

City of East Orange Planning Board and Zoning Board of Adjustment Notice to Applicant

Schedule of Meetings

The Planning Board and Zoning Board of Adjustment regular and special meetings are posted in the Office of the City Clerk. The Planning Board meets the first Wednesday of every month at 7:00 p.m. and the Zoning Board of Adjustment meets the second Wednesday of the month at 7:30 p.m. Both the Planning Board and the Board of Adjustment meetings are held in City Council Chambers on the first floor of City Hall, 44 City Hall Plaza, East Orange, New Jersey. Special meetings are held at the call of the chairman, as provided by law.

Filing the Application

STEP ONE

Complete a Zoning Determination and obtain a site plan from a licensed architect, engineer and surveyor. Submit the Zoning Determination Form (complete the first page) and one copy of your site plan to Lloyd A. Raheem, Zoning Officer

Applicants must first submit a copy of their site plan to the Zoning Official, Carolyn Whitehead. Ms. Whitehead's Office is located in the Basement of City Hall in the Department of Policy, Planning & Development. Applicants must complete the front portion of the Zoning Determination form (also known as the "Green Sheet"); Mr. Raheem will complete the back portion of the Zoning Determination and tabulate applicant's fees. These fees should also include a \$10.00 cost for the 200-foot radius map of the subject location and a list of property owner's within 200 feet.

Different types of applications require different submissions. The Site Plan Submission Requirements list all that is required on site plans for any development and major or minor subdivisions. Applicants should make sure their attorney and architect have received a copy of the site plan submission requirements.

Applicants and their architects, please note, **only licensed land surveyors may show existing conditions and exact locations of physical features on a survey, including metes and bounds, drainage, waterways, specific utility locations and easements. Thereafter, the survey information may be transferred by a licensed professional engineer to a site plan prepared by the engineer. The site plan onto which survey information has been transferred must "duly" note the date of the survey in addition to who prepared the survey and for whom the survey was prepared. Failure to submit this documentation as defined will result in an automatic rejection of the submission until the defect is remedied.**

STEP TWO

Submit your completed and certified zoning determination (green sheet signed by the Zoning Official) payment of fees, the executed Land Use Application & Site Plan Review Checklist, eight (8) copies of the site plan, corporation and/or LLC formation documents, any deeds required and the signed W-9 form to the Division of Comprehensive Planning.

Applicants should submit a **money order or certified check** for payment payable to the City of East Orange, *(all documents to be submitted by digital form and hard copies)* **the completed application, together with any other required documents, two (2) copies of the site plan and the completed and certified zoning determination (green sheet) to the Division of Comprehensive Planning** located in the basement of City Hall. Once the applicant has paid the required fees, the applicant will be scheduled to be heard before the Preliminary Site Plan Advisory Committee. A property owners' list and radius map will be requested on behalf of the applicant and submitted to the applicant's architect to add to the site plan. The applicant and or architect will then submit on or before the initial site plan review date two (2) site plans in accordance with the site plan review checklist.

The Site Plan Review Committee will review the site plan for compliance with the site plan submission requirements of the Municipal Land Use Ordinance and determine whether the applicant is required to make revisions and resubmit the site plan to the committee or whether the applicant may continue to the next stage of the application process. Preliminary Site Plan Subcommittee Minutes will be forwarded to the applicant or the applicant's attorney via facsimile and regular mail. Applicants will be scheduled for Planning Board or Board of Adjustment meetings upon advisement of the Preliminary Site Plan Review Committee.

Applicants for **Minor Site Plan Review** will be so scheduled upon determination of the Zoning Officer. Minor Site Plan Subcommittee Minutes will be forwarded to the applicant or the applicant's attorney via facsimile, email and regular mail.

200 Foot radius map and list of property owners within 200 feet of the subject property.

The Division of Comprehensive Planning, on behalf of the applicant, will make a request to the Department of Public Works for a 200-foot radius map and a list of property owners within 200 feet. The Land Use Administrator will schedule the applicant for Site Plan Review. Site Plan Review is held every Wednesday at 10:00 am in the Planning Conference Room in the basement of City Hall **(DURING COVID-19 VIA ZOOM UNTIL NOTIFIED)**.

