

CHAPTER XX
LAND USE PROCEDURES

Article I
Planning Board

20-1 Establishment; Composition.

There is hereby established pursuant to N.J.S.A. 40:55D-1 et seq. a planning board of nine members consisting of the following four classes:

- a. Class I: the mayor or the mayor's designee in the absence of the mayor.
- b. Class II: one of the officials of the municipality other than a member of the governing body, to be appointed by the mayor.
- c. Class III: a member of the governing body to be appointed by it.
- d. Class IV: six other citizens of the borough to be appointed by the mayor. The members of Class IV shall hold no other municipal office, except as provided in N.J.S.A. 40:55D-23, that one member may be a member of the historic preservation commission and one member may be a member of the board of education. If there be a municipal environmental commission, the member of the environmental commission who is also a member of the planning board, as required by N.J.S.A. 40:56A-1, shall be a Class IV planning board member unless there be among Class IV or alternate members of the planning board both a member of the historic preservation commission and a member of the board of education, in which case the member common to the planning board and municipal environmental commission shall be deemed a Class II member of the planning board. For the purpose of this section, membership on a municipal board or commission whose function is advisory in nature, and the establishment of which is discretionary and not required by statute, shall not be considered the holding of municipal office.

(Ord. #499-00)

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20-2 **Alternate Members.**

a. There is hereby established pursuant to N.J.S.A. 40:55D-23.1 two alternate members of the planning board, who shall be residents. Alternate members shall be appointed by the mayor, and shall meet qualifications of Class IV members. Alternate members shall be designated at the time of appointment by the mayor as "Alternate No. 1" and "Alternate No. 2." The terms of the alternate members shall be for two years, except that the terms of the alternate members shall be such that the term of not more than one alternate member shall expire in any one year; provided, however, that in no instance shall the terms of the alternate members first appointed exceed two years. A vacancy occurring otherwise than by expiration of term shall be filled by the mayor for the unexpired term only.

b. 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.

(Ord. #499-00)

20-3 **Terms.**

The term of the member composing Class I shall correspond with the mayor's official tenure, or, if the member is the mayor's designee in the absence of the mayor, the designee shall serve at the pleasure of the mayor during the mayor's official tenure. The terms of the members composing Class II and Class III shall be for one year or terminate at the completion of their respective terms of office, whichever occurs first, except for a Class II member who is also a member of the environmental commission. The term of a Class II or a Class IV member who is also a member of the environmental commission shall be for three years or terminate at the completion of his term of office as a member of the environmental commission, whichever comes first. The term of a Class IV member who is also a member of the board of education shall terminate whenever he is no longer a member of such other body or at the completion of his Class IV term, whichever occurs first. The terms of all Class IV members first appointed shall be so determined that to the greatest practicable extent the expiration of such terms shall be evenly distributed over the first four years after their appointment; provided, however, that no

term of any member shall exceed four years. Thereafter all Class IV members shall be appointed for terms of four years except as otherwise herein provided. All terms shall run from January 1 of the year in which the appointment was made. (Ord. #499-00)

20-4 Vacancies.

If a vacancy of any class shall occur otherwise than by expiration of term, it shall be filled by appointment, as above provided, for the unexpired term. (Ord. #499-00)

20-5 Organization.

The planning board shall elect a chairman and vice chairman from the members of Class IV and select a secretary, who may or may not be a member of the planning board or a municipal employee. (Ord. #499-00)

20-6 Attorney.

There is hereby created the office of planning board attorney. The planning board may annually appoint and establish the compensation of or agree upon the rate of compensation of the planning board attorney, who shall be an attorney other than the municipal attorney. (Ord. #499-00)

20-7 Experts And Staff.

The planning board may also employ or contract for the services of experts and other staff and services as it may deem necessary. The board shall not, however, exceed, exclusive of gifts or grants, the amount appropriated by the governing body for its use. (Ord. #499-00)

20-8 Powers And Duties Generally.

