

TOWNSHIP OF SOUTHAMPTON
5 Retreat Road
Southampton, New Jersey 08088
609-859-1394
FAX 609-859-3202
Planning-zoning@southamptonnj.org

The application, with supporting documentation, must be filed with the Office of the Planning and Zoning Board Administrator. Determination of completeness will be made within forty-five (45) days. Any additional information provided will be subject to a forty-five (45) days determination of completeness. After a meeting is scheduled, any documents submitted must be delivered to the Board and professionals no later than fifteen (15) days prior to the meeting scheduled.

PLANNING BOARD & ZONING BOARD APPLICATION FORM

Date Filed: _____ Application No. _____
 Planning Board: _____
 Zoning Board of Adjustment: _____
 Application Fees: _____
 Scheduled for: Review for Completeness: _____ Hearing: _____

1. SUBJECT PROPERTY:

Property Location Address: _____

Tax Map: Page _____ Block _____ Lot(s) _____

Page _____ Block _____ Lot(s) _____

Dimensions: Frontage _____ Depth _____ Total Area _____

Zoning District _____

2. APPLICANT/OWNER/DEVELOPER:

Name: _____

Address: _____

Telephone No: _____ Fax No.: _____ Email: _____

Applicant is a: Corporation _____ Partnership _____ Individual _____

Corp., Partnerships & LLC's, please provide a W-9 form.

3. DISCLOSURE STATEMENT:

Pursuant to N.J.S. 40:55D-48.1, the names and addresses of all persons owning 10% of the stock in a corporate applicant or 10% interest in any partnership applicant must be disclosed. In accordance with N.J.S. 40:55D-48.2 that disclosure requirements applies to any corporation or partnership which owns more than 10% interest in the applicant followed up the chain of ownership until the names and addresses of the non-corporate stockholders and partners exceeding the 10% ownership criterion have been disclosed.

(Attach pages as necessary to fully comply.)

Name _____ Address _____ Interest _____

4. If Owner is other than the applicant, provide the following information on the Owner(s):

Owner's Name: _____

Address: _____

Telephone No: _____ Fax No.: _____

5. APPLICATION REPRESENTS A REQUEST FOR THE FOLLOWING:
SUBDIVISION:

- _____ Minor Subdivision Approval
- _____ Subdivision Approval (Preliminary)
- _____ Subdivision Approval (Final)

Number of lots to be created _____ Number of proposed dwelling units _____
(including remainder lot) (if applicable)

SITE PLAN:

- _____ Minor Site Plan Approval
- _____ Preliminary Site Plan Approval {Phases (if applicable) _____}
- _____ Final Site Plan Approval {Phases (if applicable) _____}
- _____ Amendment or Revision to an Approved Site Plan
- _____ Area to be disturbed (square feet) _____
- _____ Total number of proposed dwelling units _____
- _____ Request for Waiver From Site Plan Review and Approval

Reason for request: _____

- _____ Informal Review (Planning Board only)
- _____ Appeal decision of an Administrative Officer (N.J.S. 40:55D-70a)
- _____ Map or Ordinance Interpretation of Special Question (N.J.S. 40:55D-70b)
- _____ Variance Relief (hardship) (N.J.S.40:55D-70c(1))
- _____ Variance Relief (substantial benefit) (N.J.S.40:55D-70c(2))
- _____ Variance Relief (use) (N.J.S. 40:55D-70d)
- _____ Conditional Use Approval (N.J.S.40:55D-67)
- _____ Direct issuance of a permit for a structure in bed of a mapped street,
public drainage way, or flood control basin (N.J.S. 40:55D-34)
- _____ Direct issuance of a permit for a lot lacking street frontage (N.J.S.40:55D-
35)

6. **Attach in paragraph form, an explanation of the exact nature of the application and the changes to be made, including proposed use of the premises, and why any variances or waivers should be granted: (Attach separate sheet)**

7.

