



HAMILTON TOWNSHIP

MERCER COUNTY, NEW JERSEY

Kelly A. Yaede

MAYOR



YOUR GUIDE TO OUR PERMIT PROCESS

AND WORKING WITH OUR

PLANNING AND ZONING BOARDS

Mayor's Message

As Mayor, supporting and improving the vibrancy of our local economy, especially in these challenging economic times, is a priority to me.

Our local economy depends of the success of our local businesses, which provide jobs for our residents and investment into our community.

In an effort to make it easier to navigate the sometimes cumbersome land use process, this Land Use Guide endeavors to make Hamilton Township's permitting process simpler for businesses.

Beyond the information in this guide, please do not hesitate to contact me or any one of our economic development and land use support staff for any questions, concerns or suggestions that you may have about how Hamilton Township can improve land use procedures for the benefit of all local businesses and our local economy.

Sincerely,



Kelly A. Yaede
MAYOR

ABOUT THIS GUIDE

This booklet was developed by the Hamilton Township Administration. Its purpose is to guide individuals and commercial entities through the process of applying for building permits, completing a land use application or involved with hearings with our Planning and Zoning Boards. A fee schedule is included for your convenience.

CONTENTS	
About This Guide	1
Planning	2, 3, 4
Zoning	5, 6, 7
Fees	8, 9,10, 11, 12, 13
Permits	14, 15
Directory	16

PLANNING

DEFINITIONS

Subdivision

The division of a lot, tract or parcel of land into two or more lots, tracts or parcels or other divisions of land for sale or development.

Minor Subdivision

Any subdivision of land resulting in the creation of not more than three (3) lots fronting on an existing street and not involving any new street or the extension of municipal facilities.

Major Subdivision

Any division of land not classified as a minor subdivision.

Site Plan

A development plan of one or more lots on which is shown the existing and proposed conditions of the lot, including but not necessarily limited to topography, vegetation, drainage, floodplains, marshes and waterways; the location of all existing and proposed buildings, drives, parking areas, walkways, means of ingress and egress, utility service, landscaping, structures and signs, lighting and screening devices; and any information that may be reasonably required in order to conduct an informed review.

Conditional Use

A use permitted in a particular zone which complies with the conditions and standards for the location or operation of such use as contained in the Land Use Ordinance

Floodplain Relief

A grant of relief from the requirements of the flood damage prevention chapter of the Land Use Ordinance which permits construction in a manner otherwise prohibited.

“C” Variance (Bulk)

A grant of relief from specific requirements of the Land Use Ordinance in conjunction with subdivision, site plan, floodplain and conditional use applications.

PLANNING

APPLICATION FILING PROCEDURES

An application must be submitted according to the type of proposed action. Application forms are available in the Land Use Office. Applications are reviewed for completeness by the Administrative Officer before being placed on the Planning Board agenda.

Public Notice Requirements (for certain applications)

Pursuant to N.J.S.A. 40:55D-12, the applicant is required to serve public notice at least 10 days prior to the date of the Planning Board hearing. Applicants may contact the Engineering Division for the list of property owners to be notified and for assistance. Attorneys usually perform this task for applicants. Notice is required to be published in one of the Township's official newspapers at least 10 days prior to the hearing.

Decision Process

In accordance with the NJ Municipal Land Use Law (MLUL), the Planning Board is required to reach a decision on the application in a specified period of time. The amount of time is based on the type of application. Once the application is deemed complete, the specified time is referred to by its MLUL clock, meaning the Board must reach a decision by a specified date.

Resolutions

Once a decision has been reached by the Planning Board, the Planning Board Attorney prepares a resolution which is a record of the Board's decision. A resolution of approval is needed in order

Notice of Decision

Once action is taken by the Planning Board, a Notice of Decision is published in the local newspaper.

PLANNING

Planning Board Organization

The Planning Board is established and governed by the New Jersey Municipal Land Use Law and Hamilton Township Land Use Ordinance. The Board consists of nine members and two alternates, all of whom are appointed by the Township Council.

The Planning Board exercises approval authority over proposed development applications and the Township's Master Plan.

The following members of the Township administrative and professional staff may review each application for the Board:

Planning Board Attorney	Construction Official
Planner	Fire Districts
Engineer	Police Department
Department of Public Works	
Environmental Commission	
Department of Water Pollution Control	

Planning Board Schedule

The Planning Board meets the second and fourth Thursday of each month at 7:00 p.m. in the Municipal Building. Special meetings are scheduled when needed.

A public notice of the meeting agenda is posted in the Municipal Building.

ZONING

Application Filing Procedures

A residential “C” variance application must be filed with the Administrative Officer at least twenty-one days prior to the Zoning Board meeting.

An application must be submitted according to the type of proposed action. Application forms are available in the Land Use Office. Applications are reviewed for completeness by the Administrative Officer before being placed on the Zoning Board agenda.

