

ORDINANCE NO. 2002-12

ORDINANCE

of

THE CITY OF LAMBERTVILLE,  
in the  
COUNTY OF HUNTERDON,  
STATE OF NEW JERSEY

□ □ □

AN ORDINANCE AMENDING  
THE CITY OF LAMBERTVILLE ZONING ORDINANCE OF 1971,  
AS AMENDED, ENTITLED:

“AN ORDINANCE TO LIMIT AND RESTRICT TO SPECIFIED  
DISTRICTS OR ZONES, AND TO REGULATE THEREIN,  
BUILDINGS AND STRUCTURES ACCORDING TO THEIR  
CONSTRUCTION AND THE NATURE AND EXTENT OF THEIR  
USE, AND THE NATURE AND EXTENT OF THE USE OF LAND IN  
THE CITY OF LAMBERTVILLE IN THE COUNTY OF HUNTERDON  
AND PROVIDING FOR THE ADMINISTRATION AND  
ENFORCEMENT OF THE PROVISIONS HEREIN CONTAINED AND  
FIXING PENALTIES FOR THE VIOLATIONS THEREOF.” TO ADD  
REGULATIONS FOR THE HISTORIC DISTRICT AND OTHER  
PERTINENT DEVELOPMENT REGULATIONS; AND TO REPEAL  
CONFLICTING SECTIONS THEREOF IN ACCORDANCE WITH  
N.J.S.A. 40:55D-65.1.

**WHEREAS**, the City Council of the City of Lambertville, a municipal corporation in the County of Hunterdon, State of New Jersey, finds that the public health, safety, morals, and general welfare of the community shall be promoted by the establishment of a Historic District; and

**WHEREAS**, the City Council of the City of Lambertville finds that the City has historic and architectural traditions that attract both permanent residents and

APRIL 17, 2002

visitors that would be safeguarded by the establishment of said Historic District and standards for preserving the City's heritage; and

WHEREAS, the inappropriate altering or repairing of historic structures and inattention to these structures threatens the purpose of the Historic District as designated herein, and historic preservation in general;

WHEREAS, the Planning Board of the City of Lambertville adopted a Historic Preservation Element of the Master Plan on September 5, 2001 providing for the appropriate use and development of lands in the City in a manner which will promote the public health, safety, morals, and general welfare; and

WHEREAS, the Municipal Land Use Law at N.J.S.A. 40:55D-62a requires substantial consistency of the regulations governing zoning and land use development with the adopted Master Plan; and

WHEREAS, the Planning Board has determined that these regulations are consistent with said Master Plan and favorably recommends to the City Council pursuant to Resolution No. \_\_-2002, dated \_\_\_\_\_, 2002 that the regulations be so adopted.

**NOW, THEREFORE, BE IT ENACTED and ORDAINED** by the City Council of the City of Lambertville, in the County of Hunterdon as follows:

**Section 1. Purpose.** The City of Lambertville, as a municipality in the State of New Jersey, hereby declares that pursuant to the purposes of the New Jersey Municipal Land Use Law, N.J.S.A. 40:55D-2, that the amendments contained herein shall promote the conservation of historic sites and districts, a desirable visual environment through creative development techniques and good civic design and arrangement contributing to the well being of persons, neighborhoods, the community and region as a whole and to more particularly:

A. Safeguard the heritage of the City of Lambertville by preserving that part of the City, designated as the historic district, which reflects elements of its cultural, social, economic and architectural history;

B. Maintain and develop an appropriate and harmonious setting for the architecturally and historically significant historic sites within the City of Lambertville;

C. Stabilize and improve property values;

D. Foster civic beauty;

E. Stabilize and improve neighborhoods;

F. Protect and enhance the City for residents and visitors and serve as a support and stimulus to business and industry;

G. Prevent any construction, demolition, or exterior alteration that would injure, depreciate, or conflict with the character of any established local historic district.

H. Promote the use of any established local historic district for the education, pleasure and welfare of the citizens of the City of Lambertville and its visitors.

**Section 2.** §201, Definitions, of the Zoning Ordinance is hereby AMENDED by ADDING the following definitions:

**HISTORIC DISTRICT:** One or more historic sites and intervening or surrounding property significantly affecting or affected by the quality and character of the historic site or sites [MLUL]; such sites exhibit the following characteristics:

- A. Represent a significant period in the history of the City; or
- B. Have a distinctive character resulting from their architectural style, relationship to other buildings, spaces, scale or other design elements; or
- C. Because of their distinctive character, can readily be viewed as an area or neighborhood distinct from surrounding portions of the City; and
- D. Should be preserved because of its importance to archaeological, cultural, historical, or architectural purposes and motives.

**HISTORIC LANDMARK (or LANDMARK):** See HISTORIC SITE.

**HISTORIC PRESERVATION COMMISSION:** The municipal agency established pursuant to N.J.S.A. 40:55D-107 with all of the powers and duties enumerated therein.

**HISTORIC SITE:** Any real property, man-made structure, natural object, or configuration or any portion or group of the foregoing historical, archaeological, cultural, scenic, or architectural significance. [MLUL]

Section 3. §300, Zoning Districts, shall be AMENDED by ADDING the following to the end of the section:

The Lambertville Historic District shall be coterminous with the boundaries and area of the Central Business District as depicted on the Zoning Map in accordance with the provisions of §301.

Section 4. §515.2.O, Abandoned Signs, shall be AMENDED to read as follows:

- O. Abandoned Signs. No person shall maintain or permit to be maintained on any premises owned or controlled by him or her, a sign which has been abandoned. An abandoned sign for the purpose of this section is a sign located on, and/or related to the use of a property which becomes vacant and unoccupied; any sign which was erected for an occupant or business unrelated to the present occupant in business; or any sign which related to a time, event, or purpose which is past. Any such sign shall be abated by the owner or person controlling the property within (30) days of the date of abandonment as herein defined. Any sign identifying an abandoned use, as provided for by this Ordinance, shall itself be considered to be abandoned. Notwithstanding these provisions, in the event that the Historic Preservation Commission determines that a sign within the Lambertville Historic District is an integral part of the architectural design of an historic building or a historic structure in itself, such sign shall not be subject to the requirement for removal.

Section 5. §516.7, Review of CBD Zone Proposals, is hereby deleted in its entirety and RESERVED.

Section 6. §602, Review Criteria within the Historic District, is hereby ADDED as follows:

**§602      Review Criteria within the Historic District.**

Applications for development, zoning permits and building permits within the Central Business District/Lambertville Historic District

shall be reviewed for their effect upon the purpose and intent of the district in accordance with the procedures of the Historic Preservation Commission in §902 of the Land Development Ordinance, the design standards in §613 of the Land Subdivision Ordinance, and the review criteria herein.

A. Intent.

1. It is the intent of this section that the Historic Preservation Commission shall encourage appropriate alterations or repairs to those landmarks or structures in the district which would be complimentary to the original or dominant architectural style in the district and which would enhance rather than detract from the structure's predominant appearance. This work shall also be complimentary to adjoining structures.
2. It is intended that demolition of historic structures shall be discouraged as their loss will be a common loss to the City of Lambertville and the neighborhood. Moving a landmark or other property in the historic district should be encouraged only as the last resort as an alternative to demolition, if there is no other way to save the structure.
3. It is also intended by this ordinance that the Historic Preservation Commission shall review plans for new construction so that such construction is compatible with existing and nearby structures. It is not intended that new construction be a copy of a particular historic period or style, but rather that it be compatible in the use of materials, scale, color, size and setback.

B. Demolitions. The following criteria shall be used to evaluate any application to demolish a historic building or structure within a historic district or on an individual site outside a district:

1. Its historic, architectural and social significance.
2. Its potential for use for the uses currently permitted by the zoning ordinance.

3. Its importance to the municipality and the extent to which its historical or architectural value is such that its removal would be detrimental to the public interest.
4. The extent to which it is of such old, unusual or uncommon design, craftsmanship, texture, or material that it could not be reproduced, or could be reproduced only with great difficulty.
5. The extent to which its retention would promote the general welfare by maintaining and increasing real estate values, generating business, creating new jobs, attracting visitors, students, writers, historians, artists and artisans, attracting new residents, encouraging study and interest in American history, stimulating study in architecture and design, educating citizens in American culture and heritage, or making the City a more attractive and desirable place in which to live.
6. If it is within the district, the probable impact of its removal upon the ambiance of the district.
7. If a property owner conclusively demonstrates to the Historic Preservation Commission that a historic building or structure within the historic district is incapable of earning an economic return on its value, as appraised by a qualified real estate appraiser, the Planning Board may delay issuance of the demolition permit for a period of time not to exceed six months. Notice of the proposed demolition shall be posted on the premises of the structure in a location clearly visible from the street by means of a sign approved by the Historic Preservation Commission. The purpose of this subsection is to encourage the preservation of historic buildings and to offer the City, interested persons, historical societies, or other organizations the opportunity to acquire or to arrange for the preservation of such buildings. The Planning Board may at any time during such delay approve a demolition permit, and at the end of six months, shall automatically approve a demolition permit,

in which event a demolition permit shall be issued without further delay.

C. Removals out of the City. In regard to an application to move an historic structure within the district, or any historic building, to a location outside the City, the following matters shall be considered:

1. The historic loss to the site of the original location and the district as a whole.
2. The compelling reasons for not retaining the structure at its present site.
3. The proximity of the proposed new location to the City, including the accessibility to the residents of the City and other persons.
4. The probability of significant damage to the structure, either by the move, or at its new location.
5. The applicable matters listed in §602.B, hereinabove.

D. Removals within the City. In regard to an application to move a landmark or any structure in the historic district to a new location within the City, the following matters shall be considered in addition to the matters listed in §602.E, hereinbelow:

1. The compatibility, nature and character of the current and of the proposed surrounding areas as they relate to the intent and purposes of this ordinance.
2. If the proposed new location remains, or will be within the historic district, the visual compatibility factors shall follow those outlined in §613 of the Land Subdivision Ordinance.

E. Other Factors to be Considered. In regard to an application for approval of other proposed changes as set forth in reviewing the proposed development, the following matters shall be

considered:

1. The impact of the proposed change on its historic architectural character.
2. The extent to which there would be involvement of textures or materials that could not be reproduced or could be reproduced only with great difficulty.
3. The use of any structure involved.
4. The extent to which a proposed action would adversely affect the public's view from a public street of a landmark or structure within a historic district.

Section 7. §903, Neglect of Historic Buildings and Structures, shall be  
ADDED as follows:

**§903 Neglect of Historic Buildings and Structures.**

- A. In the event that any landmark or structure in a historic district deteriorates to the point that, in the best estimate of the Construction Official, the costs of correcting the outstanding code violations equals more than twenty-five percent (25%) of the cost of replacing the entire structure on which the violations occur, the Construction Official shall serve personally or by certified mail, return receipt requested, a notice to the Owner of the landmark listing the violation, the estimate for the abatement, and the replacement cost of the structure. If the Owner does not take all necessary remedial action within ninety (90) days, or such extensions as the Construction Official grants, the City may, after ninety (90) days, enter upon the property and abate such violations itself and cause the cost to become a lien on the property.
- B. Upon receiving the notice the Owner may, within 10 days, notify the Construction Official and request a formal hearing as to the allegations and estimates set forth in the notice.
- C. If the Owner does not request a hearing, the procedures set forth in §903.A, hereinabove shall apply. If a hearing is requested,



the Construction Official will at least 10 days before the hearing serve the Owner with a written opinion setting forth his or her reasons and conclusions. The hearing shall be conducted by the Historic Preservation Commission at a time and place established by the Chairperson.