STEP THREE

Revise site plans according to the preliminary Site Plan Advisory Committees' recommendations, receive approval on those revisions and submit required copies of the application, minutes, zoning determination, site plan, and proof of timely noticing to the Janis Nelson in the Division of Comprehensive Planning located in the basement of City Hall.

Notice to Property Owners

The responsibility for proper processing of notices and the preparation of an Affidavit of Proof of Service lies with the applicant and **NOT** the Planning Board, Board of Adjustment or municipal staff. Staff will, however, make every effort to assist applicants with any problems they may encounter regarding proper noticing.

Notice by the Applicant to affected property owners must be given at least **10 calendar days prior** to the date of the hearing. Notice of Hearing shall be given to the owners of all real property, as shown on the current list of property owners located within 200 feet of the property that is the subject of such hearing. As mentioned above, a property owner's list and 200-foot radius map will be requested of the Department of Public Works by the Division of Comprehensive Planning on behalf of the applicant for a nominal fee of **\$10.00**. This fee may be paid along with the costs determined by the Municipal Zoning Officer and noted on the Zoning Determination. Unless otherwise requested by the applicant, the property owner's list and 200-foot radius map will be sent via regular mail to the applicant or to the applicant's attorney if the applicant is a corporation or partnership. The notice to property owners should be substantially similar to the sample notice to property owners provided in the application packet.

Notice shall be given by:

- 1) Physically serving a copy of said notice on the affected property owner, or the agent in charge of the property,
- or
- 2) Mailing a copy of said notice by certified mail to the affected property owner.

Failure to give timely notice and to forward proof of timely notice given will result in a postponement of hearing date. For example, if an applicant is scheduled to be heard before the Planning Board or Board of Adjustment on the 20th day of the month, notice must be given to affected property owners on or before the 10th (tenth) day of the month. Applicant must give proof of notice via post office receipt.

Notices to a partnership owner may be made by service upon any partner. Notice to a corporate owner may be made by service upon its president, vice president, secretary or other person authorized by appointment or by law to accept service on behalf of the corporation. When the subject property is located within 200-feet of an adjoining municipality, notice shall be given by personal service or certified mail to the Essex County Planning Board. Page six (6) outlines contact information for state, county and utility services.

Notice to be published in the Official Municipal Newspaper

Again, the responsibility for proper processing of notices and the preparation of an affidavit of Proof of Service lies with the applicant and **NOT** the Planning Board, Board of Adjustment or municipal staff. Staff will, however, make every effort to assist applicants with any problems they may encounter regarding proper noticing. Notice must be published in the Official Municipal Newspaper at least **10 calendar days prior** to the date of the hearing. As mentioned above, a property owner's list and 200-foot radius map will be requested of the Department of Public Works by the Division of Comprehensive Planning on behalf of the applicant. Unless otherwise requested by the applicant, the property owner's list and 200-foot radius map will be sent via regular mail to the applicant or to the applicant's attorney if

the applicant is a corporation or partnership. The notice to be published in the official municipal newspaper should be substantially similar to the sample notice included in the application packet.

Applicants should be mindful of notice deadlines established by the East Orange Record and the Star Ledger. Below is contact information for both newspapers:

Star Ledger
Phone: (973) 392-4108
Facsimile: (973) 824-6623

The East Orange Record
Worrall Community Newspaper
Phone: (908) 686-7700
Facsimile: (908) 686-4169

Local Talk
Phone: (973) 678-2582
Alt Phone: (973) 280-7547

Content of Notice

Notices published, mailed, and/or served must be in the form required by N.J.S. 40:55D-11, and must state: (1) the date, time and place of the hearing; (2) the nature of the matters to be considered; (3) identification of the property proposed for development by street address, if any, or by reference to lot and block numbers as shown on the current tax duplicate in the municipal tax assessor's office; and (4) the location and times at which any maps and documents for which approval is sought are available as required by N.J.S. 40:55D-10b. **All notices and affidavits of publication must be filed with the Division of Comprehensive Planning at least ten (10) calendar days prior to the date of the hearing.**

Payment of Taxes

Every application to the Planning Board and the Board of Adjustment must be accompanied by proof that no taxes or assessments for local improvements are delinquent on the property that is the subject of the application. A tax certification is included in the application packet and must be signed by the Tax Collector. **Payment of delinquent taxes or assessments for local improvements must be made not less than ten (10) calendar days to the date of the scheduled hearing in order for the applicant to be heard before either board.**

Affidavit of Proof of Service

The applicant must prepare an affidavit to prove that notice of the hearing has been served on all owners of property within 200-feet of the subject property and that notice has been published in the official municipal newspaper. The affidavit should follow the form of the sample affidavit included in the application package and be certified. Copies of all certified postal slips with postal date stamp must be submitted with the Affidavit of Service to the Division of Comprehensive Planning.

