

TOWNSHIP OF LOWER, COUNTY OF CAPE MAY, STATE OF NEW JERSEY

ORDINANCE #2025-10

Title: **AN ORDINANCE AMENDING CHAPTER 400, LAND DEVELOPMENT, ARTICLE X, FEES FOR CONDITIONAL USES, GUARANTEES, BONDS, INSPECTIONS AND OFF-TRACT IMPROVEMENTS, SUBSECTION 80(A), FEES, TO UPDATE THE FEES ASSOCIATED WITH LAND DEVELOPMENT APPLICATIONS**

WHEREAS, the Township Council of the Township of Lower has received a request from the Township Planning Director to reevaluate current application and escrow fees collected in connection with land development applications process within the Township to address rising costs incurred by the Planning and Zoning Department in connection with processing Applications and paying professionals retained by the Planning and Zoning Board for services rendered in relation to the review of pending land development applications; and

WHEREAS, the Township Council of the Township of Lower has determined that it is necessary to amend § 400-80 of the Code to update the Fees associated with Land Development within the Township of Lower.

NOW, THEREFORE, BE IT ORDAINED AND by the Township Council of the Township of Lower, County of Cape May, State of New Jersey, that Chapter 400, Land Development, Article X, Fees for Conditional Uses, Guarantees, Bonds, Inspections and Off-Tract Improvements, Subsection 80(A), Fees, is hereby established as follows:

Section 1. Chapter 400, Land Development, Article X, Fees for Conditional Uses, Guarantees, Bonds, Inspections and Off-Tract Improvements, Subsection 8(A), Fees, is hereby repealed and replaced as follows

400-80(A) Fees.

A. Every application for development, site plan review or variance shall be accompanied by cash or certified check made payable to the Township of Lower in accordance with the following schedule:

(1) Subdivisions.

TYPE	APPLICATION CHARGE	ESCROW ACCOUNT
MAJOR SUBDIVISION		
Sketch Plat	\$150	Resolution Fee: \$200
Preliminary Plat	\$200 + \$200 per lot	\$80 per lot up to 10 lots \$40 each lot in excess of 10 lots Resolution Fee: \$200
Final Plat	\$950	\$50 per lot Resolution Fee: \$200
MINOR SUBDIVISION		
Minor Subdivision	\$500 + \$200 for each newly described lot	\$250 for first newly described lot \$50 for each additional lot Resolution Fee: \$200
Revised by Applicant	\$950	\$750
TAX MAP UPDATE		
Tax Map Update Fee (Fee applies to both Minor & Major subdivision) Added to application charge	\$100 per lot	None

(2) Site Plans.

TYPE	APPLICATION CHARGE	ESCROW ACCOUNT
Preliminary	\$950 + \$95 per unit	\$800 for 1 st acre \$400 for each additional acre or part thereof Resolution Fee: \$200
Final	\$1,500	\$800 for 1 st acre \$400 for each additional acre or part thereof Resolution Fee: \$200
Minor Site Plan Waiver	\$650	Engineering: Case/Case basis Resolution Fee: \$200
Revised by Applicant	\$950	\$500

(3) ESCROW FEES. All escrow fees paid with the applications are estimated only. Actual total bill is subject to invoices generated by the Township Engineer for review and/or inspection. The applicant is responsible for any reasonable professional fees connected with the review or inspection of the plan and/or site.

(4) Dune review plan.

TYPE	APPLICATION CHARGE	ESCROW ACCOUNT
Dune Review Plan	\$1,950	\$500 Resolution Fee: \$200

(5) Variances.

TYPE	APPLICATION CHARGE	ESCROW ACCOUNT
Appeals (N.J.S.A. 40:55D-70a)	\$750	Resolution Fee: \$200
Interpretation (N.J.S.A.40:55D-70b)	\$375	Resolution Fee: \$200
Hardship (N.J.S.A. 40:55D-70c)	\$300	Resolution Fee: \$200
Use (N.J.S.A. 40:55D-70d)	\$400 first unit/lot \$200 each additional unit/lot	Resolution Fee: \$200
Permit (N.J.S.A. 40:55D-34&35)	\$750	Resolution Fee: \$200
Exceptions (N.J.S.A. 40:55D-51) *Waiver of design standards	\$300	Resolution Fee: \$200
Extension of Approval	\$150	Resolution Fee: \$200

(6) Other applications.

TYPE	APPLICATION CHARGE	ESCROW ACCOUNT
Conditional Use	\$950	\$300 Resolution Fee: \$200
Informal Review	\$575	N/A
Architectural Review	N/A	\$300
Special Meeting at Applicant's Request	\$1,125	N/A
Zoning Verification Letter	\$195	N/A
Zoning Permit	\$50	N/A

Certificate of Non-Conforming Use	\$300	Resolution Fee: \$200
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(7) Note: If application includes combination of Subdivision and/or Site Plan, and Variances, only one \$200 Escrow Fee for the Resolution is required.


Section 2. All other ordinances in conflict or inconsistent with this Ordinance are hereby repealed to the extent of such conflict or inconsistency.

Section 3. Should any section, paragraph, sentence, clause or phrase of this Ordinance be declared unconstitutional or invalid for any reason, the remaining portions of this Ordinance shall not be affected thereby and shall remain in full force and effect, and to this end the provisions of this Ordinance are hereby declared to be severable.

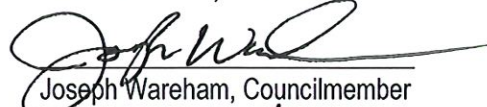
Section 4. This Ordinance shall take effect twenty (20) days after final passage and publication as provided by law.

First Reading: March 17, 2025

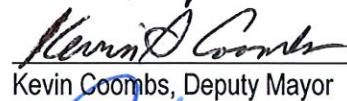
Adopted: April 21, 2025


Attest: 
Julie A Picard, Township Clerk


Thomas Conrad, Councilmember


Joseph Wareham, Councilmember


Roland Roy, Jr., Councilmember


Kevin Coombs, Deputy Mayor


Frank Sippel, Mayor