Public Notice Requirements

Pursuant to N.J.S.A. 40:55D-12, the applicant is required to serve public notice at least 10 days prior to the date of the Zoning Board hearing. Applicants may contact the Engineering Division for the list of property owners to be notified and for assistance. Attorneys usually perform this task for applicants. Notice is required to be published in one of the Township’s official newspapers at least 10 days prior to the hearing.

Decision Process

The Zoning Board of Adjustment is required to reach a decision on the application within 120 days of the application being deemed complete by the Administrative Officer.

Resolutions

Once a decision has been reached by the Zoning Board, the Zoning Board Attorney prepares a resolution which is a record of the Board’s decision. A resolution of approval is needed in order to obtain a building permit. Conditions of the resolution must be complied with before the plans will be stamped and distributed.

Notice of Decision

Once action is taken by the Zoning Board, a Notice of Decision is published in the local newspaper.

ZONING

Application Types

Appeals

Filed when the applicant alleges that there is an error in any order, requirement, decision, or refusal made by the Zoning Officer in enforcing the Land Use Ordinance.

Interpretations

Filed when an applicant requests an interpretation of the Zoning Map or Land Use Ordinance.

“C” Variance (Bulk)

Filed when an applicant seeks an exception to the strict application of the Land Use Ordinance.

The applicant must provide proof that strict adherence to the Land Use Ordinance would create exceptional practical difficulties and undue hardships (for example, building and addition to a house that will not meet setback or lot coverage requirements).

“D” Variance (Use)

Filed by an applicant for one of the following reasons:

- To construct or create a use or principal structure in a zoning district that has restrictions against such use or principal structure.**
- To expand a non-conforming use**
- To deviate from a conditional use requirement**
- To increase the permitted floor area ratio**
- To increase the permitted density**
- To increase the height of a principal structure**

ZONING

Zoning Board Organization

The Zoning Board of Adjustment is established and governed by the New Jersey Municipal Land Use Law, Chapter 291, Section 40:55D-69 and the Hamilton Township Land Use Ordinance.

The Board consists of even (7) voting members and two alternatives all of whom are appointed by the Mayor with Council approval/consent. They volunteer their time and expertise without compensation.

The following members of the Township professional staff may review each proposed variance application for the board:

Zoning Board Attorney
Planner
Engineer
Department of Public Works
Construction Official
Department of Water Pollution Control
Environmental Commission
Fire Districts
Police Department

Zoning Board Schedule

The Zoning Board of Adjustment meets the second Tuesday of each month at 6:30 p.m. in the Municipal Building. Special meetings are scheduled when needed.

A Public Notice of the meeting agenda is posted in the Municipal Building.



Development Application Fees

Subdivisions	Fee	*Escrow
Minor subdivisions & resubdivisions	\$500.00	\$300.00 per lot
Preliminary major subdivision	\$500.00	\$300.00 per lot
Revised preliminary major subdivision	\$200.00	\$100.00
Final Major subdivision	\$500.00	\$150.00 per lot
Revised final major subdivisions (minor engineering and/or survey Corrections)	\$500.00	\$300.00 per lot
Construction or public works Inspections	3% of the amt. Of the performance guarantee	N/A
Certificates showing approval of a subdivision	\$10.00	N/A
Extensions to preliminary subdivisions	\$100.00	N/A
Extensions to final subdivisions	\$100.00	N/A
Waiver from subdivision design standard	\$100.00	N/A



Development Application Fees

Site Plans	Fee	*Escrow
Preliminary site plan residential	\$600.00	\$250.00 per lot
Preliminary site plan Non-residential	\$600.00	\$250.00 plus 0.10 Per sq. ft. over 5,000 sq. ft.
Revision to preliminary site plan: Residential	\$500.00	\$125.00 per lot
Revision to preliminary site plan: Non-residential	\$500.00	½ of preliminary Site plan escrow fee
Final Site Plan: Residential	\$500.00	\$150.00 per lot
Final Site Plan: Non-residential	\$500.00	½ of preliminary site plan escrow fee
Revisions to final site plan: Residential	\$350.00	\$150.00 per lot
Revisions to final site plan: Non-residential	\$350.00	½ of preliminary site plan escrow fee
Construction or public works inspections	3% of the amt. of the performance guarantee	N/A
Extensions of preliminary or final site plans	\$100.00	
Waiver of site plan design standards	\$100.00	\$100.00



Development Application Fees

Flood Plain Relief: These fees apply in the absence of any other development review fees or if they are greater than the fees collected for another section of the development application.

