

**BOROUGH OF RIVERTON  
505A HOWARD STREET  
RIVERTON, NJ 08077**

**MUNICIPAL LAND USE APPLICATIONS AND  
INSTRUCTIONS FOR APPEALS,  
INTERPRETATIONS, ZONE CHANGES,  
CLASSIFICATION OF A DEVELOPMENT  
APPLICATION AND MASTER PLAN  
AMENDMENTS**

**CONTACT KENNY PALMER  
PLANNING BOARD SECRETARY  
856-829-9559**

**EMAIL: [kpalmer@riverton-nj.com](mailto:kpalmer@riverton-nj.com)  
OFFICE HOURS IN BOROUGH HALL EVERY  
WEDNESDAY 5PM-6PM**

BOROUGH OF RIVERTON  
PLANNING BOARD  
505A Howard Street  
Riverton, New Jersey 08077  
TELEPHONE: (856) 829-0120 FAX: (856) 829-1413

Form for Municipal Land Use Applications

INSTRUCTIONS:

1. Fill out this application form completely. Sign, date and have it notarized.
2. Attach all supporting documents (such as surveys, photos, denial letter, etc.)
3. Return this form with escrow, application fees, signed escrow agreement, and all supporting documents to the Planning Board's Secretary.
4. Applicant is required to comply with the notice requirements for the hearing pursuant to §22-25 of the Code of the Borough of Riverton.
5. Applicant must submit an original and 9 copies of this application.

**To be placed on the agenda, the application package MUST be given to the Planning Board Secretary at least 15 days before the Planning Board's regularly scheduled meeting, generally held on the Third Tuesday of each month.**

Applicant's Name \_\_\_\_\_

Applicant's Mailing Address \_\_\_\_\_

Applicant's Phone Number(s) \_\_\_\_\_ Applicant's Fax Number \_\_\_\_\_

Applicant's e-mail address \_\_\_\_\_

Applicant is (check one):  Owner  Prospective Buyer  
 Agent  Other (describe) \_\_\_\_\_

If the Applicant is a corporation or partnership, attach a list of the names and addresses of all individuals having a 10% or more shares in the corporation or partnership. Corporations seeking relief pursuant to N.J.S.A. 40:55D-70 must be represented by New Jersey attorney.

Owner's Name, Address and Phone \_\_\_\_\_

(if different from applicant) \_\_\_\_\_

Applicant's Attorney (if applicable) \_\_\_\_\_

Name \_\_\_\_\_

Mailing Address \_\_\_\_\_

Phone/Fax Number(s) \_\_\_\_\_

Other Professional(s) (if applicable) \_\_\_\_\_  
(attach a separate page for additional professionals if needed)

**Property Information**

Location of Property:

\_\_\_\_\_ Block: \_\_\_\_\_ Lot: \_\_\_\_\_  
(Street Address)

**Reason(s) for Application**

**Appeal under N.J.S.A. 40:55D-70a**

Set forth in detail the reasons for the appeal \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(attach separate pages if needed)

**Request for Interpretation Under N.J.S.A. 55D-70B**

Set forth in detail the reasons for the request for interpretation \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(attach separate pages if needed)

**Request for a Zone Change**

Set forth in detail the reasons for the request for a zone change \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(attach separate pages if needed)

**Classification of a Development Application**

Set forth in detail the reasons for the request for a classification of a development application \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(attach separate pages if needed)

**Master Plan Amendment**

Set forth in detail the reasons for a master plan amendment \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(attach separate pages if needed)

Has property been subject of any prior approvals/denials by Planning Board or Zoning Board of Adjustment

(If YES, specify): YES \_\_\_\_\_ NO \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(attach separate pages if needed)

The Applicant understands that knowingly providing false information may void this application and any action taken by this Board and may lead to prosecution.

\_\_\_\_\_  
Signature of Applicant or Owner

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Date

\_\_\_\_\_  
Notary Public

Land Use Procedures

22 Attachment 2

**Borough of Riverton**

**ESCROW AGREEMENT**

THIS AGREEMENT made this \_\_\_\_\_ day of \_\_\_\_\_, Two Thousand and \_\_\_\_\_.

\_\_\_\_\_ is hereinafter referred to as "Applicant", the Planning Board or Zoning Board of Adjustment of the Borough of Riverton is hereinafter referred to as "Board", and the Borough of Riverton in the County of Burlington is hereinafter referred to as "Borough".

WHEREAS, Applicant is proceeding under the Site Plan Review Ordinance (Chapter 109 of the Borough Code), the Subdivision Ordinance (Chapter 113 of the Borough Code) and/or the Zoning Ordinance (Chapter 128 of the Borough Code), collectively, the "Ordinances", for approval of a \_\_\_\_\_; and

WHEREAS, the Ordinances require the applicant to establish an escrow whereby work required to be performed by professionals employed by the Board will be paid for by the Applicant as required under the provisions of the Ordinances cited above; now, therefore,

Section 1. PURPOSE.

The Applicant agrees to pay all reasonable professional fees incurred by the Board for the performance of its duties.

Section 2. ESCROW ESTABLISHED.

