

TOWNSHIP OF BYRAM

ORDINANCE NO. 215-55

**AN ORDINANCE OF THE MAYOR AND TOWNSHIP COUNCIL
OF THE TOWNSHIP OF BYRAM AMENDING SECTION 215-55 OF THE TOWNSHIP ORDINANCES TO PERMIT
THE PLANNING BOARD TO WAIVE SITE PLAN APPROVAL WHERE THERE IS A PERMITTED CHANGE IN USE
AND SECTION 287-2 OF THE TOWNSHIP ORDINANCES GOVERNING FEES FOR APPLICATIONS FOR SITE
PLAN WAIVERS**

STATEMENT OF PURPOSE: The purpose of this ordinance is to modify the current ordinances regarding site plan approval to permit the Planning Board to waive site plan approval where there is a permitted change in use of the subject property.

NOW THEREFORE, BE IT ORDAINED by the Township Council of the Township of Byram, County of Sussex and State of New Jersey, that Section 215-55B of the Ordinances of the Township of Byram shall be and hereby is amended as follows:

SECTION 1. Section 215-55, entitled "Waiver and exception" is hereby amended in its entirety as follows:

"B. The Planning Board may waive the requirement for site plan approval where there is a permitted change in use, provided that such change would not involve any one or more the following:

- (1) Any structural alteration to the exterior of the building.
- (2) Any anticipated increase in the number of parking spaces required by the use which cannot be accommodated by existing parking on site.
- (3) Any storm drainage installation or need for the same as may be determined by the Board Engineer.
- (4) Any increase in storm water runoff which the Board Engineer determines cannot be dealt with by existing storm water drainage facilities.
- (5) Any redirection of storm water runoff.
- (6) Any change in vehicular traffic circulation patterns within the site.
- (7) Any elimination or change in landscaping, buffering or lighting.

An applicant seeking waiver of site plan approval shall complete and file with the Township Zoning Officer an application for same on a form prescribed by the Planning Board. The Site Plan subcommittee of the Planning Board shall review the application and shall thereupon recommend to the Planning Board that a site plan waiver be either approved or denied. The Planning Board, at the next regular meeting following its receipt of the recommendation of the Site Plan Subcommittee, shall act on such application, and if approved, shall adopt a resolution finding that the use will not affect existing drainage, circulation, relationship of buildings to each other, landscaping, buffering, lighting, septic and water supply and other considerations of site plan approval, and that the existing facilities do not require upgraded or additional site improvements. The application for waiver of site plan shall include recitation of the prior use of the site, the proposed use and its impact.

In the event of a change in occupancy or tenant but no change in use, the Zoning Officer shall have the authority to issue a site plan waiver if he is satisfied that the application meets the requirements set forth in Sections 1 through 7 above, in which event no Resolution of the Planning Board shall be required.

BLOCK: _____ LOT: _____

APPLICANT NAME: _____

**APPLICATION FOR SITE PLAN WAIVER
BYRAM TOWNSHIP PLANNING BOARD**

Site plan waiver may be granted in the event of (1) a change in occupancy or tenant, but no change in use; or (2) a change in use that is permissible in the zone in which the property is located and such change does not involve a change in one or more of the items set forth in §215-55B of the Byram Township Site Plan Review ordinance. To request a site plan waiver, an applicant must complete this form.

Application No: _____ Date Filed: _____

Application Fee: \$ 50.00 if change in use is not proposed
\$125.00 if change in use is proposed *

*Initial Escrow Deposit: \$250.00 (Additional costs may be assessed if Planning Board consultants are required to review the application)

Checks should be made payable to: The Township of Byram - If applicable two separate checks are required for fee and escrow.

1 Copy of the following is required if a change in occupancy or tenant, but no change in use;

6 Copies of the Following if a change in use that is permissible in the zone in which the property is located and such change does not involve a change in one or more of the items set forth in §215-55B of the Byram Township Site Plan Review ordinance. Copies must be submitted to the Board Secretary at least 10 days prior to the hearing.

