

**VARIANCE APPLICATION
(NO SITE PLAN OR SUBDIVISION)**

§ 190-66. General procedure for completeness review.

- A. In order to be determined complete for review by the Board, all of the required information must be submitted, provided that the applicant may request that one or more of the submission requirements be waived. A written request, explaining the basis for such request(s) must be submitted for such waiver requests in order to be considered. The Board or its authorized committee shall grant or deny the waiver request within 45 days of receipt of the written request.
- B. If more than one development application category is to be considered by the Board, the applicant shall be required to submit the information required for all of the individual applications.
- C. Nothing herein shall be construed as diminishing the applicant's obligation to prove in the application process that he is entitled to approval of the application.
- D. The Board may subsequently require correction of any information found to be in error and submission of additional information not specified in this chapter or any revisions in the accompanying documents, as are reasonably necessary to make an informed decision as to whether the requirements necessary for approval of the application have been met. The application shall not be deemed incomplete for lack of any such additional information or any revisions in the accompanying documents so required by the Board.

§ 190-75. Variance applications or appeals.

All applications or appeals for a "C" variance or "D" variance, when site plan or subdivision approval is not required, or when the variance application has been bifurcated from subsequent site plan or subdivision applications which may be required by this chapter, shall submit the information required by § 190-67 (SEE BELOW). The Board reviewing the application shall have the authority to request additional information not required by § 190-67 if, in its opinion, such additional information is necessary to make an informed decision on the application or appeal.

§ 190-67. General requirements.

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- [] [] [] [] A. For purposes of completeness review only, three copies of the appropriate application form(s). Thereafter, if the application is determined to be complete, the applicant shall submit 20 copies (if submitting to the Planning Board) or 12 copies (if submitting to the Zoning Board of Adjustment) of the appropriate application form(s), completed and signed. If any item is not applicable to the applicant, it shall be indicated on the application form(s) by the words "not applicable" or "none."

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- [] [] [] [] B. Written description of the application, including a description of the proposed use and improvements.
- [] [] [] [] C. Statements as to any requirements from which a waiver or variance is sought, together with a statement of reasons why same should be granted.
- [] [] [] [] D. Receipt indicating that applicable fees and initial escrow deposits are paid.
- [] [] [] [] E. Certificate from the Tax Collector indicating that all taxes and assessments for the subject property are paid up to and including the most recent collection period.
- [] [] [] [] F. Certificate from both the Board of Adjustment and the Planning Board indicating the nature and date of prior actions, if any, by the respective Boards affecting the subject property.
- [] [] [] [] G. Affidavit of ownership. If applicant is not the owner, applicant's interest in land must be indicated; e.g., tenant, contract/purchaser, lien holder, etc., and permission of property owner to file the application must be submitted.
- [] [] [] [] H. If the applicant is a corporation or partnership applying to the Board or the Council for permission to subdivide a parcel of land into six or more lots or applying for a variance to construct a multiple dwelling of 25 or more family units or for approval of a site to be used for commercial purposes, list the names and addresses of all stockholders or individual partners owning at least 10% of its stock of any class as required by § 190-64.
- [] [] [] [] I. For purposes of completeness review only, three copies of the required plot plan, site plan or subdivision plan, and one digital copy of the required plot plan, site plan or subdivision plan. Thereafter, if the application is determined to be complete, the applicant shall submit 20 copies (if submitting to the Planning Board) or 12 copies (if submitting to the Zoning Board of Adjustment) of any required plot plan, site plan or subdivision plan, signed and sealed by the professional who prepared the plot plan, site plan or subdivision plan. Any plan submitted as part of an application to a Village agency shall be prepared by an individual pursuant to the regulations in N.J.A.C. 13:27, 13:40 and 13:41, as amended, provided that the owner of a single-family detached or two-family dwelling may sign the plans for an application if he has prepared them. All such plans shall contain the following information:
- [] [] [] [] (1) Title block containing the type of application; name and address of applicant and owner; name, address, signature, license number and seal of plan preparer; existing lot and block numbers; municipality and county, date prepared and date(s) of all plan amendments.
- [] [] [] [] (2) Signature block for signatures of Chairman and Secretary of the Board.
- [] [] [] [] (3) The name of all adjoining property owners as disclosed by current Village tax records.
- [] [] [] [] (4) A key map showing the location of the tract to be considered in relation to the surrounding area within at least 500 feet of the subject property.

