Stillwater Township
Zoning Board of Adjustment
964 Stillwater Road
Newton, New Jersey 07860

ATTENTION: Please make sure to complete the heading on each page and most important, fill-in the section(s) of the ordinance from which the variance relief is requested. If the application is not filled out properly, it will be deemed incomplete. An application must be deemed complete by the second Friday of the month in order to be placed on the agenda for that month. The meetings are held on the fourth Monday at 7:30 p.m.

IMPORTANT: PLEASE DO NOT PROVIDE PUBLIC NOTICE IN THE NEWSPAPER (NEW JERSEY HERALD) OR TO PROPERTY OWNERS WITHIN 200 FEET UNTIL YOUR APPLICATION HAS BEEN DEEMED COMPLETE BY THE ZONING OFFICER AND COPIES ARE AVAILABLE FOR PUBLIC INSPECTION AT THE MUNICIPAL BUILDING.

Please make sure you visibly post the BLOCK and LOT on the property so the Zoning Board members can easily locate the property when conducting their site visit.

Chapter XV – Protection of Trees: This chapter of the General Ordinances of Stillwater Township requires the submission of a tree plan with all new development applications.

If you should have any questions, please do not hesitate to contact the Zoning Officer at (973)383-6332.

New Jersey Herald
2 Spring Street, P.O. Box 10
Newton, New Jersey 07860
Phone: (973)383-1500
Fax: (973)383-9284

Please be advised, effective immediately The New Jersey Herald Requirements to Publish a Legal Notice are as follows:

1. Legals cannot be taken over the phone – you may mail or bring the form you receive from your Township or Borough, into The New Jersey Herald Office, 2 Spring Street, Newton, NJ 07860 or fax to (973)383-9284, Attention: Legal Advertising.

2. <u>There is a 2 day deadline by noon to publish</u>:
   Monday: 12 noon for Wednesday; Tuesday: 12 noon for Thursday; Wednesday: 12 noon for Friday; Thursday: 12 noon for Sunday; and Friday: 12 noon for Monday and Tuesday.

3. The applicant's name, mailing address and telephone number must be on the form so paperwork can be mailed back.

4. Please be sure everything on the form is legible.

5. A deposit is required on ALL legal advertising. A Visa or MasterCard may be used (include expiration date).

Email is also available to send in your legal advertisement. Please contact the Legal Advertising Department at (973)383-1500 for more information.

Stillwater Township
Zoning Board of Adjustment
964 Stillwater Road
Newton, New Jersey 07860

Stillwater Area Volunteer Fire Company
P.O. Box 111
Stillwater, NJ 07875

Swartswood Volunteer Fire Department
P.O. Box 18
Swartswood, NJ 07877

Stillwater Township Emergency Rescue Squad
964 Stillwater Road
Newton, NJ 07860

To Whom It May Concern:

The undersigned has made application before the Stillwater Township Zoning Board of Adjustment for relief from provisions in the Municipal Land Use Law which require that building permits only be issued for properties which abut a public street. Pursuant to the Municipal Land Use Law, relief can be granted from this requirement by the Zoning Board of Adjustment. However, it is my burden to establish before the Zoning Board that the non-public/private road on which my property abuts will provide: "adequate access for firefighting equipment, ambulances and other emergency vehicles necessary for the protection of health and safety, and that will protect any future street layout shown on the official map or on the general circulation plan element of the Municipal Master Plan." To that end I would ask that you provide in your capacity as a member of the emergency services organizations within Stillwater Township, a written opinion to the Board of Adjustment as to the non-public road on which my property abuts would meet, or not meet, the criteria stated above.
If you have any questions, please do not hesitate to contact me at the phone number listed below, or the Zoning Board of Adjustment at (973)383-9484 for clarification.

The Board is tentatively planning to hear my application on:_____

Applicant Name:_____

Property Address:_____

Phone No._____Block_____Lot_____Cal. No._____

I have read and fully understand this document and the procedure to be followed.

_____ _____
Applicant Signature Date

STILLWATER TOWNSHIP
PROCEDURES TO FILE AN APPEAL OR VARIANCE

1. For every application presented to the Zoning Board of Adjustment of the Township of Stillwater, public notice and notification of all property owners within 200 feet is required. Before notification, the applicant must have his application approved for completeness by the Zoning Officer and obtain a Calendar Number and date of hearing. An Affidavit of Proof of Service plus a list of property owners and/or agencies served must be filed with the Zoning Officer for submittal to the Board Secretary (see page 12).