The planning board is authorized to adopt bylaws governing its procedural operation. It shall also have the following powers and duties:

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- a. To make, adopt and from time to time amend a master plan for the physical development of the borough, including any areas outside its boundaries which in the board's judgment bear essential relation to the planning of the borough, in accordance with the provisions of N.J.S.A. 40:55D-28.
- b. To administer the provisions of the land subdivision ordinance and site plan review ordinance of the borough in accordance with the provisions of said ordinances and the Municipal Land Use Law, N.J.S.A. 40:55D-1 et seq.
- c. To exercise, to the same extent and subject to the same restrictions, all powers of a board of adjustment in accordance with the provisions of the Municipal Land Use Law, N.J.S.A. 40:55D-1 et seq., but the Class I and Class III members shall not participate in the consideration of applications for development which involve relief pursuant to N.J.S.A. 40:55D-70(d) 5.
- d. To participate in the preparation and review of programs or plans required by state or federal law or regulations.
- e. To assemble data on a continuing basis as part of a continuous planning process.
- f. To annually prepare a program of municipal capital improvement projects projected over a term of six years, and amendments thereto, and recommend same to the governing body.
- g. To consider and make report to the governing body within 35 days after referral as to any proposed development regulations submitted to it pursuant to the provisions of N.J.S.A. 40:55D-26a, and also pass upon other matters specifically referred to the planning board by the governing body, pursuant to the provisions of N.J.S.A. 40:55D-26b.
- h. To perform such other advisory duties as are assigned to it by ordinance or resolution of the governing body for the aid and assistance of the governing body or other agencies or officers.
(Ord. #499-00)

20-9 Time Limits For Decisions.

The planning board shall grant or deny development approvals within the time periods established in the Municipal Land Use Law, N.J.S.A. 40:55D-1 et seq.
(Ord. #499-00)

20-10 Procedure For Filing Applications.

Development applications shall be filed with the secretary of the planning board. The applicant shall file, at least 14 days before the date of the meeting of the board 15 copies of development applications, maps and other required documents. At the time of filing the application, but in no event less than ten days prior to the date set for hearing, the applicant shall also file all plot plans, maps and other documents required by virtue of any provisions of this chapter or any rule of the planning board. The secretary of the board shall inform the applicant of the steps to be taken to initiate applications and of the regular meeting dates of the board. (Ord. #499-00)

20-11 Citizens' Advisory Committee.

The mayor may appoint one or more persons as a citizens' advisory committee to assist or collaborate with the planning board in its duties, but such person or persons shall have no power to vote or take other action required of the board. Such person or persons shall serve at the pleasure of the mayor. (Ord. #499-00)

20-12 Environmental Commission.

Whenever the environmental commission has prepared and submitted to the planning board an index of the natural resources of the municipality, the planning board shall make available to the environmental commission an informational copy of every application for development to the planning board. Failure of the planning board to make such informational copy available to the environmental commission shall not invalidate any hearing or proceeding. (Ord. #499-00)

20-13 Rules And Regulations.

The planning board shall adopt such rules and regulations as may be necessary to carry into effect the provisions and purposes of this chapter. In the issuance of subpoenas, administration of oaths and taking of testimony, the provisions of the County and Municipal Investigations Law, N.J.S.A. 2A:67A-1 et seq., shall apply. (Ord. #499-00)

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20-14 Voting.

All actions of the planning board shall be taken in accordance with the voting requirements as established in N.J.S.A. 40:55D-9a. When any hearing before the planning board shall carry over two or more meetings, a member of the board who was absent for one or more of the meetings shall be eligible to vote on the matter upon which the hearing was conducted, notwithstanding his absence from one or more of the meetings; provided, however, that such board member has available to him a transcript or recording of the meeting from which he was absent and certifies, in writing, to the board that he has read such transcript or listened to such recording. (Ord. #499-00)

**Article II
Zoning Board of Adjustment**

20-15 Dissolution Of The Zoning Board Of Adjustment.

a. The zoning board of adjustment is dissolved in accordance with the provisions of the Municipal Land Use Law, N.J.S.A. 40:55D-1 et seq., and the planning board shall exercise to the same extent and subject to the same restrictions all of the powers formerly exercised by the zoning board of adjustment.

b. All references to the "zoning board," "board of adjustment" or "zoning board of adjustment" in any municipal ordinance are amended to refer to the "planning board" except where such reference is clearly inapplicable.
(Ord. #499-00)

**Article III
Provisions Applicable to the Planning Board**

20-16 Conflicts Of Interest.