- D. Thereafter, if the Owner does not comply, the City may enter into the premises and, by use of City labor or outside contractors or both, perform such work as is necessary to abate all violations.

**Section 8. Continuation.** In all other respects the Lambertville Code of Ordinances, as amended and supplemented, shall remain in full force and effect.

**Section 9. Severability.** If any portion of this Ordinance is for any reason held to be unconstitutional or invalid by a court of competent jurisdiction, such decision shall not affect the validity of this Ordinance as a whole, or any other part thereof. Any invalidation shall be confined in its operation to the section, paragraph, sentence, clause, phrase, term, or provision or part thereof directly involved in the controversy in which such judgment shall have been rendered.

**Section 10. Interpretation.** If the terms of this Ordinance shall be in conflict with those of another Ordinance of the Code of the City of Lambertville, then the restriction which imposes the greater limitation shall be enforced.

**Section 11. Repealer.** All ordinances or parts of ordinances which are inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency only.

**Section 12. Enactment.** This Ordinance shall take effect upon the filing thereof with the Hunterdon County Planning Board after final passage, adoption, and publication by the City Council of the City of Lambertville in the manner prescribed by law.

APRIL 17, 2002

Introduced:

Adopted:

CITY OF LAMBERTVILLE IN THE  
COUNTY OF HUNTERDON

\_\_\_\_\_  
Hon. David Del Vecchio, Mayor

\_\_\_\_\_  
John M. McManus, Council President

\_\_\_\_\_  
Cynthia Ege, Council Member

\_\_\_\_\_  
Steven Stegman, Council Member

\_\_\_\_\_  
Marie B. Warford, Council Member

Attest:

\_\_\_\_\_  
Mary Elizabeth Sheppard, RMC, City Clerk

ORDINANCE NO. 2002-13

ORDINANCE

of

THE CITY OF LAMBERTVILLE  
in the  
COUNTY OF HUNTERDON,  
STATE OF NEW JERSEY

□ □ □

AN ORDINANCE AMENDING:

"AN ORDINANCE ESTABLISHING A PLANNING BOARD AND BOARD OF  
ADJUSTMENT PURSUANT TO THE PROVISIONS OF THE 'MUNICIPAL LAND  
USE LAW' (CHATER 291, LAWS OF NEW JERSEY, 1975; NEW JERSEY REVISED  
STATUTES TITLE 40, CHAPTER 55D, SECTION 1 ET SEQ.); PROVIDING FOR  
THE POWERS OF SAID PLANNING BOARDS, FIXING THE PROCEDURES  
GOVERNING APPLICATION TO SAID BOARDS AND APPEALS THEREFROM,  
AND PROVIDING FOR THE CONTINUANCE OF EXISTING ORDINANCES"  
OTHERWISE KNOWN AS THE LAND DEVELOPMENT REVIEW ORDINANCE  
OF THE CITY OF LAMBERTVILLE, NEW JERSEY,  
AS AMENDED,  
TO ESTABLISH A HISTORIC PRESERVATION COMMISSION  
WITH ALL THE POWERS AND DUTIES THEREOF  
IN ACCORDANCE WITH N.J.S.A. 40:55D-107.

**WHEREAS**, the City Council of the City of Lambertville, a municipal  
corporation in the County of Hunterdon, State of New Jersey, finds that the public health,  
safety, morals, and general welfare of the community shall be promoted by establishing a  
Historic Preservation Commission to protect the historic and cultural resources of the  
City; and

**WHEREAS**, the Planning Board of the City of Lambertville has adopted  
a Historic Preservation Element of the Master Plan identifying lands within the City  
suitable for inclusion in a local historic district; and

**WHEREAS**, the Municipal Land Use Law at N.J.S.A. 40:55D-62a  
requires substantial consistency of the regulations governing historic preservation with

the adopted Master Plan; and

**WHEREAS**, the Planning Board has determined that these regulations are consistent with said Historic Preservation Element and favorably recommends same to the City Council that the regulations be so adopted.

**NOW, THEREFORE, BE IT ENACTED and ORDAINED** by the City Council of the City of Lambertville, in the County of Hunterdon as follows:

**Section 1.** Purpose. The City of Lambertville, as a municipality in the State of New Jersey, hereby declares that pursuant to the purposes of the New Jersey Municipal Land Use Law, *N.J.S.A. 40:55D-2*, that the amendments contained herein shall promote the conservation of historic sites and districts, a desirable visual environment through creative development techniques and good civic design and arrangement contributing to the well being of persons, neighborhoods, the community and region as a whole and to more particularly:

A. Safeguard the heritage of the City of Lambertville by preserving that part of the City, designated as the historic district, which reflects elements of its cultural, social, economic and architectural history;

B. Maintain and develop an appropriate and harmonious setting for the architecturally and historically significant historic sites within the City of Lambertville;

C. Stabilize and improve property values;

D. Foster civic beauty;

E. Stabilize and improve neighborhoods;

F. Protect and enhance the City for residents and visitors and serve as a support and stimulus to business and industry;

G. Prevent any construction, demolition, or exterior alteration that would injure, depreciate, or conflict with the character of any established local historic district.

H. Promote the use of any established local historic district for the education, pleasure and welfare of the citizens of the City of Lambertville and its visitors.

**Section 2.** §103, Definitions, of the Land Development Review Ordinance is hereby **AMENDED** as follows:

## §103 Definitions

- A. Word Usage. Any word or term not defined herein shall be as defined in the Municipal Land Use Law, *N.J.S.A.*, 40:55D-1 et seq., or shall be utilized in standard usage for the context in which the word is used. In interpreting this Article, words in one tense shall include other tenses or derivative forms; words in the singular shall include the plural and in the plural, the singular; either gender shall include the other; the word "shall" is mandatory; the word "may" is permissive.
- B. Historic District Definitions.
1. ADDITION - The construction of a new improvement to a historic structure, which changes its exterior appearance.
  2. ALTERATION - Any work done on a historic structure which changes its exterior appearance, excepting paint color.
  3. DEMOLITION - The razing or removal of a structure, or any part thereof, of a historic structure.
  4. HISTORIC DISTRICT - Any part of the City of Lambertville identified as a historic district on the Zoning Map established pursuant to §301 of the Zoning Ordinance of the City of Lambertville.
  5. HISTORIC SITE - Any real property such as a building, structure, ruins, foundation, route, trail, place or object including but not limited to a cemetery, burial ground or village area, or bicycle pathway, or a natural object(s), configuration, geological or geographical feature or formation which is not located in the district and which:
    - a. is of particular historic, cultural, scenic or architectural significance to the City of Lambertville, and in which the broad cultural, political, economic or social history of the nation, state or community is reflected or exemplified; or
    - b. is identified with historic personages or with important events in the main current of national,

- state or local history; or
  - c. shows evidence of habitation, activity or the culture of prehistoric man; or
  - d. embodies a distinguishing characteristic or an architectural type valuable as representative of a period, style or method of construction; or
  - e. represents a work of a builder, designer, artist or architect whose individual style significantly influenced the architectural history of the City of Lambertville or other areas; or
  - f. is imbued with traditional or legendary lore.
6. IMPROVEMENT - Any structure or part thereof constructed or installed upon real property and intended to be kept at the location for a period of not less than sixty continuous days.
7. REPAIR - Any work done on any historic structure or historic site that is not an addition and does not change its exterior appearance.
- C. Other terms within this Ordinance that are not defined herein or by the Municipal Land Use Law shall be as defined in the Zoning Ordinance of the City of Lambertville.

**Section 3a.** Article VI, Subdivision and Site Plan Review and Approval, of the Land Development Review Ordinance is hereby RENAMED Subdivision and Site Plan Review and Certificates of Approval.

**Section 3b.** Article VI, Subdivision and Site Plan Review and Certificates of Approval, is hereby AMENDED by REVISING and ADDING the following sections:

**§601 Review and Approval Required**

- A. Subdivision and Site Plan Review. Pursuant to N.J.S. 40:55D-37, approval of subdivision plats by resolution of the Planning Board shall be required as a condition for the filing of such plats

with the county recording officer. Approval of site plans by resolution of the Planning Board shall be required as a condition for the issuance of a building permit or certificate of occupancy for any development, except that subdivision or individual lot applications for detached one or two dwelling-unit buildings shall be exempt from such site plan review and approval; provided that the resolution of the Board of Adjustment shall substitute for that of the Planning Board whenever the Board of Adjustment has jurisdiction over a subdivision or site plan pursuant to §808.B. of this Ordinance.

B. Certificates of Appropriateness. A Certificate of Appropriateness issued by the Historic Preservation Commission and signed by the Chairman and Secretary of the Commission shall be required before a construction, demolition or sign permit may be issued and before the following work may begin on any of the following activities on property within the Lambertville Historic District:

1. Demolition or relocation of an historic site or of any structure in the historic district.
2. Change in the appearance of an existing historic site or change visible from the street of any structure within the historic district, whether by addition, alteration or replacement.
3. Any new construction of a principal or accessory structure in the historic district or a historic site.
4. Any sign erected, altered, located, relocated, constructed, reconstructed, maintained, or changed in any manner within the historic district or a historic site.
5. Exceptions. A Certificate of Appropriateness shall not be required for any repair in kind, or exact replacement of any existing structure. If the repair or replacement does not conform to these regulations, then a Certificate of Appropriateness shall be required.
6. The Certificate of Appropriateness shall constitute the written report required pursuant to *N.J.S.A. 40:55D-110*. Nothing herein shall be construed to limit the powers of

the Planning Board and Board of Adjustment to approve site plans, subdivisions and other matters delegated to it by law within the historic district or pertaining to historic sites outside of the district. In such circumstance, the Certificate of Appropriateness shall constitute advice and recommendation to the Planning Board and Board of Adjustment on applications for development.

- C. County Planning Board Approval. Each application for subdivision approval, where required pursuant to section 5 of P.L. 1968, c. 285, and each application for site plan approval, where required pursuant to section 8 of P.L. 1968, c. 285, shall be submitted by the applicant to the County Planning Board for review or approval, as required by the aforesaid sections, and the municipal planning board shall condition any approval that it grants upon timely receipt of a favorable report on the application by the County Planning Board or approval by the County Planning Board by its failure to report thereon within the required time period.

**[§§602-615 Remain Unchanged]**

**§616 Referral of Applications for Development to the Historic Preservation Commission**

The Planning Board and Board of Adjustment shall make available to the Historic Preservation Commission an informational copy of every application submitted to either board for development in a historic zoning district or on historic sites designated on the zoning map, official map or in the historic preservation element of the master plan. Failure to make the informational copy available shall not invalidate any hearing or proceeding. The Historic Preservation Commission may provide its advice, which shall be conveyed through its delegation of one of its members or staff to testify orally at the hearing on any application within the Lambertville Historic District and to explain any written report, which may have been submitted. Notwithstanding any other provisions of the Zoning Ordinance of the City of Lambertville, no construction permit shall be issued by the Construction Code Official prior to Planning Board or Board of Adjustment approval of an application for development of the following activities:

- A. Demolition or relocation of an historic site or of any structure in



a historic district.

- B. Change in the appearance of an existing historic site or change visible from the street of any structure within the Lambertville Historic District, whether by addition, alteration or replacement.
- C. Any new construction of a principal or accessory structure in the historic district or on the same lot as a historic site.
- D. Any sign erected, altered, located, relocated, constructed, reconstructed, maintained, or changed in any manner within the Lambertville Historic District.
- E. Referral of an application for development to the Historic Preservation Commission shall not apply to any repair in kind, or the exact replacement of any existing structure.

