

TOWNSHIP OF BERNARDS **2025 ZONING BOARD OF ADJUSTMENT APPLICATION**

Please contact Board Secretary, Cyndi Kiefer, with any questions
Tel: 908-204-3026 Email: ckiefer@bernards.org

INSTRUCTIONS

STEP 1 – Submit the Application

- Submit (17) fully collated application packets following the appropriate checklist.
 - At the top of each form, the TOTAL number of copies is noted.
 - Each packet should have (1) copy of the application, (1) copy of Form A,(1) copy of Form B, etc. PLANS MUST BE FOLDED.
 - **Each packet must contain a copy of the checklist(s).**
 - Those forms that require an “original plus 2 copies” can be submitted separately from the 17 packets.
 - **SUBMIT ONLY ONE (1) W-9 FORM**
- Once the application has been reviewed, you will receive a letter confirming your hearing date and providing further instructions concerning Step 2.

STEP 2 - Public Notice

(AFTER you receive written notification from the Board Secretary confirming your hearing date)

- **Send a draft of your notice to the Board Secretary for review BEFORE YOU SERVE/PUBLISH NOTICE**
- Serve notice (Form E) by certified mail (RETURN RECEIPT IS NOT REQUIRED) or personal service to all property owners listed on the certified list provided by the Tax Assessor at least 10 days prior to the hearing.
- Publish notice (Form E) in the Bernardsville News at least 10 days prior to the hearing. NO AFFIDAVIT OF PROOF OF PUBLICATION IS REQUIRED.
- AFTER YOU HAVE SERVED NOTICE, submit Affidavit of Proof of Service (Form H) to the Board Secretary at least five (5) working days before the hearing with:
 - Original certified mail receipts, if notices were mailed
 - List of dated original signatures, if notices were personally served

STEP 3 – The Hearing

- Be prepared to discuss the application and memos submitted to you by the Board’s professionals.
- Once all testimony has concluded, the Board will render its decision.
- A resolution memorializing this decision will be voted on at the next hearing and a copy will be sent to you. Once you have fulfilled all the conditions of the resolution, you may apply for your construction/zoning permit.

ADDITIONAL INFORMATION: (refer to website)

- Schedule 1 – Application Fees, Escrow & Digital Imaging Fees
- Table 901 – Application Fee and Escrow Deposit Schedule
- Table 501 – Residential Zone Standards

TABLE 901				
Application Fee and Escrow Deposit Fee Schedule				
(current as of September 26, 2023)				
		Application Fee¹		Escrow Deposit
1.	Subdivisions			
	a.	Minor	\$300 + \$50/lot	\$2,500
	b.	Preliminary plat, major	\$500 + \$100/lot	\$4,000 + \$200/lot
	c.	Final plat, major	\$300 + \$25/lot	\$2,000 + \$50/lot
2.	Site Plans			
	a.	Preliminary plan (residential) ²	\$500 + \$25/dwelling unit	\$2,500 + \$25/dwelling unit + \$25/acre
	b.	Preliminary plan (nonresidential) ³	\$500 + \$0.02/sq. ft. of building floor area + \$25/acre	\$2,500 + \$0.03/sq. ft. of building floor area + \$25/acre
	c.	Final plan (residential)	\$300 + \$10/dwelling unit	\$1,500
	d.	Final plan (nonresidential)	\$300 + \$0.01/sq. ft. of building floor area + \$25/acre	\$1,500
3.	Conditional Use			
	a.	Supplementary apartment	\$150	\$2,000
	b.	Other	\$250 + \$0.10/sq. ft. of conditional use building or structure	\$2,000
4.	Variances			
	a.	Appeals (N.J.S.A. 40:55D-70a)		
		1. Single-family residential	\$50	\$500
		2. Other	\$150	\$500
	b.	Interpretations (N.J.S.A. 40:55D-70b)		
		1. Single-family residential	\$50	\$500
		2. Other	\$150	\$500
	c.	Bulk variance (N.J.S.A. 40:55D-70c)		
		1. Single-family residential	\$100	\$2,000
		2. Other	\$250	\$2,000
	d.	Special reasons (N.J.S.A. 40:55D-70d)		
			\$500	\$2,000

NOTES:

1. No application fee shall exceed \$15,000.
2. Any nonresidential buildings in a predominantly residential site plan shall pay an escrow

deposit of \$0.03 per square foot of nonresidential building floor area in addition to the residential escrow deposit.