No member of the planning board shall act on any matter in which he has, either directly or indirectly, any personal or financial interest. Whenever any such member shall disqualify himself from acting on a particular matter, he shall not continue to sit with the board on the hearing of such matter nor participate in any discussion or decision relating thereto. (Ord. #499-00)

20-17 Meetings.

a. Meetings of the planning board shall be scheduled no less often than once a month, and any meeting so scheduled shall be held as scheduled unless canceled for lack of applications for development to process.

b. Special meetings may be provided for at the call of the chairman or on the request of any two board members, which meetings shall be held on notice to the board's members and the public in accordance with all applicable legal requirements.

c. No actions shall be taken at any meeting without a quorum being present.

d. All actions shall be taken by majority vote of a quorum except as otherwise required by any provisions of the Municipal Land Use Law, N.J.S.A. 40:55D-1 et seq.

e. All regular meetings and all special meetings shall be open to the public. Notice of all such meetings shall be given in accordance with the requirements of the Open Public Meetings Law, N.J.S.A. 10:4-6 et seq.
(Ord. #499-00)

20-18 Minutes.

Minutes of every regular or special meeting shall be kept and shall include the names of the persons appearing and addressing the board and of the persons appearing by attorney, the action taken by the board, the findings, if any, made by it and reasons therefor. The minutes shall thereafter be made available for public inspection during normal business hours at the office of the municipal clerk. Any interested party shall have the right to compel production of the minutes for use as evidence in any legal proceeding concerning the subject matter of such minutes. Such interested party may be charged a fee for reproduction of the minutes for his use as provided for in the rules of the board. (Ord. #499-00)

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20-19 Fees.

- a. Application for Development Permit: \$20.00
twenty dollars
- b. Minor Subdivision Approval:
 - 1. Each informal review: \$25.00
twenty-five dollars
 - 2. Application fee: each preliminary \$50.00
submission: fifty dollars
 - 3. Plat review fee: \$350.00
three hundred fifty dollars per lot (per lot)
- c. Major Subdivision Approval:
 - 1. Each informal review: \$25.00
twenty-five dollars
 - 2. Preliminary application fee: \$50.00
fifty dollars
 - 3. Preliminary plat review fee: \$100.00
one hundred dollars per lot (per lot)
 - 4. Final plat application fee: \$25.00
twenty-five dollars
 - 5. Final plat review fee: \$50.00
fifty dollars per lot (per lot)
- d. Minor Site Plan Approval:
 - 1. Each informal review: \$25.00
twenty-five dollars
 - 2. Application fee: \$50.00
fifty dollars
 - 3. Approval review fee: \$200.00
two hundred dollars per lot (per lot)

e. Major Site Plan Approval:

- 1. Each informal review: \$75.00
seventy-five dollars
- 2. Preliminary application fee: \$150.00
one hundred fifty dollars
- 3. Preliminary approval review fees:

The sum of the applicable fees below:

(a) Residential (including community residence, but not including sheltered care, nursing homes, or other medical/institutional uses) the sum of:

- (1) For each new dwelling unit: twenty-five dollars \$25.00
- (2) For each remodeled, reconstructed, refurbished or rehabilitated dwelling unit: twenty-five dollars \$25.00
- (3) For each new or additional parking space:
 - (i) First 25 spaces: \$15.00
fifteen dollars (per space)
 - (ii) Over 25 spaces: \$10.00
ten dollars (per space)
- (4) For each reconstructed, surfaced or improved existing paved parking space: ten dollars per space \$10.00 (per space)

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- (b) Other Uses:
The sum of \$100.00 plus:
- (1) For each full 1,000 square feet of affected lot area:
 - (i) First 10,000 square feet: ten dollars (\$10.00) per 1,000 square feet
 - (ii) Over 10,000 square feet: five dollars (\$5.00) per 1,000 square feet
 - (2) For each full 1,000 square feet of proposed new gross floor area:
 - (i) First 10,000 square feet: fifty dollars (\$50.00) per 1,000 square feet
 - (ii) Over 10,000 square feet: twenty dollars (\$20.00) per 1,000 square feet
 - (3) For each proposed new or additional parking space:
 - (i) First 25 spaces: fifteen dollars (\$15.00) per space
 - (ii) Over 25 spaces: ten dollars (\$10.00) per space
 - (4) For each full 1,000 square feet of remodeled existing gross floor area: ten dollars (\$10.00)