**Section 4a.** Article IX, Zoning Districts and Permitted Uses, and Article X, Miscellaneous Provisions, of the Land Development Review Ordinance are hereby RELETTERED Article X and Article XI, respectively.

**Section 4b.** The Land Development Review Ordinance is hereby amended by ADDING the following Article:

## ARTICLE IX HISTORIC PRESERVATION COMMISSION

### **§901 Establishment of the Historic Preservation Commission**

- A. **Establishment and Classes of Members.** A Historic Preservation Commission (HPC) is hereby established consisting of five (5) regular members and which may include two (2) alternate members, each of whom shall be appointed by the Mayor, of the following three classes:
  - 1. Class A - A person who is by occupation a professional in building design and construction or architectural history;
  - 2. Class B - Persons who are knowledgeable or have a

demonstrated interest in local history;

3. Class C - Persons who are residents of the municipality and who hold no other municipal office, position or employment except for membership on the Planning Board or Board of Adjustment.
  4. There shall be one member each from Classes A and B fulfilling the terms.
  5. Those regular members who are not designated as Class A or B shall be designated as Class C. Of the regular members a total of at least one less from a majority shall be of Classes A and B. Alternate members shall meet the qualifications of Class C members and shall be designated "Alternate No. 1" and "Alternate No. 2" at the time of appointment.
  6. All members shall be residents of the municipality excepting Class A and Class B.
  7. Terms of Membership.
    - a. The term of each regular member shall be four years and the term of each alternate member shall be two years.
    - b. Alternate members. Alternate members shall be designated at the time of their appointment as "Alternate No. 1" and "Alternate No. 2."
    - c. The term of any member in common with the Planning Board or Board of Adjustment shall be for the term of membership on such Board.
- B. The terms of the members first appointed under this ordinance shall be such that two members shall be appointed to a one year term, two members shall be appointed to a two year term, and one member shall be appointed to a three year term. Alternate No. 1 shall be appointed to a two year term and Alternate No. 2 shall be appointed to a one year term. The first year of the terms of all initial appointments under this ordinance shall expire on December 31 of that year. The term of a regular

member subsequently appointed shall be three years; and the term of an alternate member shall be two years. A vacancy occurring otherwise than by expiration of term shall be filled for the unexpired term only, within sixty (60) days of said vacancy. Notwithstanding any other provision herein, the term of any member common to the Historic Preservation Commission and the Planning Board or Board of Adjustment shall be for the term of the membership on the Planning Board or Board of Adjustment, as the case may be.

- C. **Role of Alternate Members.** Alternate members may participate in discussions of the proceedings but may not vote except in the absence or disqualification of a regular member of any Class. A vote shall not be delayed in order that a regular member may vote instead of an alternate member. In the event that a choice must be made as to which alternate member is to vote, "Alternate No. 1" shall vote.
- D. **Vacancies.** If a vacancy shall occur otherwise than by expiration of term, it shall be filled by appointment for the unexpired term, only.
- E. **Compensation.** Members of the HPC shall serve without compensation except that reimbursement of reasonable expenses in the execution of official duties may be made by the municipality.
- F. **Removal.** A member of the commission may, after public hearing if he requests it, be removed by City Council for cause.
- G. **Conflict.** No member or alternate member of the HPC shall be permitted to act on either any matter in which he or she has directly or indirectly any personal or financial interest. No member who is so disqualified may act on that particular matter, shall not continue to sit with the Commission on the hearing of such matter, nor shall participate in any discussion or decision.
- H. **Organization.** The HPC shall elect from its membership a Chairman and Vice Chairman whose terms of office shall be for one year. The Chairman shall preside over the Commission and shall have the right to vote. The Vice Chairman shall, in case of absence or disability of the Chairman, perform the duties of the

Chairman. A Secretary shall be appointed by the Commission may or may not be a member of the Commission or a municipal employee. The Commission shall be governed by Roberts Rules of Order.

- I. Funding. The governing body shall make provisions in its budget and appropriate funds for the expenses of the Historic Preservation Commission. the Commission shall have the authority to contract for the services of qualified persons to direct, advise and assist the Commission, and may acquire equipment and supplies necessary to its effective operation.
- J. Advice. The Commission is empowered to seek advisory opinions and technical assistance from appropriate municipal officers and employees on any matter within the Commission's jurisdiction.
- K. Rules and Procedures. The HPC shall adopt and may amend internal rules and procedures for the transaction of its business subject to the following:
  - a. A quorum for any action by the HPC shall be three (3) members.
  - b. All HPC minutes and records shall be public records.
  - c. All HPC meetings shall comply with the Open Public Meetings Act (*N.J.S.A. 10:47 et seq.*).
  - d. The Commission shall adopt rules for the transaction of its business, which shall provide for time and place meetings.
  - e. Rules shall provide for the establishment of special meetings either by the Chairman or by at least three other members of the HPC. Any interested party shall be entitled to appear and be heard on any matter to come before the HPC. All decisions shall be by the affirmative vote of a majority of the members present and qualified to vote, and shall be reduced to writing and adopted at the next regular meeting of the HPC.
  - f. HPC meetings shall be scheduled at least once every

month or as often as required to fulfill its obligations to advise the Planning Board, Board of Adjustment, governing body, or administrative official, unless there is no business before the Commission.

**L. Responsibilities of the Historic Preservation Commission. The HPC shall have the following duties and responsibilities.**

- a. Prepare a survey of historic sites of the City pursuant to criteria identified in the survey report;
- b. Make recommendations to the Planning Board on the historic preservation plan element of the master plan and on the implications for preservation of historic sites of any other master plan elements;
- c. Advise the Planning Board on the inclusion of historic sites in the recommended capital improvement program;
- d. Advise the Planning Board and Board of Adjustment on applications for development pursuant to N.J.S.A. 40:55D-110;
- e. Provide written reports on the application of the zoning ordinance provisions concerning historic preservation; and
- f. Carry out such advisory, educational and informational functions as will promote historic preservation in the City.

**§902 Application Procedures of the Historic Preservation Commission**

An application for a zoning permit shall be required precedent to the issuance of a building permit to construct, alter, repair, move or demolish any building, structure or sign in the Lambertville Historic District. The zoning permit application shall be made to the Zoning Officer, pursuant to Article IX of the Zoning Ordinance of the City of Lambertville. No zoning permit shall be issued until a Certificate of Appropriateness has been approved by the Planning Board, Board of Adjustment, or Historic Preservation Commission, as the case may be. An application for approval of a Certificate of Appropriateness shall be

completed and filed with the Administrative Officer not less than 10 days before a Historic Preservation Commission meeting.

A. Minor and Major Applications. The Administrative Officer shall review the application form and classify the application in accordance with the following guidelines:

1. If a Certificate of Appropriateness is requested for an action which will substantially affect the characteristics of the district or historic site, the Administrative Officer shall classify the application as a major application and notify the applicant to submit a full application which shall include architectural drawings and plans prepared by a New Jersey licensed architect; photographs, sign designs, and other information described in the Historic Preservation Commission's regulations. The Administrative Officer shall be entitled to request and receive assistance in the classification from HPC members and staff.
2. If a Certificate of Appropriateness is requested for an action which will not substantially affect the historic site or district, then the Administrative Officer shall classify the application as a minor application.
3. Completed minor applications will be heard and acted upon at the next regularly scheduled meeting of the Historic Preservation Commission.
4. Major applications shall be acted on within thirty (30) days after the application is declared complete by the Administrative Officer. If the HPC does not act on a major application within 45 days, the application shall be deemed to have been approved as submitted, and the Administrative Officer shall so certify. By mutual written agreement of the applicant and the HPC, there may be an extension of time. The HPC may advise the applicant and make recommendations in regard to the appropriateness of the proposed action, and may grant approval upon such conditions as it deems appropriate within the intent and purposes of this ordinance. The HPC shall decide on each application and shall reduce their findings and conclusions in the form of a resolution to be adopted by

the Commission.

5. Sign Application. Any person seeking a construction permit to construct, alter, repair, move, install or demolish a sign in the historic district or historic site outside of a district shall be required to receive a Certificate of Appropriateness from the HPC. All applications for a Certificate of Appropriateness for a sign shall be classified as minor applications.

B. Decisions by the Historic Preservation Commission.

1. If an application is approved, the HPC shall issue a Certificate of Appropriateness and provide the applicant with a certified copy of the resolution. If disapproved, the Commission shall notify the applicant in writing of the resolution and provide to the applicant a certified copy.
2. In the event that an applicant alleges that compliance with the requirements of this ordinance would be an unreasonable hardship and that the nature of his application is such that the change sought does not justify the time and expense of a plenary proceeding, will not impact negatively on the public good, nor specifically on the historic qualities sought to be preserved, the Commission, by a majority vote of its full authorized membership, may grant such relief from the requirements of this ordinance as it deems consistent with the public good and the purposes of this ordinance.
3. An applicant may request that a Certificate of Appropriateness be granted without fulfilling all the application requirements set forth because the change contemplated shall not be visible from any place to which the public normally has access and, therefore, cannot adversely affect the public interest. In that event, the Historic Preservation Commission, by a majority vote of its full authorized membership, may determine that the criterion for such an exemption has been met and may grant a Certificate of Appropriateness.

C. Effect of a Certificate of Appropriateness Approval; Denial; Appeal.

1. Issuance of a Certificate of Appropriateness shall be deemed to be final approval pursuant to this ordinance. Such approval shall neither cause nor prevent the filing of any collateral application or other proceeding required by any other City ordinance to be made prior to undertaking the action requested concerning the historic site or structure in the historic district. A Certificate of Appropriateness shall be valid for two years within such time the applicant shall have procured a construction permit, or in the event that subdivision or site plan approval is required pursuant to §601, filed a complete application with the Planning Board or Board of Adjustment, as the case may be, or within such time as the HPC may deem it in the public interest to grant, but in no circumstance shall such extension be for a period greater than two years from the date of the expiration of the original approval.
  2. Denial of a Certificate of Appropriateness shall be deemed to preclude the applicant from undertaking the activity applied for concerning a historic site or structure in a historic district.
  3. Appeal from a denial of the Certificate of Appropriateness shall be to the Board of Adjustment under *N.J.S.A 40:55D-70a* where no application for development is required and to Superior Court where the Certificate of Appropriateness is issued by the Planning Board or Board of Adjustment.
- D. Emergency Repairs. When emergency repairs are required, the Administrative Officer shall notify the Chairman of the Historic Preservation Commission or his designee and a recommendation concerning the emergency repairs shall be made within 48 hours. The Administrative Officer may allow temporary repairs to a structure prior to the Historic Preservation Commission's review when these repairs are necessary for the building's occupancy or to ensure public safety contingent upon the



application for a Certificate of Appropriateness within ten (10) days of the onset of such emergency repairs. Such emergency repairs shall not be intended to last more than ninety (90) days.

**Section 5. Continuation.** In all other respects the Lambertville Code of Ordinances, as amended and supplemented, shall remain in full force and effect.

**Section 6. Severability.** If any portion of this Ordinance is for any reason held to be unconstitutional or invalid by a court of competent jurisdiction, such decision shall not affect the validity of this Ordinance as a whole, or any other part thereof. Any invalidation shall be confined in its operation to the section, paragraph, sentence, clause, phrase, term, or provision or part thereof directly involved in the controversy in which such judgment shall have been rendered.