PROPERTY INFORMATION:

Restrictions, covenants, easements, association by-laws, existing and proposed on the property:

Yes(attach copies) _____ No _____ Proposed _____

Note: All deed restrictions, covenants, easements, association by-laws, existing and proposed must be submitted for review and must be written in easily understandable English in order to be approved.

Present use of the premises: _____

8. **APPLICANT'S ATTORNEY:** _____

Address: _____

Telephone No: _____ Fax _____

email: _____

9. APPLICANT'S ENGINEER: _____
 Address: _____
 Telephone No.: _____ Fax _____
 email: _____
10. APPLICANT'S PLANNING CONSULTANT: _____
 Address: _____
 Telephone No.: _____ Fax _____
 email: _____
11. APPLICANT'S TRAFFIC ENGINEER: _____
 Address: _____
 Telephone No.: _____ Fax _____
 email: _____
12. List any other Expert who will submit a report or who will testify for the Applicant: (Attach additional sheets as may be necessary)
 Name: _____
 Field of Expertise: _____
 Address: _____
 Telephone No.: _____ Fax _____
 email: _____
13. Section(s) of Ordinance from which a variance is requested: _____
14. Waivers Requested of Development Standards and/or Submission Requirements:
 (attach additional pages as needed)
15. **Attach a copy of the Notice to appear in the official newspaper of the municipality (The Central Record or The Burlington County Times) and to be mailed to the owners of all real property, as shown on the current tax duplicate, located within the State and within 200 feet in all directions of the property which is the subject of this application. The Notice must specify the sections of the Ordinance from which relief is sought, if applicable.**
The publication and the service on the affected owners must be accomplished at least ten (10) days prior to the date scheduled by the Administrative Officer of the hearing.
An affidavit of service on all property owners and a proof of publication must be filed at least three (3) days prior to meeting before the application will be complete and the hearing can proceed.
16. Is a public water line available? _____
17. Is public sanitary sewer available? _____
18. Does the application propose a well and septic system on site? _____
19. Have any proposed new lots been reviewed with the Township Engineer to determine appropriate lot and block numbers? _____
20. Are any off-tract improvements required or proposed? _____
21. Is the subdivision to be filed by Deed or Plat? _____

22. What form of security does the applicant propose to provide as performance and maintenance guarantees? _____

23. Other approvals which may be required and date plans submitted:

	Yes	No	Dates Plans Submitted
Burlington County Board of Health	_____	_____	_____
Burlington County Planning Board	_____	_____	_____
Burlington County Soil Conservation District	_____	_____	_____
NJ Dept. of Environmental Protection	_____	_____	_____
Pinelands Commission	_____	_____	_____
Stream Encroachment Permit	_____	_____	_____
Wetlands Permit	_____	_____	_____
Other	_____	_____	_____
NJ Dept. of Transportation	_____	_____	_____
Public Service Electric & Gas Company	_____	_____	_____
County 9-1-1 Coordinator, Street Name Approval	_____	_____	_____

24. Certification from the Tax Collector that all taxes due on the subject property have been paid.

25. List of Maps, Reports and other materials accompanying the application (attach additional pages as required for complete listing).

26. The applicant hereby requests that copies of the reports of the professional staff reviewing the application be provided to the following of the applicant's professionals: Specify which reports are requested for each of the applicant's professionals or whether all reports should be submitted to the professional listed.

Applicant's Professional	Reports Requested
Attorney	_____
Engineer	_____

CERTIFICATION

27. I certify that the foregoing statements and the materials submitted are true. I further certify that I am the individual applicant or that I am an Officer of the Corporate applicant and that I am authorized to sign the application for the Corporation or that I am a general partner of the partnership applicant.

(If the applicant is a corporation, this must be signed by an authorized corporate officer. If the applicant is a partnership, this must be signed by a general partner.)

Sworn to and subscribed before me this _____ day of _____, 20__.

Notary Public

Signature of Applicant

28. I certify that I am the Owner of the property which is the subject of this application, that I have authorized the applicant to make this application and that I agree to be bound by the application, the representations made and the decision in the same manner as if I were the applicant.