2. Public notice shall be given by publication in the official newspaper of the municipality, the New Jersey Herald, Spring Street, Newton, New Jersey. This notice applies to all applications and shall be given at least ten (10) days prior to form is supplied for your convenience. However, it is the applicant's responsibility to insure that notice is accurate and sufficiently clear as to alert all appropriate parties. Proof of notice shall be filed with the Zoning Officer.

3. Upon written request of an applicant, the Stillwater Township Tax Assessor shall, within 7 days, make and certify a list from the current tax duplicates of names and addresses of owners to whom the applicant is required to give notice upon payment of the applicable fee. A copy of this list is to be included in your application. The applicant shall be entitled to rely upon the information contained in such list, and failure to give notice to any owner not on the list shall not invalidate any hearing or proceeding. If the application to the Zoning Board is not filed within 90 days from date of the tax list, another list must be requested. However, other agencies not appearing on this list may be required to receive notice pursuant to the New Jersey Municipal Land Use Law and as set forth in these procedures. It is the applicant's responsibility to determine what other parties are required to receive notice.

4. The notice shall state the date, time and place of the hearing and the nature of the matters to be considered, and an 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 duplicates in the municipal Tax Assessor's office, and the location and times at which any maps or documents for which approval is sought are available for inspection.

5. Notice pursuant to Subsections A through F of this section shall be given by the applicant at least ten days prior to the date of the hearing:
   A. Notice of hearing shall be given to the owners of all real property as shown on the current tax duplicate, located within 200 feet in all directions of the property which is the subject of such hearing. Notice shall be given by:
      1) Serving a copy thereof on the property owner, as shown on the said current tax duplicate; or his agent in charge of the property, or
      2) Mailing a copy thereof by certified mail to the property owner at his address as shown on the said current tax duplicate.
   B. Notice 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, a vice president, secretary or other person authorized by appointment by law to accept service on behalf of the corporation. Notice to a condominium association, horizontal property regime, community trust or elements or areas located within 200 feet of the property which is the subject of the hearing, may be made in the same manner as to a corporation without further notice to unit owners, co-owners, or homeowners on account of such common elements or areas. However, notice must be made to the individual owners of units within 200 feet of the applicant's property.

C. To the Clerk of any adjoining municipality or municipalities and to the Sussex County Planning Board when the property involved is located within 200 feet of said adjoining municipality or municipalities, which notice shall be given by personal service or certified mail. In the event that individual property owners living in an adjoining municipality are within 200 feet, applicant is also required to obtain a certified list from that adjoining municipality containing the names and addressed of those property owners in that municipality.

D. Notice shall be given by personal service or certified mail to the Sussex County Planning Board, High Street, Newton, New Jersey, of a hearing on an application for development of property adjacent to an existing county road, adjoining other county land or situated within 200 feet of a municipal boundary.

E. Notice must be provided to all public utilities with easements across property.

F. To the State Planning Commission within the Department of Treasury when the hearing involves an application for development of property which exceeds 150 acres or 500 dwelling units, in which case the notice shall include a copy of any maps or documents required to be on file with the administrative officer pursuant to N.J.S.A. 40:55D-10b.

6. Affidavit of Ownership. If the applicant is not the owner, applicant's interest in land; e.g., tenant, contract/purchaser, lien holder, etc. must be described. If the applicant is not appearing on its own behalf at the hearing, a Power of Attorney should be provided.

7. The applicant shall file a list of the property owners served and indicate the lot and block number of each served and designate the method of service on the form provided. This form shall be filled in completely, and the Affidavit of Service shall be signed, notarized, and filed with the proper official or agency at least seven (7) days prior to the date of the scheduled hearing. To the Affidavit of Service, shall be appended a completed form of notice, filled in as it was sent to the persons entitled to notice of the hearing. A copy of the certified list of persons to whom notice shall be sent, as compiled by the appropriate administrative officer of the municipality in which the property is locate, may also be attached to the Affidavit of Service. Where service has been made by certified or registered mail, the post office receipts must be postmarked at the time they are mailed and must be attached to the Affidavit of Service.

8. Applicants filing in the name of a corporation or business should be represented by an attorney.

9. Certificate of taxes required, contact Tax Collector, Stillwater. Tel. (973) 383-9484

10. Submit 14 copies of Application (Page 4), Administrative Checklist (Page 13), and Checklist appropriate to the application, completely filled out.

11. All plans and/or maps must be folded with the title block on the outside. See Stillwater Township Land Use Ordinance for further details and complete appropriate checklist.

MEETING DATE: The fourth Monday of each month at 7:30 p.m. at the Municipal Building located at 964 Stillwater Road in Middleville, New Jersey. The deadline for completed applications to be placed on the agenda is two weeks (14 calendar days) prior to the meeting date. The application must be deemed **COMPLETE** by that time.