**Section 7. Interpretation.** If the terms of this Ordinance shall be in conflict with those of another Ordinance of the Code of the City of Lambertville, then the restriction which imposes the greater limitation shall be enforced.

**Section 8. Repealer.** All ordinances or parts of ordinances which are inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency only.

**Section 9. Enactment.** This Ordinance shall take effect upon the filing thereof with the Hunterdon County Planning Board after final passage, adoption, and publication by the City Council of the City of Lambertville in the manner prescribed by law.

Introduced:

Adopted:

CITY OF LAMBERTVILLE IN THE  
COUNTY OF HUNTERDON

---

Hon. David Del Vecchio, Mayor

APRIL 17, 2002

\_\_\_\_\_  
John M. McManus, Council President

\_\_\_\_\_  
Cynthia Ege, Council Member

\_\_\_\_\_  
Steven Stegman, Council Member

\_\_\_\_\_  
Marie B. Warford, Council Member

Attest:

\_\_\_\_\_  
Mary Elizabeth Sheppard, RMC, City Clerk

ORDINANCE NO. 2002-14

ORDINANCE

of

THE CITY OF LAMBERTVILLE,  
in the  
COUNTY OF HUNTERDON,  
STATE OF NEW JERSEY

AN ORDINANCE AMENDING THE CITY OF LAMBERTVILLE  
LAND SUBDIVISION ORDINANCE OF 1971,  
AS AMENDED, ENTITLED:

“AN ORDINANCE ESTABLISHING RULES, REGULATIONS AND  
STANDARDS GOVERNING THE SUBDIVISION OF LAND WITHIN  
THE CITY OF LAMBERTVILLE PURSUANT TO THE AUTHORITY  
SET FORTH IN CHAPTER 433 OF THE LAWS OF 1953, AND  
AMENDMENTS AND SUPPLEMENTS THERETO, SETTING FORTH  
THE PROCEDURE TO BE FOLLOWED BY THE PLANNING BOARD  
AND GOVERNING BODY IN APPLYING AND ADMINISTERING  
THESE RULES, REGULATIONS AND STANDARDS AND  
PROVIDING PENALTIES FOR THE VIOLATION THEREOF.” TO  
ADD CERTAIN DEFINITIONS AND COMMUNITY DESIGN  
GUIDELINES; AND TO REPEAL CONFLICTING SECTIONS  
THEREOF IN ACCORDANCE WITH N.J.S.A. 40:55D-62.

**WHEREAS**, the City Council of the City of Lambertville, a municipal corporation in the County of Hunterdon, State of New Jersey, finds that the public health, safety, morals, and general welfare of the community shall be promoted by the revision and amendment of the land subdivision regulations and by reference the site plan review regulations of the City; and

**WHEREAS**, the Planning Board of the City of Lambertville has adopted a Master Plan providing for the appropriate use and development of lands in the City in a manner which will promote the public health, safety, morals, and general welfare; and

**WHEREAS**, the Municipal Land Use Law at *N.J.S.A. 40:55D-62a* requires substantial consistency of the regulations governing zoning and land use development with the adopted Master Plan; and

**WHEREAS**, the Planning Board has determined that these regulations are consistent with said Master Plan and favorably recommends to the City Council pursuant to Resolution No. \_\_\_\_-\_\_\_\_, dated \_\_\_\_\_, 2002 that the regulations be so adopted.

**NOW, THEREFORE, BE IT ENACTED and ORDAINED** by the City Council of the City of Lambertville, in the County of Hunterdon as follows:

**Section 1. Purpose.** The City of Lambertville, as a municipality in the State of New Jersey, hereby declares that pursuant to the purposes of the New Jersey Municipal Land Use Law, *N.J.S.A. 40:55D-2*, that the amendments contained herein shall promote the conservation of historic sites and districts, a desirable visual environment through creative development techniques and good civic design and arrangement contributing to the well being of persons, neighborhoods, the community and region as a whole and to more particularly:

- A. Safeguard the heritage of the City of Lambertville by preserving that part of the City, designated as the historic district, which reflects elements of its cultural, social, economic and architectural history;
- B. Maintain and develop an appropriate and harmonious setting for the architecturally and historically significant historic sites within the City of Lambertville;
- C. Stabilize and improve property values;
- D. Foster civic beauty;
- E. Stabilize and improve neighborhoods;
- F. Protect and enhance the City for residents and visitors and serve as a support and stimulus to business and industry;
- G. Prevent any construction, demolition, or exterior alteration that would injure, depreciate, or conflict with the character of any established local historic district.
- H. Promote the use of any established local historic district for the education, pleasure and welfare of the citizens of the City of Lambertville and its visitors.

Section 2. Section [Article] 600, Improvements and Design Standards, is hereby AMENDED by ADDING the following new section:

**§613 Design Standards and Visual Compatibility Factors for the Lambertville Historic District.**

- A. General. In assessing the effect of any proposed change under an application for any landmark or structure in the historic district, the following general review criteria found in the U.S. Secretary of the Interior's Standards for Rehabilitation and the following factors shall be used to analyze the effect that any change would have on the landmark or structure in the historic district, and on those structures to which it is visually related. In the design of any addition or alteration to a historic building or structure, the commercial design standards in §612 shall also be used when undertaking such a project.
1. Every reasonable effort shall be made by a landowner to provide a compatible use for a property that requires the minimum alteration of the building, structure or site and its environment, or to use a property for its originally intended purpose.
  2. The distinguishing original qualities or character of a building, structure or site and its environment shall not be destroyed. The removal or alteration of any historic material or distinctive architectural feature should occur only when all other reasonable efforts to preserve such elements have been made.
  3. All buildings, structures and sites shall be recognized as products of their own time. Alterations that have no historical basis and that seek to create an earlier or later appearance shall be discouraged.
  4. Changes that may have taken place in the course of time are evidence of the history and development of a building, structure or site and its environment. These changes may have acquired significance in their own right, and this significance may be recognized.

5. Distinctive stylistic features or examples of skilled craftsmanship that characterize a building, structure or site shall be treated with sensitivity.
  6. Deteriorated architectural features shall be repaired rather than replaced, whenever possible. In the event replacement is necessary, the new materials should match the material being replaced in design, ~~color,~~ texture, and other visual qualities. Repair or replacement of missing architectural features should be based on accurate duplications of features, substantiated by historic, physical or pictorial evidence, rather than on conjectural designs or the availability of different architectural elements from other buildings or structures.
  7. The surface cleaning of structures shall be undertaken with the gentlest means possible. Sandblasting and other abrasive cleaning methods that will damage historic building materials should not be undertaken.
  8. Every reasonable effort shall be made to protect and preserve archeological resources affected by, or adjacent to, any project.
  9. Contemporary design for alterations and additions to existing properties shall not be discouraged when such alterations and additions do not destroy significant historical, architectural or cultural material, and such design is compatible with the size, scale, color, material, and character of the property, neighborhood, or environment.
  10. Whenever possible, new additions or alterations to structures shall be done in such manner that if such additions or alterations were to be removed the historic structure would be unimpaired.
- B. Visual Compatibility Factors. The following visual compatibility factors shall be used in the design of additions or alterations to historic buildings:

1. The height of the proposed building shall be visually compatible with adjacent buildings.
2. Proportion of building's front façade. The relationship of the width of the building to the height of the front elevation shall be visually compatible with buildings and places to which it is visually related.
3. Proportion of openings within the structure. The relationship of window width to their height shall be visually compatible with the buildings and places to which it is visually related.
4. Rhythm of solids to voids on the façades of historic structures. The relationship of solids to voids in the facades of structures shall be visually compatible with the buildings and places to which they are visually related.
5. Rhythm of spacing of buildings on streets. The relationship of the building to the open space between it and adjoining buildings shall be visually compatible with the buildings and spaces to which it is related.
6. Rhythm of entrance and/or porch projections. The relationship of entrance and porch projections to the street shall be visually compatible with the buildings and areas to which it is visually related.
7. The relationship of materials, texture and color of the facade and roof of a building shall be visually compatible with the predominant materials used in the buildings to which it is visually related.
8. The roof shape of a building shall be visually compatible with buildings to which it is visually related.
9. The size and scale of a building, the mass of a building in relation to open spaces, the windows, door openings, porches and balconies shall be visually compatible with the buildings and spaces to which it is visually related.

10. A building shall be visually compatible with buildings and spaces to which it is visually related in its directional character, whether this is its vertical character, horizontal character or non-directional character.

**Section 3. Continuation.** In all other respects, the Lambertville Code of Ordinances, as amended and supplemented, shall remain in full force and effect.

**Section 4. Severability.** If any portion of this Ordinance is for any reason held to be unconstitutional or invalid by a court of competent jurisdiction, such decision shall not affect the validity of this Ordinance as a whole, or any other part thereof. Any invalidation shall be confined in its operation to the section, paragraph, sentence, clause, phrase, term, or provision or part thereof directly involved in the controversy in which such judgment shall have been rendered.

**Section 5. Interpretation.** If the terms of this Ordinance shall be in conflict with those of another Ordinance of the Code of the City of Lambertville, then the restriction which imposes the greater limitation shall be enforced.

**Section 6. Repealer.** All ordinances or parts of ordinances which are inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency only.

**Section 7. Enactment.** This Ordinance shall take effect upon the filing thereof with the Hunterdon County Planning Board after final passage, adoption, and publication by the City Council of the City of Lambertville in the manner prescribed by law.

Introduced:

Adopted:

CITY OF LAMBERTVILLE IN THE  
COUNTY OF HUNTERDON

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Hon. David Del Vecchio, Mayor

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John M. McManus, Council President



APRIL 17, 2002

\_\_\_\_\_  
Cynthia Ege, Council Member

\_\_\_\_\_  
Steven Stegman, Council Member

\_\_\_\_\_  
Marie B. Warford, Council Member

Attest:

\_\_\_\_\_  
Mary Elizabeth Sheppard, RMC, City Clerk

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## INTRODUCTION

The purpose of this packet is to provide information requested by City of Lambertville Residents who attended a Public Forum in November of 1994 regarding how planning decisions are made in our community. The following questions and answers are an attempt to address some of the more common concerns.

\* The "Planning Process" questions and answers were printed in the Beacon in February, 1995.

## "THE PLANNING PROCESS"

### PART ONE: HOW ARE PLANNING DECISIONS MADE IN LAMBERTVILLE?

#### *1. What is the general planning for communities in New Jersey?*

The New Jersey Municipal Land Use Law (MLUL) permits every municipality to have a "master plan" that outlines specific planning goals and recommended growth strategies for a community. According to the MLUL, it should "guide the use of lands within the municipality in a manner which protects public health and safety and promotes the general welfare." A master plan is prepared and adopted by the municipal planning board. It establishes a "vision" for the community upon which all future planning decisions are based. After the master plan has been adopted, it is implemented through the municipality's zoning ordinance which is drafted by the planning board but adopted by the governing body. Then, when development applications are submitted to a municipality, the planning board and the board of adjustment review the applications for compliance with the zoning ordinance. When variances, or waivers, are requested from the zoning ordinance, the MLUL dictates the general parameters upon which these variances can be granted. Public input is required by law at all of these phases of the planning process.

#### *2. Why is a planning board and board of adjustment necessary?*

The role of the Planning Board and the Board of Adjustment is to ensure that any development occurring in the community is consistent with the adopted goals of the community, as outlined in the master plan. Additionally, the boards provide a public forum so that any member of the public who wishes to comment on an application is given the opportunity to do so. Without a planning process, development in a community could be haphazard or even chaotic. The role of the planning board and board of adjustment is to provide order to the process and to balance the desires of the developer (applicant) with the goals of the community, as reflected in the master plan, and the comments, if any, expressed by the general public.

