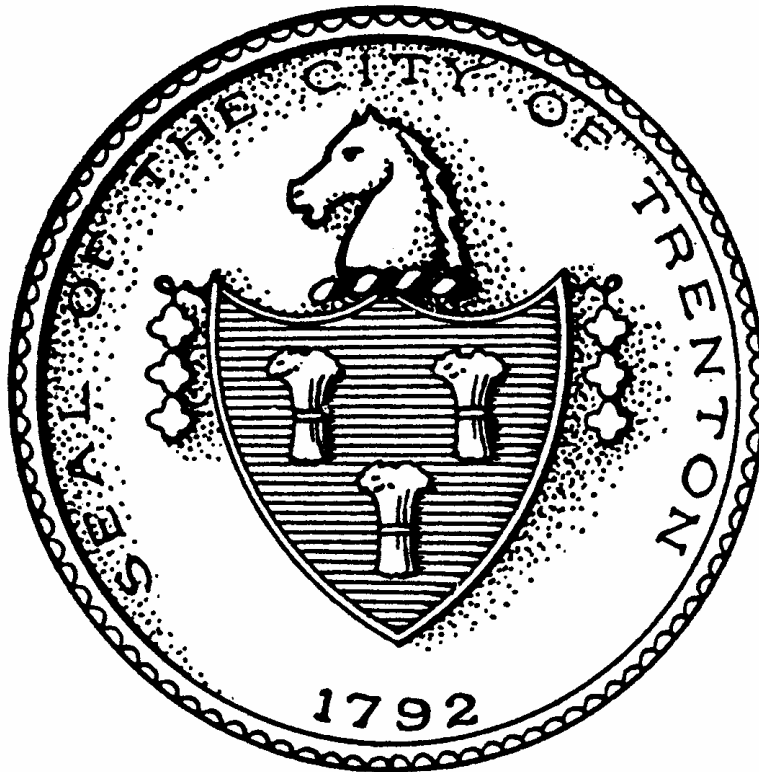


# CITY OF TRENTON

## PLANNING BOARD APPLICATION PACKET



*Tony F. Mack, Mayor*  
*Henrietta Owusu, Acting-Director, Department of Housing and Economic Development*

2011

CITY OF TRENTON PLANNING BOARD  
APPLICATION PACKAGE

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## Introduction

The Planning Board is an appointed committee which, like the Zoning Board of Adjustment, receives its powers to preside over site planning issues from the Municipal Land Use Law of the State of New Jersey. Along with adopting the Master Plan, the Planning Board has the legal power to review and approve three specific types of development applications. These three types of development applications are defined as follows:

1. *Subdivision:*

The division of a lot, tract or parcel of land into two or more lots, tracts, parcels or other divisions of land for sale or development. This also includes the consolidation of existing lots into one larger parcel.

2. *Site Plan Review -Preliminary & Final*

The examination of the specific development plan for a lot or tract of land reviewing the existing and proposed conditions of the lot. These conditions include but are not limited to, topography, vegetation, drainage, floodplain, parking, walkways, means of ingress and egress, utility services, landscaping, lighting and screening devices. When they are requested in conjunction with site plan approval, the Planning Board has the authority to grant bulk variances for yard setbacks, lot coverage, height, etc.

3. *Conditional Use:*

A use permitted in a particular zoning district only upon a showing that such use in a specified location will comply with the conditions and standards for the location or operation of such use as contained in the zoning chapter.

The Planning Board conducts public hearings and reviews individual applications for development to see whether they conform to the Master Plan and the Zoning Ordinance or in circumstances where the application is inconsistent with the purpose of that plan and ordinance, an exception should or must be made.

Public meetings of the Planning Board are held on the second and fourth Thursday of each month at 7:30 p.m. in the City Council Chambers unless otherwise posted, except in case of holidays, wherein the scheduled hearing shall be conducted on the preceding fourth Tuesday of the month. (The annual schedule of public meetings is attached.)

For the applicant's benefit, the City of Trenton has established the Project Application Review Committee (PARC). This committee consists of representatives from the Department of Inspections, the Zoning Officer, the Sewer and Water utilities and the Division of Planning. Together, these individuals conduct informal reviews of development proposals informing the applicant of the process and various approvals they will need to obtain to make the project a reality. It is not mandatory that development applications be reviewed by the PARC committee prior to applying to the Planning Board, but for the applicant's benefit, it is highly advisable. If you would like to schedule an appointment to be heard before PARC, contact Jerry Harcar at (609) 989-3582.

## Instructions to Applicants

These instructions and the accompanying application forms are designed to assist applicants in the preparation and submission of applications for review of Subdivisions, Preliminary Site Plans, Final Site Plans, related Bulk Variances and/or permits for Conditional Uses in accordance with the Zoning Ordinance of the City of Trenton.

If you do not understand any portion of the following forms, please contact any of the following Planning Division staff for assistance:

Stephani Register, Senior Planner (609) 989- 3507  
Tamaría Green, Student Planner (609) 989-3610

### *Professional Services*

In addition to the technical assistance of the Division of Planning staff, it may be advisable to retain the services of an attorney as well as other licensed professionals to assist you in the preparation of your application before the Planning Board. Please note, you are required to be represented by an attorney if you file your application as a corporation.

If site plan approval is required, you will need to retain the services of a licensed engineer to prepare site plan documents including providing an up to date boundary survey of the existing conditions, drainage, grading, soil erosion, utility, landscape and lighting plans.

If your application includes construction of a new building, an addition to or the substantive rehabilitation of an existing building, you will need to secure the services of a licensed architect.

Depending upon the size of your proposed development, the services of other consultants may be necessary to prepare your application including a landscape architect or traffic analyst.

