

ORDINANCE #2108-24

**AN ORDINANCE AMENDING CODE BOOK SECTION 248-10 (FILING FEES)
WITHIN CHAPTER 248 (LAND DEVELOPMENT) SO AS TO PROVIDE A
REASONABLE INCREASE IN ESCROW FEES FOR DEVELOPMENT
APPLICATIONS**

WHEREAS, Section 10 (Filing Fees) within Chapter 248 (Land Development) of the Borough of Middlesex's Code provides for the filing and escrow fees required for development applications submitted to the Borough's Land Use Board; and

WHEREAS, the governing body of the Borough of Middlesex has received a request from the professionals of the Land Use Board to modestly increase the escrow fees required for development applications to avoid deficiencies during the processing of said development applications; and

WHEREAS, the following changes to the Chapter have been cleared by the administration and the Borough attorneys and appear reasonable, consistent, and appropriate when compared to surrounding municipalities;

NOW, THEREFORE, BE IT ORDAINED, by the governing body of the Borough of Middlesex, County of Middlesex, State of New Jersey, that Section 248-10 of the Borough's Code entitled "Filing Fees" is hereby amended as follows:

SECTION I.

Section 248-10 is hereby amended as follows (struck through portions to be removed, bolded and underlined portions to be added):

An application to the Land Use Board for any application for development as defined herein shall be accompanied by a filing fee which shall be used to defray the administrative cost of processing the application as follows:

| TYPE OF APPLICATION | APPLICATION FEE | ESCROW AMOUNT |
|---|--------------------------------------|--|
| Minor Subdivision - Lot Line Adjustment | \$250 | \$2,000 <u>3,000</u> |
| Minor Subdivision | \$350 | \$3,000 <u>4,000</u> |
| Preliminary Major Subdivision | \$350 + \$50 per lot + \$100 per lot | \$4,000 + <u>\$100 per lot</u> |
| Final Major Subdivision | \$400 | 50% of preliminary subdivision |
| Variance with Subdivision | \$400 | \$4,500 <u>5,000</u> plus \$500 per variance |
| Minor Site Plan | \$500 | \$6,000 <u>7,500</u> |
| Major Site Plan | \$500 + \$100 per lot | \$10,000 <u>12,000</u> + \$200 per lot |
| Variance with Site Plan | \$500 + \$100 per lot + \$100 | \$10,000 <u>12,000</u> + \$200 per lot |

| | | |
|---|---|---|
| | per variance | + \$500 per variance |
| Redevelopment Application | \$1,000 + \$100 per lot + \$100 per deviation | \$10,000 15,000 + \$200 per lot + \$500 per deviation |
| <u>Use Variance with waiver of site plan</u> | <u>\$400</u> | <u>\$4,000</u> |
| <u>Concept Review</u> | <u>\$100</u> | <u>\$1,000</u> |
| Interpretation Application (40:55D-68 & 40:55D-70a, b) | \$400 | \$1,500 2,000 |
| <u>Certificate of Non-Conformity</u> | <u>\$150</u> | <u>\$1,000</u> |
| Residential Variance Application | \$400 | \$1,000 |
| Special Meetings/Appeals | \$1,000 | \$5,000 |
| Variance Application - Residential Accessory Building | \$250 | \$500 1,000 |
| Site Plan Review & Requirements for New Jersey DEP Permits or County Environmental Protection Permits | \$500 | \$6,000 + \$100 per lot |

SECTION II.

If any part of this ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of the ordinance.

SECTION III.

Should any section, paragraph, sentence, or clause of this ordinance be declared unconstitutional or invalid for any reasons, the remaining portions of this ordinance shall not be affected thereby and shall remain in full force and effect and, to this end, the provisions of this ordinance are hereby declared severable.

SECTION IV.

All Borough of Middlesex ordinances or parts of ordinance inconsistent with enactment are hereby repealed to the extent of such inconsistency.

SECTION V.

The Clerk shall cause a copy of this ordinance as adopted to be filed with the County Planning Board pursuant to N.J.S.A. 40:55D-16.

SECTION VI.

Prior to adoption, the Clerk shall forward a copy of this ordinance for a consistency review by

the Borough Land Use Board pursuant to N.J.S.A. 40:55D-26.

SECTION VII.

This ordinance shall take effect upon adoption and publication in the manner required by New Jersey general law.

ATTEST:

Linda Chismar, Municipal Clerk

Jack Mikolajczyk, Mayor

INTRODUCED: January 23, 2024

DATE OF PUBLICATION:
OF INTRODUCTION January 26, 2024

ADOPTED: February 13, 2024

DATE OF PUBLICATION
OF ADOPTION: February 16, 2024