Revised: 02-17-09

INFORMATION FOR PERSONS ATTENDING MEETINGS OF THE STILLWATER TOWNSHIP ZONING BOARD OF ADJUSTMENT

Every interested person or his qualified agent appearing at a public meeting of the Stillwater Township Zoning Board of Adjustment shall have the opportunity to set forth any information or statements relative to matters under consideration by the Board. However, fairness to all parties concerned requires that the Board follow an orderly procedure with regard to the receipt of evidence or statements. The cases will be heard in the order in which they appear on the agenda which has been posted on the bulletin board located in the municipal building. As each case is called, the secretary will introduce the application. Each applicant will present his case first. Then members and counsel of the Board may ask any questions of the applicant or his witnesses which they consider pertinent. At the conclusion of the questioning by the Board, any person in the audience may ask any material questions concerning the application. You must first state your name and address. Orderly procedures require that members of the audience will not be permitted to make speeches or statements at this time.

Any member of the public will then be given the opportunity to state their position. The Rules of Procedures before this Board will require all statements to be material to the matter which is being heard. Irrelevant or immaterial statements will be ruled out of order by the applicant, his agents and/or the public.

The Board is limited by law to consideration of legal evidence. Legal evidence consists of testimony given after the speaker has sworn or affirmed to tell the truth. However, if any person desires to state for the record that he or she is an objector or that he is supporting the application and does not wish to give facts to the Board, it is not necessary that he be sworn. All testimony, questions and statements will be recorded by the Board's reporter or electronically recorded and form the record for the hearing of the application.

Upon completion of the taking of testimony, the public hearing as to the particular application will be closed and the Board will immediately proceed to deliberate the application or in some cases, decide to continue the deliberation to another time and date, which will be announced. If a decision is reached, the Board's vote will then be entered in the public record. The Board will then proceed to hear the next case.

In order to expedite the hearing and to protect the rights of all parties, the Board requests that persons in the audience adhere strictly to these rules. The Board stops taking new testimony after 10:30 p.m.

Revised: 2-17-09

APPLICATION TO
ZONING BOARD OF ADJUSTMENT
TOWNSHIP OF STILLWATER

FILED_____20_____ HEARING_____20_____

CAL. NO._____DECIDED_____20_____

APPLICATION FEE_____RECIEVED ON_____BY_____

APPLICANT MUST FOLLOW INSTRUCTIONS FOR THE COMPLETION OF THIS APPLICATION AND THE PROCEDURE SET FORTH EXACTLY; OR DELAY IN HEARING THIS APPLICATION WILL RESULT.

I (WE)_____
Name Mailing Address Zip Code Phone No.

do hereby make an appeal for a _____VARIANCE,_____APPEAL, OR

INTERPRETATION, from the provisions of Article, _____

Sections _____ of the Township Zoning Ordinance so as to

be permitted to:_____

_____

_____

1._____
Engineer's Name Mailing Address Zip Code Phone No.

2._____
Attorney's Name Mailing Address Zip Code Phone No.

3._____
Owner's Name Mailing Address Zip Code Phone No.

4. The premises affected are known as_____
Street Number and Name

being lot(s)_____in Block(s)_____

in the _____zone.

5. The land in question is approximately _____feet by_____ feet

containing_____(sq. ft.) , _____(ac.)

6. The building or structure to be constructed or lot to be created is _____ feet by _____ feet and _____ square feet on each story.

7. The building or structure has a front line setback of _____ feet, side line setback of _____ feet, and a rear line setback of _____ feet. Height _____

8. The average front setback of adjoining structures is _____ feet, the largest setback is _____ feet and the smallest is _____ feet.

***Average setback is the mean setback from a street right-of-way of buildings on both sides of a lot**

9. Has an application, involving these premises, or any part of these premises, been made to either the Board of Adjustment or the Planning Board ? ☐ YES ☐ NO

If yes, what was the nature of the application and its position? _____

_____

_____

10. Date application was made to the Zoning Officer? _____

What was his decision? _____

11. What are the Affirmative reasons the applicant asserts are of sufficient merit to enable the Board to grant the relief being requested? _____

_____

_____

_____

12. How can the Zoning Board permit the request without being detrimental to the public good or substantially impairing the intent and purpose of the Zone Plan and Zoning Ordinance?

_____

_____

_____

13. Exhibits submitted with application include:_____

_____

_____

STATE OF NEW JERSEY;

SS:

COUNTY OF SUSSEX

_____being duly sworn according to law hereby certify that the information presented in this application to be true and accurate.