If more than one person serves notice to property owners, then separate affidavits must be prepared listing the property owners served by each person.

Notice to be published in the Official Municipal Newspaper regarding Board action

Post review of application by the Planning Board or Board of Adjustment, applicants must publish notice of action taken by said board. To receive a resolution, the notice to be published in the official municipal newspaper regarding board action should be received no later than ten (10) days after the Planning Board or Board of Adjustment has reviewed the case. The Notice should follow the sample form below:

**NOTICE OF ACTIONS TAKEN BY BOARD
CITY OF EAST ORANGE**

BOARD OF ADJUSTMENT

TAKE NOTICE that on the ____ day of _____, 20__ the Board of Adjustment of the City of East Orange in the County of Essex took the following actions:

1. Case # _____. Granted/Denied (choose one) a variance to _____ (applicant’s name) to permit _____ located on _____, Block _____, Lot _____ as designated on the Tax Map of the City of East Orange.

**NOTICE OF ACTIONS TAKEN BY BOARD
CITY OF EAST ORANGE
PLANNING BOARD**

TAKE NOTICE that on the ____ day of _____, 20__ the Planning Board of the City of East Orange in the County of Essex took the following actions:

1. Case # _____. Granted/Denied (choose one) a variance to _____ (applicant’s name) to permit _____ located on _____, Block _____, Lot _____ as designated on the Tax Map of the City of East Orange.

To be scheduled for Planning and Board of Adjustment hearings applicants must submit originals of required notices, certifications, and affidavits, including the above notices, to the Division of Comprehensive Planning no later than ten (10) days prior to the scheduled hearing date.

An application will not be considered complete until all required forms, fees, and plans have been submitted in accordance with the provided application checklist.

CONTACT US

If you have any questions, please contact the Division of Comprehensive Planning:

Janis Nelson
Land Use Administrator
(973) 266-5486

DISCLAIMER: This notice is for your guidance only. In no way should this document or its attachments be relied on to replace the statutory requirements of NJSA 40:55D-1 et. seq. and Sections 51 of the City of East Orange Land Use Ordinance.

IMPORTANT NOTICE

IF ANY OF THE PROPERTIES ON THE ATTACHED PROPERTY NOTIFICATION LIST CROSS ANY OF THE FOLLOWING COUNTY ROADS, PARKS, OR STATE HIGHWAY YOU MUST NOTIFY THE APPROPRIATE AUTHORITY:

COUNTY ROADS

Central Avenue
Park Avenue
Sanford Avenue
North Grove Street
South Grove Street
South Orange Avenue

PARKS

Elmwood Park
Rowley Park
Watsessing Park
Soverel Park
Scotsfield
Robinson Stadium
Columbia Playground
East Orange Oval Park
Memorial Field Park
Haire Playground

STATE HIGHWAYS

Route 280

NEW JERSEY DEPARTMENT OF TRANSPORTATION
1035 PARKWAY AVENUE
TRENTON, NJ 08652

GARDEN STATE PARKWAY

NEW JERSEY HIGHWAY AUTHORITY
WOODBIDGE, NEW JERSEY 07095

PUBLIC UTILITIES

ELECTRIC & GAS

PUBLIC SERVICE ELECTRIC & GAS
80 Park Place
Newark NJ 07102

WATER

CITY OF EAST ORANGE
WATER DEPARTMENT
106 Grove Street
East Orange NJ 07017

TELEPHONE

VERIZON
540 Broad Street
Newark NJ 07101

CABLE TELEVISION COMCAST

257 Prospect Avenue
Store #8
West Orange, NJ 07052