Public Notice of a Hearing

1. Public notice of a hearing shall be given for all applications for development.

2. The Clerk of the Land Use Board, as the case may be, shall notify the applicant at least two (2) weeks prior to the public hearing at which the application will be discussed. Notice of a hearing requiring public notice shall be given by the applicant at least ten (10) days prior to the date of the hearing in the following manner:

a. Publication in an official newspaper of the Town, if there is one, or in a newspaper of general circulation in the Town in the absence of an official newspaper; and,

b. By notification by personal service or certified mail to the following. An affidavit of proof of the giving of the required notice shall be filed by the applicant with the municipal agency at, or prior to, the hearing. It is not required that a return receipt is obtained; notice is deemed complete upon mailing (N.J.S.A. 40:55D-14).

(1) To all owners of real property as shown on the current tax duplicate, located in the State and within two hundred feet (200’) in all directions of the property which is the subject of the hearing; provided that this requirement shall be deemed satisfied by notice to the (1) condominium association, in the case of any unit owner whose unit has a unit above or below it, or (2) horizontal property regime, in the case of any co-owner whose apartment has an apartment above or below it.

(a) Notice to a partnership owner may be made by service upon any partner.

(b) Notice to a corporate owner may be made by service upon its president, a vice-president, secretary or 700-10 Revised 6/18 other person authorized by appointment or by law to accept service on behalf of the corporation.

(c) Notice to a condominium association, horizontal property regime, community trust or homeowners’ association, because of its ownership of common elements or areas located within 200 feet of the property which is the subject of the hearing, may be made in the same manner as to a corporation without further notice to unit owners, co-owners, or homeowners on account of such common elements or areas.

(2) To the Clerk of any adjoining municipality or municipalities when the property involved is located within 200 feet of said adjoining municipality or municipalities.

(3) To the Warren County Planning Board when the application for development involves property adjacent to an existing county road or proposed road as shown on the County Official Map or County Master Plan, adjoining other county land or situated within 200 feet of a municipality boundary.

(4) To the Commissioner of Transportation of the State of New Jersey when the property abuts a state highway.

(5*)* To the Director of the Division of State and Regional Planning in the Department of Community Affairs when the hearing involves an application for the development of property which exceeds 150 acres or 500 dwelling units, in which case the notice shall include a copy of any maps or documents required to be filed with the Town.

3. Upon the written request of an applicant, the Town Tax Assessor shall, within seven (7) days, make and certify a list from current tax duplicates of names and addresses of owners within the Town to whom the applicant is required to give notice. The applicant shall be charged twenty-five cents ($0.25*)* per name or ten dollars ($10.00), whichever is greater, for said list and shall be entitled to rely upon the information contained in such list, and failure to give notice to any lot owner not on the list shall not invalidate any hearing or proceeding. Additionally, the applicant shall be responsible for giving proper notice to all property owners pursuant to Section 13-706.4.b.2 above who own property not located within the Town.

4. The notice shall state the date, time and place of the hearing and the nature of the matters to be discussed, and an identification of the property proposed for development by street address, if any, and by reference to lot and block numbers as shown on the current tax duplicate in the Town Tax Assessor’s office, and the location and times at which any maps or documents for which approval is sought are available for inspection.

5. Regarding any application for development being reviewed by the Land Use Board, as the case may be, and said Board determines that substantial revisions have been made to said application subsequent to 700-11 Revised 6/18

the date when it was determined to be a “complete application”, then the Board may require the applicant to again comply with the notice requirements specified in this section of the Ordinance.