

CERTIFICATION BY SURVEYOR:

I certify that, to the best of my knowledge and belief, this subdivision plat is based on a field survey made on (insert date), under my direct supervision, in accordance with rules and regulations promulgated by the State Board of Professional Engineers and Land Surveyors. The information shown hereon correctly represents the conditions found as of the date of the field survey, except such improvements or easement, if any, below the surface and not visible.

\_\_\_\_\_  
N.J. Licensed Land Surveyor and No.  
(Affix Seal)

\_\_\_\_\_  
Date

\_\_\_\_\_ The locations of existing and proposed property lines (with bearings and distances); streets; structures (with their numerical dimensions and an indication as to whether existing structures will be retained or removed); parking spaces; loading areas; driveways; watercourses; railroads; bridges; culverts; drain pipes; any natural features such as rock outcroppings, wooded areas and individual trees greater than 8 inches dbh; and any historic features such as family burial grounds and buildings more than fifty (50)-years old, both within the tract and within two-hundred (200) feet of its boundary.

\_\_\_\_\_ The location and width of all existing and proposed easements, the use(s) for which they are intended to be limited, and the manner in which the easements will be controlled and maintained.

\_\_\_\_\_ Zoning districts affecting the tract, including district names and requirements.

\_\_\_\_\_ Proposed buffer and landscaped areas in accordance with Article 8.

\_\_\_\_\_ Wetlands, transition areas, streams, and floodplains, including floodway and flood fringe areas, within the tract and within one hundred (100) feet thereof. If wetlands or transition areas are present on the tract, then the applicant must submit a copy of a Letter of Interpretation from the NJDEP.

\_\_\_\_\_ Contours as shown on the U.S.G.S. topographic sheets with areas of steep slopes delineated.

\_\_\_\_\_ The names of all adjacent property owners within two hundred (200) feet of the tract as they appear on the most recent Tax List prepared by the Borough Tax Assessor.

\_\_\_\_\_ Concerning minor subdivision only, existing and proposed monuments.

\_\_\_\_\_ If any proposed lot is not served by a sanitary sewer, date of approval by the Board of Health of site evaluation tests, certified by a licensed professional engineer, indicating that the proposed lot can adequately accommodate a septic system. The location(s) of the test hole(s), location of proposed septic disposal area, test results and compliance with the "Individual Sewage Disposal Code of New Jersey" or applicable Borough Board of Health Ordinances, whichever may be more restrictive, shall be shown on the plat and certified by a licensed professional engineer.

\_\_\_\_\_ Road right-of-way dedication and improvement, as applicable.

\_\_\_\_\_ Existing and proposed sight triangle easements, as applicable.

\_\_\_\_\_ Deed descriptions, including metes and bounds, easements, covenants, restrictions, and roadway and sight triangle dedications (can be submitted after approval).

\_\_\_\_\_ Environmental Impact Statement, unless waived by the Board.

\_\_\_\_\_ Licenses, Permits and Other Approvals Required by Law:  
The applicant shall list all known licenses, permits and other forms of approval required by law for the development and operation of the proposed project. The list shall include approvals required by the Borough, as well as agencies of the County, State and Federal governments. Where approvals have been granted, copies of said approvals shall be attached. When approvals are pending, a note shall be made to that effect.

\_\_\_\_\_ Drainage plans in accordance with Article 8, Section 802.C.

\_\_\_\_\_ Landscaping plans in accordance with Article 8, Section 808.C.

\_\_\_\_\_ Grading Plan and Soil Erosion and Sediment Control Plan in accordance with Article 8, Section 813.

I certify that I prepared this checklist and have indicated the items for which a waiver is requested.

\_\_\_\_\_  
Signature and Title of person who prepared checklist.