For the Applicant's reference, the following attachments are available:  
Annual Schedule of Planning Board Hearings  
List of Planning Board Members

The office of the Division of Planning at the City Hall Annex, Trenton will furnish forms upon request and is prepared to give general advice concerning submission. **NEGLECT OR FAILURE TO COMPLY WITH THE FOLLOWING PROCEDURES WILL BE DEEMED SUFFICIENT CAUSE TO DENY AN APPLICATION.**

For your reference, copies of the Zoning Ordinance and Official Map may be obtained from the City Clerk's Office on the second floor of City Hall. The Zoning Ordinance is also available online at: <http://www.trentonnj.org>

Contact: The City Clerk: (609) 989-3185

*Before Proceeding Please Note:*

**In conjunction with your application being deemed complete by the Division of Planning staff, please be aware that no application will be heard if:**

1. Property taxes are due
2. Water or sewer bills are delinquent
3. The property is the subject of City liens or judgments

The following is a list of the appropriate utilities to contact in order to verify the status of outstanding billings:

Water Sewer Utility: (609) 989-3055

City of Trenton Tax Collector: (609) 989-3070

**General Process for Submission & Review**

If you do not understand any portions of the following forms or are unable to complete the application, please seek the appropriate assistance from any one of the following Planning Division staff:

Tamaria Green, Student Planner (609) 989-3610  
Stephani Register, Senior Planner (609) 989-3507

***It is advised that the Applicant be aware of the following:***

1. Members of the Planning Board may wish to conduct an on-site inspection of the site and/or existing structure contained in your application prior to the hearing.
2. At every hearing, the burden of proof is upon the applicant to present evidence in the form of testimony in support of the application.
3. Depending on the location of the proposed development, County Planning Board approval may be required before a building permit for the subject development may be issued as set forth in N.J. S.A. 40:27-6 et seq. For further information concerning this process contact: The Mercer County Planning Board (609) 989-6545.
4. If the proposal involves the disturbance of more than 5,000 sf of soil, Mercer County Soil Conservation District approval will be required. For further information concerning this process contact: The Mercer County Soil Conservation District (609) 596-9603
5. If the proposed development is within the D & R Canal District, D & R Canal Commission approval will be required. For further information concerning this process contact: The D & R Canal Commission (609) 397-2000
6. There are 38 redevelopment areas in the City of Trenton. Depending on the location of the proposed project; it may be located in a redevelopment area. Each redevelopment area consists of a plan and a map. These plans outline the allowable uses and building requirements for each redevelopment area. The applicant should be aware that redevelopment plans often change the underlying zoning which may affect his/her proposed project. For further information concerning redevelopment areas contact the Division of Planning: (609) 989-3505.

7. RSIS standards must be adhered to for new residential developments. In accordance with the applicable laws, the Board may grant *de minimus* exception from the standards.

### **Subdivision – Major and Minor**

All subdivision applications must include all items pursuant to the City Zoning Ordinance Section 315-66 and be drawn by a licensed surveyor or engineer. All plats must be in accordance with the State Map Filing Law.

1. The formal application process is commenced by filing 2 copies of Form A -APPLICATION FOR DEVELOPMENT accompanied by all appropriate supplemental forms for the specific approval being sought. Applications should be addressed or delivered to: The Division of Planning (3rd Floor City Hall Annex, Department of Housing & Economic Development, 319 East State Street, Trenton, NJ, 08608). The applicant must submit 10 full size copies of architectural and engineering drawings and **one copy of the architectural and engineering drawings should be submitted on an 8 ½" x 14" or 11" x 17" format**. Application fees and escrow are required for all applications (See Fee Schedule found on page 17).
2. Applications must be signed by either the legal or equitable owner of the premises, their duly authorized agent, the holder of an option or contract to purchase, or any other party which has an enforceable proprietary interest in such land.
3. All applications must be accompanied by the following:
  - a. Required application fee & escrow fee
  - b. Required drawings to scale conventionally dimensioned on the documents:
    1. All floor plans and building elevations (See Architectural Checklist)
    2. All proposed uses for the building and land must be labeled
    3. All egress paths - exits and entrances must be clearly illustrated
    4. All wall openings must be shown - windows and doors

Any other features and/or drawings deemed necessary for a complete review by the Planning Division staff and Planning Board members must also be supplied. These may include color renderings of the proposal or photographs of the existing site conditions. ***See the attached Checklists to ensure a complete submittal and to avoid unnecessary time delays.***

4. The Municipal Land Use Law provides the Division of Planning 45 days to review all applications for development and determine whether they can be deemed complete. All applicants whose submission has been deemed incomplete will be notified during this initial 45 day period.
5. In compliance with the Municipal Land Use Law, within 45 days after being deemed complete, your application will be scheduled for a Planning Board hearing.
6. ***The following noticing procedures must be performed by the applicant prior to the public hearing for both preliminary and final applications:***

All property owners within a 200' radius of the property in question, whether or not they are located in the City of Trenton, must be served with proper notice no less than 10 days prior to the hearing date, exclusive of the day of the hearing, as set forth in N.J.S.A. 40:55 D-12b. A sample of this notice is included in the application packet. (See Page 29)

The applicant must obtain the list of adjoining property owners from the Office of the City Engineer, City Hall, Trenton, New Jersey for a fee of \$35.00. You should allow the City Engineer staff at least two weeks to prepare the list. For further information about obtaining the list of adjoining owners, contact: The City Engineer's Office: (609) 989-3157.

Proper notice shall also be given to the County, State and all involved utilities as required. (See the attached list of utilities Page 31)

Notices may be either personally handed to the adjoining property owners or delivered by certified mail. Notices that are personally handed to the property owners shall be initialed or signed at the designated property address by the individual whose name appears as being the owner on the list of the property owners obtained from the City Engineer's Office. If the owner receives the notice but refuses to sign, indicate on the list at that name "refused to sign". If the owner can not be contacted or resides elsewhere, send the notice by certified mail. Do not leave notices in a mailbox or on the premises; do not post by regular mail. Applicants are required to present certified mail receipts or a copy of the signed list of adjoining property owners indicating they were personally served along with an affidavit or Proof of Service form enclosed. **If proper noticing procedure is not adhered to, the case will not be heard by the Planning Board.**

**Please Note:** Prior to sending out notices, the applicant should ensure that all actions being requested by the Board, i.e. variances, are properly noted in the legal notice. It is the sole responsibility of the applicant to ensure that the proper noticing procedures are followed.