	FEES	ESCROW
Single Lot: Residential	\$100.00	\$100.00
Single Lot: Non-residential	\$200.00	\$100.00
Subdivisions: Residential	\$100.00	\$100.00
Subdivisions: Non-residential	\$200.00	\$100.00
Site Plans: Residential	\$100.00	\$100.00
Site Plans: Non-residential	\$200.00	\$100.00

FEES

Variance Relief	Fees	*Escrow
Bulk Variances: Residential	\$100.00	
Bulk Variance: Non-residential	\$150.00	\$200.00; additional \$100.00 for each Variance over 3
Use variance: Residential	\$750.00	\$1,000.00
Use variance: Non-residential	\$750.00	\$1,000.00
Application and appeal to Zoning Board of Adjustment pursuant to Section 160-193	\$150.00	\$500.00

Conditional Use Permits	Fees	*Escrow
Residential	\$200.00	\$500.00
Non-residential	\$300.00	\$1,000.00

FEES

Administrative Waiver	Fee	*Escrow
Front, rear & sideyard setbacks	\$100.00	N/A
Site Plan Waiver	\$300.00	N/A

	Fee	*Escrow
Interpretations or special questions	\$200.00	\$400.00

	Fee	*Escrow
Sketch site plan and concept plan	\$400.00	\$600.00

	Fee	*Escrow
Sketch subdivision and Concept plan	\$400.00	\$150.00 per lot

FEES

	Fee	*Escrow
Informal preapplication meetings with Township professionals, except minor Subdivision or hardship variance for Single family detached residential unit		\$750.00

	Fee	*Escrow
General development plans	\$1,500.00	\$25,000.00

***ESCROW**

There are two cost components to the application submission – the application fee and the escrow deposit. The application fee is a non-refundable charge to cover direct administrative expenses.

The escrow deposit is authorized by State law and is established to cover the costs of professional services including engineering, legal, planning, and other expenses connected with the review of an application and the appearance before the Zoning or Planning Board. The Law provides that the costs of consultant services are recovered.

PERMITS

The Building Permit Process

A permit must be obtained prior to any new construction or alteration, with the exception of ordinary repairs.

For expansions or additions, applicants must first contact the Land Use Office and/or Planning Department to assure compliance with land use ordinance requirements such as setback from property lines, etc. Thereafter, applicants may proceed by applying for a permit. If a proposal does not comply with land use requirements, then the applicant must apply to the Zoning or Planning Board for a variance (See Planning or Zoning information in this booklet.)

Remodeling of Home or Business – Alterations of a minor nature do not require a permit. However, applicants should check with the Permit Office To be sure minor work falls within those guidelines. All other construction would require necessary construction permits and approvals.

Architectural Plans

A homeowner occupant may submit his own plans for any kind of work on residential property. For owners and/or occupants of business property, an architect's or engineer's sealed plans are required with the exception of minor work. Check with the permit office to be sure the minor work conforms to established guidelines.

About the Permit Application

An application for a permit must be filled out in detail for all work related to a project. This could include electrical, plumbing, fire, building, etc. If assistance is needed in filling out an application, help is available at the permit office.

Time Frames For Permits

Under normal circumstances, an applicant can expect a decision within four weeks. This is the time it takes to review the necessary documents submitted for approval of the permit. If important details are missing in the submission of the application, the applicant will be advised by mail. The letter will advise as to what information is missing and will allow for the correction of plans or submissions. When all information is in order, the application will be reviewed again and a permit will be issued. (Please note that incomplete information will cause a delay in approving your permit).

TYPE OF PERMITS

Building Permits

These permits are issued for work being done that includes – demolition, building, plumbing, electrical, fire, elevator devices, pools, asbestos abatement and lead hazard abatement.

Other Permits

Sewer Permit – This permit is required if the applicant is building a new home and must be obtained before a building permit will be issued. It is also required for all new and expanding businesses.

T.I.D. (Transportation Improvement District) Although this is not a permit – payment of this impact fee is necessary in areas classified by the township where significant development, and consequently the need for significant transportation improvements, is anticipated.

Notice to Contractors

All contractors doing work in Hamilton are required to register with our Inspections Office. Homeowners doing their own work do not require registration. An application form must be filled out, a copy of the liability insurance certificate must be submitted along with a \$250.00 registration fee which pays for the 3 year license.

CONTACT INFORMATION

Martin Flynn, Director of Economic Development

Phone # (609)890-3519

E-mail address: mflynn@Hamiltonnj.com

Richard S. Williams, Director of Dept. of Community Planning & Compliance

Phone # (609)890-3683

E-mail address: rwilliams@HamiltonNJ.com

Richard S. Williams, Township Engineer

Phone # (609)890-3636

E-mail address: rwilliams@HamiltonNJ.com

Raymond Lumio, Construction Official

Phone # (609)890-3666

E-mail address: rlumio@HamiltonNJ.com

Michael J. Guhanick, Land Use Coordinator

Phone # (609)890-3669

E-mail address: mguhanick@HamiltonNJ.com

Robert C. Poppert, Principal Planner

Phone # (609)890-3674

E-mail address: rpoppert@HamiltonNJ.com

Michael P. Cosma, Zoning Enforcement Officer

Phone # (609)890-3634

E-mail address: mcosma@HamiltonNJ.com

HAMStat Call Center

Phone # (609)586-0311

Hamilton Web Site: www.HamiltonNJ.com

(Booklet prepared in August 2010, Revised March 2016)