

ORDINANCE #2023-05
AN ORDINANCE AMENDING AND SUPPLEMENTING
THE BOROUGH CODE OF THE BOROUGH OF
ALLENHURST, CHAPTER XXV ENTITLED "LAND USE
PROCEDURES" & CHAPTER XXVI ENTITLED
"DEVELOPMENTAL REGULATIONS OF THE BOROUGH
OF ALLENHURST"

Offered By: Mayor McLaughlin

Seconded By: Comm. McLoughlin

WHEREAS, the Borough Council of the Borough of Allenhurst has determined that it is in the best interests of the community to revise portions of its existing Borough Code concerning Land Use Procedures and the Development Regulations, to address Special Meeting requests, escrows and costs for reviewing applications, making zoning determinations and conducting inspections to assure that approved projects are constructed according to the approved plans.

NOW THEREFORE, BE IT ORDAINED by the Governing Body of the Borough of Allenhurst that Chapter 25 and Chapter 26 of the Borough Code of the Borough of Allenhurst, be and are hereby amended and supplemented as follows:

- I.** The existing §25-3.13 "Meetings" is hereby supplemented to add subsection (g) as follows:
 - g. If an applicant requests the Planning Board to hear an application at one or more special meetings, and the Planning Board grants said request, the applicant(s) **shall pay an additional Three Thousand Five Hundred (\$3,500.00) dollars for each such special meeting at which the applicant's matter is heard.**
 - i. Should a requested special meeting be held at any location other than in the Public Meeting Room at Borough Hall, the applicant(s) shall be responsible for any and all additional expenses incurred by the Borough of Allenhurst as a result of having to re-locate said meeting. The amount of such costs shall be provided to the applicant and shall be paid, in escrow, prior to the scheduling of said special meeting.
- II.** Chapter XXV section §25-3.23 "List of Property Owners Furnished" is hereby amended to read as follows:

Pursuant to the provisions of N.J.S.A. 40:55D-12C, the Borough Clerk shall, within seven (7) days after receipt of a request therefor, and upon receipt of payment of the fee as established and from time to time amended by Ordinance §26-8.1, make and certify a list from the current tax duplicate of names and addresses of owners to whom the applicant is required to give notice pursuant to subsection 25-3.22, paragraph b.
- III.** The existing Chapter XXVI section §26-8.1(c) is hereby deleted in its entirety and replaced with the following:
 - c. Application and Escrow Fee Schedule. Be advised that whenever an application for development shall include more than one request or action, the total accumulated fees of each separate action shall be charged.

	Type of Application	Application Fee	Escrow Amount
Subdivisions			
1.	Sketch Plat	\$150.00	\$500.00
2.	Preliminary Plat	\$300.00 + \$100.00 per lot	\$3000.00 + \$100.00 per lot
3.	Final Plat	\$100.00	\$1500.00 + \$100.00 per lot
Site Plans			
1.	Preliminary	\$500.00	\$3500.00
2.	Minor Site Plan	\$1500.00	\$2500.00
3.	Final	\$1500.00	\$1500.00
4.	Amended Site Plan	\$1500.00	\$1500.00
Variance Relief			
1.	Special Question or Interpretation	\$1500.00	\$1500.00
2.	Hardship	\$500.00	\$1500.00
3.	Use	\$500.00	\$1500.00
4.	Signs Only	\$150.00	\$300.00
5.	Appeal	\$1500.00	\$1500.00
6.	Appeal to Governing Body	\$1000.00	\$1000.00
Certificate of Appropriateness			
1.	Application	\$500.00	\$1500.00
2.	Application for new construction	\$1000.00	\$4000.00
3.	COA Compliance Inspection Minor	\$0.00	\$3000.00
4.	COA Compliance Inspection Major	\$0.00	\$6000.00
Additional Fees			
1.	Certified List of Property Owners	\$10.00	\$0.00
2.	Conceptual Review	\$500.00	\$1000.00
3.	Demolition Permit	\$500.00	\$1500.00
4.	Road Opening Permit	\$300.00	\$0.00

	Type of Application	Application Fee	Escrow Amount
5.	Construction permit in bed of mapped street or drainage right-of-way or lacking street frontage	\$300.00	\$500.00
6.	Special meeting Costs	\$3500.00	\$1000.00
7.	Official Map Appeals	\$200.00	\$500.00
8.	Determination of percentage of impervious surface	\$155.00	No Escrow
9.	Zoning Determination	\$465.00	No Escrow
10.	Zoning Determination for Fence ONLY	\$155.00	No Escrow
11.	Zoning Determination for Driveways/Patios/PCD ONLY	\$155.00	No Escrow
12.	Zoning Determination for Generators/AC Condensers ONLY	\$155.00	No Escrow
13.	Zoning Determination, resubmission due to incompleteness	\$155.00	No Escrow
14.	Zoning Inspection	\$275.00	No Escrow
15.	Zoning re-inspection due to incompleteness	\$110.00	No Escrow
16.	Pool Permit Application per §26-5.11	\$310.00	\$1500.00
17.	Drainage System Application	\$310.00	\$1500.00
18.	Patio Inspections	\$155.00	\$1500.00
19.	Extension of Certificate of Appropriateness	\$1500.00	\$1000.00

Definitions relative to Application and Escrow Fee Schedule:

- i. "COA Compliance Inspection Minor" is defined as inspection of any Porch, Deck, Pool or Garage project.
 - ii. "COA Compliance Inspection Major" is defined as inspection of any other Renovation not encompassed in the aforesaid Compliance Inspection Minor.
1. No professional reviews will be undertaken until the escrow has been established. If, in the judgement of the Planning Board, additional funds are required after 75 percent of the original escrow has been exhausted, these additional funds shall be paid within

5 days of notification.

IV. A copy of this Ordinance, upon introduction, shall be provided to all appropriate municipal agencies, including the Planning Board, for their review and comment pursuant to applicable New Jersey Statutes.

V. Any ordinances or portions thereof which are inconsistent with the provisions of this Ordinance are hereby repealed as of the effective date of this Ordinance. All other provisions of the Allenhurst Borough Code are ratified and remain in full force and effect.

VI. If any provision of this Ordinance or the application of such provision to any person or circumstance is declared invalid, such invalidity shall not affect the other provisions of applications of this Ordinance which can be given effect, and to this end, the provisions of this Ordinance are declared to be severable.

VII. This Ordinance shall take effect immediately upon its passage and adoption according to law.

VOTE: Comm. McLoughlin-AYE; Comm. Cumiskey-AYE; Mayor McLaughlin-AYE

APPROVED: April 3, 2023

ADOPTED: April 14, 2023

CERTIFICATION

I, Donna M. Campagna, Borough Clerk/Administrator, do hereby certify this to be a true and exact copy of an Ordinance adopted by the Board of Commissioners of the Borough of Allenhurst, County of Monmouth, State of New Jersey, at a meeting held on April 18, 2023.

Donna M. Campagna

Donna M. Campagna

Donna M. Campagna, RMC

Borough Clerk/Administrator