

*TOWNSHIP OF MONTGOMERY  
PLANNING/ZONING APPLICATION  
PROCEDURES FOR FILING APPLICATION*

1. You are encouraged to obtain a copy of the Land Development Ordinance and read through the procedures before filling out your application, and retain professional help as necessary (attorney, planner, engineer, etc.)
2. The application forms must be completed and returned to the Planning/Zoning Office in accordance with the attached submission schedule (Page 2). **Applications are to be clearly printed or typewritten.**
  - A. 1 Original and 7 copies of all plans and paperwork are required for DRC submission. **PLANS MUST BE FOLDED 8 ½ x 11.** Additional copies of plans will be required when the application is scheduled for both the Subcommittee meeting and the public hearing.
  - B. Depending on the nature of plans, they must be prepared by a licensed professional of the State of New Jersey:
    1. Licensed Engineer, Architect or Planner.
    2. Landscape plans must be prepared by a certified Landscape Architect or Engineer.
  - C. The required application fee and escrow as noted on the attached fee schedule (Page 35) shall accompany the application (See Section 16-9.1 of the Land Development Ordinance). One check each for application fee and escrow account are to be submitted. Any escrow funds shall be accompanied by applicant's taxpayer identification number and escrow breakdown.
  - D. Certification from Tax Collector that all liens, taxes and assessments due on the property of the application have been paid.
3. Your application will be reviewed by the Development Review Committee in accordance with the attached schedule and you will be notified by mail within 45 days of the required submittal date as to completeness.
4. Once your application is scheduled for a public hearing, all notices (if required) must be served by the applicant in accordance with "Requirements for Public Hearing" (Refer to Page 32). **Proof of notifications are to be submitted to the Planning/Zoning Officer prior to the scheduled hearing.**
5. If it is desired to present additional information, attach additional sheets or documents.
6. All applicant correspondence and plans after submittal of this filing application must show the Block and Lot number(s) and assigned case number.
7. At the hearing, any party may appear for himself or by an attorney. Corporations must be represented by an attorney. All attorneys must be licensed to practice in the State of New Jersey.
8. All names shall be typewritten beneath each signature.
9. Copies of plans may also need to go to: (These are to be forwarded by the applicant with a copy of the transmittal letter to this office)
  - A. Somerset County Planning Board
  - B. Somerset Union Soil Conservation District
  - C. N.J. Department of Transportation
  - D. N.J. Department of Environmental Protection
  - E. Delaware-Raritan Canal Commission
  - F. Federal Aviation Agency
  - G. Other Agencies, Boards, etc. as may be necessary
10. **REVISIONS TO DRAWINGS** - Revised plans shall be submitted to the Planning/Zoning Office at least fourteen (14) calendar days prior to the scheduled hearing. The applicant is to submit a letter detailing all revisions with a cross reference to the specific drawing(s) and/or clearly indicate on the drawing(s) all revisions.
11. **SIGNATURES TO DRAWINGS** - Plans and/or deeds submitted for signature must be accompanied by a copy of the resolution and any write-offs required and/or memos mentioned as a condition of approval as well as a transmittal letter. All plans for signature are to be routed through the Planning Board office.

Name of Applicant RPM Development, L.L.C. Email c/o attorney lpontier@daypitney.com

Address 77 Park Street Phone (Daytime) 973-966-8714

City Montclair State NJ Zip 07042 (Fax) \_\_\_\_\_

Applicant interest in property (owner, lessee, etc.) Contract purchaser

Name of Owner (if not applicant) Somerset County Improvement Authority

Address 20 Grove Street

City Somerville State NJ Zip 08876 Phone \_\_\_\_\_

When property was acquired by applicant n/a - applicant is contract purchaser

Tax Map Page 44 Block 20001 Lot \_\_\_\_\_ Portion of 10.05 (to be designated as Lot 10.07)

Address of property Orchard Road and Headquarters Park Drive

Present Use of Property: Public property with approved application for age-restricted housing development

Proposed Use of Property: Age-restricted affordable housing development

Development Name Montgomery Senior Affordable Housing

Is the property served with public sewer system? Yes ☒ No \_\_\_\_\_

Is the property served with public water system? Yes ☒ No \_\_\_\_\_

Is the applicant willing to dedicate land for the widening of roads in compliance with Township and/or County Master Plan? Yes ☒ No \_\_\_\_\_

Is the proposed use located on a Municipal ☒ County \_\_\_\_\_ State \_\_\_\_\_ road?

Area of property 45.06 acres or 1,962,481 sq. ft.

Frontage on an improved street Headquarters Park is the only frontage ft. Present Zoning: MCRZ

Number of Lots: Existing 1 Proposed 2 approved per prior resolution

Number of buildings: Existing 0 Proposed 1 that was previously approved

Proposed principal building height: 3 stories; 48 feet Proposed accessory building height n/a

Gross square footage of proposed building(s) 78,848 square feet

Floor area of all structures: Existing 0 Proposed 78,848 square feet

Percentage of coverage by buildings 15.0% by impervious coverage 25.0%

Bulk restrictions provided: Front Yard varying Side Yard 40 feet 26 feet Rear Yard 152.1 feet Height 48 feet

Parking spaces required 128 and provided 129

Has a subdivision previously been granted? yes Date final approval - July 10, 2023

Has a variance previously been granted? no Date \_\_\_\_\_

If previous applications were applied for please indicate the case number(s) App. No. PB-01-21 (Prelim. approvals)  
App. No. PB-02-23 (Final approvals)

Are there any existing or proposed covenants or deed restrictions on the property? yes

If yes, explain affordable housing restrictions proposed

Is a variance requested? Yes ( ) No (X) No. of variances requested 0

**TYPE OF APPLICATION** AMENDED SITE PLAN

Describe in detail section of Zoning Ordinance from which applicant seeks design waivers: \_\_\_\_\_

No changes to previously approved design waivers as part of this amended site plan application.