3. Any residences in a predominantly nonresidential site plan shall pay \$25 per dwelling unit escrow deposit in addition to the nonresidential escrow deposit.
4. Document imaging: The following amounts shall be due and payable at the time of application to defray the cost of digital document management system entry:
 - (a) Subdivisions and site plans: \$150.
 - (b) Variances and all other applications: \$25.
5. Tax Map revision fee. In addition to the application fees set forth in Subparagraphs 1 and 2 above, the following amounts shall be due and payable at the time of application to defray the cost of professional services required to effect revisions to the Tax Map necessitated by the development application:
 - (a) Minor subdivision plat: \$75.00 per lot.
 - (b) Final major subdivision plat: \$50.00 per lot.
 - (c) Site plan application creating condominium units (whether residential or commercial units): \$50.00 per unit.
6. Amended application. Application fee shall be 1/2 of the original application fee but not to exceed \$500.00. Escrow deposit shall be 1/2 of the original escrow deposit unless sufficient funds remain in the escrow account from the original application, such that the Board determines a lesser amount is adequate to cover anticipated bills.
7. Extension of preliminary approval, final approval, or variance approval. Application fee shall be 1/2 of the original application fee but not to exceed \$500.00. Escrow deposit shall be 1/2 of the original escrow deposit for preliminary or final extensions, and \$1,000 for variance extensions, unless sufficient funds remain in the escrow account from the original application.
8. Conceptual approval. In the event that the developer chooses to submit an application for conceptual approval of the development plan, 25% of the entire preliminary development plan application fee and the entire escrow amount shall be paid at the time of such submission and the remainder shall be payable at the time of the submission of a complete application for preliminary approval.
9. Waiver of fees. Charitable, philanthropic, fraternal and religious nonprofit organizations holding a tax exempt status under the Federal Internal Revenue Code of 1954 [26 U.S.C. § 501(c) or (d)] shall pay one-half (1/2) of the normal application fee. All governmental agencies of the Township of Bernards are exempt from the payment of any fee required under this chapter.
10. Variances involving subdivisions or site plans shall be accompanied by the application fee and escrow deposit in Nos. 1 and 2.
11. Additional escrow funds shall be required by the Board when the escrow balance has been depleted below the amount of the original deposit. The additional deposit shall be an amount sufficient to restore the escrow balance to the amount of the original escrow deposit unless the Board determines a lesser amount is adequate to cover anticipated bills. Whenever additional funds are required, the applicant shall be notified in writing and the additional deposit shall be remitted to the Board Secretary within ten (10) days of the date of the written notification.
12. Modification or elimination of a condition contained in a previously adopted resolution of approval. Application fee shall be \$300. Escrow deposit shall be \$1,500.
13. Informal review pursuant to N.J.S. 40:55D-10.1. Application fee shall be \$100, which shall be a credit toward the fee for the application for development.

LAND DEVELOPMENT

21 Attachment 7

TABLE 501

MINIMUM DIMENSIONAL REQUIREMENTS

Lots in Standard Residential Development

Zone	Minimum Lot Area	Minimum Lot Width¹ (feet)	Minimum Frontage (feet)	Minimum Front Yard (feet)	Minimum Rear Yard (feet)	Side Yard Combined (feet)	Minimum Side Yard (feet)	Maximum Coverage
R-1	3 acres	250	125	100	100	100	50 ²	15%
R-2	2 acres	250	125	100	100	100	50 ²	15%
R-3	2 acres	250	125	100	100	100	50 ²	15%
R-4	1 acre	200	100	75	75	50	20 ²	15%
R-5	1 acre	200	100	75	75	50	20 ²	15%
R-6	3/4 acre	150	75	50	50	75 ³	30 ³	18%
R-7	1/2 acre	125	75	40	40	60 ⁴	20 ⁴	20%

NOTES:

¹ On a corner lot, the minimum width shall be 125% of the minimum lot width set forth in Table 501. Only one lot width shall be required to meet the 125% standard.