The enclosed Affidavit of Service of Notice (Page 20) shall be notarized and presented to the Secretary of the Planning Board not less than two days prior to the hearing. Notices not adequately served will require that all notices be reserved for a new hearing date. Misrepresenting or falsifying an affidavit may result in legal action against the applicant.

In addition to the legal requirement of serving notices to property owners within 200 feet, it is advisable to meet with the immediate neighbors to the proposed development to discuss your application and address any concerns they may have prior to the public hearing. In that way, the applicant will be able to better respond to the concerns that may be raised during his / her presentation.

**Note:** Applicants should not send notices until they have been assigned a hearing date by the Division of Planning staff.

7. After completing its review of your application, the Division of Planning staff may request changes to the plans or additional information. Any additional information requested by the Division of Planning staff must be received by the Division no later than 15 days before the hearing date assigned.
8. A recommendation package containing the Division of Planning's critique of your application will be sent out to you and the Planning Board members approximately one week prior to your scheduled hearing date. You are welcome to meet with the Division of



Planning staff after reviewing the comments to address any concerns or issues you may have in response to the recommendation package prior to the Planning Board meeting.

9. On the night of the hearing, you should be prepared to make an oral presentation of your application. If possible, site drawings should be mounted on a presentation board to be placed on an easel (City to provide). To facilitate your presentation to the Planning Board, individual hand-outs to the Planning Board members and the audience is recommended.
10. At the conclusion of the presentation and discussion between the audience and the Planning Board members, a vote will be taken on your application to either:
  1. Continue the hearing to the next meeting
  2. Deny the application
  3. Suggest the applicant withdraw the application & return at a later date
  4. Approve the application with or without conditions

After receipt of preliminary subdivision approval, a complete final subdivision application must be submitted to the Division of Planning. These documents should incorporate any conditions imposed on the applicant during the preliminary subdivision approval process.

11. After receiving final subdivision approval, proper map filing procedures must be adhered to as outlined below:

**MAJOR** (More than 2 Lots):

- a. The applicant shall submit to the Division of Planning for review and approval:
  - i. 2 sealed paper copies
  - ii. 2 mylar
  - iii. 1 original copy of the deeds
- b. The drawings must be submitted with signature lines for the Chairman and the Secretary of the Planning Board. The Chairman and Secretary will sign the drawings submission, retain one paper copy for Planning Board records and return the rest of the drawings submitted back to the applicant.
- c. The applicant will then file the deeds and the resolution along with submitting one paper copy of the approved subdivision plat with the City Engineer.
- d. The City Engineer will plot the subdivision on the tax maps and provide an address for the properties. The deeds will be stamped by the City Engineer and returned to the applicant reflecting the new block and lot numbers.
- e. Upon obtaining the stamp with the new address for the subdivision, the applicant then files the mylar, and electronic copies of the subdivision and the stamped deeds with the County.

**MINOR** (2 lots or less)

- a. The applicant shall submit to the Division of Planning for review and approval:
  - i. 2 paper copies of the plat
  - ii. Deeds
- b. For a minor subdivision, the applicant shall submit to the County:
  - i. Deeds
- c. Minor subdivisions do not need to be filed by map. Prior to submitting the deeds with the County, the applicant shall submit to the City's engineer's office:
  - i. Resolution
  - ii. Deeds (Deeds must be signed by the Planning Board Chairperson and Planning Board secretary.)
  - iii. Paper copy of the subdivision plan.

### **Site Plan Review – Preliminary and Final**

1. The formal application process is commenced by filing 2 copies of Form A -APPLICATION FOR DEVELOPMENT accompanied by all appropriate supplemental forms for the specific approval being sought. Applications should be addressed or delivered to: The Division of Planning ( 3rd Floor City Hall Annex, Department of Housing & Economic Development, 319 East State Street, Trenton, NJ, 08608 ). The applicant must submit 10 full size copies of architectural and engineering drawings and **one copy of the architectural and engineering drawings should be submitted on an 8 ½" x 14" or 11" x 17" format**. Application fees and escrow are required for all applications (See Fee Schedule found on page 17).
2. Applications must be signed by either the legal or equitable owner of the premises, their duly authorized agent, the holder of an option or contract to purchase, or any other party which has an enforceable proprietary interest in such land.
3. All applications must be accompanied by the following:
  - a. Required application fee & escrow fee
  - b. Required drawings to scale conventionally dimensioned on the documents:
    1. All floor plans and building elevations (See Architectural Checklist)
    2. All proposed uses for the building and land must be labeled
    3. All egress paths - exits and entrances must be clearly illustrated
    4. All wall openings must be shown - windows and doors
    5. All exterior work including but not limited to:
      - a) Existing Boundary Survey
      - b) Proposed Site Plan
      - c) Lighting Plan
      - d) Utility Plan
      - e) Soil Erosion & Sediment Control Plans
      - f) Grading & Drainage Plans
      - g) Landscaping Plan
      - h) Parking and Circulation Plan (See the attached Site Plan Checklist)
    6. All pertinent site work details
    7. Drainage calculations as required
  - c. Documentation of adjoining properties affected by the proposed development
    - a) Show adjacent properties on the Site Plan
    - b) List all current property owners that live within 200 feet of the project site on the Site Plan

Any other features and/or drawings deemed necessary for a complete review by the Planning Division staff and Planning Board members must also be supplied. These may include color renderings of the proposal or photographs of the existing site conditions. ***See the attached Checklists to ensure a complete submittal and to avoid unnecessary time delays.***

4. The Municipal Land Use Law provides the Division of Planning 45 days to review all applications for development and determine whether they can be deemed complete. All applicants whose submission has been deemed incomplete will be notified during this initial 45 day period.