Describe in detail section of Zoning Ordinance from which applicant seeks submission waivers:

please see attached checklist waiver requests.

#### PLANS

Name of Engineer/Surveyor: Kevin E. Shelly, P.E. Email kshelly@shorepointengineering.com

Address: c/o Shore Point Engineering, 1985 Highway 34, Suite A7

City Wall State NJ Zip 07719 Phone 732-924-8100 Fax

Name of Architect: Inglese Architecture Email e.pumo@ingelese-ae.com

Address: 632 Pompton Avenue


City Cedar Grove State NJ Zip 07009 Phone Fax

#### CERTIFICATION

I hereby certify that the information and exhibits herewith submitted are true and correct to the best of my knowledge and that I am to file this application and act on behalf of the signatories of the attached authorization. I further authorize Township Officials to inspect the site noted above.

DATED: \_\_\_\_\_ Landowner consent on file.

(Owner's Name Printed and Owner's Signature)

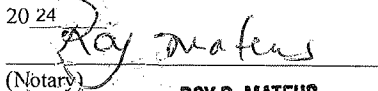
DATED: 2/21/2024 

(Applicant's Name Printed and Applicant's Signature)

Luke S. Pontier, Esq., Attorney for Applicant

#### SWORN TO AND SUBSCRIBED BEFORE

THIS 21 day of February

20 24 

(Notary)

ROY D. MATEUS

Persons to be sworn to by Notary Public of New Jersey  
My Commission Expires February 21, 2028

APPLICANT'S ATTORNEY:

Name: Please send to attorney.

Name: Luke S. Pontier, Esq.

Address:

Address: c/o Day Pitney LLP, One Jefferson Road

Parsippany, NJ 07054

Phone:

Phone: 973-966-8714

Fax:

Fax:

I, the developer/applicant, as signed below, acknowledge familiarity with the procedure set forth in the Montgomery Township Land Development Ordinance for submittals and required action and agree to be bound by it.

2-21-2024



Luke S. Pontier, Esq., Attorney for Applicant RPM Development, L.L.C.

Date

Applicant's Name Printed and Applicant's Signature

**AGREEMENT TO PAY FOR PROFESSIONAL REVIEW**

THIS AGREEMENT made this \_\_\_\_\_ day of February 2024 between:

Name: RPM Development, L.L.C.

Address: 77 Park Street, Montclair, NJ 07042

Type of Application: Amended Site Plan Block: 20001 Lot 10.05

Hereinafter call "Applicant"

and:

The Township of Montgomery, in the County of Somerset, a municipal corporation of the State of New Jersey, hereinafter call "Township"

WITNESSETH

That the Applicant has submitted a development application to the Township's Planning Board/Zoning Board for consideration in accordance with the New Jersey Municipal Land Use Law and the Montgomery Township Land Use Ordinances and Applicant hereby covenants and agrees as follows:

1. Applicant agrees to pay all costs related to the Township's review and administration of the proposed application with said costs including but not limited to:
  - A. Review by the Development Review Committee, which entails professional consultant costs for: Planner, Engineering, Legal and other extraordinary consultant services as may be required by the Township;
  - B. Full application professional review by the Site Plan Committee, Subdivision Committee, Planning Board, and Zoning Board, which entails professional consultant costs for: Planner, Engineering, Legal and other extraordinary consultant services as may be required by the Township;
2. Applicant understands and agrees to pay all costs as set forth above from the date of initial application submission through the Township's signature of approved plans which shall include any costs for extensions and revalidation's.
3. Applicant understands and agrees to deposit with the Township's Planning/Zoning Office an initial application filing fee which is non-refundable and an initial escrow deposit in accordance with Section 16-9.1 of the Land Development Ordinance.
4. Applicant understands and agrees that the Township will withdraw from said escrow deposit to cover costs as set forth in Section 1 above.
5. Applicant understands and agrees to pay within TEN BUSINESS DAYS of receipt of the Township's statement/billing all additional costs as may be incurred and billed to the applicant by the Township relative to the review and administration of the application even if the costs of said review and administration exceed the initial escrow deposit.
6. Applicant understands and agrees that in the event Applicant fails to pay a billed amount the Township may discontinue Planning Board/Zoning Board review and consideration on said application or if Planning Board/Zoning Board approval has been previously given Township may deny issuance of a construction permit and/or certificate of occupancy or if permit has been previously issued Township may initiate a Stop Work Order.
7. Township agrees to refund to applicant any escrow sum deposited with Township for review and administration of the application and neither spent nor needed by Township. A refund will be issued upon request by Applicant by Township following completion of the Township's review and administration of the application.
8. **APPLICANT AGREES AND UNDERSTANDS THAT IT IS INCUMBENT ON APPLICANT TO PERIODICALLY MONITOR THE STATUS OF SAID ESCROW ACCOUNT. APPLICANT AGREES AND UNDERSTANDS THAT RESPONSIBILITY TO PAY ALL ESCROW CHARGES IS THE APPLICANT'S EVEN IF APPLICANT SELLS OR CONVEYS SAID PROPERTY CITED ABOVE TO ANOTHER PARTY.**

Luke S. Pontier, Esq., Attorney for Applicant RPM Development, L.L.C.

