

**TOWNSHIP OF WOOLWICH
GLOUCESTER COUNTY, NEW JERSEY
ORDINANCE NO. 2023 – 13**

**ORDINANCE OF THE TOWNSHIP OF WOOLWICH AMENDING CHAPTER
95, ENTITLED “FEES” IN ACCORDANCE WITH THE 2022 MASTER PLAN
REEXAMINATION**

WHEREAS, via Resolution #2022-33, the Joint Land Use Board of the Township of Woolwich adopted a reexamination of the Township of Woolwich Master Plan; and

WHEREAS, the Master Plan Reexamination report contains various recommendations as to the Township Zoning Map and Zoning Ordinance; and

WHEREAS, one of the recommendations is to terminate the TDR program; and

WHEREAS, The Township Committee of the Township of Woolwich, is entitled to and has the power and authority to amend zoning ordinances pursuant to the Municipal Land Use Law, N.J.S.A. 40:55D-1 et seq.; and

NOW THEREFORE, BE IT ORDAINED, by the Mayor and Committee of the Township of Woolwich, in the County of Gloucester, State of New Jersey, as follows:

Section 1. Amend §95-8.4, entitled, “Fee and review escrow schedule”, to repeal and replace the following:

The following fee schedule shall apply with respect to the filing of all applications for development or appeals before the Joint Land Use Board and/or the Woolwich Township Committee:

- A. Minor subdivision: a nonrefundable application fee of \$275 for a lot line adjustment or the creation of one lot in addition to the retained lot, plus an additional nonrefundable fee of \$125 for each additional lot created or recreated; a review escrow deposit in the amount of \$2,000 shall be posted for each additional lot that is created (\$4,000 for 2 lots and \$6,000 for 3 lots); the review escrow deposit shall be \$1,500 for a lot line adjustment when no additional lots are created.
- B. Preliminary major subdivision: a nonrefundable application fee of \$500 for up to 25 lots, a nonrefundable application fee of \$1,000 for Lots 26-100, a nonrefundable application fee of \$1,500 for Lots 100-500, a nonrefundable application fee of \$2,000 for in excess of 500 lots; a review escrow deposit in the amount of \$2,000 shall be posted, plus \$500 per lot (1-10), plus \$200 per lot (11-60), plus \$150 per lot (61-110), and plus \$100 for each lot in excess of 110.
- C. Final major subdivision: a nonrefundable application fee of \$450 for up to 25 lots, a nonrefundable application fee of \$800 for Lots 26-100, a nonrefundable application fee of \$1,200 for Lots 100-500, a nonrefundable application fee of \$1,750 for in excess of 500 lots; a review escrow deposit in the amount of \$2,000 shall be posted, plus \$500 per lot (1-10), plus \$200 per lot (11-60), plus \$150 per lot (61-110), and plus \$100 for each lot in excess of 110.

- D. Conceptual review: a nonrefundable application fee of \$100; a review escrow deposit in the amount of \$1,500 shall be posted; any and all funds from the review escrow deposit remaining after conceptual review will be transferred into the escrow account for any subsequent application.
- E. Use variance or variance sought under N.J.S.A. 40:55D-70d: a nonrefundable application fee of \$400; a review escrow deposit in the amount of \$2,000 shall be posted.
- F. Bulk and/or other variances: a nonrefundable application fee of \$200; a review escrow deposit in the amount of \$1,000 shall be posted.
- G. Conditional use (special exception): a nonrefundable application fee of \$300; a review escrow deposit in the amount of \$1,250 shall be posted.
- H. Minor site plan: a nonrefundable application fee of \$250; a review escrow deposit in the amount of \$1,000 shall be posted.
- I. Preliminary site plan: a nonrefundable application fee of \$500 for all preliminary site plan applications; for a residential development site plan with structures, a review escrow deposit in the amount of \$2,500 for 0-5 units, \$6,000 for 6-20 units, \$8,500 for 21-49 units, \$11,500 for 50-100 units, and \$19,000 for 101-1,000 units shall be posted; for a commercial/industrial development site plan without structures, a review escrow deposit in the amount of \$5,000 for 0-3 acres, or \$7,500 for in excess of 3 acres, shall be posted; for a commercial/industrial site plan with structures, a review escrow deposit in the amount of \$2,000 for 1,250 - 2,500 square feet, or \$5,500 for 2,501-20,000 square feet, or \$8,000 for in excess of 20,000 square feet shall be posted.
- J. Final site plan: a nonrefundable application fee of \$750 for all final site plan applications; for a residential development site plan with structures, a review escrow deposit in the amount of \$2,500 for 0-5 units, \$6,000 for 6-20 units, \$8,500 for 21-49 units, \$11,500 for 50-100 units, and \$19,000 for 101-1,000 units shall be posted; for a commercial/industrial development site plan without structures, a review escrow deposit in the amount of \$5,000 for 0-3 acres, or \$7,500 for in excess of 3 acres shall be posted; for commercial/industrial site plan with structures, a review escrow deposit in the amount of \$2,000 for 1,250 - 2,500 square feet, or \$5,500 for 2,501-20,000 square feet, or \$8,000 for in excess of 20,000 square feet shall be posted.
- K. Zoning Board component of Joint Land Use Board interpretation: a nonrefundable application fee of \$150; a review escrow deposit in the amount of \$750 shall be posted.
- L. (Reserved)¹
[1] Editor's Note: Former Subsection L, regarding sign variance fees, was repealed 4-16-2018 by Ord. No. 2018-04.
- M. General development plan: a nonrefundable application fee of \$1,000; a review escrow deposit in the amount of \$5,000 per each component plan, plus \$500 per each report/schedule.

