

South Brunswick Township Checklist

Sec. 62-166. Conditional Use Applications

(a) *Application requirements.* At least ten days and no more than 20 days prior to a regular meeting of the municipal agency, the applicant for a conditional use shall file the following documents with the secretary of the municipal agency:

(1) *Area plan.* The applicant shall submit 16 black- or blue-line copies of an area plan, drawn to a scale no smaller than one inch equals 400 feet, showing the premises affected by the application and the lot, block numbers and names of owners of all property within 200 feet of such premises.

(2) *Plot plan.* The applicant shall submit 16 black- or blue-line copies of a plot plan of the property which is the subject of the application, drawn to scale, showing all locations, lot dimensions and dimensions of existing and proposed structures.

(3) *Application forms.* The applicant shall submit three copies of a completed application form, which form shall be obtained from the secretary of the municipal agency.

(4) *Environmental impact statement.* An environmental impact statement shall be submitted pursuant to the requirements of article V of this chapter.

(5) *Disclosure of ownership.* Disclosure of ownership shall be pursuant to section 62-2838(b).

(6) *Letter acknowledging review by state.* Application and proof of the application shall be made to the state department of environmental protection and energy for a letter of interpretation or an exemption letter, acknowledging review by this agency.

(b) *Application procedure.* The application procedure shall be as follows:

(1) *Copies of application; review and reports.* The secretary of the municipal agency shall, within three days, forward a copy of the completed application to the township planner and township engineer and such other officials as the board may direct and shall request each to review the application and to file a written report of his findings and recommendations prior to the next regular meeting of the board.

(2) *Notice of hearing.* The applicant shall comply with hearing and notice requirements of this chapter.

(3) *Copies of decision.* The secretary shall mail a copy of the decision of the board to the applicant or his attorney and to all other persons who have requested it, within ten days after approval has been granted or denied. The secretary shall also file a copy of the decision with the township clerk and shall cause a brief notice of the decision to be published in the official newspaper of the township.

(4) *Signatures required upon approval.* If the application is approved, the approval shall be noted on the plot plan and shall be signed by the chairman and the secretary of the board within ten days of the date of approval.

(c) *Time for decision.* Limitations on the time for making a decision are as follows:

(1) *Time for grant or denial.* The municipal agency shall grant or deny an application for a conditional use within 95 days of the submission of a complete application by a developer and the secretary of the municipal agency or within such further time as may be consented to by the applicant.

(2) *Site plan review.* The review by the municipal agency of a conditional use shall include any required site plan review pursuant to this chapter. The time period for action by the municipal agency or conditional uses, pursuant to subsection (c)(1) of this section, shall apply to such site plan review.

(3) *Failure to act.* Failure of the board to act within the period prescribed shall constitute approval of the application, and a certificate of the township clerk as to the failure of the board to act shall be issued on request of the applicant, and it shall be sufficient in lieu of the written endorsement or other evidence of approval, required in this section, and shall be so accepted by the county recording officer for

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purposes of filing subdivision plats. Whenever review or approval of the application by the county planning board is required by N.J.S.A. 40:27-6.3, for a subdivision, or N.J.S.A. 40:27-6.6, for a site plan, the planning board shall condition any approval that it grants upon timely receipt of a favorable report on the application by the county planning board or approval by the county planning board by its failure to report thereon within the required time period.

(Code 1988, § 175-54)