

**DELAWARE TOWNSHIP**  
**ZONING BOARD OF ADJUSTMENT – Application Requirements**

***(Rules and Regulations adopted 01/09/09 available on request.)***

1. No application will be heard by the Zoning Board unless all of the following applicable steps have been accomplished by the applicant:
  - A) The applicant has met the filing deadline for the filing of the required plans and the initial application: **At least** 45 days in advance for site plan applications (Sec. 10:3). **At least** 28 days in advance for all other types of applications (Sec. 8:1).
  - B) Public notices have been sent by mail and published in a newspaper. (Proof of service of notice must be filed by the hearing date.) Public notice is required on **all** applications, including certification of prior nonconforming uses, N.J.S.A. 40:55D-68; time extensions of preliminary approvals, N.J.S.A. 40:55D-49; time extensions of final approvals, N.J.S.A. 40: 55D-52. No public notice need be given on any type of application which is specifically exempted by N.J.S.A. 40:55D-12(a) or by any other state law.
  - C) All applications must include accurately scaled plans containing the information and data necessary for the Board to hear and decide variances, waivers and other relief being sought. Applicants should refer to Section 10:10 of the Land Use Ordinance for a listing of data required for "Early Review".
  - D) The Zoning Board has the power to require that additional information and data be submitted, if during the hearing, it determines that the application requires the submission of such additional data.
  - E) The Zoning Board Secretary has certified the applicant's filed plans as being a "complete application" pursuant to N.J.S.A. 40:55D-10.3. **(Applicable to all applications.)**
  - F) The Board's Engineer has completed his technical review and made his report on the applicant's filed plans, including all supporting data and calculations. **(Applicable to site plans and subdivisions only.)**
  - G) The Subdivision and Site Plan Review Subcommittee review and advisory report has been completed or has been applied for, as per Sec. 10:5.1. The Subdivision and Site Plan Review Subcommittee meets on the Second Wednesday at the Municipal Building in Sergeantsville. **(Applicable to major site plans and subdivision only.)**
  - H) The Environmental Commission has received a copy of the filed development application, as per Sec. 6:14. The Environmental Commission meets on the Third Wednesday at the Municipal Building in Sergeantsville. **(Applicable to all applications for development.)**

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2. All filed plans must be sealed by a Professional Engineer or by an Architect licensed by New Jersey, or must be accompanied by a sworn affidavit signed by the applicant attesting that he has prepared and signed his own plans, pursuant to N.J.S.A. 40:55-52.
3. Pursuant to N.J.S.A. 40:55D-65(h), all Delaware Township local tax payments on the subject property must be current and fully paid prior to the hearing.
4. All required fees must be paid in full in advance. This includes all non-refundable application filing fees and also any applicable escrow deposit requirements.
5. Hearings will be scheduled in the order in which initial applications are filed; unless the Chair determines another order will best facilitate the meeting. Normally no more than five hearings will be scheduled for a single evening meeting.
6. Use variance applications will not be voted on at the conclusion of the evidentiary hearing, but will be continued to the next board meeting for the purpose of voting on the merits of the use variance.
7. Memorialization resolutions will be listed first on the Zoning Board's agenda at all meetings.
8. No hearing on new applications will begin after 10:00 p.m.; no application hearings then in progress will be continued later than 11:00 p.m. After 11:00 p.m., a hearing then in progress will be adjourned to the next meeting.
9. The Zoning Board reserves the right to adopt a resolution to suspend or waive its own rules in a particular case for good cause appearing to the Board, of for good cause shown by the applicant, or for good cause shown by any other party.

ADOPTED BY VOTE OF THE  
DELAWARE ZONING BOARD OF ADJUSTMENT  
On January 9, 2009

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Kathleen E. Klink  
Administrative Officer