\_\_\_\_\_  
Date

C. Checklist of Details required for Preliminary Major Subdivision Plats and Preliminary Major Site Plans.

- \_\_\_\_\_ Certificate from the Borough Tax Collector that all taxes and assessments are paid to date.
- \_\_\_\_\_ Certificate from the Borough Utilities Collector that all municipal utilities are paid to date.
- \_\_\_\_\_ Completed application form (22 copies).
- \_\_\_\_\_ Application and escrow fees per Section 701.
- \_\_\_\_\_ Plats or plans (22 copies) signed and sealed by a N.J. Professional Engineer in one (1) of the following four standard sheet sizes (8 1/2" x 13", 15" x 21"; 24" x 36"; 30" x 42") and folded into eighths (8ths) with title block revealed.
- \_\_\_\_\_ Protective covenants or deed restrictions (22 copies).
- \_\_\_\_\_ Scale (written and graphic) of not less than one (1) inch equals one hundred (100) feet.
- \_\_\_\_\_ Key map based on tax map at not less than one (1) inch equals one thousand (1,000) feet.
- \_\_\_\_\_ Title Block.
- \_\_\_\_\_ Name of subdivision or development, High Bridge Borough, Hunterdon County.
- \_\_\_\_\_ Name, title, address and telephone number of developer.
- \_\_\_\_\_ Name, title, address and license number of the professional or professionals who prepared the plat or plan.
- \_\_\_\_\_ Name, title and address of the owner or owners of record.
- \_\_\_\_\_ Plats prepared by a New Jersey licensed professional land surveyor based on the New Jersey Plane Coordinate System NAD83 with the following certification:

CERTIFICATION BY SURVEYOR:

I certify that, to the best of my knowledge and belief, this subdivision plat is based on a field survey made on (insert date), under my direct supervision, in accordance with rules and regulations promulgated by the State Board of Professional Engineers and Land Surveyors. The information shown hereon correctly represents the conditions found as of the date of the field survey, except such improvements or easement, if any, below the surface and not visible.

\_\_\_\_\_  
N.J. Licensed Land Surveyor and No.  
(Affix Seal)

\_\_\_\_\_  
Date

- \_\_\_\_\_ Date of original preparation and of each subsequent revision thereof and a list of specific revisions entered on each sheet.
- \_\_\_\_\_ Certification of ownership or authorization to file application.

- \_\_\_\_\_ Approval signature lines.
- \_\_\_\_\_ Acreage to the nearest 0.01 acre (both with and without areas within public rights-of-way) for each lot and a computation of the area of the tract to be disturbed.
- \_\_\_\_\_ Reference meridian (north arrow) using NAD83.
- \_\_\_\_\_ The names and lot and block numbers of all property owners within two hundred (200) feet of the extreme limits of the tract as shown on the most recent Tax List prepared by the Borough Tax Assessor. Existing tax sheet number(s) and existing block and lot number(s) of the lot(s) to be subdivided or developed as they appear on the Borough Tax Map, and proposed block and lot numbers as provided by the Borough Tax Assessor upon written request.
- \_\_\_\_\_ Tract boundary line (heavy solid line).
- \_\_\_\_\_ Zoning districts, including district names and requirements.
- \_\_\_\_\_ The locations and dimensions of existing and proposed bridges and the location of natural features such as wooded areas, and any extensive rock formations, both within the tract and within two hundred (200) feet of its boundaries.
- \_\_\_\_\_ The locations and species associations of all existing individual trees or groups of trees having a caliper of eight (8) inches or more measured four (4) feet above the ground level shall be shown within the portion(s) of the tract to be disturbed as a result of the proposed development. The proposed location of all proposed plantings shall be indicated and a legend provided listing the botanical and common names, the sizes at time of planting, the total quantity of each plant, and the location of each plant keyed to the plan or plat.
- \_\_\_\_\_ Existing and proposed watercourses (including lakes and ponds) with required information.
- \_\_\_\_\_ When a stream is proposed for alteration, improvement or relocation or when a drainage structure or fill is proposed over, under, in or along a running stream, a report on the status of review by the NJDEP, Division of Water Resources.
- \_\_\_\_\_ Cross-sections of watercourses and/or drainage swales at an appropriate scale showing the extent of flood plain, top of bank, normal water levels and bottom elevations at the locations specified in Section 802.
- \_\_\_\_\_ The total acreage of the drainage basin of any watercourse running through or adjacent to the tract.
- \_\_\_\_\_ The location and extent of drainage and conservation easements and stream encroachment lines.
- \_\_\_\_\_ The location, extent and water level elevation of all existing or proposed lakes or ponds within the tract and within two hundred (200) feet of the tract.
- \_\_\_\_\_ Existing and proposed contours tied horizontally to the New Jersey State Grid Coordinate System NAD83 and vertically to the U.S. Geodetic Survey System, NAVD88, as required by this Ordinance.
- \_\_\_\_\_ Grading Plan and Soil Erosion and Sediment Control Plan in accordance with Article 8, Section 813.