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(5) Scale of map, both written and graphic. The scale shall consist of no more than 50 feet to the inch.

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(6) North arrow.

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(7) Zoning district in which parcel is located, and the zone district of adjacent property, with a table indicating tract area, lot area(s), lot width(s), all yard setbacks, coverage by above-grade structures and coverage by improvements, building height, floor area ratio, density and number of parking spaces, both as to required, existing and proposed, for the subject property. If the application involves a conditional use, compliance with the applicable conditional use standards shall be indicated on the plan.

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(8) Existing and proposed boundaries of the site(s) in question, with bearings and dimensions of the same. The number of each existing tax lot in accordance with the Tax Map shall be shown.

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(9) Municipal boundary line(s), if any, crossing or adjacent to the subject property.

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(10) Location and width of existing easements or rights-of-way on or abutting the subject property, including but not limited to streets, utility and drainage easements, sight easements and access easements.

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(11) Location of existing and proposed buildings, with setbacks from property lines dimensioned on the plan.

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(12) Location of existing and proposed paved areas, including parking and loading areas, driveways, sidewalks, etc., showing the design of such areas.

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(13) Location of natural features, including woodlands, streams and other water bodies, wetlands, flood hazard areas and rock outcrops on the property, and also on adjacent properties if the same affect the proposed development.

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(14) Location of any required dedication or reservation for streets or any area shown on the Official Map or Master Plan.

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(15) Soil erosion and sedimentation control plan, if required pursuant to P.L. 1975, c. 251.

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(16) Construction details and specifications sufficient to illustrate the nature of site improvements, including but not limited to the following, when appropriate: paving, curbing, walls, fences, utility and storm drainage structures, soil erosion control structures, tree protection devices, light fixtures and standards, signs, planting and staking details and barrier-free access design.

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J. A statement of any and all approvals which are required from other governmental entities.

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K. For minor subdivisions, preliminary major site plans and preliminary major subdivisions, one of the following:

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- (1) A letter of interpretation from the New Jersey Department of Environmental Protection and Energy (NJDEPE) indicating the absence of freshwater wetlands, or indicating the presence and verifying the boundaries of freshwater wetlands, and classifying the same by resource value;
 - (2) A letter of exemption from the NJDEPE certifying that the proposed activity is exempt from the Freshwater Wetlands Protection Act, and regulations promulgated thereunder;
 - (3) A copy of any application made to the NJDEPE for any permit concerning a proposed regulated activity in or around freshwater wetlands; or
 - (4) Documentation demonstrating that no wetlands exist on the subject property and demonstrating that no wetlands exist on adjacent property that would affect or limit development on the property which is the subject of the development application.
- L. A copy of any protective covenants or deed restrictions, if any, affecting the property in question; provided that if none exist, an affidavit from the owner certifying that no such covenants or restrictions exist shall be submitted.
- M. If the development is classified as a major development as defined by § 190-83C, three copies of a stormwater management plan including the following and sufficient to demonstrate that the project meets the standards for major development in § 190-83D:
- (1) Topographic base map. The reviewing engineer may require upstream tributary drainage system information as necessary. The topographic base map should extend a minimum of 200 feet beyond the limits of the proposed development, at a scale of one inch equals 200 feet or greater, showing two-foot contour intervals. The map shall indicate, as appropriate, the following: existing surface water drainage, shorelines, steep slopes, soils, erodible soils, perennial or intermittent streams that drain into or upstream of Category One waters, wetlands and floodplains along with their appropriate buffer strips, marshlands and other wetlands, pervious or vegetative surfaces, existing man-made structures, roads, bearing and distances of property lines, and significant natural and man-made features not otherwise shown.
 - (2) Environmental site analysis. A written and graphic description of the natural and man-made features of the site and its environs. This description should include a discussion of soil conditions, slopes, wetlands, waterways and vegetation on the site. Particular attention should be given to unique, unusual, or environmentally sensitive features and to those that provide particular opportunities or constraints for development.
 - (3) Project description and site plan(s). A map (or maps) at the scale of the topographical base map indicating the location of existing and proposed buildings, roads, parking areas, utilities, structural facilities for stormwater management and sediment control, and other permanent structures. The map(s) shall also clearly show areas where alterations occur in the natural terrain and cover, including lawns and other landscaping, and seasonal high groundwater

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elevations. A written description of the site plan and justification of proposed changes in natural conditions may also be provided.