(If the owner is a corporation, this must be signed by an authorized corporate officer. If the owner is a partnership, this must be signed by a general partner.)

Sworn to and subscribed before me this _____ day of _____, 20__.

Notary Public

Signature of Owner

29. I understand that the sum of \$_____ has been deposited in an escrow account. In accordance with the Ordinance of the Township of Southampton, I further understand that the escrow account is established to cover the cost of professional services including engineering, planning, legal and other expenses associated with the review of submitted materials and the publication of the decision by the Board. Sums not utilized in the review process shall be returned under the procedures in the ordinance. If additional sums are deemed necessary, I understand that I will be notified of the required additional amount and shall add that sum to the escrow account within fifteen (15) days. I understand that no further review of my application will be made until such time as my escrow account is current.

Date

Signature of Owner

30. I agree to be responsible for all bills against this development's escrow account. In the event that this project is sold or my interest is transferred to another party, my obligation can only be relieved if all outstanding escrow bills are paid and the new principal obligates himself to the responsibility of all future bills in an agreement with the Township.

Date

Signature Developer/Applicant

SOUTHAMPTON TOWNSHIP PROFESSIONAL STAFF

PLANNING BOARD ENGINEER

The Alaimo Group
200 High Street
Mount Holly, NJ. 08060
Frank Morris, P.E.

609-267-8310
Fax: 609-267-4929
fmorris@alaimogroup.com

ZONING BOARD OF ADJUSTMENT ENGINEER

Environmental Resolutions, Inc
525 Fellowship Road
Mount Laurel, NJ 08054
Rakesh Darji, Engineer

856-235-7170
Fax: 856-273-9239
rdarji@erinj.com

PLANNING CONSULTANT

Thomas J. Scangarello & Associates
520 Stokes Road, Ste A1
Medford, NJ 08055
Thomas J. Scangarello, Zoning Bd.

609-654-1120
Fax: 609-654-1265
tjsa.mail@comcast.net

PLANNING BOARD ATTORNEY

Peter C. Lange, Esq.
150 Himmelein Road
Medford, NJ 08055

609-654-6300
Fax: 609-654-5919
plange@langelawoffice.com

ZONING BOARD OF ADJUSTMENT ATTORNEY

Raymond, Coleman, Heinold and Norman
325 New Albany Road
Moorestown, NJ 08057

856-222-0100
Fax: 856-222-0411
tomcoleman@rclawnj.com

ZONING OFFICER

Edward Toussaint

609-859-2786
construction@southamptonnj.org

SECRETARY OF PLANNING BD AND ZONING BD OF AJUSTMENT

Sheri L Hannah

609-859-1394
Planning-zoning@southamptonnj.org

**Southampton Township
5 Retreat Road
Southampton, NJ 08055**

REQUEST FOR CERTIFIED PROPERTY OWNERS WITHIN 200 FEET

DATE _____

I _____ HERBY REQUEST A CERTIFIED LIST OF
PROPERTY OWNERS WITHIN 200 FEET OF
BLOCK _____, LOT (S) _____ QUAL _____ ALSO
KNOWN AS _____ (STREET LOCATION)

I AM AWARE THAT THERE IS A FEE OF \$10.00 FOR THE CERTIFIED LIST I AM
REQUESTING.

NOTIFY ME BY MAIL _____ FAX _____ WHEN COMPLETE.

NAME:

ADDRESS:

SIGNATURE

PHONE

FAX

NOTICE TO THE OFFICIAL NEWSPAPER

TAKE NOTICE that on the _____ day of _____, 20____, at _:___ o'clock p.m., a hearing will be held before the Southampton Township Planning/Zoning Board at the Municipal Building located at 5 Retreat Road, Southampton, NJ on the appeal or application of the undersigned to permit

and any other variances which the board may deem necessary at my property located at

on the premises located at _____ and designated as Block _____, Lot(s) _____ on the Southampton Township Tax Map.