- \_\_\_\_\_ Locations of all existing structures as required by this Ordinance.
- \_\_\_\_\_ Size, height and location of all proposed buildings, structures, signs (or sign plan) and lighting facilities in detail.
- \_\_\_\_\_ All dimensions necessary to confirm conformity to the requirements of this Ordinance.
- \_\_\_\_\_ The proposed location, direction of illumination, power and type of proposed outdoor lighting including details and luminaries.
- \_\_\_\_\_ The proposed screening, buffering and landscaping plan, with the information required by Article 8 of this Ordinance.
- \_\_\_\_\_ The location and design of any off-street parking area, showing size and location of bays, aisles and barriers.
- \_\_\_\_\_ All means of vehicular access or egress to and from the site onto public streets, with the information required by Article 8 of this Ordinance.
- \_\_\_\_\_ Stormwater Management Plans and Drainage Report.
- \_\_\_\_\_ The location of existing utility structures on the tract and within two hundred (200) feet of its boundaries.
- \_\_\_\_\_ Plans of proposed improvements and utility layouts as required by this Ordinance.
- \_\_\_\_\_ Plans, typical cross-sections and construction details, horizontal and vertical alignment of the centerline of all proposed streets and of existing streets abutting the tract as required by this Ordinance.
- \_\_\_\_\_ A copy of any protective covenants or deed restrictions applying to the land being developed and an indication of them on the submitted plat or plan.
- \_\_\_\_\_ The location and width of all existing and proposed easements, the use(s) for which they are intended to be limited, and the manner in which the easements will be controlled and maintained.
- \_\_\_\_\_ Proposed permanent monuments.
- \_\_\_\_\_ In the case of any subdivision or site plan submission for a planned development, all of the required information for all of the properties comprising the planned development (see Section 405).
- \_\_\_\_\_ Environmental Impact Statement. See Section 604.
- \_\_\_\_\_ The Board reserves the right to require additional information before granting preliminary approval when unique circumstances affect the tract and/or when the application for development poses special problems for the tract and the surrounding area. Such information may include, but not be limited to, air quality and traffic analyses, provided, however, that no application shall be declared incomplete for lack of such additional information.
- \_\_\_\_\_ If any proposed lot is not served by a sanitary sewer, date of approval by the Board of Health of site evaluation tests, certified by a licensed professional engineer, indicating that the proposed lot can adequately accommodate a septic system. The location(s) of the test hole(s), location of proposed septic disposal area, test results and compliance with the

"Individual Sewage Disposal Code of New Jersey" or applicable Borough Board of Health Ordinances, whichever may be more restrictive, shall be shown on the plat and certified by a licensed professional engineer.

\_\_\_\_\_ Licenses, Permits and Other Approvals Required by Law:

The applicant shall list all known licenses, permits and other forms of approval required by law for the development and operation of the proposed project. The list shall include approvals required by the Borough, as well as agencies of the County, State and Federal governments. Where approvals have been granted, copies of said approvals shall be attached. When approvals are pending, a note shall be made to that effect.

\_\_\_\_\_ Drainage plans in accordance with Article 8, Section 802.C.

\_\_\_\_\_ Landscaping plans in accordance with Article 8, Section 808.C.

I certify that I prepared this checklist and have indicated the items for which a waiver is requested.

\_\_\_\_\_  
Signature and Title of person who prepared checklist.