**APPLICANT'S NAME (PRINTED)**



APPLICANT'S SIGNATURE

2-21-2024

DATE

## **ESCROW ACCOUNTING ADMINISTRATIVE PROCEDURE**

The following is a procedure to ensure proper control of payments to professionals reviewing and billing against applications for development within Montgomery Township;

### **A. GENERAL CONSIDERATION**

1. Professionals will be primarily responsible to review applications in light of their own professional expertise.
2. The Community Development Department will be responsible for the administration and processing of professionals bills to the Township Finance Director.
3. All correspondence shall reference a case number, block and lot, and application name and address.
4. Applicants are to receive a copy of professional memoranda or reports at the same time as the Township.
5. Professional's invoices to the Township may include but not be limited to report writing, field inspections, attendance at meetings with Township representatives, attendance at municipal meetings where applications are heard, and meeting with applicants.
6. The Director of Community Development will be the responsible agent of the Township for coordinating meetings among the various professionals employed by the Township to discuss development applications.

### **B. SPECIFIC AREAS OF RESPONSIBILITY OUTLINED**

1. The Engineer is responsible for reviewing the design of projects and reviewing public and semi-public improvements connected with development applications.
2. Planners are responsible for project designs, comments relating to the Master Plan and Ordinances.
3. The Landscape Architect is responsible for landscaping reviews of applications.
4. The Traffic Engineer is responsible for commenting on traffic and transportation aspects of applications.
5. The Planning Board or Board of Adjustment Attorney is responsible for legal representation of the Planning Board or Board of Adjustment at meetings and any legal aspects of development plan review and approval, as well as litigation concerning projects.
6. The Township Attorney is responsible for legal aspects of public improvements and any legal contractual aspects of the application process to which the Township is a party.
7. The Environmental Consultants are responsible for reviewing Environmental Impact Statements submitted with an application.
8. The Application Coordinator is responsible for general administration throughout the application review process and is also responsible for completeness items and issues within applications.
9. The Director of Finance is responsible for establishing escrow accounts, maintaining a ledger of the accounts and payment of professionals' invoices following approval by the Community Development Department.

### **C. BILLING**

1. Since professionals are appointed by, and work directly for, the Township, bills will be sent to the Community Development Department for checking and routing. Invoices will, at a minimum, indicate individuals who performed work, the time spent, and the billing rate.
2. Bills are checked for the following:
  - A. Correct case numbers;
  - B. Correct block and lot(s) numbers
  - C. Correct application names
3. Bills are checked against ledger balances to avoid overdrafts.
4. When accounts are close to becoming over-extended, further funds will be requested of applicants.

**ESCROW ACCOUNTING ADMINISTRATIVE PROCEDURE  
(CONTINUED)**

5. Failure by applicants to maintain sufficient positive escrow balances may subject applications to delays in review.
6. Professionals billing against escrow accounts must send a duplicate copy, marked or stamped, **"FOR INFORMATIONAL PURPOSES ONLY"** to the applicant at the same time the bills are sent to the Township.

**D. QUESTIONS CONCERNING BILLINGS**

1. Applicant inquiries regarding billing must be made in writing to the Director of Community Development specifying concerns, in detail, within two weeks of date of invoice.
2. Invoices will be scrutinized a second time for possible billing errors.
3. The Director of Community Development will determine the appropriateness of the billing, make a decision on whether or not the bill will be paid, and inform both parties concerned.

**Applicant agrees and understands the "Escrow Accounting Administrative Procedure" and agrees to be bound by same.**

Luke S. Pontier, Esq., Attorney for Applicant RPM Development, L.L.C.

**APPLICANT'S NAME (PRINTED)**

  
\_\_\_\_\_

**APPLICANT'S SIGNATURE**

2-21-2024

**DATE**

**MONTGOMERY TOWNSHIP PLANNING/ZONING BOARD**

***Appeal Alleging Error in Administrative Decision***

(See N.J.S.A. 40:55D-70(a) and Zoning Ordinance)

1. APPEAL is hereby made from the action of \_\_\_\_\_  
taken on \_\_\_\_\_, based on or made in the enforcement of the Zoning Ordinance: (state action  
appealed from)

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2. The following section of the Zoning Ordinance and State Statutes are involved:

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3. Applicant is aggrieved or affected by said action, and alleges that same is in error on the following grounds: (set  
forth legal and factual argument indicating error)

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**MONTGOMERY TOWNSHIP PLANNING/ZONING BOARDS**

***Application for Bulk Variance***

(See N.J.S.A. 40:55D-70(c) and Zoning Ordinance)

1. Application is hereby made for a variance from the strict application of the following provisions of the Zoning Ordinance: (Specify sections of Ordinance involved):

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2. Applicant requests a variance to the following extent: (Set forth specific variance requested):

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**ANSWER BOTH NUMBERS 3 AND 4 OR ANSWER NUMBER 5 AS APPLICABLE**

3. The strict application of said provision would result in: (Complete one or both of the following in detail)

***A. The following peculiar and exceptional practical difficulties:***

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***B. The following exceptional and undue hardship:***

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4. Said difficulties or hardship are by reason of (complete one of the following in detail):

