

# **SECTION 300**

## **Procedures for Submission and Approval**

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### **301 Review and Approval Required**

#### A. Subdivisions

All subdivisions of land within Morris County shall be submitted to the Planning Board by the appropriate municipal approving authority for review and, where required, approval as set forth and limited in N.J.S.A. 40:27-6.2.

1. Minor subdivision applications shall be reviewed by location as related to County roads and County drainage facilities so that the Planning Board may either exempt those plats unrelated to County responsibilities, or review the minor subdivision plat in accordance with these Standards.
2. Major subdivision applications which abut a County road or affect County drainage facilities shall comply with the requirements of these Standards prior to receiving approval. Major subdivisions which do not abut a County road and do not affect County drainage facilities shall be approved.

#### B. Site Plans

Applications for land development located along a County road or affecting County drainage facilities shall be submitted to the Planning Board by the appropriate municipal approving authority for review and approval as set forth and limited in N.J.S.A. 40:27-6.6.

1. Applications for land development are defined as follows:
  - a. Commercial or industrial development/redevelopment.
  - b. Residential development/redevelopment of three (3) or more units.
  - c. Any other land development/redevelopment requiring off-street parking.
  - d. Any other land development/redevelopment producing surface runoff in excess of 1.1 cubic feet per second.
2. The following site plans do not require Planning Board review:
  - a. For land development/redevelopment that includes less than one (1) acre of impervious surface and does not abut a County road.
  - b. For one and two family dwellings.
  - c. For permitted accessory uses incidental to one and two family dwellings.
3. Application for Redevelopment - Site Plans requiring submission in accordance with Section 301B that propose the redevelopment on an existing site, shall be reviewed by the Planning Board with respect to any applicable requirements of these Standards.

Site plans for redevelopment will be reviewed in accordance with the following policies:

- a. New construction at an existing site shall conform to the applicable requirements of these Standards.

- b. Wherever the existing developed conditions of a site do not conform with these Standards, the Planning Board will require the necessary corrective measures. Compliance with these Standards will be limited to those measures and improvements, which in the judgement of the Planning Board, are reasonable and practicable and do not constitute an unfair burden on the applicant.
- c. Site plan applications for redevelopment may not be required to conform with requirements of the Standards, if in the judgement of the Planning Board, there will be no substantial increase or intensification in the re-use or expansion of the site, and would not adversely affect County drainage facilities or traffic circulation at the County road frontage.

### **302 Request for Informal Preapplication Review**

A prospective applicant may appear before the Planning Board staff or the Land Development Review Committee for informal discussion prior to formal application. A fee shall not be charged for such informal preapplication review. Recommendations made by the staff and the Land Development Review Committee at this informal preapplication conference are non-binding upon the Planning Board.

### **303 Filing of Application**

Application for subdivision review and approval or site plan review and approval shall be submitted to the Planning Board by the appropriate municipal approving authority. The municipal approving authority may allow the applicant to submit the application directly to the Planning Board directly if accompanied by a letter of transmittal from such authority.

### **304 Determination of Completeness**

An application will not be determined to be formally filed until the appropriate fee and number of drawings, county application forms and other required information shall have been submitted in accordance with Section 400 of these Standards. The time period for action will not be deemed to run until such time as application is deemed complete.

### **305 Distribution of Plans**

Copies of the submission for subdivision or site plan approval shall be distributed by the Planning Board to the County Engineer and other appropriate County agencies for their review. Such agencies shall report their findings to the Planning Board within twenty (20) days of receipt of an application so that the Planning Board may render its report to the municipal approving authority within the statutory thirty (30) day time limit.

### **306 Review Time Period**

The Planning Board shall approve, conditionally approve, or withhold approval within thirty (30) days of deeming the application complete, or within an additional thirty day period by mutual agreement between the Planning Board and the municipal approving authority, with approval by the applicant.

If the Planning Board fails to report to the municipal approving authority within thirty (30) days of receipt of the application, said subdivision, site plan, or building permit application shall be deemed to have been approved by the Planning Board.

### **307 Notification of Action Taken**

If Planning Board approval is required in accordance with Section 301 of these Standards, the action taken by the Planning Board on all development applications shall be duly set forth in writing, with a copy of the report to be submitted to the municipal approving authority and to the applicant. The report shall set forth all conditions required for County approval and, if disapproved, all reasons for disapproval.