Sworn to and subscribed before me this day of_____20_____.

_____ Notary

_____ Applicant

_____ Applicant

STILLWATER TOWNSHIP ZONING BOARD OF ADJUSTMENT
NOTICE TO APPLICANTS FOR
DECKS, PATIOS, GARAGES, STOOPS AND SWIMMING POOLS

TAKE NOTICE that the Stillwater Township Zoning Board of Adjustment has adopted a modified application procedure for submission of only the following types of variance applications:

1. Patio for one or two family residence.
2. Deck for one or two family residence.
3. One or two car attached residential garage.
4. Stoops or landings for single family residences.
5. Swimming pools for one or two family residences.
6. Outbuilding under 500 square feet.

With respect to the above applications only, the Board has authorized the Zoning Officer to grant waivers from traditional checklist requirements, and review the application for completeness, pursuant to the Municipal Land Use Law which contains at least the following:

7. An existing location survey for the entire parcel showing existing residence which contains a surveyor's seal.
8. A photocopy of the same survey depicting the proposed structure with dimensions (deck, patio, attached garage, stoop, swimming pool) with measurements to all property lines at right angles.
9. A photocopy of the portion of the tax map (reduced to 8: x 11: shall indicate with a box the approximate locations of all residences or other structures on the tax map.
10. Building plans.

Upon submission of a complete application, the Zoning Board Secretary will notify the applicant after the payment of the fee to give the required notice to all property owners within 200 feet (as well as adjacent municipalities and the County in certain cases) of the hearing date.

If the Zoning Officer determines that the applicant has submitted insufficient information on which the Board can make an informed decision, the applicant will be notified and the normal application form complying with map requirements must be submitted. Rejection by the Zoning Officer does not preclude the applicant from requesting waivers from the Zoning Board, but this will take a minimum of one meeting with a second meeting for the hearing date.

This limited procedure is for the purpose of assisting Stillwater Township residents in obtaining variance relief on minor applications. The Board reserves the right to change the application procedure at any time without notice.

Stillwater Township Zoning Board of Adjustment

CORPORATION OR PARTNERSHIP FORM

Applications before the Zoning Board by a Corporation or a Partnership for a subdivision of 6 or more lots or 25 or more family units for approval of a site plan or approval of lands for commercial purposes shall list below the names and addresses of all stockholders or individual partners owning at least 10% of its stock of any class or at least 10% of the interest in the partnership, as the case may be, as required by N.J.S.A. 40:55D-48.1 et. Seq.

Name_____ Address_____

Name_____ Address_____

Name_____ Address_____

Name_____ Address_____

Name_____ Address_____

Name_____ Address_____

Name_____ Address_____

Name_____ Address_____

Please Note: "No Planning Board, Board of Adjustment or Municipal Governing Body shall approve the application of any corporation or partnership which does not comply with this Act," per N.J.S.A. 40:55D-48.1 et. seq., P.L. 1977, Chapter 336, Section 3.

Comments or Notes:_____

_____

_____

AFFIDAVIT OF OWNERSHIP

STATE OF NEW JERSEY;

SS:

COUNTY OF _____:

_____of full age, being duly sworn

according to law on oath deposes and says, that the deponent resides at _____

_____in the Municipality of _____

in the County of _____and the State of _____

_____; that_____

is the owner in fee of all that certain lot, piece of parcel of land situated, lying, and being in the

municipality aforesaid, and known and designated as Calendar Number_____.

_____

Owner to Sign Here

Sworn to and subscribed, before me,

This _____day of_____20_____.

_____

A Notary Public of New Jersey

AUTHORIZATION

(If anyone other than above owner is making this application, the following authorization must be executed.)

TO THE ZONING BOARD OF ADJUSTMENT:

_____is hereby authorized to make the within

application.

DATED:_____20____ _____

Owner to sign here

STILLWATER TOWNSHIP
ZONING BOARD OF ADJUSTMENT

LIST OF PROPERTY OWNERS SERVED

NOTICE:
The list of required names and addresses may be obtained from the office of the Township Tax Assessor. This form shall be typewritten or printed and shall clearly indicate the type of service, i.e., P.S. - Personal Service or C.M.S. – Certified Mail Service.
Local Property Owners: Personal Service
Out-of-Town Owners: Certified Mail Service

NAME AND ADDRESS | TYPE OF SERVICE

The above list was compiled by:_____

PROOF OF SERVICE

ZONING BOARD OF ADJUSTMENT

STATE OF NEW JERSEY;

COUNTY OF SUSSEX;

_____of full age, being duly sworn according to law, depose and says, that he/she resides at _____ _____in the Municipality of_____ and State of _____that he/she is the applicant in a proceeding before the Zoning Board of Adjustment, Stillwater Township, County of Sussex, State of New Jersey, being an application under the Zoning Ordinance and which has the Application Number_____and relates to premises located at_____
(street address)

_____, _____
(Tax Map No.) (Block No, Lot No.)

that he gave notice of this proceeding to each and all of the owners of property affected by said application, in the required form, in the manner provided by law on _____20_____, a true copy of the notice and the names and addresses of those so notified are attached to this affidavit.