\_\_\_\_\_  
Date

D. Checklist of Details Required for Final Major Subdivision Plats and Final Major Site Plans.

- \_\_\_\_\_ Completed application form (22 copies).
- \_\_\_\_\_ Application and escrow fees per Section 701.
- \_\_\_\_\_ Plats or plans (22 copies) signed and sealed by a N.J. Licensed Professional Land Surveyor or Engineer, as required, and folded into eighths (8ths) with title block revealed. Following Planning Board approval of the final plat, reproduction must conform to the requirements of the Map Filing Law.
- \_\_\_\_\_ Scale (written and graphic) of not less than one (1) inch equals one hundred (100) feet.
- \_\_\_\_\_ All details required by this Ordinance for preliminary approval.
- \_\_\_\_\_ All additional details required at the time of preliminary approval.
- \_\_\_\_\_ Plats prepared by a New Jersey professional land surveyor based on the New Jersey Plane Coordinate System NAD83
- \_\_\_\_\_ In the case of a final plat of a major subdivision, all details and certifications required by the "Map Filing Law":

Plat certifications:

- a. I hereby certify that there shall be endorsed thereon a certificate of a land surveyor, as follows:

I hereby certify that to the best of my knowledge and belief this map and land survey dated (insert date) meets the minimum survey detail requirements as promulgated by the State Board of Professional Engineers and Land Surveyors and has been made under my supervision, and complies with the provisions of the "Map Filing Law", and that the outbound monuments as shown have been found or set.

(Include the following if applicable)

I do further certify that the monuments as designated and shown hereon have been set.

\_\_\_\_\_  
Licensed Professional Land Surveyor and No.  
(affix seal)

\_\_\_\_\_  
Date

- b. If monuments are to be set at a later date, the following endorsement shall be shown on the map:

I certify that a bond has been given to the municipality guaranteeing the future setting of all monuments shown on this map and so designated.

\_\_\_\_\_  
Municipal Clerk

\_\_\_\_\_  
Date

- c. If the land surveyor who prepares the map is different than the land surveyor who prepared the outbound survey, the following two certificates shall be added in lieu of the certificate above.

I hereby certify to the best of my knowledge, information and belief that this land survey dated (insert date) has been made under my supervision and meets the minimum survey detail requirements, promulgated by the State Board of Professional Engineers and Land Surveyors and that the outbound monuments as shown have been found or set.

\_\_\_\_\_  
Licensed Professional Land Surveyor and No.  
(affix seal)

\_\_\_\_\_  
Date

I hereby certify that this map has been made under my supervision and complies with the provisions of the "Map Filing Law".

(Including the following if applicable.)

I do further certify that the monuments as designated and shown hereon have been set.

\_\_\_\_\_  
Licensed Professional Land Surveyor and No.  
(affix seal)

\_\_\_\_\_  
Date

If interior monuments are to be set at a later date, the following requirements and endorsement shall be shown on the map.

The interior monuments shown on this map shall be set within an appropriate time limit as provided for in the "Municipal Land Use Law". P.L. 1975 c.291 (C.40:55D-1 et. seq.) or local ordinance.

I certify that a bond has been given to the municipality guaranteeing the future setting of all monuments shown on this map and so designated.

\_\_\_\_\_  
Municipal Clerk

\_\_\_\_\_  
Date

- d. I have carefully examined this map and to the best of my knowledge and belief find it conforms with the provisions of the "Map Filing Law", resolution of approval and the municipal ordinances and requirements applicable thereto.

\_\_\_\_\_  
Municipal Engineer

\_\_\_\_\_  
Date

- e. This subdivision is made with our authorization and free consent and is in full accordance with our desires.

\_\_\_\_\_  
Owner(s)

\_\_\_\_\_  
Date

- f. I hereby certify that the municipality has approved the streets, avenues, roads, lanes or alleys shown hereon.

\_\_\_\_\_  
Municipal Clerk

\_\_\_\_\_  
Date

- g. This map complies with the provisions of N.J.S.A. 46:23-9.9 et. seq., "The Map Filing Law", and must be filed with the County Clerk on or before (insert date).

\_\_\_\_\_  
Chairman

\_\_\_\_\_  
Date

\_\_\_\_\_  
Secretary

\_\_\_\_\_  
Date

\_\_\_\_\_ A section or staging plan, if proposed.

\_\_\_\_\_ Detailed architectural and engineering data as required by this Ordinance.

\_\_\_\_\_ Certification from the Borough Tax Collector that all taxes and assessments are paid up-to-date.