***A. Exceptional narrowness, shallowness or shape of the property (describe):***

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***B. Exceptional topographic conditions or physical features uniquely affecting the property (describe):***

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***C. Reasons unique and peculiar to the lands or buildings for which the variance is sought and do not apply generally to lands or buildings in the neighborhood, because:***

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***Application for Bulk Variance (Continued)***

(See N.J.S.A. 40:55D-70(c) and Zoning Ordinance)

5. The following purpose of the Zoning Act would be advanced by a deviation from the Zoning requirements; and,

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6. The requested variance is the minimum reasonably needed, because:

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7. The benefits of the proposed deviation would substantially outweigh any detriment because:

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8. The variance requested will not result in substantial detriment to the public good because:

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9. The variance will not substantially impair the intent and purpose of the Zoning Ordinance and Master Plan because:

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**MONTGOMERY TOWNSHIP PLANNING/ZONING BOARDS**

***Application for a Use Variance***

(See N.J.S.A. 40:55D-70(d) and Zoning Ordinance)

1. Application is hereby made for the granting of a variance from the Zoning Ordinance to allow for the following:

- A. A use or principal structure in a district restricted against such use or principal structure
- B. An expansion of a nonconforming use
- C. A deviation from a specification or standard of a conditional use
- D. An increase in the permitted floor area ratio
- E. An increase in the permitted density
- F. The height of a principal structure exceeds the maximum height allowed in the zone by 10 feet or 10%

2. Said structures or uses are proposed to be located in the \_\_\_\_\_ Zoning District, which is restricted against same by the following provisions of the Zoning Ordinance:

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3. This application is based upon the following special reasons:

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4. Said reasons are unique and peculiar to the lands or building for which the variance is sought and do not apply generally to land or buildings in the neighborhood because:

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5. The strict application of the regulations prohibiting said structure or use would deprive applicant of the reasonable use of the lands or buildings involved, because:

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6. The requested variance is the minimum reasonably needed, because:

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7. The variance requested will not result in substantial detriment to the public good because:

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8. The variance will not substantially impair the intent and purpose of the Zoning Ordinance and Master Plan because:

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**MONTGOMERY TOWNSHIP PLANNING/ZONING BOARDS**

***Applicant's Disclosure Statement***

(Corporation or Partnership)

See N.J.S.A. 40:55D-48.1 and 48.2 and Zoning Ordinance

A Corporation or Partnership applying to the Planning Board or Zoning Board of Adjustment for:

- A. Subdivision with three (3) or more lots; or
- B. Site Plan for Commercial Purpose; or
- C. Variance to construct multi-dwelling or twenty-five (25) or more family units;

must complete the following:

The names and addresses of all persons, stockholders, or individual partners owning at least ten percent (10%) interest in the corporation, partnership, or applicant are as follows:

Name	Address
Edward G. Martoglio (100%)	77 Park Street, Montclair, NJ 07042

**MONTGOMERY TOWNSHIP PLANNING/ZONING BOARDS**

**Affidavit of Ownership**

***STATE OF NEW JERSEY)***

LANDOWNER CONSENT ON FILE WITH PRIOR SITE PLAN APPROVALS.

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**COUNTY OF SOMERSET)**

\_\_\_\_\_ of full age being duly sworn according to law on oath deposes and says  
that the deponent resides at \_\_\_\_\_ in the Township of \_\_\_\_\_  
in the County of \_\_\_\_\_ and State of \_\_\_\_\_ that \_\_\_\_\_  
is the owner in fee of all that certain lot, piece or parcel of land situated, lying and being in the Township of  
Montgomery, New Jersey, and known and designated as Block \_\_\_\_\_ Lot \_\_\_\_\_.

DATED \_\_\_\_\_

Owner's Name Printed and Owner's Signature

***SWORN TO AND SUBSCRIBED TO BEFORE ME***

THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 20 \_\_\_\_\_.

\_\_\_\_\_  
(Notary Public)

**AUTHORIZATION**

(If anyone other than the above owner is making this application, the following authorization must be executed.)

To the Board of Adjustment/Planning Board:

\_\_\_\_\_ is hereby authorized to make the within application.

DATE: \_\_\_\_\_, 20 \_\_\_\_\_.

\_\_\_\_\_

Owner's Name Printed and Owner's Signature

## CHECKLIST

### Details Required for Preliminary Major Subdivision Plats and Preliminary Major Site Plans

**Note:** See subsection 16-8.4 of the Montgomery Township Land Development Ordinance for further details of submission requirements and procedures.