_____
Owner To Sign Here

Sworn to and subscribed, before me,

this _____day

of_____20_____.

_____
A Notary Public of New Jersey

STATUTORY REQUIREMENTS CONCERNING
PUBLIC NOTICE

Statutory requirements concerning public notice are set forth in Sections 7, 7.1 and 7.3 (N.J.S.A. 40:55D-11, 12, and 14) of the Municipal Land Use Law (Chapter 291), Laws of New Jersey 1975. These requirements are also listed on the Notice Procedures Form given to the applicant when he receives his list of property owners within 200 feet.

The New Jersey Herald
2 Spring Street
P.O. Box 10
Newton, New Jersey 07860

NOTICE
TOWNSHIP OF STILLWATER
SUSSEX COUNTY, NEW JERSEY

NOTICE TO PROPERTY OWNERS AND OTHERS ENTITLED TO SERVICE

TO: _____ Owner of Premises located at: Block_____
Lot _____

_____

_____

PLEASE TAKE NOTICE that the undersigned has made application to the Zoning Board of Adjustment, Township of Stillwater, for property known as Block_____, Lot_____, located at_____, in the _____Zone, as follows:

1.

2.

3.

In addition, applicant will request such variances, waivers, permits, approvals or licenses that are deemed necessary or appropriate by the applicant or the Board. This application is now Number _____on the calendar for the Zoning Board of Adjustment of the Township of Stillwater and a public hearing has been set for_____, at the Township of Stillwater Municipal Building, 964 Stillwater Road, Middleville, New Jersey, at 7:30 p.m. When the case is called you may appear either in person or by attorney to present any evidence which you may have regarding the application. The matter will be heard on that above date or any adjourned date designated by the Zoning Board of Adjustment at this public meeting without additional notice. The maps, plans, plats and application for which approval is being sought are on file with the Zoning Board Secretary and are available for inspection at the Municipal Building during normal business hours in the office of the Municipal Clerk.

This notice is sent to you pursuant to the rules of procedure of the Zoning Board of Adjustment.

_____, Applicant

By:_____

Please forward a copy of the Affidavit of Publication

STATUS OF TAXES FORM

STATUS OF TAXES REQUIRED: Request from Stillwater Township Tax Collector, **at least 15 days**, prior to the due date of submission to the Zoning Officer.

SITE INSPECTION AUTHORIZATION FORM

I hereby give permission for Stillwater Township Municipal Agencies and their agents to come upon and inspect these premises with respect to this application for:_____

_____,

on Block_____, Lot_____.

Applicant's Signature:_____

Owner's Signature:_____
(if different from applicant)

Date:_____

STILLWATER TOWNSHIP
ADMINISTRATIVE CHECKLIST

APPLICANT: _____

CALENDAR NO. _____

DATE SUBMITTED _____

APPLICATION STATUS: INCOMPLETE _____

COMPLETE _____

DECISION DUE _____

	ITEM	COMPLETE	INCOMPLETE	WAIVER REQUESTED
1	Properly completed application forms. (Original and 14 copies of pages 4 & 5)			
2	Plans, maps and construction details as required. (See appropriate checklist) Zoning Board (14 copies)			
3	Fees and escrow deposits are paid.			
4	Payment of taxes, liens and assessments.			
5	Site Inspection Authorization Form.			
6	Compliance with legal notice requirements			
7	Corporation or partnership form			
8	Affidavit of Ownership/Authorization Form.			
9	Copies of approvals of other government Agencies as may be required or an Affidavit indicating that application has been made to such agencies.			
10	A listing of all variance requests, waiver requests of miscellaneous design standards and checklist waiver requests.			