### ***3. What is the difference between a planning board and a board of adjustment?***

The MLUL sets forth the specific responsibilities of the planning board and the board of adjustment. Both boards can review two different types of development proposals: subdivisions and site plans. Subdivisions involve changes to property lines. Site plans involve changes to existing or proposed buildings or signs. Both a subdivision and a site plan plat should reveal all of the relevant details of the development proposal, such as size, location and type of building(s), the existing and proposed landscaping, parking provisions, the location of the subdivision line, etc.

The planning board is responsible for preparing and adopting the municipal master plan. The planning board reviews all development applications provided that they comply at least with the density, height, and permitted use standards of the zoning ordinance. For example, if a building exceeds the maximum height standard in the zoning ordinance, the planning board cannot review the application and it is forwarded to the board of adjustment. Similarly, if the proposed use is not expressly permitted in the zoning ordinance or if the density of the application exceeds the maximum standards, the planning board cannot review the application, and, again, it is forwarded to the board of adjustment. Finally, the planning board cannot review development applications (or improvements) for a one or two family house, regardless of whether the application is in compliance with the zoning ordinance. **The planning board reviews all other development applications, other than these exceptions.**

The board of adjustment reviews development applications that are not in compliance with the height, density and permitted use sections of the zoning ordinance. In these cases, the applicant is requested either a "use" or "d" variance from the board of adjustment. A use variance requires an affirmation vote from at least five board members, whereas other variances only require approval from a simple majority of board members present. The board of adjustment will also review an application for a one or two family house if it does not meet the zoning ordinance standards. If the proposed homes are in compliance with the zoning ordinance, no approvals are necessary and only a zoning and building permit is needed for construction.

### ***4. Can the planning board or board of adjustment "just say no" to a development proposal?***

No. The municipal zoning ordinance spells out the specific standards upon which development proposals are to be reviewed. If a development complies with all of the requirements or standards in a zoning ordinance, the development must be approved. This emphasizes the importance of carefully considered and well written zoning ordinances. If a development, however, does not comply with the zoning ordinance, the applicant can request a "variance" or waiver from the standard. In this case, the MLUL dictates the guidelines under which the variances can be approved or denied. If a variance is denied, a planning board or board of adjustment must outline in a resolution the specific reasons for disapproving it.

## **PART TWO: THE PLANNING PROCESS AND YOU!**

### ***1. What happens at a typical planning board or board of adjustment meeting?***

Most boards open with a review of the previous meeting's minutes. Another regular agenda item is for boards to review new applications, if there are any, for their "completeness". Development applications are deemed "complete" if all of the items requested in the City's adopted checklist have been submitted. Depending upon the size of the development proposal, the checklist may indicate the necessity of such items as the location of buildings, trees and landscaping, and plans to accommodate existing and future storm water run off.

Once an application has been declared "complete", the MLUL sets the time frame for the boards to make decisions which, again depending on the nature of the application, 45 to 120 days. Usually, after an application is determined "complete", a public hearing is scheduled for the next regularly scheduled board meeting. Public hearings are a typical agenda item for both boards. During a public hearing, the boards listen to the applicants present their proposals and the general public is given an opportunity to comment on the proposal. Afterwards, the boards vote on the application.

### ***2. How do I know if my proposal requires planning board or board of adjustment approval?***

If you are planning improvements to your house, you will need a zoning and building permit. When you apply for these permits, the zoning officer will tell you if you need any specific board approval. Unless your improvements are in violation of the zoning standards, it is unlikely you would need a board's approval. If you are planning improvements to a non-residential building, either planning board or board of adjustment approval will likely be required. (See Part I regarding the difference between the planning board and the board of adjustment) When in doubt, the City zoning officer can advise you if your proposal requires approval from either the planning board or board of adjustment.

### ***3. How can I effectively comment on an application before the planning board or board of adjustment?***

If you are interested in an application that is being considered by either the planning board or the board of adjustment, it is advisable that you learn as much as you can about the application prior to the public hearing. Applications and plans are on file in the City Hall and are available to the public for review. Particularly, you will want to know if the proposal meets all of the requirements of the zoning ordinance. If a proposal meets all of the zoning requirements, the board's jurisdiction over the application is limited. However, regardless of whether variances are required, the boards will be evaluating the proposal based upon the intent of both the zoning ordinance and master plan, the presentation of the applicant, and comments from concerned citizens like you.

**CITY OF LAMBERTVILLE**  
**PLANNING BOARD AND ZONING BOARD OF ADJUSTMENT**  
**18 YORK STREET**  
**LAMBERTVILLE, NEW JERSEY 08530**  
**609-397-0803**

**APPLICATION**

There are three stages of the **APPLICATION**. A brief description of each stage is provided below. **Compliance is required.**

**COMPLETENESS:**

**STAGE ONE:**

1. Application must be filed on the forms provided, typed or printed legibly in ink, and signed by: 1) The owner of the property and, 2) The applicant (if not the same as the owner).

The original plus 15 copies of the application, 15 copies of all plans, 4 copies of the completed checklist and 2 checks [one for the application fee(s) and the other for escrow fee(s)\*\*], made payable to the City of Lambertville, must be sent or delivered to the Board Secretary **21 days prior** to the date of the Board meeting. The Planning Board meets the first Wednesday of each month and the Zoning Board of Adjustment meets the last Thursday of each month.

2. All plans submitted must be drawn to a scale not less than one inch equal to one hundred feet (1"=100') [in conformance with the State of New Jersey "Map Filing Law"], on one of the four standard sheet sizes (8 1/2" x 42"; 24" x 36"; or 15" x 21") [in conformance with the City Ordinance, sec. 516.21].

3. The escrow fee(s) must be paid and the escrow agreement signed prior to the Board's determination of a complete application. [City Ordinance #88-28, adopted October 17, 1989, page 2, section 11 (5)]. A fee of \$15.00 shall be paid by the applicant at the time of submission for the publication of the Notice of Decision.

4. Tax Status Forms must be given to the Tax Collector, Bonnie Eick, before the time of application submission. Certification that the taxes have been paid to date must be received prior to appearance to the Board for completeness and will be verified for all subsequent meetings.

5. Property location forms must be given to the Tax Assessor, Richard Carmosino, before the time of the application submission. Certification of new block and lot numbers and/or street address must be received prior to appearance to the Board.

6. Any other documents not included with application and fee submission for which approval or review is sought, must be received 10 days prior to the hearing. [Article 1, section 107 (b)].

7. You will be notified by the Board secretary as to when you are scheduled to appear before the Board.

## **PUBLIC HEARING:**

### **STAGE 2:**

The applicant is required to supply an affidavit of service. Copies of certified mailings must be submitted 10 days prior to the Public Hearing, with any other documentation required and identified at the Completeness hearing.

Public Notice and Notice to Property Owners must include the following:

1. Property Identification
  - a. block and lot number
  - b. street address
2. Relief sought, i.e., variances as stated in the application.
3. Date, time and place of meeting where the Public Hearing will take place.
4. Place for public to review the application (City Hall, 18 York Street, Lambertville, New Jersey).

## **RESOLUTION:**

### **STAGE 3:**

The Board's attorney will prepare a written Resolution of the Board's findings which occurred at the Public Hearing. The Board votes on the Resolution.

**APPLICATION TO:  
THE CITY OF LAMBERTVILLE  
PLANNING BOARD**

**FOR OFFICIAL USE ONLY:**

Date Application Filed: \_\_\_\_\_ Board Action Required: \_\_\_\_\_  
Fee Paid: Application Fee: \_\_\_\_\_ Escrow: \_\_\_\_\_ Date Paid: \_\_\_\_\_  
Date File Complete: \_\_\_\_\_

I certify that the enclosed Application is complete.

\_\_\_\_\_  
(Signature of Certifying Agent)

\_\_\_\_\_  
(Date)

\_\_\_\_\_  
(Other)

\_\_\_\_\_  
(Date)

**APPLICATION IS HEREBY MADE TO THE PLANNING BOARD FOR THE FOLLOWING:**  
(Check which apply)

- a. Appeal from the determination of the Building Inspector or Zoning Officer: \_\_\_\_\_
- b. Interpretation of the Zoning Ordinance: \_\_\_\_\_
- c. Special Use Permits: \_\_\_\_\_
- d. Special Exception(s): \_\_\_\_\_
- e. Variance(s): \_\_\_\_\_

1. Name of Applicant(s): \_\_\_\_\_  
Address: \_\_\_\_\_  
Phone: \_\_\_\_\_ Fax: \_\_\_\_\_

2. Description of the premises involved in this application:

- A. Tax Map Block: \_\_\_\_\_, Lot(s): \_\_\_\_\_
- B. Street or Road Location: \_\_\_\_\_
- C. Zone District: \_\_\_\_\_
- D. Lot Size: \_\_\_\_\_ Area: \_\_\_\_\_ Frontage: \_\_\_\_\_ Depth: \_\_\_\_\_
- E. Existing Building:      Dimensions      Height      Setback (Front and Side)
  - Residential: \_\_\_\_\_
  - Accessory: \_\_\_\_\_
  - Other: \_\_\_\_\_
- F. Proposed Building:      Dimensions      Height      Setback (Front and Side)
  - Residential: \_\_\_\_\_
  - Accessory: \_\_\_\_\_
  - Other: \_\_\_\_\_
- G. Current use of the Property: \_\_\_\_\_  
If non-conforming, give date when use commenced: \_\_\_\_\_
- H. Proposed Use of Property: \_\_\_\_\_

**NOTE:** Applicant must submit with application a plot plan, drawn to scale, showing dimensions of lot, dimensions and location of present and proposed structure on the lot, and if available, plans of any proposed buildings and/or alterations. Applicant should also submit a general description of adjacent properties giving area and frontage, use, and setback from your property and from the curb lines.

3. If Building Inspector or Zoning Officer acted in this matter, give the date of such action and state the nature of the action from which an appeal is taken:

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4. If the Planning Board acted in this matter, give the date of such action and state the nature of the action:

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5. State the particular statute or ordinance, or both, the applicant requests relief or action by the Board of Adjustment:

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6. State under what particular section of the statute or ordinance, or both, the applicant requests relief or action by the Board of Adjustment:

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7. State the exact remedy or relief sought by the Applicant:

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8. Concisely state the reasons why you feel the Board should act favorably on this application, stating any hardship or special circumstances involved:

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9. Has there been any previous application to this Board involving these premises? \_\_\_\_\_  
If so, state the nature of the application, date and disposition:

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\_\_\_\_\_  
Date

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

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Owner



**ORDINANCE 94-24**  
**AN ORDINANCE TO AMEND ORDINANCE 88-28 AS ADOPTED ON**  
**OCTOBER 17, 1988.**

BE IT ORDAINED by the power of the Mayor and Council of the City of Lambertville, County of Hunterdon, State of New Jersey, as follows:

Section 1: Section 107 Hearing i shall be deleted and amended to read as follows:

"A brief notice of the decision shall be published in the official newspaper of the City, if there be one, or in a newspaper of general circulation in the City. Such publication shall be arranged by the Administrative Officer of the Approving Board. The applicant shall pay a fee as designed by Section 118 for publication of such notice."

Section 2: Section 1: General Administrative Fees B. shall be deleted and amended to read as follows:

"Pursuant to Section 107f, a deposit fee of \$500.00 shall be charged for a transcript and a deposit of \$25.00 shall be charged for a duplicate recording."