\_\_\_\_\_ Letters directed to the Chairman of the Board and signed by a responsible official of each utility company providing service to the tract, as required by this Ordinance.

\_\_\_\_\_ Certification in writing from the applicant to the Board that the applicant has:  
a. Installed all improvements in accordance with the requirements of this Ordinance; and/or  
b. Posted a performance guarantee in accordance with Section 702.D. of this Ordinance.

\_\_\_\_\_ Licenses, Permits and Other Approvals Required by Law:  
The applicant shall list all known licenses, permits and other forms of approval required by law for the development and operation of the proposed project. The list shall include approvals required by the Borough, as well as agencies of the County, State and Federal governments. Where approvals have been granted, copies of said approvals shall be attached. When approvals are pending, a note shall be made to that effect.

\_\_\_\_\_ Drainage plans in accordance with Article 8, Section 802.C.

\_\_\_\_\_ Landscaping plans in accordance with Article 8, Section 808.C.

\_\_\_\_\_ Approved Grading Plan and Soil Erosion and Sediment Control Plan in accordance with Article 8, Section 813.

I certify that I prepared this checklist and have indicated the items for which a waiver is requested.

\_\_\_\_\_  
Signature and Title of person who prepared checklist.

\_\_\_\_\_  
Date

**ARTICLE 7**

**FEES, GUARANTEES, INSPECTIONS AND OFF-TRACT IMPROVEMENTS**

**Section 701. Development Application Fees.**

**A. Fee Schedule.**

Every application for development shall be accompanied by a check payable to the "Borough of High Bridge" in accordance with the following schedule. For the purpose of this Section, the term "area or acre disturbed" means any area whereupon any activity involving the clearing, excavation, storing, grading, filling, or transposing of soil will occur, or whereupon any other activity will occur which causes soil to be exposed to the danger of erosion, including the detachment or movement of soil or rock by water, wind, ice and/or gravity. For multiple applications, the applicant must submit the total of all fees specified. When an applicant applies for a permit after-the-fact, i.e., after a use, installation, or construction activity has begun, and the permit is required in lieu of the issuance of a violation by the Zoning Officer, then the applicant must pay double the application charge cited herein (see Items 12, 14, 15, and 16 below).

	<u>Application Charge</u>	Plus	<u>Escrow Account</u>
<b>1. Subdivisions</b>			
a. Minor Plat <sup>^</sup>	\$500.00		\$600.00
b. Preliminary Major Plat <sup>^</sup>	\$475.00 plus \$125.00 per lot		\$1,000.00 plus \$200.00 per lot
c. Final Major Plat (applicable to each stage or section receiving final approval).	\$350.00 plus \$50.00 per lot		\$300.00 plus \$50.00 per lot
<b>d. Informal Review</b>			
(1) Informal Review without Professional Review (one (1) appearance only; ½ hour time limit)	\$ 0		None required
(2) Informal Review with Professional Review			
(a) Minor Plat	\$80.00 (to be credited toward application fee for minor plat submission).		\$300.00
(b) Major Plat	\$100.00 (to be credited toward application fee for major subdivision plat submission).		\$500.00
<b>2. Lot Line Adjustment<sup>^</sup></b>	\$100.00		\$300.00
<b>3. Site Plans</b>			
<b>a. Minor Site Plan</b>			
(1) Minor Plan for Change of Use Only <sup>^</sup>	\$125.00		\$300.00
(2) All other Minor Plans <sup>^</sup>	\$350.00		\$500.00