5. In compliance with the Municipal Land Use Law, within 45 days after being deemed complete, your application will be scheduled for a Planning Board hearing.
6. ***The following noticing procedures must be performed by the applicant prior to the public hearing for both preliminary and final applications:***

All property owners within a 200' radius of the property in question, whether or not they are located in the City of Trenton, must be served with proper notice no less than 10 days prior to the hearing date, exclusive of the day of the hearing, as set forth in N.J.S.A. 40:55 D-12b. A sample of this notice is included in the application packet. (See Page 29)

The applicant must obtain the list of adjoining property owners from the Office of the City Engineer, City Hall, Trenton, New Jersey for a fee of \$35.00. You should allow the City Engineer staff at least two weeks to prepare the list. For further information about obtaining the list of adjoining owners, contact: The City Engineer's Office: (609) 989-3157.

Proper notice shall also be given to the County, State and all involved utilities as required. (See the attached list of utilities Page 31)

Notices may be either personally handed to the adjoining property owners or delivered by certified mail. Notices that are personally handed to the property owners shall be initialed or signed at the designated property address by the individual whose name appears as being the owner on the list of the property owners obtained from the City Engineer's Office. If the owner receives the notice but refuses to sign, indicate on the list at that name "refused to sign". If the owner can not be contacted or resides elsewhere, send the notice by certified mail. Do not leave notices in a mailbox or on the premises; do not post by regular mail. Applicants are required to present certified mail receipts or a copy of the signed list of adjoining property owners indicating they were personally served along with an affidavit or Proof of Service form enclosed. **If proper noticing procedure is not adhered to, the case will not be heard by the Planning Board.**

**Please Note:** Prior to sending out notices, the applicant should ensure that all actions being requested by the Board, i.e. variances, are properly noted in the legal notice. It is the sole responsibility of the applicant to ensure that the proper noticing procedures are followed.

The enclosed Affidavit of Service of Notice (Page 20) shall be notarized and presented to the Secretary of the Planning Board not less than two days prior to the hearing. Notices not adequately served will require that all notices be reserved for a new hearing date. Misrepresenting or falsifying an affidavit may result in legal action against the applicant.

In addition to the legal requirement of serving notices to property owners within 200 feet, it is advisable to meet with the immediate neighbors to the proposed development to discuss your application and address any concerns they may have prior to the public hearing. In that way, the applicant will be able to better respond to the concerns that may be raised during his / her presentation.

**Note:** Applicants should not send notices until they have been assigned a hearing date by the Division of Planning staff.

7. After completing its review of your application, the Division of Planning staff may request changes to the plans or additional information. Any additional information requested by the Division of Planning staff must be received by the Division no later than 15 days before the hearing date assigned.
8. A recommendation package containing the Division of Planning's critique of your application will be sent out to you and the Planning Board members approximately one week prior to your scheduled hearing date. You are welcome to meet with the Division of Planning staff after reviewing the comments to address any concerns or issues you may have in response to the recommendation package prior to the Planning Board meeting.
9. On the night of the hearing, you should be prepared to make an oral presentation of your application. If possible, site drawings should be mounted on a presentation board to be placed on an easel (City to provide). To facilitate your presentation to the Planning Board, individual hand-outs to the Planning Board members and the audience is recommended.
10. At the conclusion of the presentation and discussion between the audience and the Planning Board members, a vote will be taken on your application to either:
  1. Continue the hearing to the next meeting
  2. Deny the application
  3. Suggest the applicant withdraw the application & return at a later date
  4. Approve the application with or without conditions

After receipt of preliminary site plan approval, a complete final site plan application must be submitted to the Division of Planning. These documents should incorporate any conditions imposed on the applicant during the preliminary site plan approval process.

**Note: With few exceptions, preliminary and final site plans are handled as separate applications. Final site plan applications may not be scheduled for review if there are any outstanding preliminary conditions of approval. All conditions to final site applications shall be completed along with any other requirements by the Director of Inspections in order to obtain a building or occupancy permit.**

12. After receiving final site plan approval the applicant must submit to the Division of Planning three sets of final site plan drawings addressing all conditions imposed on the applicant by the Planning Board and stated in the resolution. Until, the Division of Planning staff has reviewed these plans to assure all conditions have been addressed and signed off on the plans, the applicant may not submit drawings to the Department of Inspections for building permits.

## Conditional Use Permit

All approvals by the Planning Board will require that the approved plans comply with all state and building code (BOCA) standards in order to receive an occupancy permit from the Department of Inspections. Building code violations must first be corrected in order to obtain an occupancy permit. Therefore, it is advisable to check the condition of the property and evaluate repair cost prior to applying for a conditional use permit.

1. The formal application process is commenced by filing 2 copies of Form A -APPLICATION FOR DEVELOPMENT accompanied by all appropriate supplemental forms for the specific approval being sought. Applications should be addressed or delivered to: The Division of Planning (3rd Floor City Hall Annex, Department of Housing & Economic Development, 319 East State Street, Trenton, NJ, 08608). The applicant must submit 10 full size copies of architectural and engineering drawings and **one copy of the architectural and engineering drawings should be submitted on an 8 ½" x 14" or 11" x 17" format**. Application fees and escrow are required for all applications (See Fee Schedule found on page 17).
2. Applications must be signed by either the legal or equitable owner of the premises, their duly authorized agent, the holder of an option or contract to purchase, or any other party which has an enforceable proprietary interest in such land.
3. All applications must be accompanied by the following:
  - a. Required application fee & escrow fee
  - b. Required drawings to scale conventionally dimensioned on the documents:
    1. All floor plans and building elevations (See Architectural Checklist)
    2. All proposed uses for the building and land must be labeled
    3. All egress paths - exits and entrances must be clearly illustrated
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4. The Municipal Land Use Law provides the Division of Planning 45 days to review all applications for development and determine whether they can be deemed complete. All applicants whose submission has been deemed incomplete will be notified during this initial 45 day period.
5. In compliance with the Municipal Land Use Law, within 45 days after being deemed complete, your application will be scheduled for a Planning Board hearing.
6. ***The following noticing procedures must be performed by the applicant prior to the public hearing:***

All property owners within a 200' radius of the property in question, whether or not they are located in the City of Trenton, must be served with proper notice no less than 10 days prior to the hearing date, exclusive of the day of the hearing, as set forth in N.J.S.A. 40:55 D-12b. A sample of this notice is included in the application packet. (See Page 29)

The applicant must obtain the list of adjoining property owners from the Office of the City Engineer, City Hall, Trenton, New Jersey for a fee of \$35.00. You should allow the City Engineer staff at least two weeks to prepare the list. For further information about obtaining the list of adjoining owners, contact: The City Engineer's Office: (609) 989-3157.

