

LAND USE PROCEDURES

261 Attachment 2

CHAPTER 261, APPENDIX B FEES AND ESCROW FUNDS

- A. All applicants before the Planning Board or Zoning Board of Adjustment shall be required to submit application fees and establish an escrow account with the Borough in accordance with fee and escrow schedules herein.
- (1) In the event that an application is revised, the applicant shall be required to re-pay all application fees and replenish the escrow account to the level required to consider the revised application.
 - (2) In the event that an application is withdrawn, application fees are non-refundable, but any escrow funds remaining at the time of withdrawal shall be returned to the applicant. If the same application is re-submitted at a later time, the applicant shall be required to re-pay all application fees and establish a new escrow account.
 - (3) Applications requiring a combination of approvals (i.e., such as preliminary major site plan final site plan, and variance) shall pay application fees and escrow funds equaling the total of the fees and funds for each component part, except as provided in paragraph D(9) below.
- B. All application fees and escrow funds shall be paid in cash, certified check, attorney's check, or money order made payable to the Borough of Fort Lee. Application fees and escrow funds shall be paid to the Borough with separate certified checks or money orders. Along with the application fees and escrow funds, the applicant shall submit a letter breaking out the totals into its component parts, pursuant to paragraphs D and E below.
- C. Escrow funds shall be placed in an escrow account by the Chief Financial Officer. Such funds shall be used to pay the Board's Attorney, Professional Engineer, Professional Planner, Traffic Engineer, and other experts deemed necessary to review and comment on the application.
- (1) Said experts shall submit vouchers to the Borough for all reasonable and necessary fees for review of the application, which fees shall be paid from the escrow account in a manner prescribed in N.J.S.A. 40:55D-53.2.c. and N.J.S.A. 40A:5-16 through 40A:5-18.
 - (2) The Chief Financial Officer shall, pursuant to N.J.S.A. 40:55D-53.2.c., prepare and send to the applicant a statement which shall include an accounting of funds listing all deposits, interest earnings, disbursements, and the cumulative balance of the escrow account.
 - (3) Any moneys left in the escrow account upon completion of the application procedure shall be returned to the applicant as soon as possible.

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- (4) If an escrow account contains insufficient funds to enable the Planning Board or Zoning Board of Adjustment to perform the required application reviews, the Chief Financial Officer shall provide the applicant with a notice of the insufficient escrow balance, pursuant to N.J.S.A. 40:55D-53.2.c. In order for the application reviews to continue, such additional funds as necessary shall be paid by the applicant within a reasonable time period and placed in the appropriate account.
- D. Application fee schedule. **[Amended 4-6-2006 by Ord. No. 2006-17; 12-20-2007 by Ord. No. 2007-54; 2-14-2008 by Ord. No. 2008-11; 9-10-2009 by Ord. No. 2009-28]**
- (1) Applications for minor site plans: \$300.
 - (2) Applications for preliminary major site plans: \$500.
 - (3) Applications for final major site plans: \$400.
 - (a) Applications for amendment to site plan: \$300. **[Added 7-18-2013 by Ord. No. 2013-18]**
 - (4) Applications for minor subdivisions: \$300, plus \$100 per lot.
 - (5) Applications for preliminary major subdivisions: \$500.
 - (6) Applications for final major subdivisions: \$300, plus \$50 per lot.
 - (7) Applications for "c" variances:
 - (a) Applications relating to properties whose principal use is a single-family home: \$100.
 - (b) All other applications: \$300.
 - (8) Applications for "d" variances:
 - (a) Applications relating to properties whose principal use is a single-family home: \$200.
 - (b) All other applications: \$400.
 - (9) Court reporter appearance fees:
 - (a) Applications involving single-family homes: exempt.
 - (b) Applications involving two-family homes: \$250. **[Amended 7-18-2013 by Ord. No. 2013-18]**
 - (c) Applications for three-family homes: \$250.