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- (5) For each reconstructed, resurfaced or improved existing paved parking space: ten dollars (\$10.00)
- (6) For each proposed freestanding sign: one hundred dollars (\$100.00)
- 4. Final application fee: \$75.00
seventy-five dollars
- 5. Final approval - fifty percent (50%) of the fees for preliminary approval enumerated above.
- f. Variances.
 - 1. Appeals
 - (a) Single and/or two-family residential uses: fifty dollars \$50.00
 - (b) Other: one hundred dollars \$100.00
 - 2. Interpretation of the Land Use and Development Zoning Regulations or Map: fifty dollars \$50.00
 - 3. Hardship or bulk variance
 - (a) Single and/or two-family residential uses: fifty dollars per variance \$50.00
 - (b) Other: fifty dollars per variance \$50.00

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- 4. Use Variance
 - (a) Proposed single and/or two-family residential uses: fifty dollars \$50.00
 - (b) Other than subsection 4, (a) above uses with floor areas totaling 5,000 square feet or less: three hundred dollars \$300.00
 - (c) Uses other than subsection 4, (a) above with floor areas totaling 5,000 square feet or more: five hundred dollars \$500.00
- 5. Building permit in conflict with official map or building permit for lot not related to a street: one hundred dollars \$100.00
- g. Conditional Uses: two hundred fifty dollars plus site plan, variance and other fees listed above. \$250.00
- h. Public Hearing: For those development applications which require a public notice or hearing pursuant to 16-3.3D: one hundred dollars \$100.00
- i. Reproduction of Records:
 - 1. Duplication of tape recordings: seventy-five dollars per meeting \$75.00
 - 2. Use of tape recordings for transcript purposes, applicant to supply stenographer to make transcript: seventy-five dollars per meeting \$75.00

- j. Change of Master Plan or Zone District Request Application:
 - 1. Single-family residential to other single-family residential: one hundred dollars \$100.00
 - 2. Single-family residential to multi-family, commercial, industrial, office research or other non-single-family zone: one hundred dollars (\$100.00) plus twenty-five dollars (\$25.00) per acre for each acre over five acres
- k. Environmental Impact Report (EIR): For those development applications which require review of an EIR pursuant to 16-8.13: two hundred fifty dollars \$250.00
- l. Professional Review Costs:
 - 1. In addition to the application fees set forth above, the planning board may charge the applicant an amount equal to the fee(s) which the board pays to an attorney, professional engineer or planner to review the development application. If the board determines that it is necessary to retain the services of a professional engineer or planner to review the development application, the applicant shall be required to pay an initial deposit and such other additional deposits as may be required to offset these special review costs incurred by the board. The applicant shall, at the time of filing an application, be required to post the following minimum amounts:
 - (a) Minor subdivisions application involving no variances or exceptions, including any application for a waiver of site plan approval: one thousand five hundred dollars \$1,500.00

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- (b) For all other applications not \$3,000.00 listed in subsection 11.,(a):
three thousand dollars
2. In the event any development application requires more than two hearings, or should an applicant request and be granted a special meeting date, the planning board shall charge the applicant a special meeting fee of five hundred dollars (\$500.00) plus an amount equal to the fee(s) which the board pays to its attorney, secretary and other professional advisors who attend the special meeting. The cost of these services shall be charged against the initial deposit and such other additional deposits posted by the applicant.
 3. These funds shall be placed in a separate account, without interest accruing to the developer, by the borough treasurer at the discretion of the planning board clerk, and an accounting shall be kept of each applicant's deposit. All professional charges shall be paid from the account and charged to the applicant. Any moneys not expended for professional services shall be returned to the applicant upon final approval, denial or withdrawal of the application. If, any time during the procedure, the moneys posted shall have been expended, the applicant shall be required to post such additional sums not to exceed three thousand (\$3,000.00) dollars for major site plans and one thousand five hundred (\$1,500.00) dollars for minor site plans as may be required by the planning board.
 4. The applicant shall not be entitled to proceed with the application until such time as necessary moneys have been posted to guarantee payment of professional service fees.