STILLWATER TOWNSHIP
APPEAL / INTERPRETATION CHECKLIST

APPLICANT: _____

CALENDAR NO. _____

DATE SUBMITTED _____

APPLICATION STATUS: INCOMPLETE_____

COMPLETE_____

DECISION DUE_____

	ITEM	COMPLETE	INCOMPLETE
1	A map prepared by the applicant or a professional architect, engineer, planner, or surveyor which clarifies, in sufficient detail, the nature of the appeal or interpretation. See Paragraph 5 below.		
2	Any documentation, forms or correspondence which explains the nature of the appeal or interpretation.		
3	A graphic or written description of the area surrounding the subject property.		
4	A statement or legal brief which clarifies the position of the applicant.		
5	The applicant shall file with the application fourteen (14) copies of a plot plan or survey to scale, not less than one inch equals 50 feet, showing all properties within 200' of the subject properties.		

PLOT PLAN REQUIREMENTS

Plot Plans shall include all of the following components:

	ITEM	COMPLETE	INCOMPLETE	WAIVER REQUESTED
A	North arrow giving reference meridian.			
B	Property line shown in degree, minutes and seconds.			
C	Acreage of effected parcel to the nearest hundredth of an acre.			
D	Title block containing the name of the applicant, preparer, lot and block numbers, date prepared, date of last amendment and zoning district. Location, names and widths of all existing and proposed streets on the property and within 200 feet of the tract.			

E	Location, names and widths of all existing and proposed streets on the property and within 200 feet of the tract.			
F	Location, type and dimensions of existing easements or rights of way including power lines.			
G	Critical areas as defined in Section 240-104, I, J, and K of the ordinance.			
H	Location of existing structures and their setbacks			
I	Location of the proposed structure or change, showing the front, rear and side yard dimensions.			
J	Zoning district in which parcel is located, indicating all setbacks, lot coverage, height, floor area ration, and density, both as to required and proposed. Indicate the above both written and graphically.			
K	Location, arrangement and dimensions of parking area, driveway or service areas, if any.			
L	Names, Block and Lot Numbers of owners within 200 feet of subject property.			
M	Location of all buildings on all adjoining properties (including setbacks).			

NOTE: If the plot plan is prepared by other than a surveyor, engineer or architect, it must be accompanied by an affidavit certifying that all of the information shown on the plan is correct.

STILLWATER TOWNSHIP
CONDITIONAL USE CHECKLIST

APPLICANT: _____

CALENDAR NO. _____

DATE SUBMITTED _____

APPLICATION STATUS: INCOMPLETE_____

COMPLETE_____

DECISION DUE_____

	ITEM	COMPLETE	INCOMPLETE	WAIVER REQUESTED
1	An existing location survey for the entire parcel showing existing structures which contains a surveyor's seal.			
2	Photocopy of the portion of the tax map (reduced to 8" x 11" or 8" x 14") showing all properties within 200 feet. Applicant shall indicate with a box the approximate locations of all residence or other structures on the tax map.			
3	A notation indicating the section of the ordinance that allows the conditional use as proposed.			
4	A listing of the conditional use standards that apply to the subject proposal.			
5	A list of identical or similar uses within the Township or close proximity.			
6	A graphic and/or written description of the area surrounding the subject property.			

STILLWATER TOWNSHIP
C VARIANCE CHECKLIST

APPLICANT: _____

CALENDAR NO. _____

DATE SUBMITTED _____

APPLICATION STATUS: INCOMPLETE_____

COMPLETE_____

DECISION DUE_____

	ITEM	COMPLETE	INCOMPLETE	WAIVER REQUESTED
1	A map, in conformance with Plot Plan Requirements below			
2	A graphic and/or written description of the area surrounding the subject property.			
3	A description of the alternatives that were considered.			
4	A statement or legal brief which clarifies why the "c" variance should be granted and the specific hardship involved. Particular attention should be paid to the contents of Section 602c, applicable case law and other relevant Township ordinances and N.J. statutes.			
5	The applicant shall file with the application fourteen (14) copies of a plot plan or survey to scale, not less than one inch equals 50 feet, showing all properties within 200' of the subject properties.			

PLOT PLAN REQUIREMENTS

Plot Plans shall include all of the following components:

	ITEM	COMPLETE	INCOMPLETE	WAIVER REQUESTED
A	North arrow giving reference meridian.			
B	Property line shown in degree, minutes and seconds.			

C	Acreage of effected parcel to the nearest hundredth of an acre.			
	ITEM	**COMPLETE**	**INCOMPLETE**	**WAIVER REQUESTED**
D	Title block containing the name of the applicant, preparer, lot and block numbers, date prepared, date of last amendment and zoning district.			
E	Location, names and widths of all existing and proposed streets on the property and within 200 feet of the tract.			
F	Location, type and dimensions of existing easements or rights of way including power lines.			
G	Critical areas as defined in Section 240-104, I, J, and K of the ordinance.			
H	Location of existing structures and their setbacks.			
I	Location of the proposed structure or change, showing the front, rear and side yard dimensions.			
J	Zoning district in which parcel is located, indicating all setbacks, lot coverage, height, floor area ration, and density, both as to required and proposed. Indicate the above both written and graphically.			
K	Location, arrangement and dimensions of parking area, driveway or service areas, if any.			
L	Names, Block and Lot Numbers of owners within 200 feet of subject property.			
M	Location of all buildings on all adjoining properties (including setbacks).			