**Applicant** RPM Development, L.L.C. **Block** 20001 **Lot** 10.05

**Address** Orchard Road and Headquarter Park Drive

Item #	Provided	Not Relevant	Waiver Asked For	Item Of Information Required By The Land Development Ordinance
1	X			Application Form(s) and Checklist(s) (8 copies) and electronic portable document format (PDF)..
2	X			Application and Escrow Fees in accordance with subsection 16-9.1.
3	X			Plats or Plans signed and sealed by NJ PLS. or NJ PE, as required, and folded into eighths with the Title Block revealed in accordance with subsection 16-8.4b of this chapter (8 copies and PDFs).
4			X	Existing protective covenants, easements and/or deed restrictions (1 copy and PDFs).
5	X			Scale of 1" equals not more than 100' for major subdivision plats or 1" equals not more than 50' for minor site or subdivision plans on one of the following 4 standards sheet sizes (8 1/2" x 13", 15" x 21", 24" x 36" or 30" x 42"), each with a clear perimeter border at least 1" wide.
6	X			Key Map at 1" equals not more than 2,000'.
7	X			Title Block in accordance with the rules governing "title blocks" for professional engineers (N.J.S.A. 45:8-36), including:
8	X			Name of the development, Township of Montgomery, Somerset County, NJ;
9	X			Name, title, address and telephone number of applicant;
10	X			Name, title, address telephone number, license number, seal and signature of the professional or professionals who prepared the plat or plan;
11	X			Name, title and address of the owner or owners of record;
12	X			Scale (written and graphic); and
13	X			Date of original preparation and of each subsequent revision thereof and a list of specific revisions entered on each sheet.
14	X			North Arrow.
15	X			Certification that the applicant is the owner of the land or his/her properly authorized agent, or certification from the owner that he or she has given his/her consent under an option agreement.
16	X			If the applicant is a partnership or a corporation, the names and addresses of all partners, or the names and addresses of all stockholders owning 10% or more of any class of stock of the corporation in accordance with N.J.S.A. 40:55D-48.1 et seq.

Item #	Provided	Not Relevant	Waiver Asked For	Item Of Information Required By The Land Development Ordinance
17	X			Acreage figures to the nearest tenth of an acre (both within and without areas within public rights-of-way) and a computation of the area of the tract to be disturbed. For submissions, acreage of proposed lots with total acreage calculation.
18	X			"Approved" and "Date" lines for the signatures of the Chairman, Secretary of the Board, and Township Engineer.
19	X			Existing tax sheet number(s) and existing block and lot number(s) to be subdivided or developed as they appear on the Township Tax Map, and proposed block and lot number(s).
20	X			The name(s) and block and lot number(s) 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 Township Tax Assessor.
21	X			Tract boundary line (heavy solid line), any existing and proposed subdivision or property line(s) within the tract.
22	X			Zoning district(s) affecting the tract, including district names and all requirements, with a comparison to the proposed development, and all zoning district(s) within 100 feet of the tract.
23			X	The location of natural features including but not limited to, treed areas, high points, marshes, depressions, and any extensive rock formations, both within the tract and within 200 feet of its boundaries.
24			X	Delineation of flood plains, including both floodway and flood fringe areas, and Township stream corridors, both within the tract and within 200 feet of its boundary, and the source and date of the flood plain information.
25			X	Delineation of ponds, marshes, wetlands, wetland transition areas, hydric soils, and lands subject to flooding, both within the tract and within 200 feet thereof A copy of the applicant's request for a Letter Of Interpretation (LOI) from the New Jersey Department of Environmental Protection (NJDEP) and the accompanying plan shall be submitted for all delineated wetlands. Where an LOI has been received, a copy of the NJDEP LOI and stamped approved plan shall be submitted to the Township
26	X			All existing and proposed water courses (including lakes and ponds) within the tract and within 200 feet of the tract shall be shown and be accompanied by the following information:
27		X		When a stream is proposed for alteration, improvement or relocation or where a drainage structure or fill is proposed over, under, in or along a running stream, a report on the status of review by the State Department of Environmental Protection, Division of Water Resources, shall accompany the submission.

Item #	Provided	Not Relevant	Waiver Asked For	Item Of Information Required By The Land Development Ordinance
28		X		Cross-sections of water-courses and/or drainage swales showing the extent of the flood plain, top of bank, normal water levels and bottom elevations at the locations in subsection 16-8.4b,15(b) where appropriate or where required by the Township Engineer.
29		X		The total acreage of the drainage basin of any watercourse running through the tract.
30	X			The location and extent of drainage and conservation easements and stream encroachment lines.
31	X			The location, extent and water level evaluation of all existing or proposed lakes or ponds within the tract and within 200 feet of the tract.
32	X			The size, direction of flow and the type of proposed surface water management provisions to reasonably reduce and minimize exposure to flood damage.
33	X			Existing and proposed contours as required by Ordinance and an indication of steep sloped areas.
34	X			Locations of all existing structures and their uses (with their numerical dimensions and an indication as to whether existing structures will be retained or removed), both within the tract and within 200 feet of its boundary, including but not limited to buildings, paved areas, railroads, bridges, culverts, drain pipes, any historic features such as family burial grounds and buildings more than 50 years old, and the existing and proposed front, rear and side yard setback distances to all buildings.
35	X			The location and size of existing structures such as water and sewer mains, valves, hydrants, utility structures, gas transmission lines and high-tension power lines on the tract and within 200 feet of its boundaries.
36	X			The location and identification of existing vegetation with an indication as to whether it is to remain or be removed. The location and species of all existing individual trees or groups of trees having a caliper of 6 inches or more measured 4 1/2 feet (DBH) above the ground level shall be shown within the portion(s) of the tract to be disturbed as a result of the proposed development, indicating which trees are to remain and which are to be removed, with the limits of disturbance clearly indicated on the plan.
37	X			A Landscape Plan showing the location of all proposed plantings, screening and buffering, a legend listing the botanical and common names, the sizes at the time of planting, a planting schedule, method of irrigation, the total quantity of each plant, and the location of each plant keyed to the plan or plat.