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- (d) Applications involving signage only: \$100.
 - (e) Applications involving minor site plan: \$250.
 - (f) Applications involving preliminary/final major site plan; subdivisions (minor and major); telecommunications facilities: \$350.
 - (g) Transcripts may be ordered by the applicant and/or the applicant's attorney through the court reporter directly. Payment will be made by the applicant and/or the applicant's attorney directly to the court reporter.
- (10) Interpretation and/or appeal of Zoning Officer's decision:
- (a) Applications for one- and two-family dwellings: \$100.
 - (b) Applications for multiple dwellings: \$200.
 - (c) Applications for commercial property: \$200.
 - (d) Applications for signage: \$100.
- (11) Total application fee for any individual application shall not exceed \$6,000.
- E. Escrow schedule. **[Amended 4-6-2006 by Ord. No. 2006-17; 12-20-2007 by Ord. No. 2007-54; 2-14-2008 by Ord. No. 2008-11; 9-10-2009 by Ord. No. 2009-28]**
- (1) Applications for minor site plans: \$1,500.
 - (2) Applications for preliminary major site plans: \$3,500.
 - (3) Applications for final major site plans: \$2,000.
 - (a) Applications for amendment to site plan: \$2,000. **[Added 7-18-2013 by Ord. No. 2013-18]**
 - (4) Applications for minor subdivisions: \$2,000.
 - (5) Applications for preliminary major subdivisions: \$3,500 up to 10 lots, plus \$250 for each five lots, or fraction thereof, over the first 10 lots.
 - (6) Applications for final major subdivisions: \$1,000.
 - (7) Applications for "c" variances: \$750.
 - (8) Applications for "d" variances: \$1,000.
 - (9) Legal deposit:

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- (a) Applications involving one-family and two-family dwellings: \$500.
 - (b) Applications for minor or major site plan approval and amendment to site plan: \$1,000. **[Amended 7-18-2013 by Ord. No. 2013-18]**
 - (c) Applications for minor or major site plan approval with minor subdivision: \$1,200.
 - (d) Applications for minor or major site plan approval with major subdivision: \$1,500.
 - (e) Applications for signage: \$750.
 - (f) Applications for interpretation and/or appeal: \$750. **[Amended 7-18-2013 by Ord. No. 2013-18]**
- (10) Planner deposit:
- (a) Applications involving one-, two- and three-family dwellings: \$1,000.
 - (b) Applications involving minor site plan approval: \$1,500.
 - (c) Applications involving major site plan: \$1,500.
 - (d) Applications involving signage: \$750.
 - (e) Subdivisions: \$1,000. **[Added 7-18-2013 by Ord. No. 2013-18]**
 - (f) Interpretation and/or appeal: \$750. **[Added 7-18-2013 by Ord. No. 2013-18]**
- (11) Applications involving telecommunications facilities: \$4,000 for the purpose of special engineering (radio frequency study) in addition to escrow amounts listed above for applications for minor or major site plan approval and "c" or "d" variance(s), as applicable.
- (12) At the Board's discretion, a "traffic engineering escrow" may be required.
- (13) Façade review/design architect for development in Downtown Overlay District, Commercial Nodes and Corridors Overlay Districts:
- (a) Applications involving addition/alteration: \$750.
 - (b) Applications involving minor site plan: \$1,000.
 - (c) Applications involving major site plan: \$1,500.
- (14) Site plan approvals/additional escrow following memorialization: **[Added 7-18-2013 by Ord. No. 2013-18]**

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- (a) Legal: \$2,500.
 - (b) Engineering: \$2,500.
- F. Special meetings. [**Added 2-14-2008 by Ord. No. 2008-11; amended 9-10-2009 by Ord. No. 2009-28**]
- (1) Special meetings fee: \$500.
 - (2) Special meetings escrow: \$1,500. [Note: Services for Board Recording Secretary, Board Court Reporter and Board Clerk will be satisfied out of this escrow.]