- N. Zoning Officer permits and appeals: a nonrefundable fee of \$40 for the Zoning Officer's review of a project presented for a zoning permit; if there is an appeal of the Zoning Officer's determination with respect to the zoning permit, a nonrefundable application fee of \$50 is required to process the appeal to the Zoning Board component of the Joint Land Use Board, and a review escrow fee in the amount of \$750 shall be posted for the Joint Land Use Board's professionals' review of the appeal.
- O. In the event that there are multiple separate components involved in one application (i.e., a use variance, bulk variance, minor subdivision and/or site plan at the same time of submission of an application), then the maximum nonrefundable fee to be paid to the Township shall be the amount of the highest individual component fee, as delineated above, plus an additional one-time fee of \$150 total to cover all of the other separate components of the application. Escrow shall be posted according to each and every separate component submission of the application as delineated above.
- ~~P. TDR transactions: a nonrefundable application fee of \$200 and review escrow deposit in the amount of \$1,000 submitted on forms authorized by the Joint Land Use Board; for all TDR transactions, per transaction, landowner or existing sending and receiving area lot, whichever is greater; includes an application for TDR credit appeal, enrollment, assignment or reassignment, use and extinguishment or disenrollment. **[Added 2-16-2016 by Ord. No. 2016-02]**~~
- ~~Q. TDR review: a nonrefundable application fee of \$200 and review escrow deposit on the amount of \$1,000 submitted on forms authorized by the Joint Land Use Board; for administration and/or Joint Land Use Board Solicitor review of deed restrictions, easements, survey, title, TDR credit appeal, and requests for credit adjustments affected by variances and/or subdivision of an existing or proposed single family detached house, farmstead or lot. **[Added 2-16-2016 by Ord. No. 2016-02]**~~
- R P. Waiver of site plan: a nonrefundable application fee of \$250; a review escrow deposit in the amount of \$1,000 shall be posted. **[Added 4-3-2017 by Ord. No. 2017-08]**

Section 2. All ordinances or parts of ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.


Section 3. In the event any clause, section or paragraph of the Ordinance is deemed invalid or unenforceable for any reason, it is the intent of the Township Committee that the balance of the Ordinance remains in full force and effect to the extent it allows the Township to meet the goals of the Ordinance.

Section 4. This Ordinance shall take effect after final adoption and publication according to law.

ATTEST:

TOWNSHIP OF WOOLWICH

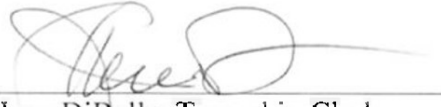
Jane DiBella, Municipal Clerk



Craig Frederick, Mayor

CERTIFICATION

The foregoing ordinance was introduced upon first reading by the Township Committee of the Township of Woolwich at a regular meeting held on the 1st day of May, 2023 and reintroduced at a meeting conducted on May 15, 2023. It will be further considered for final adoption upon a second reading and subsequent to a public hearing to be held on such ordinance at a meeting of the Township Committee at which time any interested person(s) may be heard. Said meeting to be conducted on the 5th day of June, 2023 at the Woolwich Township Municipal Building, 120 Village Green Drive, Woolwich Township, New Jersey, beginning at 6:30 p.m.



Jane DiBella, Township Clerk

NOTICE OF ADOPTION

Notice is hereby given that the foregoing ordinance was approved for final adoption by the Woolwich Township Committee at a meeting held on the 5th day of June.