Section 3: Section I: General Administrative Fees shall be amended by adding the following:

D. A fee of \$15.00 shall be paid by all applicants at the time of submitting an application for the Planning Board or the Zoning Board of Adjustment for the publication of the Notice of Decision.

Section 4: Section II: Application Fees D. Schedule of Fees and Escrow shall be amended as follows:

1. (1) (b) 2 and (1) (c) 2 Escrow Fee shall be amended to read "Five Hundred dollars (\$500.00) per new lot or unit.

2. (4) (b) 2, (4) (c) 2, (4) (d) 1b, (4) (d) 2b, (4) (e) 2 and (4) (f) 2 Escrow Fee shall be amended to read "Five Hundred dollars" (\$500.00).

3. 5 Special Meetings shall be amended to read "if requested by the applicant and approved by the Board, the fee for a special meeting shall be \$500.00."

Section 5: E. Replenishment of Escrow Balance shall be amended in the first two sentences to read as follows:

"The escrow assessed with each application shall be replenished whenever the original escrow is reduced by charges against the account to fifty percent (50%) or less of the original amount. The Administrative Officer of the approving board shall notify the applicant of the requirement to replenish the escrow and the applicant shall be requested to deposit up to fifty percent (50%) of the original escrow amount."

Section 6: Article VI: Subdivision and Site Plan Review and Approval Section 602: Submittal Procedure shall be amended to read "The applicant shall submit fifteen (15) copies of the his/her complete application for..."

Section 7: All ordinances or parts of ordinances inconsistent with the provisions of this ordinance are hereby repealed.

Section 8: This ordinance shall take effect upon publication and filing with the Hunterdon County Planning Board as required by law.

## ESCROW AGREEMENT

This agreement is made this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, between \_\_\_\_\_ residing at \_\_\_\_\_ hereafter referred to as the Applicant, and the Planning Board [] or Zoning Board of Adjustment [] of the City of Lambertville, hereafter referred to as the Board.

WHEREAS, Applicant is proceeding under Ordinance 82-02 for approval of a land use application on BLOCK: \_\_\_\_\_, LOT: \_\_\_\_\_, located at: \_\_\_\_\_, in the City of Lambertville, New Jersey, County of Hunterdon, and

WHEREAS, the Board desires to establish an escrow account to cover the necessary and reasonable costs incurred by the approving authority (Board) for technical and professional review of the application, whereby work to be performed by professionals employed by the Board will be paid for by the Applicant, as required under the provisions of ordinance 88-28, and

WHEREAS, both parties feel that it is appropriate to put this understanding in writing, the following has been agreed to by both parties:

1. The Board authorizes its professional staff to study, review, and inspect all plans, documents, statements, improvements and provisions made by the Applicant relating to the above-named development and to report to the Board all conclusions and findings, either orally or in writing, as appropriate. The Applicant agrees to pay all reasonable professional fees incurred by the Board for the performance of the duties outlined above.
2. The Applicant, Board and the City, in accordance with the provisions of this agreement, hereby create an escrow account, to be established with the chief Financial Officer of the City.
3. Applicant shall pay the City, to be deposited with the Chief Financial Officer, such sums as are required by Ordinance 88-28. Execution of this agreement by the Board acknowledges receipt of the funds required upon application.
4. If, during the existence of this escrow agreement, the funds in escrow are insufficient to cover reasonable fees approved by the Board for professional services as described in 1 above during the evaluation of an application, Applicant shall, within 14 days of written notice of the insufficiency, deposit such additional sums with the Board as may be required to cover the expenses incurred. The notice of insufficiency shall be sent by the Board Secretary to the applicant or his/her agent and shall include a record of all receipts and disbursements to date and the amount necessary to be posted, which may be up to 35% of the original amount, and which shall be paid prior to the next step in the approval process.
5. The professionals employed by the Board shall submit vouchers to the City, indicating the type and kind of services rendered, by the applicant name, and the time expended for each applicant.
6. The Board shall review each voucher submitted by the professionals to determine whether the services were rendered as indicated, and shall take action approving the vouchers in an open public meeting. All vouchers shall be processed in accordance with established policies and procedures of the City.
7. The Applicant shall retain the right of inspection of the escrow records, which may be arranged by contacting the Board.
8. The Applicant may object to any payment from the escrow fund by giving three day notice to the Board and to any professional involved. The Board shall then review the payment made, utilizing the standards of reasonable cost and satisfactory performance of the task assigned.
9. Any and all interest payments resulting from or arising from the deposit of escrow funds shall revert to the City, as compensation for services rendered in connection with the administration of this escrow agreement.
10. In the event that the amounts posted are more than required, the excess funds shall be returned to the applicant within 60 days after the filing of the deed, in the case of a minor subdivision, the completion and acceptance of any required improvements, in the case of a major subdivision, or the issuance of a certificate of occupancy in the case of a site plan, or the effecting of the approval granted.

APPLICANT: \_\_\_\_\_ DATE: \_\_\_\_\_

ADMINISTRATIVE OFFICER:\_\_\_\_\_ DATE:\_\_\_\_\_

## AFFIDAVIT OF SERVICE

STATE OF NEW JERSEY )

:ss

COUNTY OF:\_\_\_\_\_)

\_\_\_\_\_ of full age, being duly sworn according to law, on his oath deposes and says that he resides at \_\_\_\_\_ in the (municipality) \_\_\_\_\_ of \_\_\_\_\_, County of \_\_\_\_\_ and State of \_\_\_\_\_ and that he did on \_\_\_\_\_ 20\_\_\_\_, at least ten (10) days prior to hearing date, give personal notice to all property owners within 200 feet of the property located at \_\_\_\_\_ and known as Block\_\_\_\_, Lot \_\_\_\_\_ as shown on the City of Lambertville Tax Map.

Said notice was given by handing a copy to the property owner, or by sending said notice by certified mail. Copies of the registered receipts are attached hereto.

Notices were also served upon:

- ( ) 1. The Clerk of the (municipality) of \_\_\_\_\_
- ( ) 2. County Planning Board
- ( ) 3. The Director of the Division of state and Regional Planning
- ( ) 4. The Department of Transportation
- ( ) 5. Other:\_\_\_\_\_

A copy of said notice is attached hereto and marked "Exhibit A". Notice was also published in the official newspaper of the municipality as required by law.

Attached to this affidavit and marked "Exhibit B" is a copy of this certified list of owners of property within 200 feet of the affected property who were served.

There is also attached a copy of the proof of publication of notice in the official newspaper of the municipality, which is marked "Exhibit C".

\_\_\_\_\_  
(Signature of Applicant)

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

\_\_\_\_\_  
(Signature of Notary or Attorney)

# NOTICE SERVED ON OWNERS WITHIN 200 FEET

CITY OF LAMBERTVILLE

PLANNING BOARD

NOTICE OF HEARING ON APPEAL OR APPLICATION

TO: \_\_\_\_\_ OWNER OF PREMISES: \_\_\_\_\_  
\_\_\_\_\_

## PLEASE TAKE NOTICE:

That the undersigned has filed an appeal or application for development with **The Planning Board** of The City of Lambertville for relief to section: \_\_\_\_\_ for a variance to: \_\_\_\_\_  
\_\_\_\_\_

on the premises at: \_\_\_\_\_  
and designed as lot(s): \_\_\_\_\_, block: \_\_\_\_\_ on the Tax Map of the City of Lambertville,  
and this notice is sent to you as an owner of property in the immediate vicinity.

A Public Hearing has been set down for \_\_\_\_\_, 20\_\_\_\_, 7:30 PM, in the Court Room of City Hall, 18 York Street, City of Lambertville, County of Hunterdon, State of 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 Application and all pertinent documents are on file in the office of the Municipal Clerk and are available for inspection Monday through Friday, from 9 AM to 4 PM.

This notice is sent to you by the applicant, by order of **Planning Board**

Respectfully,

\_\_\_\_\_  
Applicant

**NOTICE TO BE PUBLISHED  
IN THE OFFICIAL NEWSPAPER**

**CITY OF LAMBERTVILLE  
Planning Board**

TAKE NOTICE that on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, at 7:30 PM, a hearing will be held before the City of Lambertville's **Planning Board** at the Municipal Building, 18 York Street, City of Lambertville, County of Hunterdon, State of New Jersey 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:\_\_\_\_\_, lot:\_\_\_\_\_ on the City of Lambertville Tax Map.

The application and all pertinent documentation are on file in the office of the Municipal Clerk and are available for inspection from 9 AM to 4 PM Monday through Friday.

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

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

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

The official newspapers of the City are the Trenton Times and the Beacon

**CHECKLIST NO. 1**  
**FOR**  
**DETERMINATION OF COMPLETENESS OF APPLICATION FOR SKETCH PLAT/MINOR SUBDIVISION APPROVAL**  
**LAND USE ORDINANCE**  
**CITY OF LAMBERTVILLE, HUNTERDON COUNTY, NEW JERSEY**

Applicant & Address \_\_\_\_\_

Block & Lot \_\_\_\_\_ Road \_\_\_\_\_

Name of Project \_\_\_\_\_ Submission Date \_\_\_\_\_

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

All applications for Sketch Plat/Minor Subdivision must be submitted to the Administrative Officer of the appropriate Board at least three (3) weeks prior to a regularly scheduled Board meeting. All plans must be folded with title block, date and revision date showing.

	APPLICANT			TOWNSHIP		
	Plats Comply	Not Applicable	Waiver Requested	Plats Comply	Plats Do Not Comply	Waiver Granted
1. Application fee with separate computation calculation.						
2. 15 copies of the completed application form. 4 copies of completed "checklist".						
3. 15 copies of blue or black line prints.						
4. All documents properly certified and sealed by the appropriate N.J. licensed professional persons (P.E., P.L.S., P.P., C.L.A., R.A.).						
5. Name and address of the owner, applicant and preparer of plans. Applicants Disclosure Statement, if filed as Corporation or Partnership.						
6. Names of all current property owners within 200' of the property and identify source of information.						
7. Plans must identify:						
a. Tract name.						
b. Total tract area and the portion to be subdivided.						
c. Date of original preparation and all revisions.						
d. North arrow and reference meridian.						
e. Graphic and written scale.						
f. Number of proposed lots.						
g. Tract zone and schedule of existing zoning criteria and proposed conditions..						
h. Tax map sheet, block and lot numbers.						
i. Reference bench mark identified and shown.						

	Plats Comply	Not Applicable	Waiver Requested	Plats Comply	Plats Do Not Comply
<p>8. Certification of owner noted on the plans (if other than applicant) as follows:  "I certify that I am the owner of this property and consent to the filing of this application."</p> <p>Owner Signature _____ Date _____</p>					
9. Certification from Tax Collector that all taxes and assessments on the property are paid.					
10. Review block for signatures of City Engineer, Secretary and Chairperson.					
11. Application fees for any variances required.					
12. Four copies of existing and proposed protective covenants or deed restrictions applying to the land being subdivided and copy of the deed(s) of record.					
<p>13. Completed applications with appropriate fees and required information submitted directly to these Agencies with <u>copies</u> to the City for verification of these submissions:</p> <p>Hunterdon County Planning Board.</p> <p>Hunterdon County Soil Conservation District. (For Minor only)</p> <p>D &amp; R Canal Commission.  Lambertville Historic Commission. (as required)</p>					
14. Written verification of proposed tax lot numbers as obtained from the City Tax Assessor.					
15. Map of subdivision drawn at a scale of not less than 1"=100' on sheet size 24"x36".					
16. Key map drawn at a scale of not less than 1"=400' showing the subdivision and surrounding properties within 1,000' radius including zoning boundaries.					