b. Major Site Plans		
(1) Preliminary Plan <sup>^</sup>	\$450.00	\$500.00 or \$1000 if >5000 sq. ft. G.F.A.
(2) Final Plan	\$300.00	\$250.00 or \$500 if >5000 sq. ft. G.F.A.
c. Informal Review		
(1) Informal Review without Professional Review (one meeting only; ½ hour time limit)	\$ 0	None required.
(2) Informal Review with Professional Review		
(a) Minor Plan	\$80.00 (to be credited toward application fee for minor site plan submission).	\$300.00
(b) Major Plan	\$100.00 (to be credited toward application fee for major site plan submission).	\$500.00
d. Wireless telecommunications antennas and towers. <sup>^</sup>		
(1) If no new tower is proposed	\$1550.00	\$3,000.00
(2) If a new tower is proposed	\$3050.00	\$6,000.00
4. Conditional Uses	Same as for major or minor site plans, as applicable.	
5. Variances		
a. Appeals (40:55D-70a)	\$100.00	\$300.00
(1) Appeal of Tree Removal Permit (Ch.183)	\$50.00	\$300.00
b. Interpretations (40:55D-70b)	\$25.00	\$300.00
c. Bulk (40:55-70c) <sup>++</sup>	\$400.00 or \$1,000.00	
(1) New Construction	\$60.00	if engineering review required
(2) Existing Single-Family Residence	\$35.00	
d. Use (40:55D-70d) <sup>++</sup>	\$110.00	\$750.00
e. Permit (40:55D-34 &35)	\$100.00	\$1000.00
6. Conversion Plan	\$50.00	\$300.00
7. Special Meeting (2 hrs) if Scheduled by the Board at the Request of an Applicant	\$150.00	\$600.00
8. Certified List of Property Owners	\$0.25/name or \$10.00 whichever is greater.	None required.
9. Copies of Minutes or Transcripts	\$1.00/page; \$20.00 per tape or actual reproduction cost, whichever is greater.	None required.
10. Subdivision Approval Certificates	\$10.00 per certificate	None required.

11. Certificate of Non-conformity <sup>+</sup>		
a. Issued by Zoning Officer	\$15.00	None required.
b. Issued by Board of Adjustment	\$35.00	\$300.00
12. Zoning Permits <sup>+</sup>		
a. For a Principal Structure or Retaining Wall	\$35.00	\$500.00 (only for retaining walls >4 ft in height)
b. For a Use	\$25.00	None required.
c. For an Accessory Structure, Fence or Deck	\$25.00	None required.
13. Soil Erosion and Sediment Control Plan Certification and Inspections		
a. Single or Two-family dwellings on a single lot	\$25.00	\$500.00*
b. Single-family subdivision	\$25.00	\$500.00 plus \$150 per lot*
c. Multi-family dwelling(s)	\$25.00	\$600.00 plus \$85.00 per 0.5 acre disturbed*
d. Commercial site plans	\$25.00	\$600.00 plus \$85.00 per 0.5 acre disturbed *
* Includes Inspection Fees. Additional escrow may be requested when more inspections or recertification is needed.		
14. Grading Permit	\$40.00	\$500.00 (if required)
15. Sign Permit	\$35.00	None required.
16. Driveway Permit		
a. Repave an Existing Paved Driveway	\$0	None required.
b. Modification to an Existing Driveway	\$25.00	\$150 (if required)
c. New Driveway	\$75.00	\$300.00

Notes: The following surcharges have been added to the above noted application charges to cover the cost of incorporating application information into the Borough's GIS database:

    ^ \$50.00      ++ \$10.00      + \$5.00

**B. Escrow Accounts.**

The application charge is a flat fee to cover administrative expenses. The escrow account is established to cover the cost of professional services including but not limited to engineering, planning, legal, traffic and other expenses associated with the review of the submitted materials. The Borough shall make all of the payments to professionals for services rendered to the Borough for review of applications for development, review and preparation of documents, inspection of improvements or other purposes pursuant to the Municipal Land Use Law. Such payments shall be made from the applicant's deposit in the escrow account.

The payments charged to the escrow deposit shall be pursuant to vouchers from the professionals stating the hours spent, the hourly rate and the expenses incurred. The Borough Chief Financial Officer shall render a written final accounting to the developer on the uses to which the deposit

was put. Thereafter, the Borough Chief Financial Officer shall, upon written request, provide copies of the vouchers to the developer. If the salary, staff support and overhead for a professional are provided by the Borough, the charge to the deposit shall not exceed two hundred percent (200%) of the sum of the products resulting from multiplying the hourly base salary of each of the professionals by the number of hours spent by the respective professional on review of the application for development of the developer's improvements, as the case may be. For other professionals, the charge to the deposit shall be at the same rate as all other work of the same nature by the professional for the Borough.