Jane DiBella, Township Clerk

RESOLUTION #2023-25

**RESOLUTION OF REVIEW AND RECOMMENDATIONS
FROM THE WOOLWICH TOWNSHIP JOINT LAND USE BOARD
TO THE WOOLWICH TOWNSHIP MAYOR AND TOWNSHIP COMMITTEE
REGARDING PROPOSED CHANGES TO SECTION 95-8.4 OF THE TOWNSHIP
CODE ENTITLED "FEE AND ESCROW SCHEDULE"**

WHEREAS, via Resolution #2022-33, the Joint Land Use Board of the Township of Woolwich adopted a re-examination of the Township of Woolwich Master Plan ("2022 Master Plan Re-Examination Report"); and

WHEREAS, the 2022 Master Plan Re-examination Report contains various recommendations as to the Township Zoning Map and Zoning Ordinance; and

WHEREAS, the 2022 Master Plan Reexamination Report concluded based on the changed circumstances in the receiving area and the historic lack of interest in the private market to purchase, the Township's Transfer of Development Rights ("TDR") Program is no longer reasonable or viable and recommended termination of the TDR Program; and

WHEREAS, on May 1, 2023, the Mayor and Township Committee introduced proposed Ordinance 2023-14, the Township, which proposes terminating the TDR program; and

WHEREAS, on May 1, 2023, the Mayor and Township Committee of the Township of Woolwich introduced on first reading, Ordinance No. 2023-13, entitled "Ordinance of the Township of Woolwich Amending Chapter 95, Entitled 'Fees' in Accordance with the 2022 Master Plan Reexamination," a copy of which is attached hereto as Exhibit A and made a part of this resolution by reference to Exhibit A; and

WHEREAS, Ordinance No. 2023-13 proposes amends Section 95-8.4, entitled "Fee and Escrow Schedule" to remove fee and escrow requirements applicable to the Township's Transfer of Development Rights Program; and

WHEREAS, the Mayor and Township Committee have referred, pursuant to Resolution R-2023-120, adopted on May 1, 2023, proposed Ordinance No. 2023-13, to the Joint Land Use Board to review for consistency with the Master Plan and for comment in accordance with N.J.S.A. 40:55D-26 and N.J.S.A. 40:55D-64; and

WHEREAS, on May 4, 2023, the Joint Land Use Board performed its review and after careful review and consideration, made its recommendations based on the documents presented by the Township Planner and the testimony provided at the time of the hearing, including testimony of its own professionals; and


WHEREAS, the Woolwich Township Joint Land Use Board after careful review and discussion has determined that the adoption of the proposed amendments to Section 95-8.4 contained in proposed Ordinance No. 2023-13, conform and are consistent with the Master Plan; and

WHEREAS, the Woolwich Township Joint Land Use Board, after careful review and discussion has determined that: (1) the adoption of the proposed amendments contained in proposed Ordinance 2023-13, conform and are consistent with the Master Plan, including the recently adopted Master Plan Re-Examination adopted on October 20, 2022 and meet the goals of the same; (2) the amendments contained in proposed Ordinance 2023-13 conform to sound planning principles; (3) the adoption of proposed Ordinance 2023-13 are in the best interests of Woolwich Township.

NOW, THEREFORE, BE IT RESOLVED by the Joint Land Use Board of the Township of Woolwich, by a vote of 7 in favor and 0 opposed and 0 abstentions (voting for: Grasso, Frederick, Fein, Morris, Lock, Maccalano, Rushton) (Voting Against: _____) (Abstaining _____) as follows:

1. The Woolwich Township Joint Land Use Board approves and recommends the adoption of proposed Ordinance 2023-13, which is attached hereto as Exhibit A, and same is hereby referred to the Woolwich Township Mayor and Township Committee, for review and adoption; and
2. The Woolwich Township Joint Land Use Board determines and finds that the proposed Ordinance and the proposed amendments to Section 95-8.4 contained therein and attached hereto as Exhibit A, are consistent and conform to the Master Plan, including the recently adopted Master Plan Reexamination Report.
3. Any recommendations, if any, of the Joint Land Use Board are attached hereto as Exhibits B.

JOINT LAND USE BOARD OF THE
TOWNSHIP OF WOOLWICH



Robert C Rushton Acting Chairman
Vice

ATTEST:

The foregoing Resolution was a memorialization of action taken at a regular meeting of the Joint Land Use Board of the Township of Woolwich held on the 4th day of May, 2023; and such resolution was adopted by the Joint Land Use board of the Township of Woolwich at a regular meeting held on May 4, 2023, by a vote of 6 to approve, 0 to oppose, and 0 to abstain.


SHANNON KILPATRICK, Secretary

In favor of the Resolution:

C. Gnasso, C. Frederick, J. Fein, K. Morris, F. Lock, S. Maccarone,

Opposed to the Resolution:

V. Chair Tuskon

Abstained: