

**BOROUGH OF EAST RUTHERFORD**

**PLANNING BOARD &  
ZONING BOARD OF ADJUSTMENT**

**DEVELOPMENT REVIEW APPLICATION**



**Please read all instructions and information carefully and submit all information/documentation requested.**

**GENERAL APPLICATION INFORMATION & INSTRUCTIONS**  
Questions? Email the Board Secretary at [LandUse@EastRutherfordNJ.net](mailto:LandUse@EastRutherfordNJ.net)

**MEETING SCHEDULE**

Visit the Borough of East Rutherford's website to see exact dates and times of the [Planning Board](#) and [Zoning Board of Adjustment](#).

**HOW TO MAKE APPLICATION TO THE BOARD**

1. Submit five (5) packets for initial Completeness Review to the Board Secretary at 1 Everett Place, East Rutherford, NJ 07073. These packets should include:

- Completed application and checklist items – See Attachment A & B
- Development plans signed and sealed by a licensed Architect and/or Planner
- Copy of a recent survey of the applicant's property
- Certification of the Borough Tax Collector showing that all taxes are current
- Letter of Denial from the Building Department, if required

**All documents must be organized into packets and submitted in envelopes marked as follows:**

- Board Secretary (*plans should be sized at 15" x 21"*)
- Board Engineer (*plans should be sized at 24" x 36"*)
- Board Planner (*plans should be sized at 24" x 36"*)
- Board Attorney (*plans should be sized at 15" x 21"*)
- COAH Special Monitor (*plans should be sized at 15" x 21"*)

Additional items to be submitted in the Board Secretary packet only:

- Electronic PDF copies of all documents being submitted. May be submitted via USB flash drive or CD
- Application Fee – [See Borough Code Chapter 314: Fees and Escrow Deposits](#). Check to made payable to Borough of East Rutherford
- Escrow Fee – [See Borough Code Chapter 314: Fees and Escrow Deposits](#)  
Check to made payable to Borough of East Rutherford Developers Escrow Fund

2. Once the Board Secretary has received the Applicant's packets, the Board's professionals will review the application and submitted materials for completeness. A Completeness Review report will be prepared and sent to the Board and the Applicant.
  - a. If the application is incomplete, the Applicant will be requested to submit additional information / materials. Follow up information must be submitted in the same manner as original submission. The Board's professionals will then review again for completeness.
  - b. When the application is considered complete, the Board will deem the application complete and schedule it for hearing.
3. Once the Board has deemed the application complete, the Board Secretary will notify the Applicant of the hearing date and time, and the Applicant is required to provide notice to the public. Do not publish notice until notified to do so by the Board Secretary.

At least ten (10) days prior to the specified hearing date, the Applicant must submit fifteen (15) application packet to the Board Secretary for distribution to the Board members and others having jurisdiction over review. **All documents must be organized into packets and submitted in envelopes for distribution. Plans should be sized at 15" x 21"**.

- a. At least ten (10) days before the date of the public hearing, notice of the hearing must be published in *The Record or The Herald News*. A sample notice for publication is attached to these instructions (Form #1). Simply type the notice, filling in the appropriate information for your application where indicated. Either a copy of the publication or an Affidavit of Service from the newspaper's legal advertising department must be submitted to the Board at the time of the public hearing. Do not publish notice until notified to do so by the Board Secretary.
  - b. At least ten (10) days before the date of the public hearing, notice of the public hearing must be given to the owners of all property within 200 feet of the property that is the subject of the application. A list of property owners within 200 feet of the subject property can be obtained from the Tax Office. A sample notice form is attached to these Instructions (Form #2). Simply type the notice, filling in the appropriate information. Do not send notice until notified to do so by the Board Secretary.
4. Appear in front of the Board at the specified date and time for hearing. Applicant's should appear with the appropriate professionals and materials to provide testimony and answer the Board's questions related to the application.
  5. Once the Board has made a decision, it will memorialize that decision at the next regularly scheduled meeting with a resolution.
  6. For applications that are approved, five (5) copies of final plans (with any required changes) must be submitted to the Board Secretary to be reviewed and signed by the Board's Chairman, Secretary and Engineer.
  7. Once plans are approved and signed by the Board, the Applicant must take the signed plans and a copy of the memorializing resolution to the Building Department for permits.

#### **APPLICATION & ESCROW FEES**

1. The Application Fee is a one-time fee and is cumulative of all fees associated with the application. *For instance, a minor site plan with requested variances will be required to provide an application fee of a minor site plan application, plus the fee of associated variances.*
2. All applicants are required to provide an escrow deposit. These fees are identified in [Chapter 314 of the Borough Code](#). The check must be made payable to the Borough of East Rutherford Developer Escrow Fund. No review or hearing will be conducted until said funds are deposited with the Borough. Escrow funds shall be utilized to cover the costs incurred for the technical review of the application by professionals retained by the Borough. Statements of the Applicant's account will be provided monthly by the Borough's Chief Financial Officer.
  - a. Additional escrow fees may be If escrow monies are not utilized, they shall be refunded to the applicant upon the applicant's request. Please allow 45 days following the letter request.
3. Permits and/or final Building Department approvals may be withheld until all outstanding escrow fees are satisfied by the Applicant.

**To be completed by Borough staff only**

Date File:	<input type="checkbox"/> Planning Board <input type="checkbox"/> Zoning Board of Adjustment
Application No:	Date Scheduled for:

**Applicant Information**

Full Name: \_\_\_\_\_  
*Last* *First* *M.I.*

Address: \_\_\_\_\_  
*Street Address* *Apartment/Unit #*

\_\_\_\_\_ *City* \_\_\_\_\_ *State* \_\_\_\_\_ *ZIP Code*

Telephone Phone: (    )                      Fax Number: (    )

Email address: \_\_\_\_\_

**Owner information, if other than applicant**

Owners Name \_\_\_\_\_

Address \_\_\_\_\_

Telephone Number: \_\_\_\_\_

Email address: \_\_\_\_\_

**Owner of Record**

Full Name \_\_\_\_\_  
*Last* *First* *M.I.*

Address \_\_\_\_\_  
*Street Address* *Apartment/Unit #*

\_\_\_\_\_ *City* \_\_\_\_\_ *State* \_\_\_\_\_ *ZIP Code*

Home Phone: (    )                      Fax Number: (    )

Email address: \_\_\_\_\_

Person having everyday responsibility for this application: \_\_\_\_\_

Home Phone: (    )                      *Last* *First*

Fax: (    )

<b>Site Data</b>	Block:	Lot:
	Address:	
	Zoning District:	
	Acreage:	
	Proposed Use:	

**Type of Application**

- |  |  |  |
|--|--|--|
| <input type="checkbox"/> Conceptual Subdivision  | <input type="checkbox"/> Final Subdivision             | <input type="checkbox"/> Amended Preliminary Subdivision |
| <input type="checkbox"/> Minor Subdivision       | <input type="checkbox"/> Preliminary Site Plan         | <input type="checkbox"/> Amended Final Site Plan         |
| <input type="checkbox"/> Conceptual Site Review  | <input type="checkbox"/> Development Review Meeting    | <input type="checkbox"/> Amended Final Subdivision       |
| <input type="checkbox"/> Minor Site Plan         | <input type="checkbox"/> Final Site Plan               | <input type="checkbox"/> Site Plan with Waivers          |
| <input type="checkbox"/> Preliminary Subdivision | <input type="checkbox"/> Amended Preliminary Site Plan | <input type="checkbox"/> Amended Preliminary Site Plan   |
|  |  | <input type="checkbox"/> Change of Use                   |

-----  
**Sections of the Ordinance from which a variance is requested: (use additional pages if necessary)**

---



---



---

**Waivers Requested of Development Standards and/or Submission Requirements: (attach additional pages if necessary)**

---



---



---

**Describe CURRENT Use of Property**

---



---



---

**Describe PROPOSED Use of Property**

---



---



---

-----  
**Explain the Hardship Caused by the Zoning Ordinance**

---

---

---

---

**Explain why the granting of a Variance will not cause a negative impact on the zone plan of East Rutherford**

---

---

---

---

**Explain any benefit the variance will provide the community**

---

---

---

---

**List all maps, reports and other materials accompanying the application – attach additional pages, if necessary**

---

---

---

---

---

---

### Disclosure Statements

Pursuant to N.J.S 40:55D-48.1, the names and addresses of all persons owning 10% of the stock in a corporate applicant or 10% interest in any partnership applicant must be disclosed. In accordance with N.J.S. 40:55D-48.2 that disclosure requirement applies to any corporation or partnership which owns more than 10% interest in the applicant followed up the chain of ownership until the names and addresses of the non-corporate stockholders and partners exceeding the 10% ownership criterion have been disclosed.

<b>Name:</b> _____	<b>Address:</b> _____	<b>Interest:</b> _____
<b>Name:</b> _____	<b>Address:</b> _____	<b>Interest:</b> _____
<b>Name:</b> _____	<b>Address:</b> _____	<b>Interest:</b> _____
<b>Name:</b> _____	<b>Address:</b> _____	<b>Interest:</b> _____
<b>Name:</b> _____	<b>Address:</b> _____	<b>Interest:</b> _____
<b>Name:</b> _____	<b>Address:</b> _____	<b>Interest:</b> _____
<b>Name:</b> _____	<b>Address:</b> _____	<b>Interest:</b> _____

**Attorney:** \_\_\_\_\_

**Address:** \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
**Phone:** \_\_\_\_\_

**Fax:** \_\_\_\_\_

**Email:** \_\_\_\_\_

**Engineer:** \_\_\_\_\_

**Address:** \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
**Phone:** \_\_\_\_\_

**Fax:** \_\_\_\_\_

**Email:** \_\_\_\_\_

**Architect:** \_\_\_\_\_

**Address:** \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
**Phone:** \_\_\_\_\_

**Fax:** \_\_\_\_\_

**Email:** \_\_\_\_\_

**Planner:** \_\_\_\_\_

**Address:** \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
**Phone:** \_\_\_\_\_

**Fax:** \_\_\_\_\_

**Email:** \_\_\_\_\_



---

**CERTIFICATION OF APPLICANT**

I, \_\_\_\_\_, certify that the statements made and the materials submitted in support of this application for development are true. I further certify that I am the individual applicant or that I am an Officer of the Corporate applicant and that I am authorized to sign the application for the Corporation or that I am a general partner of the partnership applicant.

I understand that an escrow deposit is required by the Borough of East Rutherford to cover the cost of professional services including engineering, planning, legal and other expenses associated with the review of submitted materials and the publication of the decision by the Board. Sums not utilized in the review process shall be returned. I will make the escrow deposit within 15 days of notification of the proper amount. If additional sums are deemed necessary, I understand that I will be notified of the required additional amount and shall add that sum to the escrow account within fifteen (15) days. I understand that this application will be deemed incomplete unless the initial escrow deposit is made.

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

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

---

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

\_\_\_\_\_  
Notary Public

---

**CERTIFICATION OF OWNER**

I certify that I am the Owner of the property which is the subject of this application and that I have authorized the applicant to make this application and that I agree to be bound by the application, the representations made and the decision in the same manner as if I were the applicant.

I certify that the statements made, and the materials submitted in support of this application for development are true. I further certify that I am the individual applicant or that I am an Officer of the Corporate applicant and that I am authorized to sign the application for the Corporation or that I am a general partner of the partnership applicant.

I understand that an escrow deposit is required by the Borough of East Rutherford to cover the cost of professional services including engineering, planning, legal and other expenses associated with the review of submitted materials and the publication of the decision by the Board. Sums not utilized in the review process shall be returned. I will make the escrow deposit within 15 days of notification of the proper amount. If additional sums are deemed necessary, I understand that I will be notified of the required additional amount and shall add that sum to the escrow account within fifteen (15) days. I understand that this application will be deemed incomplete unless the initial escrow deposit is made.

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

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

---

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

\_\_\_\_\_  
Notary Public

**ATTACHMENT A: CHECKLIST FOR MINOR SITE PLAN / MINOR SUBDIVISION**

*Insert 'X' where applicable* *Board Use*

Item #	Item	Submitted	Not Applicable	Waiver Requested	Complies (Y/N)
1	Name, address of owner and applicant				
2	Name, signature, license number, seal and address of engineer, land surveyor, architect, professional planner and/or landscape architect, as applicable, involved in preparation of plat.				
3	Title block denoting type of application, tax map sheet, county, name of municipality, block & lot of street location.				
4	A key map at specified scale showing location of tract with reference to surrounding properties, streets, municipal boundaries, etc., with 500'				
5	A schedule of required and provided zone districts(s) requirements including lot area, width, depth, yard setbacks, building coverage, open space, parking, etc.,				
6	North arrow & scale.				
7	Proof that taxes are current.				
8	Signature blocks for Chairman, Secretary, Municipal Clerk and Municipal Engineer.				
9	(Subdivision only): Appropriate certification blocks as required by Map Filing Law with information as required by the Map Filing Law. (Final Only).				
10	(Subdivision only): Monumentation as specified by Map Filing Law.				
11	Source and date of current property survey.				
12	One (1) of four (4) standardized sheets: 30" x 42" 24" x 36" 15" x 21" 8.5" x 13"				
13	(Subdivision Approval only): Metes and bounds description showing dimensions, bearings, curve data, length of tangents, radii, arcs, chords and central angles for centerlines and rights-of-way, and centerline curves on streets.				
14	Acreage of tract to the nearest tenth of an acre.				
15	Revision box.				
16	Size and location of any existing or proposed structures with all setbacks dimensioned.				
17	Location and dimensions of any existing streets.				
18	All proposed lot lines, area of lots in square feet and setback lines.				
19	Copy and/or delineation of any existing or proposed deed restrictions or covenants.				
20	Any existing or proposed easement or land reserved for a dedicated to public use, utility use or restricted by reason of wetlands or wetlands buffer.				

21	Sight Triangles				
22	List of required regulatory approvals or permits.				
23	List of variances requested or obtained.				
24	Requested or obtained design waivers or exceptions.				
25	Payment of application fees and escrow fees, if applicable.				
26	Property owners and lines of all parcels within 200' identified on most recent tax map sheet. (Provide names, addresses, blocks and lots.)				
27	All existing streets, adjoining uses, structures, driveways, watercourses, flood plains, wetlands or other environmentally sensitive areas on and within 200' of site to the extent known. (Survey of adjacent property not required.)				
28	Existing rights-of-way and/or easements on and within 200' of tract.				
29	Existing and proposed contour intervals based on U.S.C. & G.S. datum, Contours to extend at least 200' beyond subject property as follows: Up to 3% grade = 1' Sites having any 3% + grade = 2'				
30	Boundary, limits, nature and general extent of wooded areas, specimen trees and other significant physical features, (Map only those to be distributed.				
31	General soil information from best readily available published source.				
32	Subsurface disposal testing for septic systems.				
33	(Subdivision only): new block and lot numbers confirmed with local assessor or municipal designee.				
34	(Site plan only): Proposed vehicular and pedestrian circulation and utility infrastructure plans, including disposal of sanitary sewage, water, storm water management. All other utilities may be shown by footnote.				
35	(Site plan only): spot and finished elevations at all proposed lot corners.				
36	(Site plan only): construction details.				
37	(Site plan only): Lighting plan and details.				
38	(Site plan only): Landscape plan and details.				
39	(Site plan only): Location of containers for solid waste, including recyclables.				
40	(Site plan only): Site identification signs, traffic control signs and directional signs.				
41	(Site plan only): Parking plan where applicable showing spaces, size and type, aisle width, curb cuts, drives, driveways and all ingress and egress areas and dimensions.				
42	(Site plan only): Preliminary architectural plan and elevations (not required where building is not proposed).				

**ATTACHMENT B: CHECKLIST FOR PRELIMINARY OR FINAL APPROVAL OF MAJOR SITE PLANS**

*Insert 'X' where applicable*

*Board Use*

Item #	Item	Submitted	Not Applicable	Waiver Requested	Complies (Y/N)
1	Name, address of owner and applicant				
2	Name, signature, license number, seal and address of engineer, land surveyor, architect, professional planner and/or landscape architect, as applicable. Involved in preparation of plat.				
3	Title block denoting type of application, tax map sheet, county, name of municipality, block & lot.				
4	A key map at specified scale showing location of tract with reference to surrounding properties, streets, municipal boundaries, etc., with 500'				
5	A schedule of required and provided zone districts(s) requirements including lot area, width, depth, yard setbacks, building coverage, open space, parking, etc.				
6	North arrow & scale.				
7	Proof that taxes are current.				
8	Signature blocks for Chairman, Secretary, Municipal Clerk and Municipal Engineer.				
9	(Application for Final Site Plan approval only): Information as specified by Map Filing Act. Information as required by the Map Filing Act.				
10	Source and date of current property survey.				
11	Acreage of tract to the nearest tenth of an acre.				
12	Revision box.				
13	Size and location of any existing or proposed structures with all setbacks dimensioned.				
14	Location and dimensions of any existing or proposed streets.				
15	Where applicable, all proposed lot lines and area of lots in square feet is applicable, e.g., dedication of right-of-way.				
16	Copy and/or delineation of any existing or proposed dead restrictions or covenants.				
17	Any existing or proposed easement or land reserved for or dedicated to public use or utility use.				
18	Development stages or staging plans.				
19	List of required regulatory approvals or permits.				
20	List of variances requested or obtained.				
21	Sight Triangles				
22	Requested or obtained design waivers or exceptions.				
23	Payment of application fees and escrow fees, if applicable.				
24	Property owners and lines of all parcels within 200' identified on most recent tax map sheet. (Provide names, addresses, blocks and lots.)				