NOTE: If the plot plan is prepared by other than a surveyor, engineer or architect, it must be accompanied by an affidavit certifying that all of the information shown on the plan is correct.

STILLWATER TOWNSHIP
D VARIANCE CHECKLIST

APPLICANT: _____

CALENDAR NO. _____

DATE SUBMITTED _____

APPLICATION STATUS: INCOMPLETE_____

COMPLETE_____

DECISION DUE_____

	ITEM	COMPLETE	INCOMPLETE	WAIVER REQUESTED
1	A map, in conformance with Plot Plan Requirements below			
2	A graphic and/or written description of the area surrounding the subject property.			
3	A description of the alternatives that were considered.			
4	A statement or legal brief which clarifies why the "d" variance should be granted and the special reasons" or hardship that pertain to the subject proposal. Particular attention should be paid to the contents of Section 602d, applicable case law and other relevant Township ordinances and N.J. statutes.			
5	The applicant shall file with the application fourteen (14) copies of a plot plan or survey to scale, not less than one inch equals 50 feet, showing all properties within 200' of the subject properties. (See also 5b – below)			

PLOT PLAN REQUIREMENTS

Plot Plans shall include all of the following components:

	ITEM	COMPLETE	INCOMPLETE	WAIVER REQUESTED
A	North arrow giving reference meridian.			
B	Property line shown in degree, minutes and seconds.			
C	Acreage of effected parcel to the nearest hundredth of an acre.			

	ITEM	COMPLETE	INCOMPLETE	WAIVER REQUESTED
D	Title block containing the name of the applicant, preparer, lot and block numbers, date prepared, date of last amendment and zoning district.			
E	Location, names and widths of all existing and proposed streets on the property and within 200 feet of the tract.			
F	Location, type and dimensions of existing easements or rights of way including power lines.			
G	Critical areas as defined in Section 240-104, I, J, and K of the ordinance.			
H	Location of existing structures and their setbacks.			
I	Location of the proposed structure or change, showing the front, rear and side yard dimensions.			
J	Zoning district in which parcel is located, indicating all setbacks, lot coverage, height, floor area ration, and density, both as to required and proposed. Indicate the above both written and graphically.			
K	Location, arrangement and dimensions of parking area, driveway or service areas, if any.			
L	Names, Block and Lot Numbers of owners within 200 feet of subject property.			
M	Location of all buildings on all adjoining properties (including setbacks).			

NOTE: If the plot plan is prepared by other than a surveyor, engineer or architect, it must be accompanied by an affidavit certifying that all of the information shown on the plan is correct.

5b. If the relief sought is a use variance pursuant to N.J.S.A. 40:55D-70(d) and subdivision, site plan, and/or conditional use approval is required in connection with the project, the requests for approval shall be made, simultaneously, with the use variance application, to the Zoning Board in accordance with the "Instructions of the Planning Board." Said instruction may be obtained from the Planning Board Secretary. The applicant shall file in addition to the plot plan required in 14a., the items hereinafter set forth in order to support the simultaneous request for a subdivision, site plan, and/or conditional use approvals:

1. Subdivision applications shall be accompanied by fourteen (14) copies of a subdivision plat prepared n accordance with the requirements of the Subdivision Ordinance.

2. Site Plan applications shall be accompanied by fourteen (14) copies of a Site Plan prepared in accordance with the requirements of the Site Plan Ordinance.

3. On Application for conditional use permits, the plot or survey required by Paragraph 5a. will be sufficient.

NOTICE TO APPLICANTS
REGARDING UNDERSIZED LOTS

A. The Stillwater Township Zoning Board of Adjustment as part of its by-laws and procedures recommends the attached buy-sell form letter be followed in corresponding with abutting property owners. While you are not required to use the exact wording in the enclosed form (and the form should be modified for individual applications where appropriate), it is the policy of the Zoning Board to require the buy-sell letter to contain the substance of the attached letter which should be sent by certified mail and ordinary mail at least 20 days before the first scheduled hearing date. Failure to follow this procedure may result in an adjournment of the case until the procedure is followed or a determination by the Zoning Board of Adjustment that you have not established the necessary hardship for the granting of variances. The purpose of this form letter is to assist applicants in giving the appropriate notice in undersize lot cases.