A copy of the application documents are on file for public inspection at the Board Secretary's office in Southampton Township during normal working hours.

Applicant's Name

Publication Date

NOTICE TO PROPERTY OWNERS

You are hereby notified that _____ has applied to the
Name of Applicant

Southampton Township Planning / Zoning Board for a

List type of application including all variances

and any other variances which the board may deem necessary at my property located at

_____, also known as Block ____ Lot(s) ____.
Street Address of Property

A public hearing on my application will be held by the Southampton Township Planning Board/Zoning Board of

Adjustment (*select one*) at ____ p.m. on (_____, 20__), in the courtroom at Southampton, Southampton Township, 5 Retreat Road, Southampton, NJ 08055.

If you have comments on this application, you may attend this meeting and you will be heard.

All documents in connection with this application are on file in the Board Secretary's Office where they are available for public inspection during normal business hours.

Applicant's Name

Applicant's Address

Date

APPLICATION FOR BULK VARIANCES-(C) VARIANCE

PROCESS IS NOT STARTED UNTIL THE FILING OF A COMPLETE APPLICATION.
(ORIGINAL AND FOURTEEN (15) COPIES OF ALL INFORMATION SUBMITTED, MUST BE PROVIDED BY APPLICANT.)

BLOCK _____, LOT(S) _____

APPLICANT/DEVELOPER'S NAME _____

PROPERTY LOCATION ADDRESS _____

- _____ Required Application.
- _____ Required Application Fee and Escrow Deposit. (See attached Fee and Escrow Ordinance).
- _____ Certification by the Tax Collector that all taxes on said property are paid to date. File original only with the original packet.
- _____ Written Statement describing your proposal, variances being requested, why you should be granted a variance, effect on the neighbors and neighborhood, and request of waivers from submission requirement not being provided.
- _____ Current Survey (Within one year of date of application.) showing proposed development, well and septic, all setbacks and dimensions, and calculation of impervious coverage.
- _____ Architectural elevations for proposal with measurements and description of materials to be used.
- _____ Letter of Denial of Zoning Permit from Zoning Officer.
- _____ Photographs of your property, front, rear and both sides, to help determine the detriment to neighbors and neighborhood.
- _____ Escrow Agreement. File original only with the original packet.
- _____ LEISURETOWN APPLICATIONS ONLY: Copy of Letter of Approval from the Architectural Review Committee of the Leisuretowne Association.

This checklist is not a substitute for any specific submission requirement of our Ordinances. See Ordinances for details. For any of the above requirements not submitted, a statement requesting a waiver and reason(s) must be submitted. All applications received by the Zoning Board will be reviewed for completeness. No application will proceed to the Board until deemed complete by the reviewing staff.

Pursuant to N.J.S.A. 40:55D-70(c) "The Zoning Board of Adjustment shall have the power to: (1) Where: (a) by reason of exceptional narrowness, shallowness or shape of a specific piece of property, or (b) by reason of exceptional topographic conditions of an extraordinary and exceptional situation uniquely affecting a specific piece of property or the structures lawfully existing thereon, the strict application of any regulation pursuant to Article 8 of this act (40:55D-62 et seq.) would result in peculiar and exceptional practical difficulties to, or exceptional and undue hardship upon, the developer of such property, grant, upon an application or an appeal relating to such property, a variance from such strict application of such regulation so as to relieve such difficulties or hardship; (2) where in an application or appeal relating to a specific piece of property the purposes of this act would be advanced by a deviation from the zoning ordinance requirements and the benefits of the deviation would substantially outweigh any detriment, grant a variance to allow departure from regulations pursuant to Article 8 of this act; provided, however, that the fact that a proposed use is an inherently beneficial use shall not be dispositive of a decision on a variance under this subsection and provided that no variance from those departures enumerated in subsection d. of this section shall be granted under this subsection; and provided further that the proposed development does not require approval by the planning board of a subdivision, site plan or conditional use, in conjunction with which the planning board has power to review a request for a variance pursuant to subsection a. of section 47 of this act (40:55D-60); and...