5. At the time of the filing of the development application, the planning board shall have the applicant sign an agreement consenting to pay both the application fee and the special review costs incurred by the board. The agreement shall specifically state that in the event the fees imposed by the planning board are not paid, any development approvals granted by the planning board shall be considered null and void. In the event that additional deposits requested by the planning board remain unpaid for a period of 60 days, the development application shall be deemed to be withdrawn and shall be dismissed without prejudice.
 - m. **Inspection Fees for Major Site Plans and Subdivisions:** The initial inspection fee deposit for all on-site and off-site improvements for subdivisions and site plans shall be 6 1/2% of the estimated cost of construction.
 - n. **Reproduction and Tax Map Revisions Fees:** The applicant shall provide for a reproducible Mylar copy of the filed plat map or maps. A fee of one hundred fifty (\$150.00) dollars or twenty-five (\$25.00) dollars per lot, whichever is greater shall be charged for minor subdivisions and final plats or major subdivisions to cover the costs of the borough surveyor for revisions of the borough tax maps.
 - o. **Revised Plats:** Any proposed revisions to a plat including all supporting maps and documents, previously approved by the planning board or board of adjustment, which approval is still in effect, shall require submission of a revised plat and payment of fees in accordance with the following:
 1. Where changes in the plat are required by the planning board or borough engineer, no fees need to be paid and only sufficient copies of the plat incorporating the changes as may be necessary for distribution need be submitted.

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2. Where there are only minor changes in the plat proposed by the applicant or required by another governmental agency, where approval was a condition of the planning board or board of adjustment approval, which do not involve any additional building or parking or significant change in the design of the site or subdivision, an application fee of twenty-five (\$25.00) dollars will be required along with sufficient copies of the plat incorporating the changes as may be necessary for distribution.
 3. Where there are changes in the plat proposed by the applicant or required by another governmental agency whose approval was a condition of the planning board or board of adjustment approval, which involve additional building or parking or significant change in the design of the site or subdivision, an application fee equal to one-half the fee required for the initial submission will be required along with sufficient copies of the plat incorporating the changes as may be necessary for distribution.
 4. Where the proposed changes involve a change in uses and/or major alteration of the design concepts of the plat approved by the planning board it shall be considered a new application and shall require the full payment of fees as set forth in this section for new applications for development.
 5. Where revisions in the plat only involve additional information required as a condition of a previous approval, no additional fees shall be required.
- p. Requests for Re-Approval or Extensions of Time:
1. Minor subdivisions and site plans: \$25.00
twenty-five dollars
 2. Major subdivisions and site plans: \$50.00
fifty dollars
 3. Other applications for development: \$25.00
twenty-five dollars

- q. Certificate As to Approval of Subdivision of Land: fifty dollars \$50.00
- r. Certificate As to Nonconforming Use: fifty dollars \$50.00
- s. The planning board shall have the authority to waive fees or special review charges of any development applications made by bona fide charitable, eleemosynary, educational, cultural or other organizations or associations which are operated on a non-profit basis. The production of a certified copy of a certificate of incorporation, issued pursuant to Title 15 of the Revised Statutes of New Jersey, shall be presumptive evidence that the applicant is a non-profit entity.
(Ord. #499-00)

20-20 Hearings.

a. *Rules.* The planning board may make rules governing the conduct of hearings before such body, which rules shall not be inconsistent with the provisions of the Municipal Land Use Law, N.J.S.A. 40:55D-1 et seq., or the provisions of this chapter.

b. *Oaths.* The officer presiding at the hearing or such person as he may designate shall have power to administer oaths and issue subpoenas to compel the attendance of witnesses and the production of relevant evidence, including witnesses and documents presented by the parties, and the provisions of the County and Municipal Investigations Law, N.J.S.A. 2A:67A-1 et seq., shall apply.

c. *Testimony.* The testimony of all witnesses relating to an application for development shall be taken under oath or affirmation by the presiding officer, and the right of cross-examination shall be permitted to all interested parties through their attorneys, if represented, or directly, if not represented, subject to the discretion of the presiding officer and to reasonable limitations as to time and number of witnesses.

d. *Evidence.* Technical rules of evidence shall not be applicable to the hearing, but the board may exclude irrelevant, immaterial or unduly repetitious evidence.

e. *Records.* The board shall provide for the verbatim recording of the proceedings by either stenographer or mechanical or electronic

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means. The board shall furnish a transcript or duplicate recording in lieu thereof on request to any interested party at his expense.
(Ord. #499-00)

20-21 Notice Requirements For Hearing.