Applicant hereby creates an escrow to be established with the Borough Treasurer.

Section 3. ESCROW FUNDED.

Applicant, upon execution of this agreement, shall pay to the Borough, to be deposited in the escrow account established by the Borough Treasurer, such sums as are required by the Ordinances.

Section 4. INCREASE IN ESCROW FUND.

If during the existence of this escrow agreement the funds held by the escrow holder shall be insufficient to cover any voucher or bill submitted by the professional staff and reviewed and approved by the Board, Applicant shall within fourteen (14) days from the date of receipt of written notice deposit additional sums with the escrow holder to cover the amount of the deficit referred to above and such additional amounts reasonably anticipated by the Board to be needed to complete the application process.

FAILURE OF THE APPLICANT TO DEPOSIT ADDITIONAL FUNDS TO COVER ANY VOUCHER OR BILL WILL RESULT IN THE BOARD NOT CONSIDERING THE APPLICATION FOR DEVELOPMENT IF THE ESCROW ACCOUNT IS NOT CURRENT ON THE DATE OF THE PUBLIC HEARING AND MAY RESULT IN THE APPLICANT BEING SUBJECT TO ANY LEGAL ACTION THAT THE BOROUGH, THE BOARDS OR THEIR RESPECTIVE PROFESSIONAL STAFFS MAY HAVE TO ENFORCE THIS AGREEMENT.

The written notice referred to in this paragraph shall be sent to:

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Unless otherwise shown, receipt shall be presumed to have occurred three (3) days after mailing. The notice required under this paragraph shall be given by the Board or its designee.

Section 5. TIME OF PAYMENT.

The professionals referred to in this agreement, upon the conclusion of their services or periodically during the performance of their services, shall submit vouchers conforming to the requirements established by the Borough for vouchers of the type and kind referred to under this paragraph. Said vouchers shall include the amounts of all fees and costs incurred as a result of the services set forth under Section 1 of this agreement.

Section 6. PAYMENTS FROM ESCROW FUNDS.

The Board or its designee shall review the vouchers submitted by the professionals to determine whether the services have been performed in the manner and to the degree required by this agreement. Upon making a determination that said services have been performed properly, the Board or its designee shall process said vouchers in

the same manner and under the same terms as are normally employed for vouchers submitted for work performed on behalf of the Board. At the conclusion of this processing, the amounts specified in said vouchers shall be paid by the escrow holder from the escrow established pursuant to this agreement.

Section 7. GOVERNING LAW AND CONSENT TO JURISDICTION.

This Agreement shall be construed and enforced in accordance with, and shall be governed by, the laws of the State of New Jersey, without regard to its choice of law rules.

The Applicant agrees that any action or proceeding to enforce, or that arises out of this Agreement, may be commenced and maintained in the Superior Courts of the State of New Jersey, or in any United States District Court for the District of New Jersey, and Applicant hereby waives any objection to the jurisdiction of said courts in any litigation arising hereunder on the basis that such court is an inconvenient forum or otherwise.

IN WITNESS WHEREOF the parties hereto have set their hands and seal the date first written above.

\_\_\_\_\_  
Applicant \*

\*If the applicant is a corporation, this signature must be attested to by an appropriate officer and the corporate seal must be affixed.



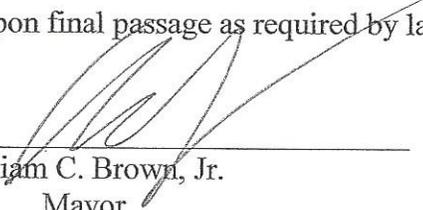
applicant, whether the appeal is approved or denied and notwithstanding the response by the Planning Board to the request for interpretation.

<u>Application</u>	<u>Application Fee</u>	<u>Escrow Account</u>
(a) Appeals under N.J.S.A. 40:55D-70a		
Residential	\$75.00	\$650.00
Non-Residential	\$75.00	\$750.00
(b) Interpretation under N.J.S.A. 40:55D-70b		
Residential	\$75.00	\$650.00
Non-Residential	\$75.00	\$750.00

**§ 22 – 25. Notice requirements for hearings.**

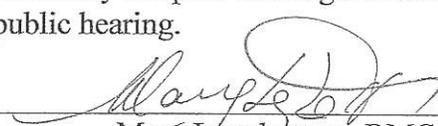
Whenever a hearing is required on an application for development pursuant to N.J.S.A. 40:55D-1 *et seq.*, or pursuant to the determination of the municipal agency in question, or an application for appeal under N.J.S.A. 40:55D-70a and/or request for interpretation under N.J.S.A. 55D-70b, the applicant shall give notice as set forth in provisions A to I below.

- II. Any Ordinance inconsistent with the provisions of this ordinance shall be repealed to the extent of such inconsistency.
- III. This Ordinance shall take effect upon final passage as required by law.

  
\_\_\_\_\_  
William C. Brown, Jr.  
Mayor

**CERTIFICATE OF CLERK**

I, Mary Longbottom, Municipal Clerk of the Borough of Riverton, County of Burlington and State of New Jersey, do hereby **CERTIFY** that the foregoing is a true copy of the Ordinance amended and passed by the Borough Council at a meeting of said Council held on August 13, 2014 and said Ordinance was finally adopted at a regular meeting of the Borough Council held September 10, 2014 after a public hearing.

