

**Zoning Board of Adjustment
Borough of New Milford**

Meeting Date _____ Deadline Date _____ Application # _____

THE FOLLOWING INSTRUCTIONS ARE FOR AN APPLICATION FOR A VARIANCE OR SPECIAL EXCEPTION BEFORE THE NEW MILFORD ZONING BOARD OF ADJUSTMENT.

I. OBTAIN FORMS FROM THE BUILDING DEPARTMENT

When you are denied a building permit because of non-compliance with the Zoning Ordinance, obtain the following forms from the Building Department:

- A letter of Denial from the Zoning Officer
- A Zoning Appeal Application (\$350.00)
- A Block Diagram and List of Property Owners within a 200' radius of the property (\$25.00)

II. HOW THE FORMS ARE PROCESSED

A. Building Permit Letter of Denial

Keep original for your records. Return two copies to the Building Department with your completed application.

B. Notice of Appeal (Page 4)

Complete form in its entirety. Owner and/or agent must sign the form.
Return the original and 17 copies to the Building Department

C. Notice of Hearing to Property Owners (Page 5)

1. Upon request of the applicant and receipt of the \$25.00 fee, the Zoning Officer or representative shall within 7 days, make and certify a list of property owners within a 200' radius of property under appeal.
2. Complete the Notice of Hearing to Property owners in its entirety.
3. One copy of the notice must be served upon any owner/agent, of real property, with 200' of the property under appeal. Owners must be served personally or by certified, return receipt mail at the address shown on the certified list of property owners. This service must be completed 10 days prior to the hearing date.
4. If the subject property is within a 200' radius of another municipality, the property owners that fall within the 200' radius must be notified. This list of owners must be obtained from the adjoining municipality. The Borough Clerk of the adjoining municipality must be notified as well.
5. If the subject property is within 200' of a county road, the applicant must notify the County Planning Board at One Bergen County Plaza, 4th floor, Hackensack, NJ 07601.
6. Completed original and 2 copies of the Notice of Hearing to Property Owners must be returned, with the completed application to the Building Department.

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D. Affidavit of Proof of Service (Page 6)

1. This form must be signed and notarized by a Notary Public after you have served the property owners within 200' of the property under appeal. Applicant must show proof of service to the notary, in the form of signatures of the property owners and/or stamped certified return receipts from the Post Office.
2. Notarized form and one copy must be returned with the list of property owners with signatures and/or the postal receipts.

E. Legal Notice – Newspaper Advertisement (Page 7)

- 1 Complete the form in its entirety.
2. Notice must be published in the Record newspaper at least 10 days prior to the hearing date. Allow 3 days lead time for the newspaper to publish this notice.
3. Subsequent to publication the newspaper will provide you with an affidavit of publication. Return the affidavit and one copy to the Building Department with the completed application.

Note: Do Not wait to receive the affidavit of publication to submit your application. The affidavit can be submitted at a later date, provided the ad ran ten(10) days prior to the hearing date.

F. Affidavit of Ownership (Page 8)

1. This form must be notarized by a Notary Public upon proof of ownership of the subject property.
2. Return original affidavit with the completed application.

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III. THE FOLLOWING CONSTITUTES A COMPLETED APPLICATION

The following to be dropped off 10 business days prior to the meeting:

- | | |
|--|-----------|
| 1. Letter of Denial from Zoning Officer | 17 copies |
| 2. Zoning Schedule Worksheet with Zoning Officer's Denial | 17 copies |
| 3. Completed Notice of Appeal | 17 copies |
| 4. Block Diagram and 200'list) | 17 copies |
| 5. Property Survey Existing and Proposed Construction
depicted to scale | 17 copies |
| 6. Plans of the proposed construction, in the form of detailed,
scaled drawing of existing and proposed project with exact
dimensions, or architectural plans. | 17 copies |

All of the above must be collated in individual packets (1 letter of denial, 1 zoning schedule, 1 block diagram, 1 survey, 1 set of plans FOLDED(not rolled) to make 17 sets and dropped off no later than ten(10) days prior to the meeting.

The following to be dropped off before the meeting:

1. Completed Notice of Hearing to Property Owners
2. Affidavit of Proof of Service with list of property owner's signatures and/or postal receipts for return receipt registered mail (green receipts).
3. Affidavit of Publication from the newspaper and a copy of the publication.
4. Affidavit of Ownership
5. Completed W-9 Form (Signed in Blue Ink)
6. Check for Escrow Fund (fund for attorney and engineer costs related to your application, remainder of balance to be returned 6 months after resolution is memorialized)

IV. MEETINGS

The Zoning Board of Adjustment holds its regular meeting the first Tuesday of every month at 7:00 pm with the Public Session to follow. Meetings are held at the Borough Hall, Council Chambers, 930 River Road, New Milford, NJ 07646.