	Plats Comply	Not Applicable	Waiver Requested	Plats Comply	Plats Do Not Comply	Waiver Grante
17. Existing Topography shown as follows:						
a. Based upon accurate field or aerial topographic survey. USC&GS datum.						
b. 5' contour interval for slopes exceeding 20%.						
c. 2' contour interval for slopes less than 20%.						
d. Spot elevation for areas of slope less than 1% slope.						
e. All topographic information must be shown for adjoining area within 200' of the property boundary.						
18. Plans showing existing and proposed street pavement widths.						
19. Existing property lines showing bearings, distances and radius with indication of source of data. Proposed property lines showing approximate dimensions. For Minor Subdivision see item 28.						
20. Approximate net and gross lot areas to the nearest 1/10 acre. For Minor Subdivision see item 29.						
21. Proposed building envelopes with setback lines shown and dimensioned. Setbacks of all existing buildings from existing/proposed property lines and indication of whether they will be retained or removed.						
22. Location of all man-made and natural features both on-site and within 200' of the property including, but not limited to: dedicated open space, culverts, structures, drain pipes, water courses, railroads, bridges, wooded areas, rock outcrops, wetlands (specific source and notation if there are any wetlands present), swamps, buildings, streets, drainage right-of-ways and sewer and water facilities.						
23. Plan drawings of all existing and the concept of all proposed drainage and utility layouts.						
24. Location of any flood hazard areas with delineation and elevation of 100-year and 500-year flood boundary and source of data.						



**ADDITIONAL INFORMATION REQUIRED ON MINOR SUBDIVISION**

	Plats Comply	Not Applicabl	Waiver Requested	Plats Comply	Plats Do Not Comply	Waiver Grants
25. Plan meets requirements of "Map Filing Law" if plan, rather than deeds are to be filed in the Hunterdon County Clerk's Office.						
26. Certification by owner stating whether or not the parcel in question has been part of previous minor subdivision approval within the last three years. If so, the Applicant must provide a copy of the previous plan and Resolution of Approval.						
27. Plans indicating location and complete purpose or restrictions of any easement or land reserved or dedicated for any use.						
28. Plan drawn from actual boundary survey and certified as being accurate and true by Licensed Surveyor. Existing and proposed property lines with bearings, distances to nearest 1/100 ft., radius, curve length and central angle.						
29. Net/gross lot areas for proposed lots and remaining land calculated in square feet and 1/1000 acre.						
30. Results and location of <u>all</u> attempted percolation test and soil log data certified by licensed P.E. and include letter of acceptance by Local or County Health Agency.  or Show proposed connection to existing sanitary sewer and include letter of acceptance and permits from the Lambertville Sewage Authority.						
31. Location of existing wells and septic systems on site and within 100' of property.						
32. Location of possible well siteing and geologist report verifying a sufficient supply of available potable water.  or Show proposed connection to existing public water system and include letter of acceptance from Water Company.						

**FOR BOARD USE ONLY**

\_\_\_\_\_ Application declared complete.

\_\_\_\_\_ Application declared incomplete for the following items:

\_\_\_\_\_  
Administrative Officer      Date  
Signature

**CHECKLIST NO. 2**  
**FOR**  
**DETERMINATION OF COMPLETENESS OF APPLICATION FOR PRELIMINARY MAJOR SUBDIVISION APPROVAL**  
**LAND USE ORDINANCE**  
**CITY OF LAMBERTVILLE, HUNTERDON COUNTY, NEW JERSEY**

Applicant & Address \_\_\_\_\_

Block & Lot \_\_\_\_\_ Road \_\_\_\_\_

Name of Project \_\_\_\_\_ Submission Date \_\_\_\_\_

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

All applications for Preliminary Major Subdivision must be submitted to the Administrative Officer of the appropriate Board at least three (3) weeks prior to a regularly scheduled Board meeting. All plans must be folded with title block, date and revision date showing.

	APPLICANT			TOWNSHIP		
	Plats Comply	Not Applicable	Waiver Requested	Plats Comply	Plats Do Not Comply	Waiver Granted
1. Application fee with separate computation calculation.						
2. 15 copies of the completed application form. 4 copies of completed "checklist".						
3. 15 copies of blue or black line prints.						
4. All documents properly certified and sealed by the appropriate N.J. licensed professional persons (P.E., P.L.S., P.P., C.L.A., R.A.).						
5. Name and address of the owner, applicant and preparer of plans. Applicants Disclosure Statement, if filed as Corporation or Partnership.						
6. Names of all current property owners within 200' of the property and identify source of information.						
7. Plans must identify:						
a. Tract name.						
b. Total tract area and the portion to be subdivided.						
c. Date of original preparation and all revisions.						
d. North arrow and reference meridian.						
e. Graphic and written scale.						
f. Number of proposed lots.						
g. Tract zone and schedule of existing zoning criteria and proposed conditions..						
h. Tax map sheet, block and lot numbers.						
i. Reference bench mark identified and shown.						

	APPLICANT			TOWNSHIP		
	Plats Comply	Not Applicable	Waiver Requested	Plats Comply	Plats Do Not Comply	Waiver Granted
8. Certification of owner noted on the plans (if other than applicant) as follows: "I certify that I am the owner of this property and consent to the filing of this application."  Owner Signature _____ Date _____						
9. Certification from Tax Collector that all taxes and assessments on the property are paid.						
10. Review block for signatures of City Engineer, Secretary and Chairperson.						
11. Application fees for any variances required.						
12. Four copies of existing and proposed protective covenants or deed restrictions applying to the land being subdivided and copy of the deed(s) of record.						
13. Completed applications with appropriate fees and required information submitted directly to these Agencies with copies to the City for verification of these submissions:  Hunterdon County Planning Board.  Hunterdon County Soil Conservation District.  D & R Canal Commission.  Lambertville Historic Commission. (as required)						
14. Written verification of proposed tax lot numbers as obtained from the City Tax Assessor.						
15. Map of subdivision drawn at a scale of not less than 1"=100' on sheet size 24"x36".						
16. Key map drawn at a scale of not less than 1"=400' showing the subdivision and surrounding properties within 1,000' radius including zoning boundaries.						

	Plats Comply	Not Applicable	Waiver Requested	Plats Comply	Plats Do Not Comply	Waiver Granted
17. Existing Topography shown as follows:						
a. Based upon accurate field or aerial topographic survey. USC&GS datum.						
b. 5' contour interval for slopes exceeding 20%.						
c. 2' contour interval for slopes less than 20%.						
d. Spot elevation for areas of slope less than 1% slope.						
e. All topographic information must be shown for adjoining area within 200' of the property boundary.						
18. Plans showing existing and proposed streets including:						
a. Cross-sections at 50' intervals drawn at a scale of 1"=5' vertical; 1"=10' horizontal.						
b. Plan & centerline profiles drawn at a scale of 1"=50' horizontal; 1"=5' vertical. Based upon field survey data. Corresponding plan & profile information shown on the same sheet. Centerline stakes at minimum 100' intervals must be set on site.						
c. Centerline curve data including central angle, tangent distance, radius, arc length, chord distance & chord bearing.						
19. Existing and proposed property lines with bearings, distances (nearest 1/100 ft.), radius, curve length and central angle.						
20. Net and gross lot areas in square feet and to the nearest hundredth in acres.						
21. Proposed building envelopes with setback lines shown and dimensioned. Setbacks of all existing buildings from existing/proposed property lines and indication of whether they will be retained or removed.						
22. Location of existing wells and septic systems on site and within 100' of the property.						
23. Location of all man-made and natural features both on-site and within 200' of the property including, but not limited to: dedicated open space, culverts, structures, drain pipes, water courses, railroads, bridges, wooded areas, rock outcrops, wetlands (specific source and notation if there are any wetlands present), swamps, buildings, streets, drainage right-of-ways and sewer and water facilities.						

		APPLICANT					
		Plats Comply	Not Applicable	Waiver Requested	Plats Comply	Plats Do Not Comply	Waiver
24. Plan and profile drawings of all existing and proposed drainage and utility layouts, drawn at a scale of 1"=50' horizontal; 1"=5' vertical, including:							
a. Sanitary sewer (include letter of service feasibility from public utility)							
or results and locations of all percolation tests and soil logs attempted along with possible location of future septic systems.							
b. Public water (include letter of service feasibility from public utility)							
or approximate well location and geologist report verifying a sufficient supply of available potable water.							
c. Storm sewer including drainage swales and streams.							
d. Gas (include letter of service feasibility for public utility).							
e. Electric, telephone and cable.							
25. Landscaping plan for street shade trees noting location, material type and sizes, planting details and tree preservation details.							
26. Soil erosion and sediment control plans. Show soil types and boundaries pursuant to Hunterdon County Soil Survey, including analysis for development capability and information concerning fill material for any filled soil area.							
27. Stormwater Management Plans and Watershed Maps, including five copies of all drainage calculations analyzing existing and proposed conditions.							
28. Location of any flood hazard areas with delineation and elevation of 100-year and 500-year flood boundary. Include five copies of all drainage computations and stream cross-sections or indicate published source of flood plain delineation.							
29. Location of all existing and proposed easements including identification of ownership and maintenance responsibilities. Show metes and bound information for all easements.							

# **CHECKLIST NO. 3**

**FOR**

## **DETERMINATION OF COMPLETENESS OF APPLICATION FOR FINAL MAJOR SUBDIVISION APPROVAL LAND USE ORDINANCE**

**CITY OF LAMBERTVILLE, HUNTERDON COUNTY, NEW JERSEY**

**Applicant & Address** \_\_\_\_\_

**Block & Lot** \_\_\_\_\_ **Road** \_\_\_\_\_

**Name of Project** \_\_\_\_\_ **Submission Date** \_\_\_\_\_

**Signature of Applicant** \_\_\_\_\_ **Telephone** \_\_\_\_\_

All applications for Final Major Subdivision must be submitted to the Administrative Officer of the appropriate Board at least three (3) weeks prior to a regularly scheduled Board meeting. All plans must be folded with title block, date and revision date showing.

	APPLICANT			TOWNSHIP		
	Plats Comply	Not Applicable	Waiver Requested	Plats Comply	Plats Do Not Comply	Waiver Granted
1. Application fee with separate computation calculation.						
2. 15 copies of the completed application form. 4 copies of completed "checklist".						
3. Fifteen copies of blue or black line prints.						
4. All documents properly certified and sealed by the appropriate N.J. licensed professional persons (P.E., P.L.S., P.P., C.L.A., R.A.).						
5. Map scale not less than 1" = 100', drawn in conformance with the State of New Jersey "Map Filing Law".						
6. Identification:						
a. Date						
b. Name of Subdivision						
c. Location of Subdivision						
d. Name of Owner						
e. Name of Subdivider						
f. Graphic scale						
h. Reference meridian						
i. Tax Map Sheet, Block, Lot numbers as assigned by the City Engineer.						
j. Location and description of monuments.						