  
\_\_\_\_\_  
Mary Longbottom, RMC  
Municipal Clerk

RECORDED VOTE	<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
BIANCHINI	✓	_____	_____	_____
CREIGHTON	✓	_____	_____	_____
CAIRNS-WELLS	✓	_____	_____	_____
AZELBY	✓	_____	_____	_____
KINZLER	✓	_____	_____	_____
CORBI	✓	_____	_____	_____
MAYOR (TIE)	_____	_____	_____	_____

**BOROUGH OF RIVERTON**  
**ORDINANCE 13 - 2014**

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**ORDINANCE AMENDING CHAPTER 22 OF THE RIVERTON  
BOROUGH CODE TO PROVIDE FOR APPLICATION FEES AND  
ESCROW AMOUNTS FOR REQUESTS FOR A ZONE CHANGE,  
CLASSIFICATION OF A DEVELOPMENT APPLICATION, OR  
MASTER PLAN AMENDMENT AND TO REQUIRE NOTICE FOR  
HEARINGS UNDER THESE PROVISIONS**

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**WHEREAS**, the Borough Planner has recommended that the Borough of Riverton consider application fees and escrows for various land use applications; and

**WHEREAS**, the responses from said applications in addition to other related expenses require the Borough to utilize professional services of the Board's professionals; and

**WHEREAS**, the Mayor and Council believe that these applicants, and not the Borough of Riverton, should bear all costs for said applications; and

**WHEREAS**, the Mayor and Council believe that residents affected by these applications should receive notice of same;

**NOW THEREFORE BE IT ORDAINED** by the Mayor and Council of the Borough of Riverton Chapter 22, Section 23 be and is hereby amended as follows:

**I. LAND USE PROCEDURES  
ARTICLE III  
PROVISIONS APPLICABLE TO PLANNING BOARD**

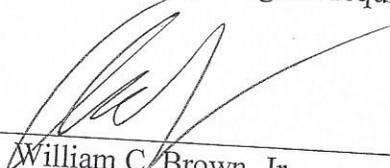
**§ 22-23. Fees.**

- D. At the time of submitting a request for a zone change, a request for classification of a development application, or request for a master plan amendment, the applicant shall be required to submit an application fee and escrow as set forth below and to execute an escrow agreement (as referenced in attachment 2) to cover all necessary and reasonable costs incurred by the Planning Board in connection with any requests for a zone change, classification of a development application, and/or Master Plan amendment on a form approved by the Borough Attorney. The amounts specified for escrow are estimates only and shall be paid in full prior to certification after the application is complete. In the event that more than the amounts specified in the initial escrow are required to pay the reasonable costs incurred, the applicant shall, upon written demand of the Planning Board, pay into escrow all additional sums required. All costs for the review of these applications shall be reimbursed by the applicant notwithstanding the response by the Planning Board to the application.

<u>Application</u>	<u>Application Fee</u>	<u>Escrow Account</u>
(a) Request for a zone change		
Residential	\$75.00	\$650.00
Non-Residential	\$75.00	\$750.00
(b) Request for classification of a development application		
Residential	\$75.00	\$650.00
Non-Residential	\$75.00	\$750.00
(c) Request for a Master Plan amendment		
Residential	\$75.00	\$650.00
Non-Residential	\$75.00	\$750.00
<b>§ 22 – 25. Notice requirements for hearings.</b>		

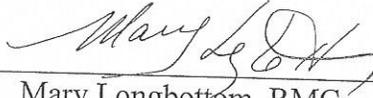
Whenever a hearing is required on an application for development pursuant to N.J.S.A. 40:55D-1 *et seq.*, or pursuant to the determination of the municipal agency in question, or an application for appeal under N.J.S.A. 40:55D-70a, request for interpretation under N.J.S.A. 55D-70b, a request for a zone change, classification of a development application, and/or Master Plan amendment, the applicant shall give notice as set forth in provisions A to I below.

- II. Any Ordinance inconsistent with the provisions of this ordinance shall be repealed to the extent of such inconsistency.
- III. This Ordinance shall take effect upon final passage as required by law.

  
 \_\_\_\_\_  
 William C. Brown, Jr.  
 Mayor

CERTIFICATE OF CLERK

I, Mary Longbottom, Municipal Clerk of the Borough of Riverton, County of Burlington and State of New Jersey, do hereby **CERTIFY** that the foregoing is a true copy of the Ordinance amended and passed by the Borough Council at a meeting of said Council held on December 10, 2014 and said Ordinance was finally adopted at a regular meeting of the Borough Council held January 14, 2015, after a public hearing.



Mary Longbottom, RMC  
Municipal Clerk

RECORDED VOTE	<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
BIANCHINI	✓	—	—	—
CREIGHTON	✓	—	—	—
CAIRNS-WELLS	✓	—	—	—
AZELBY	✓	—	—	—
KINZLER	✓	—	—	—
CORBI	✓	—	—	—
MAYOR (TIE)	—	—	—	—

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