Item #	Provided	Not Relevant	Waiver Asked For	Item Of Information Required By The Land Development Ordinance
38	X			Size, height and location of all proposed buildings (including spot elevations and grades), structures, signs and fences, including details for any signs and sign lighting, fences and trash enclosures and provisions for the separation and storage of recyclable materials.
39	X			All dimensions and setbacks necessary to confirm conformity to the chapter, such as the size of the tract and any proposed lot(s), the number of lots being created, structure setbacks, structure heights, yards, floor area ratios, building and lot coverages, the amount of contiguous net useable acreage, the delineation of all "critical areas," and the inscription of a 205-foot diameter circle, where required for residential uses.
40	X			The proposed location, height, size, direction of illumination with isolux curves, power and type of proposed outdoor lighting, including details of lighting poles, luminaries, hours and time of lighting, a point by point plan and the average footcandle level.
41	X			Existing and proposed street and lot layout, with dimensions correct to scale, showing that portion proposed for development in relation to the entire tract, and existing lot lines to be eliminated.
42	X			The location and design of any off-street parking or loading area, showing the size and location of bays, aisles and barriers, curbing and paving specifications and any associated signage.
43	X			All means of vehicular access and egress to and from the site onto public streets, showing the size and the location of driveways, sidewalks, fire lanes and curb cuts, including the possible utilization of traffic signals, channelization, acceleration and deceleration lanes, sight triangle easements, additional width and other proposed devices necessary.
44	X			Plans, typical cross sections and construction details, horizontal and vertical alignments of the centerline of all proposed streets and of all existing streets abutting the tract including street names. The vertical alignments shall be based on U.S.G.S. vertical datum or a more specified datum supplied by the Township Engineer, including curbing, sidewalks, street trees and planting strips, storm drains and gutters, drainage structures and cross sections every half and full station of all proposed streets and of all existing streets abutting the tract.
45	X			Sight triangles, the radius of curb lines and street sign locations shall be clearly indicated at the intersections.
46	X			The width of cartway and right-of-way, location and width of utility lines, type and width of pavement, final design grades, and a profile of the top of curb within the bulb of any cul-de-sac shall be included.

Item #	Provided	Not Relevant	Waiver Asked For	Item Of Information Required By The Land Development Ordinance
47		X		The width of additional right-of-way to be dedicated to the Township or other appropriate governmental agency shall be shown as specified in the Master Plan or Official Map and the street requirements of this chapter.
48	X			If the project meets the stormwater management applicability requirements of subsection 16-5.2c, the application submission shall include, but is not limited to, the items listed in 16-5.2r and as otherwise required by the Township Engineer. The minimum requirements are briefly outlined as follows:
48A			X	Topographic Base Map;
48B	X			Environmental Site Analysis included in the Stormwater Management Report;
48C			X	Geology and hydrogeology information from the NRCS maps and Township soil maps;
48D			X	Groundwater recharge map;
48E	X			Project Description in the Stormwater Management Report and Site Plan;
48F			X	Land Use Planning and Source Control Plan, including narrative to meet groundwater recharge, stormwater runoff quantity, stormwater quality, and green infrastructure standards;
48G	X			Stormwater Management Facilities Map;
48H	X			Stormwater Calculations and Soils Report;
48I	X			Drainage area maps for existing and proposed conditions;
48J	X			MS4 Major Development Basin Summary Form, Attachment D for Tier A municipalities; and
48K	X			Operations and Maintenance Plan
49	X			Plans, profiles and details of proposed improvements and utility layouts including sewers, storm drains and water lines, and feasible connections to gas, telephone and electrical utility systems, including plans, profiles and details of all existing and proposed sanitary sewage facilities and water mains with proposed connections, as required in subsection 16- 8.4b,29.
50			X	If the proposed lot(s) is (are) not served by connection to a sanitary main, three (3) copies of the plan approved by the Township Board of Health, with date of approval, of site evaluation tests, certified by a licensed professional engineer, indicating that the proposed lot(s) can adequately accommodate a septic system. The location(s) of the test hole(s) and boring(s), soil logs, proposed location of the septic disposal areas and reserve areas, test results, soil types, percolation rates and compliance with NJAC 7:9A "Standards for Individual Subsurface Sewage Disposal Systems" or applicable Township Board of Health Code, whichever may be more restrictive, shall be shown on the plat and certified by a licensed professional engineer.

Item #	Provided	Not Relevant	Waiver Asked For	Item Of Information Required By The Land Development Ordinance
51	x			The names, location and width of all existing and proposed easements and rights-of-way, the use(s) for which they are intended to be limited, the manner in which the easements will be controlled, and to whom they are granted.
52		x		Any existing protective covenants or deed restrictions applying to the land being developed shall be submitted with the application and/or indicated on the submitted plat or plan.
53	x			Plans for Soil Erosion and Sediment Control as required by N.J.S.A. 4:24-39 et seq. and in accordance with the Somerset County Soil Conservation District.
54	x			The existing and proposed permanent monuments shall be shown, in accordance with the Map Filing Law, N.J.S.A. 46:23-9.9.
55			x	An Environmental Impact Statement in accordance with subsection 16-8.4c. of this chapter, if required.
56		x		A Traffic Impact Statement if required in accordance with subsection 16-8.4d. of this chapter, if required.
57	x			If a survey is referenced, a copy of a signed and sealed survey by a licensed New Jersey land surveyor, showing the tract boundary, topographic information, existing conditions, and all "critical areas," as defined by this chapter.
58	x			Certification from the Township Tax Collector that all taxes and assessments are paid to date, and certification from the Chief Financial Officer or his/her designee that all prior escrow fees have been posted.
59	x			A list of all known licenses, permits and other forms of approval required by law for the development and operation of the proposed project, including approvals required by the Township, as well as agencies of the County, State and Federal government. Evidence of the submission of the application(s) for other agency approvals having jurisdiction over the application and/or required by the Township Engineer shall be submitted. Where approvals have been granted, copies of said approvals shall be attached. Where approvals are pending, a note shall be made to that effect.
60			x	Concerning major site plans only, the proposed use and operations of the buildings, the proposed number of shifts to be worked, the maximum number of employees on each shift, and the hours of operation open to public use.
61		x		Concerning major site plans only involving the storage of hazardous substances, a proposal for the means of storage of hazardous substances in accordance with Ordinance 81-85