N.J.S.A. 40:55D. Whenever a hearing is required on an application for development pursuant to N.J.S.A. 40:55D-1 et seq., the applicant shall give notice thereof in accordance with the provisions of N.J.S.A. 40:55D-12. (Ord. #499-00)

20-22 List of Property Owners Furnished.

a. Pursuant to the provisions of N.J.S.A. 40:55D-12, the municipal tax assessor shall, within seven days after receipt of a request therefor and upon payment of a fee of twenty-five (\$0.25) cents per name, or ten (\$10.00) dollars, whichever is greater, make and certify a list from the current tax duplicate of the names and addresses of owners to whom an applicant is required to give notice pursuant to this chapter.

b. The applicant shall be entitled to rely on the validity of this list for a period of 120 days. Thereafter, the applicant shall be responsible to determine if any changes in ownership have occurred which affect the validity of the list of property owners furnished by the municipal tax assessor.
(Ord. #499-00)

20-23 Decisions.

a. Each decision on any application for development shall be set forth in writing as a resolution of the board, which resolution shall include findings of fact and legal conclusions based thereon.

b. A copy of the decision shall be mailed by the board within ten days of the date of decision to the applicant or, if represented, to his attorney, without separate charge.

c. A copy of the decision shall also be mailed to all persons who have requested it and who have paid the fee prescribed by the board for such service. A copy of the decision shall also be filed in the office of the municipal clerk, who shall make a copy of such filed decision available to any interested party upon payment of a fee calculated in

the same manner as those established for copies of other public documents in the municipality.
(Ord. #499-00)

20-24 Publication of Decision.

A brief notice of every final decision shall be published in the official newspaper of the municipality. The publication shall be arranged by the secretary of the planning board, without separate charge to the applicant. The notice shall be sent to the official newspaper for publication within ten days of the date of any such decision. (Ord. #499-00)

20-25 Payment of Taxes.

Pursuant to the provisions of N.J.S.A. 40:55D-39 and N.J.S.A. 40:55D-65, every application for development submitted to the planning board shall be accompanied by proof that no taxes or assessments for local improvements are due or delinquent on the property which is the subject of such application; or, if it is shown that taxes or assessments are delinquent on said property, any approvals or other relief granted by the board shall be conditioned upon either the assessments are delinquent on said property, any approvals or other relief granted by the board shall be conditioned upon either the prompt payment of such taxes or assessments or the making of adequate provision for the payment thereof in such manner that the municipality will be adequately protected. (Ord. #499-00)

20-26 Expiration of Variance.

Any variance granted by the planning board pursuant to N.J.S.A. 40:55D-70d shall expire by limitation, unless such construction, alteration or use shall have been actually commenced on each and every structure permitted by said variance or unless such use has actually been commenced within nine months from the date of entry of the judgment or determination of the planning board; except, however, that the running of the period of limitation herein provided shall be tolled from the date of filing an appeal from the decision of the planning board to the governing body or to a court of competent jurisdiction until the termination in any manner of such appeal or proceeding. Any construction commenced within the nine month

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period provided for in this section shall be completed within 18 months of the date of entry of the judgment of the planning board; except, however, that the running of the period of limitation shall be tolled from the date of the filing of the appeal from the decision of the planning board to the governing body or to a court of competent jurisdiction until the termination in any manner of such appeal or proceeding.

The planning board shall have the authority to extend the above provisions for one additional nine month period upon a developer making application for such extension and paying an extension fee equal to fees established under this chapter. (Ord. #499-00)

**Article IV
Appeals**

20-27 All Other Decisions Of Planning Board.

All other decisions of the planning board shall be deemed final and shall not be appealable to the borough council. (Ord. #499-00)

**Article V
Miscellaneous Provisions**

20-28 Definitions.

Whenever a term is used in this chapter which is defined in N.J.S.A. 40:55D-1 et seq., such term is intended to have the meaning set forth in the definition of such term found in said statute, unless a contrary intention is clearly expressed from the context of this chapter. (Ord. #499-00)

20-29 Repealer.

All sections of the land subdivision ordinance, zoning ordinances, site plan review ordinance or any other ordinance of the municipality which contain provisions contrary to the provisions of this chapter shall be and are hereby repealed but only to the extent of such inconsistency. (Ord. #499-00)