Answer these questions in your reasons for granting of the relief:

1. Does my property have a unique shape, physical feature, etc?
2. Is my proposal in character with my neighborhood?
3. Will my proposal affect the character of my neighborhood?
4. Will my proposal be an advancement or detriment to the zoning ordinances, Master Plan and my neighborhood?

Zoning Officer:
Zoning Bd of Adjustment Secretary:
Planning Board Secretary

Edward Toussaint
Sheri L Hannah
Sheri Hannah

609-859-2786
609-859-1394
609-859-1394

SUBMISSION CHECKLIST
TOWNSHIP OF SOUTHAMPTON, NEW JERSEY
APPLICATION FOR "D" USE VARIANCE
ZONING BOARD OF ADJUSTMENT

(ORIGINAL AND FIFTEEN (15) COPIES OF ALL INFORMATION SUBMITTED, MUST BE PROVIDED BY APPLICANT.)

BLOCK _____, LOT(S) _____
APPLICANT/DEVELOPER'S
NAME _____
PROPERTY LOCATION
ADDRESS _____

DATE OF SUBMISSION: _____

- _____ Required Application.
- _____ Required Application Fee and Escrow Deposit. (See attached Fee and Escrow Ordinance).
- _____ Certification by the Tax Collector that all taxes on said property are paid to date.
- _____ Current Survey and/or Site Plan in accordance with Site Plan Ordinance.
- _____ Escrow Agreement.
- _____ Written request for any waiver(s).

This checklist is not a substitute for any specific submission requirement of our Ordinances. See Ordinances for details. For any of the above requirements not submitted, a statement requesting a waiver and reason(s) must be submitted.

All applications received by the Zoning Board will be reviewed for completeness.

No application will proceed to the Board until deemed complete by the review staff.

Pursuant to N.J.S.A. 40:55D-70(d) "The Zoning Board of Adjustment shall have the power to: In particular cases for special reasons, grant a variance to allow departure from regulations pursuant to Article 8 of this act to permit: (1) a use or principal structure in a district restricted against such use or principal structure, (2) an expansion of a nonconforming use, (3) deviation from a specification or standard pursuant to section 54 of P.L. 1975, c 291 (C.40:55D-67) pertaining solely to a conditional use, (4) an increase in the permitted floor area ratio as defined in section 3.1 of P.L. 1975, c. 291 (C.40:55D-4), (5) an increase in the permitted density as defined in section 3.1 of P.L. 1975, c. 291 (C.40:55D-4), except as applied to the required lot area

for a lot or lots for detached one or two dwelling unit buildings, which lot or lots are either an isolated undersized lot or lots resulting from a minor subdivision or (6) a height of a principal structure which exceeds by ten (10) feet or 10% the maximum height permitted in the district for a principal structure. A variance under this subsection shall be granted only by affirmative vote of at least five members, in the case of a municipal board, or two-thirds of the full authorized membership, in the case of a regional board, pursuant to article 10 of this act.

No variance or other relief may be granted under the terms of this section, including variance or other relief involving an inherently beneficial use, without a showing that such variance or other relief can be granted without substantial detriment to the public good and will not substantially impair the intent and the purpose of the zone plan and the zoning ordinance.

Zoning Officer: **Edward Toussaint 609-859-2786**
construction@southamptonnj.org

Zoning/Planning Board Secretary: **Sheri L Hannah 609-859-1394**
Planning-zoning@southamptonnj.org

USE VARIANCE:

The granting of a Use or “d” variance under N.J.S.A. 40:55D-70(d) requires the applicant to provide certain proofs, specifically positive and negative criteria.

POSITIVE CRITERIA

In demonstrating the positive criteria, the applicant should rely upon providing special reasons for the requested relief. The applicant is required to prove that the proposed project carries out a purpose of zoning or an undue hardship will result if the proposed project is denied.