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**Please Note:** Prior to sending out notices, the applicant should ensure that all actions being requested by the Board, i.e. variances, are properly noted in the legal notice. It is the sole responsibility of the applicant to ensure that the proper noticing procedures are followed.

The enclosed Affidavit of Service of Notice (Page 20) shall be notarized and presented to the Secretary of the Planning Board not less than two days prior to the hearing. Notices not adequately served will require that all notices be reserved for a new hearing date. Misrepresenting or falsifying an affidavit may result in legal action against the applicant.

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**Note:** Applicants should not send notices until they have been assigned a hearing date by the Division of Planning staff.

7. After completing its review of your application, the Division of Planning staff may request changes to the plans or additional information. Any additional information requested by the Division of Planning staff must be received by the Division no later than 15 days before the hearing date assigned.
8. A recommendation package containing the Division of Planning's critique of your application will be sent out to you and the Planning Board members approximately one week prior to your scheduled hearing date. You are welcome to meet with the Division of

Planning staff after reviewing the comments to address any concerns or issues you may have in response to the recommendation package prior to the Planning Board meeting.

9. On the night of the hearing, you should be prepared to make an oral presentation of your application. If possible, site drawings should be mounted on a presentation board to be placed on an easel (City to provide). To facilitate your presentation to the Planning Board, individual hand-outs to the Planning Board members and the audience is recommended.
10. At the conclusion of the presentation and discussion between the audience and the Planning Board members, a vote will be taken on your application to either:
  - a. Continue the hearing to the next meeting
  - b. Deny the application
  - c. Suggest the applicant withdraw the application & return at a later date
  - d. Approve the application with or without conditions

### **Criteria for Evaluation**

Conditional Uses are permitted in particular zoning districts by authorization of the Trenton Planning Board if the Applicant demonstrates to the satisfaction of the Planning Board that the proposed use in the zoning district will comply with the conditions and standards regulating this use as specified in the City Zoning Ordinance. These conditions address, among other standards, the following concerns:

1. Suitability of the use to its environment: The Planning Board considers the proposed use of the structure, the level of activity and the surrounding open space, as well as measures the proposal to be undertaken by the applicant with regard to the treatment of grounds, the general fitness of the structure and the relationship of the proposed use to its proposed location.
2. Adequacy of provisions for off-street automobile parking or storage or loading space: The Planning Board will evaluate whether sufficient parking can be provided by the applicant to minimize the impact on the adjacent properties.
3. Adequacy of street capacity and egress to ensure that the use will not create an adverse impact upon public health, comfort and convenience as required for the preservation of the general character of the neighborhood wherein the use is situated.
4. That the use, if granted, will not be contrary to the public interest and will not materially increase traffic, fire hazard, panic or other danger, nor be injurious to health, morals or the general welfare.
5. Specific criteria for evaluation of the various permitted conditional uses can be found in the Zoning Ordinance Article XXVII.



## **Notes Regarding Bulk Variance Approvals:**

### ***BULK VARIANCES CRITERIA FOR EVALUATION***

Bulk variances can be heard by the Planning Board if the proposed development requires approval of a subdivision, site plan or conditional use. Approval of a bulk variance allows departure from the prescribed minimum lot area, height, setbacks, parking, and building and floor area limits as set forth in the City of Trenton Zoning Ordinance according to each zoned district.

The burden of proof is on the applicant. The core question presented by a bulk variance application is whether there has been a showing of:

1. peculiar and exceptional practical difficulties to, or
2. exceptional and undue hardship upon, the applicant arising out of
  - a. the exceptional narrowness, shallowness or shape of a specific piece of property, or
  - b. by reason of exceptional topographic conditions or physical features uniquely affecting a specific piece of property, or
  - c. by reason of an extraordinary and exceptional situation uniquely affecting a specific piece of property or the structures lawfully existing thereon.

## **Fee Schedule**

This section is taken for the City's Zoning and Land Development Ordinance.

### **ARTICLE X:Section 315-71 Fees-**

Every application for development shall be accompanied by a check payable to the City of Trenton.

**A. Setbacks.**

- (1) Front yard setback for single-family dwellings only: \$50.
- (2) Other setback, height, density or use variance for single-family dwellings only: \$75.

**B. Housing conversions and multiunit variance. Housing conversion to multifamily use or multifamily bulk variance for setback, height, density or parking: \$100.**

**C. Variances. Use variance or variance for setback, height or density for commercial, industrial uses or for signs, parking lots or any combination thereof: \$200.**

**D. Conditional uses. Application for conditional use: \$200.**

**E. Site plan development; subdivisions.**

**(1) Up to 10,000 square feet of land area:**

|                        |          |
|------------------------|----------|
| Preliminary site plan* | \$225.00 |
| Final site plan*       | \$225.00 |
| Subdivision            | \$225.00 |

**(2) 10,001 - 20,000 square feet of land area:**

|                        |          |
|------------------------|----------|
| Preliminary site plan* | \$325.00 |
| Final site plan*       | \$325.00 |
| Subdivision            | \$325.00 |

**(3) 20,001 - 40,000 square feet of land area:**

|                        |          |
|------------------------|----------|
| Preliminary site plan* | \$400.00 |
| Final site plan*       | \$400.00 |
| Subdivision            | \$400.00 |

**(4) Over 40,000 square feet of land area:**

|                        |          |
|------------------------|----------|
| Preliminary site plan* | \$450.00 |
| Final site plan*       | \$450.00 |
| Subdivision            | \$450.00 |

\*An additional fee of \$100 for preliminary and a fee of \$100 for final site plan review for every 50,000 square feet of floor area, or fraction thereof, in excess of the first 50,000 square feet of any development.