### **308 Revisions**

All revisions of site plans and subdivision plats, excepting site plans exempted by the Planning Board shall be promptly submitted (in duplicate) to the Planning Board. All revised site plans and subdivision plats shall show revision dates in proper sequence. Revisions of site plans and subdivision plats shall be submitted in accordance with the provisions of Sections 300 and 400 (as applicable) of these Standards.

### **309 Changes after County Approval**

Deviations that substantially revise the approved plan shall require the approval of the Planning Board. In the event it becomes necessary to deviate from the approved plan due to site conditions which first appear during construction and which would affect a County road or a County drainage facility, the applicant shall notify and obtain the approval of the County Engineer before such deviation shall be made.

### **310 Land Development Review Committee**

Pursuant to provisions of the County Planning Act (N.J.S.A. 40:27-6.8) the Planning Board has by Resolution dated January 9, 1975 vested its authority to review and approve subdivision plats and site plans in a Subdivision and Site Plan Committee, currently known and referred to as the Land Development Review Committee.

### **311 Subdivision and Site Plan Approval Requirements**

Planning Board approval of the subdivision or site plan shall be granted upon a finding that the plan complies with the following standards and regulations:

- A. That the applicant has submitted the application form and drawings containing all of the information and data as provided for in these Standards.
- B. That the drawings are consistent with the County Master Plan, Official Map and other County plans in existence at the time of application and the details of the drawings are in accordance with the requirements of these Standards.
- C. That all parking and traffic related problems shall be reasonably resolved and shall provide for the safe and efficient passage of traffic.
- D. That adequate provisions are made so as to prevent any surface and subsurface drainage problems relating both to quantity and quality of runoff.
- E. Prior to granting approval for a minor subdivision, site plan or major subdivision, the Planning Board must be in receipt of all required deed and easement forms. Approval may be granted conditioned upon the receipt of all required deeds and easements.
- F. That all wetlands delineations are certified as appropriate by the Army Corps of Engineers or the NJDEP for all minor subdivisions, major subdivisions, and site plan applications.

### **312 Length of Approvals**

Subdivision and site plan approvals granted by the Planning Board under the terms of these Standards shall be valid for the following time periods in accordance with the Municipal Land Use Law (N.J.S.A. 40:50-1 et seq.):

- A. Minor Subdivision - two (2) years from the date of approval.
- B. Preliminary Major Subdivision - three (3) years from the date of approval.
- C. Final Major Subdivision - two (2) years from the date of approval.
- D. Site Plan - three (3) years from the date of approval if said application has received preliminary approval only from the municipal approval authority, and two (2) years from the date of approval if the applicant has received final approval from the municipal approval authority.
- E. Extensions may be granted consistent with the Municipal Land Use Law (N.J.S.A. 40:50-1 et seq.).

### **313 Review Fees**

- A. The County review of development applications requires payment of fees for minor and preliminary major subdivisions and site plans. Payment shall be made by the applicant to the Planning Board at the time of submission. The omission of payment shall be cause for the Planning Board to deem the application incomplete. Payment shall be made by check payable to the "Treasurer of Morris County".
- B. The review fee schedule is established by resolution of the Planning Board. Reference should be made to the current review fee schedule as printed on the Morris County Land Development Review Application Form.
- C. When site plans or subdivision plats are revised to comply with municipal or county requirements, the revised plat or plats will **not** be subject to fee payment. Site plans or subdivision plats received by the Planning Board more than one year after reception of a prior submission will be subject to full payment in accordance with the above schedule.
- D. Site plans and subdivision plats submitted by federal, state, county and municipal governments and churches (places of worship), hospitals, and secular non-profit institutions are not subject to payment of review fees.

### **314 Plat and Site Plan Sizes**

The sizes of all maps and plans of any proposed land development shall be consistent with the sizes permitted under Chapter 141 of the laws of 1960 known as the "New Jersey Map Filing Act" (N.J.S.A. 23-9.1 et seq.) As follows:

- 8½ x 13 inches
- 15 x 21 inches
- 24 x 36 inches
- 30 x 42 inches.