1. The purposes of zoning in N.J.S.A. 40:55D-2 are:
 - a. To encourage municipal action to guide the appropriate use of development of all lands in the State, in a manner which will promote the public health, safety, morals and general welfare;
 - b. To secure safety from fire, flood, panic and other natural and man-made disasters;
 - c. To provide adequate light, air and open space;
 - d. To ensure that the development of individual municipalities does not conflict with the development and general welfare of neighboring municipalities, the county and the State as a whole;
 - e. To promote the establishment of appropriate population densities and concentrations that will contribute to the well-being of persons, neighborhoods, communities and regions and preservation of the environment;
 - f. To encourage the appropriate and efficient expenditure of public funds by the coordination of public development with land use policies;

- g. To provide sufficient space in appropriate locations for a variety of agricultural, residential, recreational, commercial and industrial uses and open space, both public and private, according to their respective environmental requirements in order to meet the needs of all New Jersey citizens;
 - h. To encourage the location and design of transportation routes which will promote the free flow of traffic while discouraging location of such facilities and routes which result in congestion or blight;
 - i. To promote a desirable visual environment through creative development techniques and good civic design and arrangements;
 - j. To promote the conservation of historic sites and districts, open space, energy resources and valuable natural resources in the state and to prevent urban sprawl and degradation of the environment through improper use of land;
 - k. To encourage planned unit developments which incorporate the best features of design and relate the type, design and layout of residential, commercial, industrial and recreational development to the particular site;
 - l. To encourage senior community housing construction;
 - m. To encourage coordination of the various public and private procedures and activities shaping land development with a view of lessening the cost of such development and to the more efficient use of land;
 - n. To promote the maximum practicable recovery and recycling of recyclable materials from municipal solid waste through the use of planning practices designed to incorporate the State Recycling Plan goals and to complement municipal recycling programs.
2. In addition, the following purposes of zoning from the Southampton Township's Zoning Ordinances can be used as sufficient proofs in providing special reasons:
- a. To further the goals and policies of the Master Plan of the Township of Southampton.
 - b. To further the goals and objectives of the Pinelands Protection Act (N.J.S.A. 13:18A-1 et seq.)
 - c. To promote the development and use of greenways, which are contiguous tracts and corridors of recreation, forest or other open space land that protects sensitive natural and cultural resources including endangered species and particularly ground and surface.
 - d. The Supreme Court has also stated that "the preservation of the character of a neighborhood and conservation of neighborhood values" can also be considered valid purpose of zoning. Promotion of a State policy has also been held as promoting the general welfare and can serve as a special reason.
 - e. General Welfare as a Special Reason:
If the applicant relies upon the promotion of general welfare as a special reason, the use must be considered inherently beneficial or is peculiarly suitable to the particular location for which the variance is sought. Typical inherently beneficial uses such as schools, hospitals and public housing have characteristics that are essential within a community and are generally institutional and non-commercial in nature. The applicant is required to prove that the use is peculiarly suitable to the proposed location.

NEGATIVE CRITERIA

In addition to proving special reasons, the applicant must offer “an enhanced quality of proof”. The applicant must address to the satisfaction of the Zoning Board of Adjustment the following issues:

1. The applicant must prove that the proposed is not inconsistent with the intent and purpose of the Southampton Township’s Master Plan and Zoning Ordinances.
2. The applicant must also prove that the proposed use will not present a substantial detriment to the public good. The applicant should provide potential impacts on surrounding properties in determining whether the character of the neighborhood will be substantially impacted. The Board should consider potential impacts to traffic, safety, aesthetic views, the environment, noise and property values.

BALANCING TEST

The responsibility of the Zoning Board of Adjustment is to determine whether the benefits outweigh the detriments. There is a four-step process to help Board’s make this determination as provided below:

1. Identify the public interest at stake.
2. Identify the detrimental effects that would result from the granting of the variance.
3. Identify potential mitigating reasonable conditions that would reduce the anticipated detriments.
4. Weigh the public interest issues against the public detriments to determine if the granting of the variance would cause a substantial detriment to the public good.