There shall be a separate development fee required for preliminary and final site plan applications. There shall be only one fee, whichever is the greater amount, if any application for development also requires a subdivision, bulk or use variance or conditional use permit; or if a use variance also requires one or more setback variances. A single fee for each shall be required for both preliminary and final site plan review.

- F. Certified list of property owners (See § 315-35C.): \$0.25 per name or \$10, whichever is greater.
- G. Copy of minutes, transcripts or decisions (See § 315-36 and 315-46, per page): \$1.00.
- H. Court reporter. If an applicant desires a court reporter, the cost for taking testimony and transcribing it and providing a copy of the transcript to the City shall be at the expense of the applicant, who shall arrange for the report's attendance.
- I. Redevelopment plans and amendments. For the designation of redevelopment areas, the creation of redevelopment plans, or the amendment of redevelopment plans previously adopted:
  - (1) Designation of redevelopment area and creation of redevelopment plan: \$2,500.
  - (2) Amendment of redevelopment plan: \$1,500.

#### **Section 315-73 Escrow for fees for professional review services.**

- A. Escrow for review fees required. Each application for development shall be accompanied by payment of an escrow fee in addition to the nonrefundable application fee required by § 315-70, to be deposited with the City. The amount of the escrow fee shall be as set forth below:
  - (1) Site plan application: [Amended 2-6-2003 by Ord. No. 03-13]
    - (a) Base fee (for all applications): \$300.
  - (2) Performance standard review:
    - (a) For review of standards required under § 315-165: \$300.
- B. Waiver of escrow requirement. A waiver of all or part of the escrow fee requirement for performance standard review applications or site plan applications containing 10 or fewer residential units, or 20,000 or fewer gross square feet of nonresidential space, may be granted at the sole discretion of the Planning Board, after receiving a staff recommendation. The granting of a full or partial waiver shall be based upon review of a completed application and a finding that the nature of the application and its potential impacts are such that no substantial technical or professional review is required.

## **CHECKLISTS**

The following checklists are designed to assist applicants in the preparation of applications for Planning Board review. These lists should be used as guidelines to ensure the submission of a COMPLETE APPLICATION and to avoid unnecessary delays in the review of your project plans. A complete submission enables the Planning Board to better understand your proposal, thus allowing for a more comprehensive and timely evaluation. If the applicant believes that any of the categories listed below are not applicable to his / her proposal, it should be indicated and noted on the drawing submission.

***Note: All drawings submitted must be to scale, noted as such and must be clearly legible.***

## **PRELIMINARY SITE PLAN / PRELIMINARY SUBDIVISION CHECKLIST**

### Map layout, Data, Lot Boundaries, Dimensions, Topographic Identification

- \_\_\_ Two (2) completed copies of application form.
- \_\_\_ Ten (10) complete copies of site/ engineering plans signed and sealed by a New Jersey professional engineer.
- \_\_\_ One (1) reduced copy (8 1/2 x 14 or 11 x 17) of the site/ engineering plans.
- \_\_\_ Two (2) copies of protective covenant or deed restrictions.
- \_\_\_ Scale of not less than one inch equals 50 feet.
- \_\_\_ Key map at least one inch equals 2,000 feet.
- \_\_\_ Title block with the following elements:
  - Name of development, City of Trenton and Mercer County
  - Name, title, address and telephone number of developer.
  - Name, title, address and license number of the professional or professionals who prepared the plan.
  - Name, title and address of the owner or owners of record.
  - Scale, written and graphic
  - Date of original preparation and of each subsequent revision thereof and a list of specific revisions entered on each sheet.
- \_\_\_ North Arrow
- \_\_\_ Certification of ownership and authorization to file application.
- \_\_\_ Approval signature lines.
- \_\_\_ Square footage or acreage to the nearest hundredth of an acre and a computation of the area of the tract to be disturbed.
- \_\_\_ The names and lot and block numbers of all property owners within 200 feet of the extreme limits of the tract as shown on the most recent tax list prepared by the City Tax Assessor.
- \_\_\_ Existing tax sheet number(s) and existing block and lot number(s) of the lot(s) to be subdivided or developed as they appear on the City Tax Map, and proposed block and lot numbers as provided by the City Tax Assessor, upon written request.
- \_\_\_ Tract boundary line, heavy solid line.
- \_\_\_ Zoning districts affecting the tract, including district names and requirements, with proposed variance requests noted on the plat or plan.

- \_\_\_\_ The location and dimensions of existing and proposed bridges and culverts both within the tract and within 200 feet of its boundaries.
- \_\_\_\_ The location and species associations of all existing trees or group of trees having a caliper of eight inches or more measured three feet above the ground level shall be shown within the portion(s) of the tract to be disturbed as a result of the proposed development.
- \_\_\_\_ The proposed locations of all proposed plantings shall be indicated and a legend provided listing the botanical and common names, the sizes at time of planting, the total quantity of each plant and the location of each plant keyed to the plan or plat.
- \_\_\_\_ Existing and proposed water courses accompanied by cross-sections of the watercourses or drainage swales at an appropriate scale showing the extent of floodplain, top of bank, normal water levels and bottom elevations at the locations specified in the ordinance.
- \_\_\_\_ Existing and proposed contours as required by ordinance.
- \_\_\_\_ Proposals for soil erosion and sediment control as required by N.J.S.A. 4:24-39, *et seq.*
- \_\_\_\_ Locations of all existing structures as required by ordinance.
- \_\_\_\_ Size, height and location of all proposed buildings, structures, signs and lighting facilities.
- \_\_\_\_ All dimensions necessary to confirm conformity to the ordinance requirements.
- \_\_\_\_ The proposed location, direction of illumination, power and type of proposed outdoor lighting, including details, luminaries and hours of operation.
- \_\_\_\_ The proposed screening, buffering and landscaping plan, with the information required by ordinance.
- \_\_\_\_ The location and design of any off- street parking area, showing size and location of bays, aisles and barriers.
- \_\_\_\_ All means of vehicular access or egress to or from the site onto public streets, with the information required by ordinance.
- \_\_\_\_ Plans and computations for any storm drainage systems as required by ordinance.
- \_\_\_\_ The location of existing utility structures on the tract and within 200 feet of its boundaries.
- \_\_\_\_ Plans of proposed improvements and utility layouts as required by ordinance.
- \_\_\_\_ Plans, typical cross-sections and construction details, horizontal and vertical alignment of the centerline of all proposed streets and of existing streets abutting the tract as required by ordinance.
- \_\_\_\_ A copy of any protective covenants or deed restrictions applying to the land being developed or an indication of them on the submitted plat or plan.