**Zoning Board of Adjustment
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Application # _____
Date _____ 20__

NOTICE OF APPEAL

Property Address _____ Subject to Sale agreement (YES – NO)
Block _____ Lot _____ Zone (Residential – Business- Townhome – other _____)

Size of Lot _____ Present use (Residential – Business- Townhome- other _____)
Owned / Leased - If property is within 200' of Borough line name adjacent municipality (ies) _____

Name of Owner _____ Telephone _____

Owner's Address (if different from above) _____

Name of Applicant (if not homeowner) _____

Applicant address _____ Phone Number _____

Name of Attorney _____ Phone Number _____ Attending Meeting _____

Name of Architect _____ Phone Number _____ Attending Meeting _____

The applicant/homeowner hereby seeks relief from section (s) _____
of the New Milford Borough Ordinance. (statute numbers from denial letter)

The proposed application is contrary to the ordinance in the following way(s). Be specific attach a separate sheet if necessary. (What you are proposing and why it violates the zoning ordinance).

	Lot Area	Front	Right Side	Left Side	Corner	Rear	Height	Building Coverage
Required	7,500 sq.ft.	_____	_____	_____	_____	_____	_____	_____
Existing	_____	_____	_____	_____	_____	_____	_____	_____
Proposed	n/a	_____	_____	_____	_____	_____	_____	_____
Difference	n/a	_____	_____	_____	_____	_____	_____	_____

Driveway Width Required _____ Existing _____ Proposed _____ Curb Cut [Y/N] Size _____
Are trees being removed YES/NO How many _____ Shade Tree Commission date approved _____

Signature of Applicant _____ Date _____

Filed on behalf of Applicant by _____ Title _____

**Zoning Board of Adjustment
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Application # _____
Date: _____ 20 _____

NOTICE OF HEARING TO PROPERTY OWNERS

TO WHOM IT MAY CONCERN:

In compliance with Section 30-3.4K2 of the Land Use Ordinance of the Borough of New Milford, New Jersey, notice is hereby given to you that (I) (We) _____

propose to _____
(describe specifically what is being proposed)

and any other relief the need of which becomes apparent at the time of the hearing at

_____ Block _____ Lot _____
(property address)

Anyone affected by this application may have an opportunity to be heard at a meeting to be held on _____, 20_____, at 7:00 PM in the Municipal Building, 930 River Road New Milford, NJ. The _____, 202_ meeting of the Borough of New Milford Zoning Board of Adjustment may be a "remote" meeting, and shall be open to the public by way of electronic video interface or telephonic appearance. Access to the meeting can be accomplished through means of a link on the Borough's Website, at www.newmilfordboro.com. Please contact the Zoning Board of Adjustment Secretary at (201) 967-5044 no later than five (5) days prior to the meeting to determine whether the meeting shall be conducted in-person or by way of electronic video interface.

To participate in the meeting by telephone, please call the Zoning Board of Adjustment Secretary at (201) 967-5044, who will provide you with a conference call telephone number and access code.

All documents relating to this application are available for public inspection weekdays between the hours of 8 am and 3 pm in the zoning board office in the Municipal building.

Signature

NOTE: This notice must be personally served or sent by certified return receipt mail at least 10 days prior to the day of the hearing and proof of service given to the Secretary of the Board of Adjustment at least 2 days prior to the day of the hearing.

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Application # _____
Date: _____ 20____

AFFADAVIT OF PROOF OF SERVICE

Proof of Service of Notice, as required by Statute, must be filed and verified with the board Secretary at least two (2) days prior to the meeting or the application will not be heard.

State of New Jersey
)SS:
County of Bergen

I, We _____ of full age, being duly sworn according to law, on his/her oath deposes and says that he/she resides at _____ in the Borough of New Milford, County of Bergen and State of New Jersey and that he did on the _____ day of _____ 20____, at least ten (10) days prior to hearing date, give personal notice to all property owners within 200' of the property located at _____.

Said notice was given either by handing a copy to the property owner or by sending said notice by certified mail. Copies of the register receipts and/or a list with signatures of affected property owners attached hereto.

Signature of applicant

Sworn and subscribed to before me

This _____ day of _____, 20____.

This affidavit must be notarized and returned to the Zoning Board of Adjustment.

**Zoning Board of Adjustment
Borough of New Milford**

Application # _____
Date: _____ 20____

Legal Notice

To All Interested parties:

A Public Hearing will be held by the Board of Adjustment of the Borough of New Milford in the County of Bergen, State of New Jersey on _____ at 7:00 PM in the Borough Hall, 930 River Road on the application numbered _____.

The Application submitted by:

Name _____

Address _____

Town _____ County _____ State _____

The property involved is _____ which is located in a _____ zone.

The proposed _____ is contrary to the ordinance _____

At the time of the hearing, the applicant reserves the right to amend the application to apply for any other variances, waivers, interpretations, and/or relief the need of which becomes apparent.

The property is known on the Borough of New Milford's tax map as Block _____ Lot _____.

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