Sums not utilized in the review process shall be returned to the applicant no sooner than 45 days after approval by the Board of the final resolution. When the escrow is depleted to thirty-five percent (35%) of the original amount required or less, the applicant shall be notified and shall, within fifteen (15) days, replenish the account to one hundred percent (100%) of the original escrow deposit required plus pay all unpaid costs. If the escrow balance is inadequate to cover professional fees, the Board shall not continue with the application proceedings until the escrow account is replenished.

Whenever an amount of money in excess of five-thousand dollars (\$5,000.00) is deposited by an applicant for the services of professionals employed by the Borough to review applications for development, for inspection fees or to satisfy performance or maintenance requirements, the money, until repaid or applied to the purposes for which it is deposited, including the applicant's portion of the interest earned thereon, except as otherwise provided herein, shall continue to be the property of the applicant and shall be held in trust by the Borough. Money deposited shall be held in escrow. The Borough shall deposit it in a banking institution or saving and loan association in this State insured by an agency of the federal government, or in any other fund or depository approved for such deposits by the State, in an account bearing interest at the minimum rate currently paid by the institution or depository on time or savings deposits. The municipality shall notify the applicant in writing of the name and address of the institution or depository in which the deposit is made and the amount of the deposit. The municipality shall not be required to refund an amount of interest paid on a deposit that does not exceed one hundred dollars (\$100.00) for the year. If the amount of interest exceeds one hundred dollars (\$100.00), that entire amount shall belong to the applicant and shall be refunded to him by the municipality annually or at the time the deposit is repaid or applied to the purposes for which it was deposited, as the case may be; except that the municipality may retain for administrative expenses a sum equivalent to no more than thirty-three and one-third percent (33 and 1/3%) of that entire amount which shall be in lieu of all other administrative and custodial expenses.

C. Multiple Approvals.

Where one application for development includes several approval requests, the sum of the individual required fees and escrows shall be paid.

D. Escrow Agreement.

Each owner and applicant submitting an application for development shall agree in writing to pay all reasonable costs for professional review of the application and for inspection of the improvements. An Escrow Agreement shall be provided by the Administrative Officer for this purpose. The Escrow Agreement shall be signed by the owner and the developer and include provisions for payment of interest, professional fees and other costs. All such costs for review and inspection must be paid before any approved plat, plan or deed is signed or any Construction Permit is issued and all remaining costs must be paid in full before any occupancy of the premises is permitted or a Certificate of Occupancy issued. Unpaid escrow fees shall be a lien against the property, enforceable as any other municipal lien.

E. Transcription Costs.

If an applicant desires a court reporter, the cost for taking testimony and transcribing it and providing a copy of the transcript to the Borough shall be at the expense of the applicant.

**Section 702. Guarantees, Start of Construction Pursuant to an Approved Plan, and Inspections.**

A. Public Improvements.

For the purposes of this Article, the term “public improvements” shall include streets, grading, pavement, gutters, curbs, sidewalks, street lighting, shade trees, surveyor’s monuments, water mains, culverts, storm sewers, sanitary sewers or other means of sewage disposal (excluding individual subsurface sewage disposal systems intended to serve individual lots), drainage structures, erosion control features, and sedimentation control devices, open space land improvements and equipment, and, in the case of site plans only, other on-site improvements and landscaping.