² Where a side yard abuts a rear yard, the side yard shall be a minimum of 150% of the minimum side yard set forth in Table 501.

³ The minimum side yard and minimum combined side yard for dwellings constructed prior to September 21, 2006, may be reduced to 15 feet and 40 feet, respectively, provided any addition shall be no closer to the side lot lines than the existing dwelling.

⁴ The minimum side yard and minimum combined side yard for dwellings constructed prior to September 21, 2006, may be reduced to 10 feet and 30 feet, respectively, provided any addition shall be no closer to the side lot lines than the existing dwelling.

[Ord. #585, Table 501; Ord. #1103, § 27; Ord. #1371, 8-24-1999, amended; Ord. #1888, 9-12-2006, amended]

TOWNSHIP OF BERNARDS
2025 ZONING BOARD OF ADJUSTMENT APPLICATION

- | | |
|--|--|
| <input type="checkbox"/> Bulk or Dimensional (“c”) Variance | <input type="checkbox"/> Appeal of Zoning Officer’s Decision |
| <input type="checkbox"/> Use (“d”) Variance | <input type="checkbox"/> Interpretation of Zoning Ordinance |
| <input type="checkbox"/> Conditional Use (“d”) Variance | <input type="checkbox"/> Minor Subdivision |
| <input type="checkbox"/> Floor Area Ratio, Density, or Height (“d”) Variance | <input type="checkbox"/> Major Subdivision - Preliminary / Final |
| <input type="checkbox"/> Site Plan - Preliminary / Final | <input type="checkbox"/> Other (specify): _____ |
-

1. APPLICANT: _____

Address: _____

Phone: (home) _____ (work) _____ (mobile) _____

Email (*will be used for official notifications*): _____

2. OWNER (*if different from applicant*): _____

Address: _____

Phone: _____ Email (*will be used for official notifications*): _____

3. ATTORNEY: _____

Address: _____

Phone: _____ Email (*will be used for official notifications*): _____

4. OTHER PROFESSIONALS (*Engineer, Architect, etc. Attach additional sheet if necessary*):

Name: _____ Profession: _____

Address: _____

Phone: _____ Email (*will be used for official notifications*): _____

5. PROPERTY INFORMATION: Block(s): _____ Lot(s): _____ Zone: _____

Street Address: _____ Total Area (*square feet/acres*): _____

6. ARE THERE ANY PENDING OR PRIOR PLANNING BOARD OR BOARD OF ADJUSTMENT APPLICATIONS INVOLVING THE PROPERTY? No Yes (*if yes, explain or attach Board resolution*) _____

7. ARE THERE CURRENTLY ANY VIOLATIONS OF THE ZONING ORDINANCE INVOLVING THE PROPERTY? No Yes (*if yes, explain*) _____

8. ARE THERE ANY DEED RESTRICTIONS OR EASEMENTS AFFECTING THE PROPERTY?

[] No [] Yes (if yes, explain) _____

9. DESCRIPTION OF THE EXISTING PROPERTY AND THE PROPOSAL/REQUEST: _____

10. DESCRIPTION OF REQUESTED VARIANCES OR EXCEPTIONS (include Ordinance section no.):

11. THE FOLLOWING ARGUMENTS ARE MADE IN SUPPORT OF THE APPLICATION: _____

12. NOTARIZED SIGNATURES (ALL APPLICANTS AND OWNERS MUST SIGN):

APPLICANT(S) SIGN HERE:

I/we, _____ and _____ hereby depose and say that all of the above statements and the statements contained in the materials submitted herewith are true and correct.

Signature of Applicant(s): _____ and _____

Sworn and subscribed before me, this _____ day of _____, 20__.

Notary

OWNER(S) SIGN HERE (IF APPLICANT IS NOT THE OWNER):

If the application is made by a person or entity other than the property owner, or by less than all of the property owners, then the property owner or the additional owners must complete the following:

I/we, _____ the owner(s) of the property described in this application, hereby authorize _____ to act as my/our agent for purposes of making and prosecuting this application and I/we hereby consent to the variance relief (if any) granted and all conditions of approval thereof.