	Plats Comply	Not Applicable	Waiver Requested	Plats Comply	Plats Do Not Comply	Waiver Granted
7. All existing and proposed lot boundary and easement information shown with accurate bearings and distances to the nearest 1/100 ft. All curves shall show radius, arc length, chord bearing & distance, tangent and central angle.						
8. Easements and other right-of-ways. Purpose and maintenance responsibilities must be stated for all existing or proposed easements and right-of-ways.						
9. Street names approved by the appropriate City agency.						
10. Metes and bounds descriptions of all proposed roads/streets.						
11. Land reserved or dedicated to public use.						
12. All existing and proposed easement areas and lot areas must be indicated to the nearest square foot.						
13. Location and description of monumentation.						
14. Certifications as indicated in "The Map Filing Law".						
15. In subdivision providing open space, the following will pertain:						
a. Amount and location and proposed use of common open space to be provided.						
b. The location and description of any common facilities to be provided.						
c. Description of the Organization to be established for the Ownership and Maintenance of any common open space and common facilities.						
16. Approval from:						
Hunterdon County Soil Conservation District.						
Hunterdon County Planning Board.						
D & R Canal and/or						
Other appropriate State agencies						

	Plats Comply	Not Applicable	Waiver Requested	Plats Comply	Plats Do Not Comply	Waiver Granted
17. As-built plans and profiles of all roads and utilities. Four signed and sealed sets of prints along with one set of reproducible mylars.						
18. Certification from Tax Collector that all taxes and assessments on the property are paid.						

FOR BOARD USE ONLY

\_\_\_\_\_ Application declared complete.

\_\_\_\_\_ Application declared incomplete for the following items:

\_\_\_\_\_  
Administrative Officer                      Date  
Signature

G32/30  
November 20, 1989



	Plats Comply	Not Applicable	Waiver Requested	Plats Comply	Plats Do Not Comply	Waiver
<p>24. Plan and profile drawings of all existing and proposed drainage and utility layouts, drawn at a scale of 1"=50' horizontal; 1"=5' vertical, including:</p> <p>a. Sanitary sewer (include letter of service feasibility from public utility)</p> <p style="text-align: center;">or</p> <p>results and locations of all percolation tests and soil logs attempted along with possible location of future septic systems.</p> <p>b. Public water (include letter of service feasibility from public utility)</p> <p style="text-align: center;">or</p> <p>approximate well location and geologist report verifying a sufficient supply of available potable water.</p> <p>c. Storm sewer including drainage swales and streams.</p> <p>d. Gas (include letter of service feasibility for public utility).</p> <p>e. Electric, telephone and cable.</p>						
25. Landscaping plan for street shade trees noting location, material type and sizes, planting details and tree preservation details.						
26. Soil erosion and sediment control plans. Show soil types and boundaries pursuant to Hunterdon County Soil Survey, including analysis for development capability and information concerning fill material for any filled soil area.						
27. Stormwater Management Plans and Watershed Maps, including five copies of all drainage calculations analyzing existing and proposed conditions.						
28. Location of any flood hazard areas with delineation and elevation of 100-year and 500-year flood boundary. Include five copies of all drainage computations and stream cross-sections or indicate published source of flood plain delineation.						
29. Location of all existing and proposed easements including identification of ownership and maintenance responsibilities. Show metes and bound information for all easements.						

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	APPLICANT			TOWNSHIP		
	Plats Comply	Not Applicable	Waiver Requested	Plats Comply	Plats Do Not Comply	Waiver Granted
30. Conceptual grading plan around houses and septic systems including all areas to be disturbed by grading or construction.						
31. Lot density computations and open space calculations as required by zoning regulations.						
32. Location, size and detail of all existing and proposed signs.						
33. Lighting plans, including location, type, wattage, height distribution pattern and foot candles.						
34. Natural Resource Inventory and Environmental Impact Statement, as required by Ordinance or as determined by the Board.						
35. Required Hunterdon County Signature Block in accordance to their regulations.						
36. Plan drawn from actual boundary survey of property and certified as being accurate and true by Land Surveyor.						

FOR BOARD USE ONLY

\_\_\_\_\_ Application declared complete.

\_\_\_\_\_ Application declared incomplete for the following:

Administrative Officer \_\_\_\_\_ Date \_\_\_\_\_  
Signature

G32/32  
November 20, 1989

## Checklist Number 4

### Determination of Completeness of Application For Preliminary/Final Site Plan Approval Land Use Ordinance City of Lambertville, Hunterdon County, New Jersey

Applicant Name and Address: \_\_\_\_\_  
 Block and Lot Number: \_\_\_\_\_ Street Address: \_\_\_\_\_  
 Name of Project: \_\_\_\_\_ Submission Date: \_\_\_\_\_  
 Signature of Applicant: \_\_\_\_\_ Telephone Number: \_\_\_\_\_  
 Fax Number: \_\_\_\_\_ Email Address: \_\_\_\_\_

All applications for site plan approval must be submitted to the Administrative Officer of the Board at least three weeks prior to a regularly scheduled Board Meeting. All plans must be folded with title block, date and revision date Showing.	Plats Comply	Not Applicable	Waiver Requested	Plats Comply	Plats Do Not Comply	Waiver Granted
1. Application Fee with separate computation calculation						
2. 15 Copies of the completed application form. Four copies of Completed checklist						
3. Fifteen copies of blue or black line prints						
4. All documents properly certified and sealed by the appropriate NJ Licensed professional persons (P.E., PIS, PP, CLA, RA)						
5. Name and address of owner, applicant and preparer of plans. Applicant's Disclosure statement, if filed as a corporation or Partnership.						
6. Names of all current property owners within 200' of property and Identity source of information						
7. Plans must identify:						
a. Name of development						
b. Total area of development in acres and square feet						
c. Date of original preparation and all revisions						
d. North arrow and reference meridian						
e. Graphic and written scale						
f. Tract zone and schedule of existing zoning criteria and proposed Conditions						
g. Tax Map sheet, block and lot numbers						
h. Reference benchmark identified and shown						

### Checklist Number 4

	Plats Comply	Not Applicable	Waiver Requested	Plats Comply	Plats Do Not Comply	Waiver Granted
8. Certification of Owner (if other than owner)						
9. Certification from Tax Collector: all taxes and assessments are paid						
10. Review block for city engineer, secretary and chairperson						
11. Required Hunterdon Cty signature block						
12. Four copies of application and fees for variances required						
13. Four copies of existing/proposed covenants, deed restrictions and a copy of deed(s) of record						
14. Completed application with appropriate fees submitted to agencies						
a. Hunterdon Planning Board						
b. Hunterdon Soil Conservation						
c. D and R Canal Commission						
d. Hunterdon Department of Health						
15. Map of Site Plan drawn to scale of not less than 1" = 50' on sheet size 18"x24", 24"x36", 30"x42"						
16. Key map drawn at a scale of not less than 1" = 1000' showing the properties within 1/2 mile radius including zoning boundaries and traffic circulation elements from Master Plan						

### Checklist Number 4

	Plats Comply	Not Applicable	Waiver Requested	Plats Comply	Plats Do Not Comply	Waiver Granted
17. Existing topography shown as follows:						
a. Based upon accurate field & aerial topo survey USC&GS datum						
b. 5' contour interval for slopes exceeding 20%						
c. 2' contour interval for slopes less than 20%						
d. Spot elevation for areas of slope less than 1% slope						
e. All topo info must be shown for adjoining area within 200' of p.b.						
18. Plans showing existing and proposed streets including:						
a. Field cross-section at 50' intervals drawn to scale of 1"-5' vertical 1" - 10' horizontal						
b. Plan and centerline profiles drawn at a scale of 1"-50' horizontal 1"-5' vertical. Based on field survey data. Corresponding plan & profile information shown on the same sheet. Centerline stakes at min 100' intervals must be set on site						
c. Centerline curve data including central angle, tangent distance, radius, arc length, chord distance and chord bearing						
19. Property lines with bearings, distances to nearest 1/100 ft., radius, curve length and central angle						
20.a. Proposed or existing building envelopes with setback lines shown and dimensioned						
b. Setbacks of all existing buildings from existing/proposed property lines and indication of whether they will be retained or removed						
21. Location of existing wells and septic systems on site & within 100'						
22. Location of all man-made and natural features both on-site and within 200' including, but not limited to:						
dedicated open space, culverts, structures, drain pipes, water						
courses, railroads, bridges, wooded areas, rock outcrops, wetlands,						
swamps, buildings, streets, drainage right of ways and casements.						
Location of above and underground storage tanks and fences.						

### Checklist Number 4

	Plats Comply	Not Applicable	Waiver Requested	Plats Comply	Plats Do Not Comply	Waiver Granted
23. Plan and profile drawings of all existing and proposed drainage and utility layouts, drawn at a scale of 1" = 50' horizontal; 1" = 5' vertical, including:						
a. sanitary sewer (include letter of service feasibility from utility) or results and locations of all percolation tests and soil logs attempted along with proof of submission to the Dept. of Health						
b. Public Water (include letter of service feasibility from utility) or approximate well location and geologist report verifying a sufficient supply of available potable water						
c. Storm sewer including drainage swales and streams						
d. Gas (include letter of service feasibility for utility)						
e. electric, telephone and cable						
24. Detailed landscaping plan indicating:						
a. existing trees which will remain or be removed						
b. proposed landscaping including location, botanical name, common names, size, quantity, planting and staking/guying details, mulch areas specifying type of thickness and edge of mulched areas. Specify whether plants are container grown, balled and burlapped (B&B) or bare root (BR)						
25. Appropriate details to City, County and state standards including, but not limited to: sidewalks, curbs, paving, street signs, drainage						
26. Soil eroding and sediment control plans. Show soil types and boundaries pursuant to Hunterdon County Soil Survey, including analysis for development capability and information concerning fill material for any filled soil area						
27. Stormwater management plans and Watershed maps, including five copies of all drainage calculations analyzing existing and proposed conditions						

# Checklist Number 4

	Plats Comply	Not Applicable	Waiver Requested	Plats Comply	Plats Do Not Com	Waiver Granted
28. Location of any flood hazard areas with delineation and elevation of 100 year flood boundary. Include five copies of all drainage computations and stream cross-sections or indicate published source of flood plain delineation						
29. Location of all existing and proposed easements including identification of ownership and maintenance responsibilities						
30. Proposed grading plan including finished floor elevations, elevations at corners of buildings and paved areas. All proposed grading shown using 2' contour intervals						
31. Location, size and detail of all proposed signs						
32. Lighting plans, including location, type, wattage, bright distribution pattern, foot candles and details						
33. Supplemental information as required by Ordinance or as determined by the board						
a. Natural Resource Inventory						
b. Environmental Impact Statement						
c. Wetlands report prepared by a professional wetlands consultant pursuant to the NJ Wetlands Protection Act						
34. Architectural plans should include preliminary floor plans and elevations of each new or altered building, façade and height of proposed structure. Also indicate existing/proposed building sq.ft.						
35. Parking and Loading						
a. Specifications for location of proposed surface, paving, curbing and streets						
b. location capacity and dimensions of existing and proposed off-street parking and loading areas including handicap stalls						
c. calculation of the number of parking spaces required by the Ordinance for standard and handicap stalls						
d. Aisle width						
e. Entrance and exit arrangements						

# Checklist Number 4

	Plats Comply	Not Applicable	Waiver Requested	Plats Comply	Plats Do Not Com	Waiver Granted
f. Details of traffic signals and other traffic control devices including direction of traffic flow						
g. Location of fire lanes and other parking restrictions						
36. Location of solide waste storage, screening and means of disposal including amount of pick up per week and recycling facilities						
37. Calculations, location, identification of proposed open spaces, parks and other recreational areas						
38. Calculations for building coverage, total impervious coverage, floor area ratio and environmental constraints						
39. Plan drawn from actual boundries survey of property and certified as being accurate and true by professional land surveyor						

## Planning Board Use Only

\_\_\_\_\_ Application Declared Complete  
 \_\_\_\_\_ Application Declared In-Complete for the following items:

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\_\_\_\_\_ Administrative Officer

\_\_\_\_\_ Date