contours, curb returns and spot elevations, location of proposed drainage structures, curbs, swales, berms, guide rails, edge of pavement, sidewalks, parking and loading areas, and handicap accommodations
27. _____ Construction details for drainage structures, curbs, guide rails, lighting, pavement design, sidewalks, and septic systems
28. _____ Soil erosion and sediment control plan
29. _____ Fire protection details including building occupancy, total structure size by volume, height of structure from basement to attic, available water supply, watermain size, flow, hydrant location, distance, proposed fire protection plan, fire lanes, type of occupancy and process
30. _____ Environmental impact statement
31. _____ Landscape and lighting plan
32. _____ Drainage plan including runoff calculations and a map showing drainage areas
33. _____ Copies of stream encroachment permit applications if applicable
34. _____ One (1) soil log and one (1) perc test for each lot
35. _____ Copies of protective covenants, deed restrictions, or homeowner association documents
36. _____ Disclosure statement
37. _____ List of variances if required



Byram Township Land Use Board

Application for a Variance / Lot Line Adjustment

CHECKLIST

- Application filled out completely
- Application fee
- Escrow fee
- Completed W-9 form
- JCP&L utilities letter
- Copy of property survey

The following information must be provided on survey. This information must be legible and present an adequate picture of existing and proposed conditions.

- Existing structures / driveways located on subject property
 - Proposed structures
 - Existing and proposed wells and septic locations
 - Existing yard setback lines of entire site area
 - Distance of dwellings / structures on adjoining lots from subject property line
 - Road locations, width of right of way, curbs, sidewalks, catch basins, parking and loading areas, drainage easements, swales, berms, guide rails and existing and proposed grades. (Some of the previous items may be waived if not applicable.)
-
- Copy of applicable tax map page
 - Elevations and floor plans of proposed construction
 - Photographs of property
 - One (1) original and 16 copies of all application materials