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(4) Land use planning and source control plan. This plan shall provide a demonstration of how the goals and standards of § 190-83D(1) through (7) are being met. The focus of this plan shall be to describe how the site is being developed to meet the objective of controlling groundwater recharge, stormwater quality and stormwater quantity problems at the source by land management and source controls whenever possible.

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(5) Stormwater management facilities map. The following information, illustrated on a map of the same scale as the topographic base map, shall be included:

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(a) Total area to be paved or built upon, proposed surface contours, land area to be occupied by the stormwater management facilities and the type of vegetation thereon, and details of the proposed plan to control and dispose of stormwater.

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(b) Details of all stormwater management facility designs, during and after construction, including discharge provisions, discharge capacity for each outlet at different levels of detention and emergency spillway provisions with maximum discharge capacity of each spillway.

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(6) Calculations. Comprehensive hydrologic and hydraulic design calculations for the predevelopment and postdevelopment conditions for the design storms specified in § 190-83D(4), (5) and (6).

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(7) When the proposed stormwater management control measures (e.g., infiltration basins) depend on the hydrologic properties of soils, then a soils report shall be submitted. The soils report shall be based on on-site boring logs or soil pit profiles. The number and location of required soil borings or soil pits shall be determined based on what is needed to determine the suitability and distribution of soils present at the location of the control measure, or no less than one soil boring per 500 square feet of infiltration basin area to a depth 10 feet below the ambient groundwater elevation or 50 feet below surface elevation, whichever is less. Notwithstanding the foregoing, the Village Engineer may waive the requirement for borings if in his/her opinion the same are unnecessary to determine the hydrologic properties of the soil(s).

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(8) Maintenance and repair plan. The plan shall be sufficient to demonstrate that the design and planning of the stormwater management facility shall meet the maintenance requirements of § 190-83D(8).

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N. If the development is classified as a minor development as defined by § 190-83C and involves a new building, an addition to an existing building, pool or any site improvement resulting in an increase of at least 200 square feet of impervious surface, three copies of a stormwater management application and plan including the following and sufficient to demonstrate that the project meets the standards for minor development in § 190-83E:

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- [] [] [] [] (1) A current survey of the site indicating existing conditions.
- [] [] [] [] (2) All existing and proposed impervious cover areas.
- [] [] [] [] (3) All methods of capturing and directing stormwater runoff into seepage tanks.
- [] [] [] [] (4) All inlet and pipe sizes.
- [] [] [] [] (5) Manufacturer's drawings and installation details of all proposed products.
- [] [] [] [] (6) Existing and proposed contours and/or spot elevations sufficient to allow calculation of soil movement and accurately depict drainage patterns.
- [] [] [] [] (7) Limits of disturbance for all proposed work.
- [] [] [] [] (8) All trees with a trunk diameter of at least six inches at breast height to be removed and to remain.
- [] [] [] [] (9) Elevations at property corners and key points of proposed buildings, additions, paved areas, property corners, gutters, swales, top and bottom of walls and curbs, and at all significant grade changes.
- [] [] [] [] (10) Existing and proposed basement, first floor and garage slab elevations, where applicable. All elevations shall be in the National Geodetic Vertical Datum of 1929. Benchmarks are available at the Village of Ridgewood, Engineering Division.
- [] [] [] [] (11) All existing streams, brooks, or other natural or man-made drainage facilities, and including utilities when pertinent to any proposed use or construction.
- [] [] [] [] (12) Proposed landscaping, showing the treatment of nonimpervious areas.
- [] [] [] [] (13) A soil erosion/sediment control plan, including but not limited to silt fence and/or salt hay barrier(s). A fifty-foot long by ten-foot wide clean crushed stone access drive is required for all sites also obtaining a soil moving permit. Bergen County Soil Conservation District certification shall be required for any project that will disturb an area greater than 5,000 square feet.
- [] [] [] [] (14) Information sufficient to demonstrate compliance with the requirements for seepage tank/retention system design in § 190-83E(2).
- [] [] [] [] (15) Where applicable, the boundary of the one-hundred-year floodplain and flood hazard area and the base flood elevation, as determined by the latest accepted Federal Emergency Management Agency's Flood Insurance Rate Map (information available from the Engineering Division).
- [] [] [] [] (16) Limits of wetlands and associated transition areas.

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