Signature of owner(s): _____

Sworn and subscribed before me, this _____ day of _____, 20__.

Notary

SUBMIT ORIGINAL AND 16 COPIES

FORM A

**TOWNSHIP OF BERNARDS
PLANNING BOARD / BOARD OF ADJUSTMENT**

SITE INSPECTION CONSENT FORM

Applicant: _____

Block: _____ Lot: _____

Street Address: _____

I, _____, owner of the above property, hereby acknowledge that, upon determination of completeness of the application, a site inspection may be scheduled with the Board for a mutually convenient date and time. I hereby authorize members of the Planning Board/Board of Adjustment and their representatives and consultants to enter onto the property at the time of the site inspection for the purpose of evaluating the application.

Signature: _____ Date: _____

**SUBMIT ORIGINAL + 2 COPIES
For Corporations, LLC, LLP ONLY**

STATEMENT OF OWNERSHIP

Corporate or Partnership
Name of Applicant: _____

Address: _____

The following is a list of all shareholders and/or partners owning beneficially or having registered in their names not less than ten percent (10%) of the stock of the corporation or interest in a partnership involved in an application hereinabove referred to:

Name: _____ Name: _____

Address: _____ Address: _____

Name: _____ Name: _____

Address: _____ Address: _____

Name: _____ Name: _____

Address: _____ Address: _____

Name: _____ Name: _____

Address: _____ Address: _____

I hereby certify under penalty of perjury that the foregoing is true:

Signature: _____ Date: _____

SUBMIT ORIGINAL LIST + 2 COPIES
Do not submit this form with application

TO REQUEST 200 FOOT PROPERTY SEARCH:

SEND THIS FORM TO THE TAX ASSESSOR
1 COLLYER LANE, BASKING RIDGE, NEW JERSEY, 07920 (908) 204-3082
INCLUDE A CHECK FOR \$10.00
LIST WILL BE E-MAILED/MAILED TO YOU WHEN IT IS COMPLETED.

200 FOOT PROPERTY SEARCH

BLOCK: _____ LOT: _____

PROPERTY LOCATION: _____

OWNER NAME: _____

OWNER ADDRESS: _____

REQUESTED BY: _____

PHONE NUMBER: _____

E-MAIL TO: _____

or MAIL TO: _____

SUBMIT ORIGINAL + 2 COPIES

FOR CERTIFICATION OF CURRENT PROPERTY TAX PAYMENTS:

SEND FORM TO TAX COLLECTOR
ONE COLLYER LANE, BASKING RIDGE, NJ, 07920 (908) 204-3078
CERTIFICATION WILL BE E-MAILED/MAILED WHEN IT IS COMPLETED.
DO NOT SUBMIT APPLICATION WITHOUT PROOF OF TAXES PAID.

CERTIFICATION OF CURRENT PROPERTY TAX PAYMENTS

BLOCK: _____ LOT: _____

PROPERTY LOCATION: _____

ASSESSED TO (name): _____

ADDRESS: _____

REQUESTED BY: _____

PHONE NUMBER: _____

E-MAIL TO: _____

or MAIL TO: _____

.....
I CERTIFY THAT THE PROPERTY TAXES ARE CURRENT, PAID THROUGH:

_____.

KEVIN SANT'ANGELO,
TAX COLLECTOR

SUBMIT ORIGINAL + 2 COPIES WITH APPLICATION

Notice to be published in the Bernardsville News via email to: legals@recordernewspapers.com in "Word" format (*available from the Board Secretary*) **and** served to owners indicated on 200-foot property search both a minimum of 10 days prior to the hearing date.

"Variances Required" format example:
Encroachment into Side Yard Setback, 50 feet required, 60 feet exists, 45 feet proposed
Form F will provide information for this area.