- Complete Application
- Official Tax Map — Depicting the location of said property
- Site Plan if a change in use is proposed. This shall include parking layout, shall be latest revision and include the name and address of the preparer.
- Floor Plan — Supply both the current and proposed plans. You must include the name and address of the preparer of said plans. Self drawn/ hand drawn plans are acceptable
- Details of provisions of refuse disposal and recycling in connection with the proposed tenant

1 Copy of the Following must be submitted

- Certification from Tax Collector indicating all taxes are paid to date.
- Certification from Tax Collector indicating all sewer payments are paid to date (if applicable).
- If the property owner is other than the applicant, the owner must submit a letter stating the Applicant has authority to submit the application.
- W9 and Skylands Community Bank forms (if escrow is required)

If you are incorporated, you must be represented by an Attorney. MLUL 27.2-b

1. Applicant's Name: _____
 Address: _____
 Phone Number: _____ Fax No. _____
 E-mail address: _____

2. Name and Address of present owner (if other than #1 above)
 Applicant's Name: _____
 Address: _____
 Phone Number: _____ Fax No. _____
 E-mail address: _____

3. Interest of Applicant if other than owner: _____

4. Location of site: _____

5. Tax Map Block: _____ Lot Number(s) _____

6. Area of entire tract: _____

7. Deed restrictions that apply or are contemplated. (If no restrictions, state "none", if "Yes", attach copy) _____

8. Information concerning the proposed use as follows:
 Name of proposed tenant: _____
 What is the proposed use for this space: _____
 Hours of operation: _____
 Parking requirements as per §240-38 of Ordinance: _____
 Previous Tenant/Occupant: _____
 Parking requirements of previous tenant/occupant as per §240-38 of Ordinance: _____
 Square footage of space: _____

9. Total Parking Spaces Available: _____
 Is tenant assigned parking: No _____ Yes _____
 If parking is assigned, please indicate number and/or location of parking spaces by its lease, and the details of any such requirements: _____

10. If there are other uses at this site, please indicate the following:

How many: _____ Hours of Operation: _____ Sq ft: _____

Number of parking spaces required of each tenant/occupant calculated as per §240-38 of Ordinance. (Attach separate sheet).

Total number of spaces available: _____

A list of tenants at this location and the above information may be submitted on a separate sheet of paper. This information can be obtained from the landlord/owner of site.

11. Signage change: Yes _____ No _____

(If yes, give details) – Signage plan is to be included with the application

12. Are any changes proposed to the exterior of the building:
Yes _____ No _____

(If yes, describe the proposed changes and annex hereto elevations drawings depicting such changes).

13. Will there be any additional mechanical systems installed at the proposed site:
No _____ Yes _____

If yes, indicate how and where such mechanicals will be located (to be shown on site plan or architectural drawings)

14. Will there be deliveries to the proposed site: No _____ Yes _____

If yes, indicate size of truck utilized, frequency and time of deliveries.

15. Will there be any additional storm drainage installations as a result of the proposed use: No _____ Yes _____

If yes, describe such installations: _____

16. Will there be any increase in storm water runoff as a result of the proposed use:
Yes _____ No _____

If yes, provide calculations as to same. _____

17. Will there be any change in vehicular traffic circulation patterns within the site as a result of the proposed use:
Yes _____ No _____

If yes, describe the change(s) and provide a diagram with respect to same.

18. Will there be any redirection of storm water runoff as a result of the proposed use: Yes _____ No _____

If yes, describe same. _____

19. Will there be any changes in landscaping, buffering or lighting as a result of the proposed use: No _____ Yes _____

If yes, describe the change(s) and provide a diagram with respect to same.

20. List of maps (tax map and site plan which will include parking) and other materials, including floor plan, accompanying application.

	Title	Prepared By	Number of Pages
1.			
2.			
3.			
4.			
5.			

Signature of Applicant Date

Zoning Officer Approval: _____ or Forward to Planning Board

Zoning Officer Signature Date

CORPORATE INFORMATION:

If the applicant is a corporation or partnership, list names and addresses of all corporate shareholders and / or partnership interests of 10% or more:

APPLICANT'S SIGNATURE:

Date

Signature of Applicant

OWNER'S CONSENT:

The following consent or a letter signed by the owner, should be filled consenting to the application being made.

I, _____ (Name of owner) certify that I am the owner of the property described in the within application and that _____ (Name of Applicant) is hereby authorized to make this application.

I further certify that I have reviewed the application and I consent the same.

The Owner hereby authorizes representatives of the Township to enter the premises in order to inspect same, prior to discussion or public hearing on the application.

(Date)

(Owner of Property)

Signature of Owner

(Address)

(Phone Number)