B. Requirements Specific to Subdivisions.

1. No final major subdivision plat shall be recorded unless either the Borough Engineer has certified to the Board that all public improvements required by the preliminary subdivision approval have been satisfactorily completed, or the developer has entered into a developer’s agreement with the Borough, in a form satisfactory to the Borough Attorney and authorized by the Borough Council, requiring the installation and maintenance of the public improvements by the developer and its successors in interest, imposing such limitations, and/or staging of, the development of the subdivision as necessary to ensure orderly construction of the public improvements, and assuring the installation of the public improvements on or before an agreed date by the filing of a performance guarantee in accordance with Section 702.D. below.
2. No Construction Permit shall be issued for any building within the proposed lots until the developer has completed the following public improvements in accordance with the approved subdivision plans and construction plans required by Section 702.E.4. below:
  - a. All required utility installations and their appurtenances, including water mains, drainage and detention facilities, culverts, storm sewers, sanitary sewers or dry sewers and public improvements of open space.
  - b. All required grading and the “macadam base course” surfacing of all streets.
  - c. Construction of all required curbs.
3. No Certificate of Occupancy shall be issued for any dwelling within the proposed lots until the driveway and apron, sidewalk, trees and grass for that particular dwelling have been installed and/or planted as approved by the Borough Engineer. Upon recommendation of the Borough Engineer to the Construction Official, a temporary Certificate of Occupancy not to exceed six (6) months in duration may be issued if seasonal conditions would make planting unreasonable.
4. Such public improvements shall be one hundred percent (100%) completed and subject to acceptance by the Borough within two (2) years from the date of final approval, or any extension thereof, or prior to the time a request is made for the last Certificate of Occupancy for a lot in the subdivision or stage or section thereof, whichever shall occur first.
5. It is the intention of the Borough Council that the foregoing requirements provide to each owner in the subdivision a lot that is as complete as possible with respect to tract and individual lot improvements and protect the interests of the general public and the residents of the development in the completion of the development.
6. In the case of a subdivision with final approval by stages or sections, the requirements of this Section shall be applied by stage or section to all public improvements within the stage or section and any subsequent improvements in another stage or section which are needed for occupancy of the stage or section which has received final approval.

C. Requirements Specific to Site Plans.

No final major site plan application (whether for an entire tract or a section thereof) shall be unconditionally approved by the Board unless either the Borough Engineer has certified to the Board that all public improvements required by the preliminary site plan approval have been satisfactorily completed, or the developer has entered into a developer's agreement with the Borough, in a form satisfactory to the Borough Attorney and authorized by the Borough Council, requiring installation and maintenance of the public improvements by the developer and its successors in interest, imposing such limitations upon, and/or staging of, the development of the site as necessary to ensure orderly construction of the public improvements, and the installation of the public improvements on or before an agreed date by filing a performance guarantee in accordance with Section 702.D. below.

D. Performance Guarantee.

1. In accordance with the Municipal Land Use Law, an itemized cost estimate of the improvements covered by the performance guarantee shall be prepared by the applicant's or developer's engineer and received and reviewed by the Borough Engineer. The itemized cost estimate shall set forth all required public improvements as determined by the Board together with the estimated costs to the Borough of completing the improvements and shall be appended to each performance guarantee posted by the obligor, in such form as approved by the Borough Attorney.

In the event that other governmental agencies or public utilities will automatically own the utilities to be installed or the improvements are covered by a performance or maintenance guarantee to another governmental agency, no performance or maintenance guarantee shall be required by the Borough of High Bridge for such utilities or improvements.

The cost of the installation of improvements for the purposes of this Section shall be estimated by the applicant's or developer's engineer and reviewed and approved by the Borough Engineer based on documented construction costs for public improvements prevailing in the general area of the Borough. The developer may appeal the Borough Engineer's estimate to the Borough Council. The Borough Council shall decide the appeal within fifteen (15) days of receipt of the appeal in writing by the Municipal Clerk. After the developer posts a guarantee with the Borough based on the cost of the installation of improvements as determined by the Borough Council, he may institute legal action within one (1) year of the posting in order to preserve the right to a judicial determination as to the fairness and reasonableness of the amount of the guarantee.

2. The developer shall present two (2) copies of the performance guarantee, in an amount equal to one-hundred and twenty (120%) percent for the approved performance guarantee estimate, to the Borough Clerk for approval as to form and execution by the Borough Attorney. The itemized cost estimate prepared by the Borough Engineer shall be appended to each performance guarantee posted by the obligor.
3. Not less than ten percent (10%) of the amount of the approved performance guarantee shall be deposited by the developer in cash or certified check with the Borough. The remaining ninety percent (90%) may be in cash, irrevocable letter of credit, or bond. In the event of default, the Borough may proceed against the performance guarantee following written notice to the developer.
4. An irrevocable letter of credit shall be acceptable if it:
  - a. Constitutes an unconditional payment of obligation of the issuer running solely to the Borough for an express initial period of time in the amount determined pursuant to Section 702.D.1;