TOWNSHIP OF BERNARDS
ZONING BOARD OF ADJUSTMENT
NOTICE OF HEARING ON APPEAL OR APPLICATION

PLEASE TAKE NOTICE that the undersigned has filed an application for development with the Board of Adjustment of the Township of Bernards for relief from the requirements of Section(s) _____ of the Bernards Township Zoning Ordinances so as to permit construction of a (an):

Variances required:

and any other variances the Board may deem necessary, on the premises located at _____ and designated as Block _____, Lot _____, on the Township Tax Map. This notice is being published in the official newspaper and sent to the owners of properties within 200 feet of the subject property.

A public hearing has been set for _____, 20__ at 7:30 p.m. or as soon thereafter as the matter may be reached, in the Municipal Building, 1 Collyer Lane, Basking Ridge, New Jersey, and, when the case is called, you may appear either in person, or by Attorney, and present any objections which you may have to granting of the relief sought in the petition.

The application and maps in support thereof are on file in the office of the Secretary, Planning Offices located at 277 South Maple Avenue, Monday through Friday, 8:30 AM to 4:30 PM and are available for inspection. If possible, call to make an appointment at (908) 204-3026.

Respectfully,

SUBMIT 17 COPIES TOTAL

DIMENSIONAL STATISTICS

	REQUIRED	EXISTING	PROPOSED
LOT AREA			
LOT WIDTH			
FRONTAGE			
FRONT YARD SETBACK			
REAR YARD SETBACK			
COMBINED SIDE YARD			
SIDE YARD			
COVERAGE			
HEIGHT			
<i>IF REQUIRED,</i> GROSS FLOOR AREA			
<i>IF REQUIRED,</i> FLOOR AREA RATIO			
<i>IF REQUIRED,</i> IMPROVABLE LOT AREA			

SUBMIT ORIGINAL + 2 COPIES
Not for "Bulk" or "C" variances

FORM G

TOWNSHIP OF BERNARDS
PLANNING BOARD/ZONING BOARD OF ADJUSTMENT
CONTRIBUTION DISCLOSURE STATEMENT

Contribution Disclosure Statement Required. Pursuant to Bernards Township Ordinance Section 21-7A (Ordinance #1745, adopted October 26, 2004), Contribution Disclosure Statements are required for certain types of development applications that include a request for a variance or other relief. When required, a Contribution Disclosure Statement must be submitted by all applicants and property owners, as well as all professionals who apply for or provide testimony, plans or reports in support of the application. See Section 21-7A for details.

Applicant: _____ Application: _____

Pursuant to Bernards Township Ordinance Section 21-7A, I hereby certify that I, or the firm or entity with which I am associated, made the following contributions to or on behalf of a candidate, candidate committee, joint candidates committee, political committee, continuing political committee or political party committee of, or pertaining to, the Township of Bernards, within one year prior to the filing of the above application.

I made no contributions.

I made the following contributions:

Date: _____	Amount: _____	Recipient: _____
Date: _____	Amount: _____	Recipient: _____
Date: _____	Amount: _____	Recipient: _____
Date: _____	Amount: _____	Recipient: _____

Signature: _____ Date: _____
Name: _____
Title: _____
Firm: _____
Address: _____

**FORM TO BE SUBMITTED TO BOARD SECRETARY ALONG
WITH GREEN AND WHITE POSTAL CERTIFIED MAIL
RECEIPTS **AFTER** APPLICANT HAS SERVED NOTICE**

AFFIDAVIT OF SERVICE

State of New Jersey
County of Somerset

I, _____ of full age, being duly sworn according to law, on her/his oath deposes and says that she/he resides at _____ in the Township of _____, County of _____ and State of _____, and that she/he did on _____, 20____, at least ten (10) days prior to the hearing date, give personal notice to all property owners within 200 feet of the property affected by Application No. _____ located at _____.

Said notice was given either by handing a copy to the property owners, their original signatures appear on the attached copy of the certified list of property owners within 200 feet; or by sending said notice by certified mail, the original registered receipts are attached hereto.

Notice was also served upon: (check if applicable)

- ____ Clerk of the Municipality of _____
- ____ County Planning Board
- ____ Director of Division of State & Regional Planning
- ____ Department of Transportation
- ____ Registered Utility Companies

A copy of said notice is attached hereto.

Notice was also published in one of the official newspapers of the municipality as required by law.

Signature of Applicant

Notary