You must be prepared at the hearing to offer into evidence a copy of this letter with the return receipt requested together with any response from the abutting property owners. In the event the response is oral only, then you are advised to write another letter to the abutting property owners setting forth the substance of the conversation (i.e.: such as any indication of an offer to purchase or sell) together with a statement in the letter that the abutting property owner may appear on the hearing date to give testimony. A copy of your responding letter by certified mail may be offered at the hearing. The Zoning Board will be concerned with how valid your attempts are to give adequate notice to the adjoining property owner.

B. Stillwater Township ordinance requires evidence that a septic system can be located on the property with sufficient space remaining for a well and residence. Therefore, the Board of Health approval is required before a hearing can be scheduled.

If you have any questions concerning the procedure to be followed, consult your own attorney.

STILLWATER TOWNSHIP
ZONING BOARD OF ADJUSTMENT

OFFER TO SELL

Mr./Mrs._____

Lot_____, Block_____, Stillwater Township

Address:_____

Calendar Number:_____

Dear Adjoining Property Owner:

_____, who owns a lot adjacent to your lot is applying to the Zoning Board of Adjustment for a variance.

The purpose of this letter, in addition to the variance notice previously sent to you, is to inquire whether you have any interest in either: (a) purchasing this lot at its fair market value as a building lot (which assumes the variance has been granted), or (b) selling additional land to us in order to make the lot conforming or more conforming.

You should be aware that in the event you purchase the lot as building lot at its fair market value, it would have to be merged with your lot and not remain a separate buildable lot. It is important to emphasize that the price we would be entitled to request would be a building lot price and not mere raw acreage.

In addition, if you contemplate conveying a portion of your existing lot to our lot to make it more conforming, it is doubtful the Board would consider such a proposal if by doing so you render your lot non-conforming in any respect.

Finally, you should be aware that it is not our choice to either sell this building lot or contemplate purchasing additional land from you as we believe the existing lot is quite suitable for a single-family residence. Nor do we believe in this instance that the law would require us to sell the lot to you. Nevertheless, the purpose of this letter is to inquire of you as adjoining property owners of your interest in the matter and if you have no interest in buying or selling as described above, to let the Zoning Board know of your position. Would you please indicate on a copy of the letter enclosed your position with respect to this letter which I will provide to the Board. You may certainly feel free to call me if you have any questions.

Enclosed is a stamped, return addressed envelope for your convenience. You may of course, attend the Zoning Board hearing and provide testimony concerning your position.

Very truly yours,

_____
Applicant

Applicant's Tel. No. (Home)_____ (Work)_____

(Cell)_____

Certified Mail – RRR#: and regular mail _____

cc: Zoning Board of Adjustment Secretary

RESPONSE TO OFFER TO SELL

Re: Applicant_____

Lot_____, Block_____, Township of Stillwater

1. We have an interest in purchasing the applicant's property: (Yes or No)
   _____

2. We are willing to pay:
   $_____

3. We have an interest in selling our property: (Yes or No)
   _____

4. We are willing to sell our property for: $_____

5. We have an interest in selling a portion of our property consisting
   _____ square feet: (Yes or No) _____

6. We are willing to sell the property described in #5 for: $_____

7. We have no interest in buying the applicant's property or selling our our property or a portion of our property: (Yes or No) _____

8. We will be in attendance at the Zoning Board application to give our testimony: (Yes or No) _____

Signature_____

Dated:_____

Signature_____

Note: You may send a copy of this response directly to the Zoning Board Secretary as follows:

Stillwater Township Zoning Board
964 Stillwater Road
Newton, New Jersey 07860

Re: Calendar No._____

RESPONSE TO OFFER TO SELL

Re: Applicant_____

Lot_____, Block_____, Township of Stillwater

1. We have an interest in purchasing the applicant's property:
   (Yes or No)
   _____

2. We are willing to pay:
   $_____

3. We have an interest in selling our property:
   (Yes or No)
   _____

4. We are willing to sell our property for: $_____

5. We have an interest in selling a portion of our property consisting
   _____ square feet: (Yes or No) _____

6. We are willing to sell the property described in #5 for: $_____

7. We have no interest in buying the applicant's property or selling our
   our property or a portion of our property: (Yes or No) _____

8. We will be in attendance at the Zoning Board application to give our
   testimony: (Yes or No) _____

Signature_____

Dated:_____

Signature_____

Note: You may send a copy of this response directly to the Zoning Board Secretary as follows:

Stillwater Township Zoning Board
964 Stillwater Road
Newton, New Jersey 07860

Re: Calendar No._____