Item #	Provided	Not Relevant	Waiver Asked For	Item Of Information Required By The Land Development Ordinance
62		X		Where any clearing and/or construction of public improvements is proposed to commence prior to final approval a written statement from the applicant indicating this intent and his acknowledgement of the requirements of subsection 16-9.2 of this chapter and, if the development is to be phased, the location of areas where such clearing or construction is proposed. The following additional information also is required:
63		X		A letter from the developer indicating that he/she be proceeding with construction based upon a preliminary approval only at his/her own risk and that he/she acknowledges that there are no assurances that the improvements installed will be granted final approval
64		X		A separate plan depicting the areas within the site where construction shall be performed prior to final approval including clearing and grading limits, and a summary of the improvements that are proposed to be constructed prior to final approval.
65		X		A separate plan depicting soil erosion and sediment control measures which shall be implemented prior to final approval, the location of topsoil and material stockpiles and construction staging areas, and measures to protect existing trees and vegetation along clearing limits.
66		X		If clearing and grading are proposed beyond the right-of-way line on a proposed lot prior to final approval a written explanation setting forth the reasons for such clearing prior to final approval and grading plan approval for the subject lot(s).
67		X		In the case of any subdivision or site plan submission of a planned development, the applicant shall be required to submit all of the required information for all of the properties comprising the planned development, regardless of whether the applicant is seeking approval of the whole or a section of the planned development; specifically, the applicant shall be required to show the interrelationship of each portion of the project with the whole of the project considering land use, traffic, open space, buffering, drainage and surface water management, sewerage, potable water supply and any other specific planning considerations as may be of particular relevance to a particular planned development.

NOTE: The Board reserves the right to require additional information before granting preliminary approval when unique circumstances affect the tract and/or when the application for development poses special problems for the tract and surrounding areas, provided, however, that no application shall be declared incomplete for lack of such additional information.

  
 SIGNATURE AND TITLE OF PERSON  
 WHO PREPARED THE  
 CHECKLIST [Ord. #20-1646, S11]  
 Luke S. Pontier, Esq., Attorney for Applicant

2-21-2024  
 DATE

## CHECKLIST

### Details Required for Final Major Subdivision Plats and Final Major Site Plans

**Note:** See subsection 16-8.5 of the Montgomery Township Land Development Ordinance for further details of submission requirements and procedures.

**Applicant** RPM Development, L.L.C. **Block** 20001 **Lot** 10.05

**Address** Orchard Road and Headquarter Park Drive

Item #	Provided	Not Relevant	Waiver Asked For	Item of Information Required by the Land Development Ordinance
1	X			Application Form(s) and Checklist(s) (8 copies) and electronic portable document format (PDF).
2	X			Application and Escrow Fees in accordance with subsection 16-9.1.
3	X			Plats or Plans signed and sealed by NJ PLS. or NJ PE, as required, and folded into eighths with the Title Block revealed in accordance with subsection 16- 8.4b of this chapter (8 copies and PDFs).
4	X			Scale of 1" equals not more than 100 feet for major subdivision plats of 1" equals not more than 50 feet for major site or subdivision plans on one of the following 4 standards sheet sized (8 1/2" x 13", 15" x 21", 24" x 36" or 30" x 42"), each with a clear perimeter border at least 1" wide.
5			X	All details stipulated in subsection 16-8.4b and 16-8.5c of this chapter
6			X	All additional details required at the time of preliminary approval.
7		X		A section or staging plan, if proposed.
8	X			Regarding Major Subdivision plats only, all information and data required by the Map Filing Law.
9			X	Detailed architectural and engineering data as required by Ordinance including:
10			X	An architect's design drawing of each building and sign showing front, side and rear elevations;
11	X			Cross sections, plans, profiles and established grades of all streets, aisles, lands and driveways, including centerline geometry and horizontal alignments with bearings, radii and tangents;
12	X			Plans and profiles of all storm and sanitary sewers and water mains; and
13	X			All dimensions of the exterior boundaries of any subdivision shall be balanced and closed.
14	X			Final grading plans shall conform to subsection 16-5.2z.
15	X			Evidence that a duplicate copy(ies) of the application for development has/have been filed with any other agency having jurisdiction over any aspect of the proposed development.
16	X			Certification from the Township Tax Collector that all taxes and assessments are paid up-to-date and certification from the CFO or his/her designee that all prior escrow fees have been posted.