\_\_\_\_ Proposed permanent monuments

\_\_\_\_ Certificate from the City Tax Collector that all taxes and assessments are paid to date.

## **FINAL SITE PLAN CHECKLIST**

### **Data Required - Specifications**

- \_\_\_\_ Two (2) completed copies of application form.
- \_\_\_\_ Plats or plans, five (5) folded copies, signed and sealed by a New Jersey professional land surveyor or New Jersey professional engineer.
- \_\_\_\_ Scale of not less than one inch equals 50 feet.
- \_\_\_\_ All details stipulated in Preliminary Site Plan Checklist.
- \_\_\_\_ All additional details required at the time of preliminary approval.
- \_\_\_\_ Detailed architectural and engineering data as required by ordinance.
- \_\_\_\_ Certification from the City Tax Collector that all taxes are paid up-to-date.



### **Variance Application Checklist**

- \_\_\_ Two (2) completed copies of application form.
- \_\_\_ Ten (10) full-sized, folded copies of plans, signed and sealed by the New Jersey professional land surveyor or New Jersey professional engineer.
- \_\_\_ One (1) reduced set of plans (8 ½ x 14 or 11 x 17).
- \_\_\_ Scale of not less than one inch equals 50 feet.
- \_\_\_ Key map at less than one inch equals 2,000 feet.
- \_\_\_ Title block containing the following information:
  - Name of development, City of Trenton and Mercer County
  - Name, title, address and telephone number of subdivider or developer.
  - Name, title, address and license number of the professional or professionals who prepared the plat or plan.
  - Name, title and address of the owner or owners of record.
  - Scale, written and graphic
  - Date of original preparation and of each subsequent revision thereof and a list of specific revisions entered on each sheet.
- \_\_\_ Acreage or square footage figures.
- \_\_\_ Approval signature lines.
- \_\_\_ Existing block and lot number(s) of the lot(s) to be subdivided or developed as they appear on the City Tax Map, and proposed block and lot numbers as provided by the City Tax Assessor, upon written request.
- \_\_\_ Subdivision or development boundary line, heavy solid line.
- \_\_\_ The location of existing and proposed property lines with bearings and distances, streets, structures with their numerical dimensions and an indication as to whether existing structures will be retained or removed, parking spaces, loading areas, driveways, watercourses, railroads, bridges, culverts, drain pipes, any natural features such as wetlands and treed areas and any landmark areas or sites as indicated on the "landmark" map attached to the zoning ordinance.
- \_\_\_ The location and width of all existing and proposed utility easements.
- \_\_\_ Zoning districts affecting the tract, including district names and requirements with proposed variance requests noted on the plat or plan.
- \_\_\_ Proposed buffer and landscaped areas.
- \_\_\_ Delineation of floodplains, including both floodway and flood fringe areas.

- \_\_\_\_ Contours as shown on the USGS topographic sheets.
- \_\_\_\_ The names of all adjacent property owners as they appear on the most recent tax list prepared by the City Tax Assessor.
- \_\_\_\_ Certificate from the City Tax Collector that all taxes and assessments are paid to date.
- \_\_\_\_ Road right-of-way dedication and improvement, as applicable.
- \_\_\_\_ Sight triangle easements as applicable.
- \_\_\_\_ Deed descriptions, including metes and bounds, easements, covenants, restrictions and road and sight triangle dedications.

## **ARCHITECTURAL CHECKLIST**

### Architectural Drawings (Proposed Plans, Elevations, Sections, etc.)

- \_\_\_ Proposed Floor Plans
- \_\_\_ All Proposed Elevations (Show existing elevations even where no work is proposed)
- \_\_\_ Indicate room sizes and building height of proposed / existing structure(s) on both floor plans and elevations
- \_\_\_ Indicate proposed manufacturer options for building details (i.e. windows: vinyl-clad double-hung replacement windows with double insulated glazing by either "Andersen Windows" or "Pella", Color: white)
- \_\_\_ Indicate all color palettes proposed for the main building, trim, roof, etc.
- \_\_\_ Plans should indicate any proposed trim work, shutters, cornices, etc.
- \_\_\_ Indicate materials and structure for all proposed canopies.

### Urban Design Issues (Fencing, Paving, Lighting)

- \_\_\_ Indicate materials, sizes and treatments for all proposed or existing to remain -porches, stoop areas, sheds, garden walls, planters, stair railings and all other proposed landscape features.
- \_\_\_ Indicate all fencing proposed or that is to remain illustrating heights, sizes, boundaries, locations and entry / gate locations.
- \_\_\_ Show locations, type and character of all proposed wall mounted light fixtures, mail boxes and any and all other proposed building 'equipment'.
- \_\_\_ Indicate proposed paving patterns and brick work for sidewalks, driveways and parking areas.
- \_\_\_ If the project is to be built in phases, include proposed start times and completion dates for each phase and the nature of the work that will be addressed in each phase.

### Signage:

- \_\_\_ Illustrate size, color, materials and scaled locations on elevations as well as the verbiage and font style.

- \_\_\_\_ Designs of all freestanding signage shall be indicated on the site plan and shall show all base materials to be used, along with sign size and location.
- \_\_\_\_ Indicate how the sign will be lit (Illuminated, non-illuminated, spotlights, etc.)