25	All existing streets, adjoining uses, structures, driveways, watercourses, flood plains, wetlands or other environmentally sensitive areas on and within 200' of site to the extent known. (Survey of adjacent property not required.)				
26	Existing rights-of-way and/or easements on and within 200' of tract.				
27	Existing and proposed contour intervals based on U.S.C. & G.S. datum. Up to 3% grade = 1' Sites having any 3%+grade = 2'				
28	Boundary, limits, nature and general extent of wooded areas, specimen trees and other significant physical features. (Map only those to be distributed.)				
29	Proposed system of drainage of subject site.				
30	Drainage area map.				
31	(Application for Preliminary Subdivision Approval only) Drainage				
32	(Application for Final Subdivision Approval only): General soil information from best readily available published source.				
33	(Application for Final Subdivision Approval only): Subsurface disposal testing (where using septic systems):				
34	Proposed vehicular and pedestrian circulation and utility infrastructure plans, including disposal of sanitary sewage, water, storm water management, All other utilities may be shown by footnote.				
35	Spot and finished elevations at all building corners.				
36	Construction details.				
37	Road and paving cross-sections and profiles.				
38	Proposed street names when new road(s) proposed.				
39	Lighting plan and details				
40	Landscape plan and details.				
41	Location and design/details of containers for solid waste, including recyclables.				
42	Site identification signs, traffic control signs and directional signs.				
43	Parking plan where applicable showing spaces, size and type, aisle width, curb cuts, drives, driveways and all ingress and egress areas and dimensions.				
44	Preliminary architectural plan and elevations (not required where building is not proposed)				
45	Traffic report describing anticipated traffic volume and impact on existing and proposed roads when the proposed number of housing units exceeds fifty.				

**FORM 1**

**(INSERT APPLICATION TYPE)**

ADDRESS: **Insert Property Address**

Block: **Insert Property Block** Lot: **Insert Property Lot**

Please take notice that a public hearing of the East Rutherford **(insert Planning Board or Zoning Board)** will be held at **(insert time)** on **(insert day)**, **(insert scheduled date provided by the Board Planner or Secretary)**, located in the Municipal Building at One Everett Place, East Rutherford, NJ. I, **(insert name)**, Attorney for the Applicant, will apply **(insert application summary)**.

If any additional relief is requested, it will be presented along with any other relief requested on the night of the hearing on the premises known as **(insert property address)**.

This notice is being published pursuant to the requirements of the Borough of East Rutherford and the Land Use Act. All plans and specifications are available for inspection during normal working hours at the Planning/Zoning Board office.

DATE: **(insert publication date)**

**(Insert Name Filing Notice)**

**FORM 2**

BOROUGH OF EAST RUTHERFORD  
**(PLANNING BOARD or ZONING BOARD OF ADJUSTMENT)**

**(INSERT APPLICATION TYPE)**

ADDRESS: **Insert Property Address**

Block: **Insert Property Block** Lot: **Insert Property Lot**

ADDRESS: **Insert Name & Address of 200' Property Owner**

DATE: **(insert notice date)**

**PLEASE TAKE NOTICE:**

That the undersigned has appealed to the **(insert Planning or Zoning Board)** of the Borough East Rutherford to apply for a **(insert application type and details summary)**.

If any additional relief is requested, it will be presented along with any other relief required on the night of the hearing on the premises known as **(insert property address)**, which property is within two-hundred (200) feet of property owned by you.

This appeal will be heard by the Planning Board of the Borough of East Rutherford in a public hearing located in the Municipal Building at One Everett Place, East Rutherford, New Jersey at **(insert time)** on **(insert day)**, **(insert scheduled date provided by the Board Planner or Secretary)** at which time you may appeal either in person or by attorney, and present any objection or evidence which you may have to the granting of this appeal.

The public may inspect all documents relating to this Application between the hours of 9:00am and 4:00pm in the office of the Secretary of the Board in the Municipal Building.

**(Insert Name Filing Notice with  
signature and date of filing)**