Item #	Provided	Not Relevant	Waiver Asked For	Item of Information Required by the Land Development Ordinance
17			X	Letters directed to the Chairman of the Board and signed by a responsible official of all utility companies, etc., providing service to the tract as required by Ordinance.
18			X	Certification in writing from the applicant to the Board that the applicant has:
			X	(a) Installed all improvements in accordance with the requirements of the Ordinance and the preliminary approval; and/or
			X	(b) Posted guarantees in accordance with subsection 16-9.2 of this Chapter; and
			X	(c) In the case of major subdivisions only, posted the moneys required to revise the Township Tax Map Sheets to indicate the approved subdivision.
19			X	A statement from the Township Engineer that:
			X	(a) All installed improvements have been inspected and as-built drawings have been submitted; and
			X	(b) Those installed improvements that do not meet or exceed Township standards shall be factored into the required guarantees.
20		X		Concerning major subdivisions only, a "Sales Map" in accordance with subsection 16-8.5b,8 of the Ordinance.
21	X			Where proposed, the location of temporary construction trailers, temporary sales trailers or centers, models, and/or temporary signs.
22		X		If the development is subject to the requirements pertaining to the establishment of escrows for underground water storage tank systems and ancillary fire protection wells as set forth in subsections 16-5.16d,1 and 16-9.3c,4(b), a notation shall appear on the final plan that the escrow deposit for each lot must be posted prior to the issuance of the building permit for the principal structure that will be located on the subject lot.

  
 SIGNATURE AND TITLE OF PERSON  
 WHO PREPARED THE

CHECKLIST [Ord. #20-1646, S11]

Luke S. Pontier, Esq., Attorney for RPM Development, L.L.C.

  
 DATE

**FEE AND ESCROW DEPOSIT**

(See Section 16-9.1 of the Land Development Ordinance)

Type of Application	Non-refundable Fee	Escrow
Subdivisions:		
Minor Plat	\$350.00	\$2,500.00
Preliminary Plat	\$600.00	\$300.00 per lot plus \$2,250.00
Final Plat	\$400.00	\$75.00 per lot plus \$1,500.00
Informal Presentation of Plan		
(1) Minor Plat	\$200.00	\$0.00 without professional review; \$1,000.00 with professional review
(2) Major Plat	\$400.00	\$0.00 without professional review; \$150.00/acre or part thereof plus \$6.00/dwelling unit and \$0.15/square foot or site area being disturbed, provided a minimum of \$2,000.00 shall be deposited
Site Plans		
Minor Plat	\$200.00	\$2,000.00
Preliminary Plat		
Residential	\$600.00	\$100.00/acre or part thereof plus \$6.00/dwelling unit and \$0.05/square foot of site area being disturbed, provided a minimum of \$500.00 shall be deposited
Non-Residential	\$600.00	\$600.00/acre or part thereof plus \$0.15/square foot of the site area being disturbed, provided a minimum of \$4,000.00 shall be deposited
Final Plat		
Residential	\$400.00	\$50.00/acre or part thereof plus \$6.00/dwelling unit and \$0.05/square foot of site area being disturbed, provided a minimum of \$500.00 shall be deposited
Non-Residential	\$400.00	\$300.00/acre or part thereof plus \$0.15/square foot of site area being disturbed, provided a minimum of \$2,000.00 shall be deposited
Informal Presentation of Plan		
(1) Minor Plat	\$200.00	\$0.00 without professional review; \$1,000.00 with professional review
(2) Major Plat	\$400.00	\$0.00 without professional review; \$150.00/acre or part thereof plus \$6.00/dwelling unit and \$0.03/square foot of site area being disturbed, provided a minimum of \$2,000.00 shall be deposited

Type of Application	Non-refundable Fee	Escrow
Variances		
Appeal (40:55D-70a)	\$200.00	\$1,500.00
Interpretation (40:55D-70b)	\$200.00	\$1,500.00
Bulk (40:55D-70c)	Residential \$100.00 Nonresidential \$250.00	\$1,500.00
Use (40:55D-70d)	Residential \$250.00 Nonresidential \$500.00	\$5,000.00
Permit (40:55D-34 & 35)	\$250.00	\$ 600.00
Appeals to Township Committee	\$250.00	\$ 0.00
Certified List of Property Owner	\$0.25/name or \$10.00 whichever is greater	\$ 0.00
Copy of Minutes, Transcripts or Decisions	One to ten pages 0.75/page; eleven to twenty pages 0.50/page; all pages over twenty 0.25/page; \$10.00 per tape	\$ 0.00
Subdivision Approval Certificate	\$ 50.00 per certificate	\$ 0.00
Conditional Use	\$250.00	\$ 800.00
Request for rezoning/Master Plan Amendment	\$500.00	\$2,000.00
Waivers from Design Standards	\$200.00	\$ 500.00
Modifications to Approved Site Plans, Subdivisions or Resolution Conditions	\$250.00	\$1,000.00
Soil Hauling	\$200.00	\$1,000.00
Waiver of Site Plan Review	\$250.00	\$1,500.00
Extension of vesting period approvals	\$200.00	\$ 800.00
Resubmission of Application Due to Being Incomplete	\$150.00	\$ 0.00
Request for reapproval or extension of time	\$200.00	\$1,000.00
Zoning Permits		
For review of new construction, building addition/alteration, accessory building, deck, pool/spa/hot tub, fence, tower, and sign permit applications	\$50.00	\$ 0.00
For review of application for the expansion of lot coverage	\$50.00	\$ 0.00
For review of Change of Use, change of Tenant (Commercial), and Tenant Fit-Out	\$50.00	\$ 0.00
Review of First Priority Locations for Wireless Communication Facilities by Township Engineer and Township Land Use Planner (see subsection 16-6.1,6)	\$200.00	\$2,500.00