**NOTICE TO BE SERVED ON PROPERTY OWNERS LOCATED WITHIN 200' OF  
THE APPLICANT'S PROPERTY**

**CITY OF TRENTON  
PLANNING BOARD**

**NOTICE OF HEARING ON APPEAL OR APPLICATION**

TO: \_\_\_\_\_

OWNER OF: \_\_\_\_\_

Street Address: \_\_\_\_\_

Lot: \_\_\_\_\_

Block: \_\_\_\_\_

**PLEASE TAKE NOTICE:**

The undersigned has filed an appeal or application for development with the Planning Board of the City of Trenton in compliance with Article IX of the Zoning and Land Development Ordinance for \_\_\_\_\_ so as to permit \_\_\_\_\_

on the premises at \_\_\_\_\_ and  
designated as Lot(s): \_\_\_\_\_ Block(s)  
\_\_\_\_\_ on the City Tax Map. This notice is sent to you as owner of property  
in the immediate vicinity.

A public hearing has been scheduled for \_\_\_\_\_, 200 \_\_\_\_\_, 7:30 p.m., in City Hall Council Chambers, 319 East State Street, Trenton, New Jersey, and when the case is called you may appear either in person, or by agent or attorney, and present any objections which you may have to the granting of the relief sought in the petition.

The following described maps and papers are on file and may be inspected by the public prior to the above meeting between the hours of 9:00 a.m. and 4:30 p.m. in the office of the Division of Planning in the Department of Housing and Economic Development at City Hall Annex, 319 East State Street Trenton, New Jersey:

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

\_\_\_\_\_  
Printed Name of Applicant

\_\_\_\_\_  
Signature of Applicant

Date: \_\_\_\_\_

## AFFIDAVIT OF SERVICE

### CITY OF TRENTON PLANNING BOARD

MERCER COUNTY

STATE OF NEW JERSEY

\_\_\_\_\_ of full age, being duly sworn according to law, on his / her oath disposes and says that he / she resides at \_\_\_\_\_ of \_\_\_\_\_ County and State of \_\_\_\_\_ and that he / she did on \_\_\_\_\_ 20\_\_\_\_, at least (10) days prior to the hearing date, give personal notice to all property owners within 200' of the property affected by appeal # \_\_\_\_\_ located at \_\_\_\_\_.

Said notice was given either by handing a copy to the property owner and required utilities, or by sending said notice by certified mail. Copies of the registered receipts are attached hereto. Attached to this affidavit is also the list of property owners who were served, showing the lot and block numbers of each property as same appear on the municipal tax map as cross referenced with the attached certified list of such owners as prepared by the Tax Assessor of the City of Trenton.

Notice was also published in the official newspaper of the municipality as required by law and is attached as proof of publication.

\_\_\_\_\_  
Printed Name of Applicant

\_\_\_\_\_  
Signature of Applicant

Sworn and subscribed to before me this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_.

## **UTILITY LIST**

The following utilities and City of Trenton staff people must be notified of any development applications along with the adjoining property owners:

Brian Wagaman, Chief Engineer  
(609) 421-8002  
Charles Blomkvist, Distribution Supervisor  
Ron McDermott  
PSE & G (Gas)  
665 Whitehead Road  
Lawrenceville, New Jersey 08648  
(609) 421 - 8020

Ronald A. Natriello  
Richard Maugher  
(609) 637 - 4030  
Bell Atlantic New Jersey, Inc.  
1490 Prospect Street  
Trenton, New Jersey 08638  
(609) 530 - 9906

Warren Westeriburger, Overhead Engineer  
PSE & G (Electric)  
4140 Quakerbridge Road  
Lawrenceville, New Jersey 08648  
(609) 799 - 6918

Lt. Ned Smith  
Trenton Police  
Traffic Department  
125 North Clinton Avenue  
Trenton, New Jersey 08609  
(609) 989 - 3930

Tim London  
Trenton Water Works  
P.O. Box 528  
333 Courtland Street  
Trenton, New Jersey 08604  
(609) 987 - 6593

Robert Foster  
PSE & G (Lighting)  
P.O. Box 2071  
Princeton, New Jersey 08543  
(609) 987 - 6593

Russ Schofield, Supervising Underground Engineer  
PSE & G  
4140 Quakerbridge Road  
Lawrenceville, New Jersey 08648  
(609) 799 - 6921

Comcast Cablevision  
940 Prospect Street  
Trenton, New Jersey 08638  
(609) 586 - 9603

Mercer County Soil Conservation District  
508 Hughes Drive  
Hamilton Square, New Jersey 08690  
(609) 586 - 9603

Hoggarth Stephen, Director  
Engineering and Operations  
City of Trenton

City Hall 319 East State Street  
Trenton, New Jersey 08608  
(609) 989 - 3612

Frank Chiacchio  
Street and Sidewalk Inspector  
City of Trenton - Division of Engineering  
City Hall 319 East State Street  
Trenton, New Jersey 08611  
(609) 989 - 3157

Joseph McIntyre  
General Superintendent  
Sanitary Sewer Utility  
Lainberton Road  
Trenton, New Jersey 08611  
(609) 989 - 3170

Eric Jackson, Director of Public Works  
City of Trenton  
City Hall 319 East State Street  
Trenton, New Jersey 08608  
(609) 989 - 3151

Trigen (Trenton District Energy Co.)  
Scott Matthews  
650 South Clinton Avenue  
Trenton, New Jersey 08611  
(609) 396 - 4822

Greg Neiderman  
Supervisor, Customer Services  
Trenton Post Office  
680 US Hwy 130  
Trenton, NJ 08650



## NOTICE TO BE PUBLISHED IN OFFICIAL NEWSPAPER

### CITY OF TRENTON PLANNING BOARD

Take notice that on the \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_, at 7:30 p.m., a hearing will be held before the City of Trenton Planning Board at City Hall, Council Chambers, 319 East State Street, Trenton, NJ on the appeal or application of the undersigned for a variance or other relief so as to permit:

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

on the premises located at \_\_\_\_\_ and designated as Block(s) \_\_\_\_\_ Lot(s) \_\_\_\_\_ on the City of Trenton Tax Map.

The following described maps and papers are on file in the office of the Municipal Clerk and are available for inspection: \_\_\_\_\_

Any interested party may appear at said hearing and participate therein in accordance with the rules of the Planning Board.

Name of Applicant: \_\_\_\_\_

Publication Date: \_\_\_\_\_