

APPENDIX A

Planning Board and Zoning Board Forms Index

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NOTE:	W-9 MUST ACCOMPANY ALL ESCROW DEPOSITS



FORM 'A'

PRE-APPLICATION CONCEPT REVIEW COMMITTEE
PRE-APPLICATION – SITE PLAN CHECKLIST

Department of Building Housing and Land Use
216 Union Street
Hackensack, NJ 07601
Tel: (201) 646-3920

1	Pre Application Meeting
	For the purpose of expediting applications, reducing development costs and determining if an application meets the goals and objectives in the City of Hackensack Zoning Ordinance, an applicant may request a pre-application conference with the Pre-Application Concept Review Committee prior to making a formal application to either the Planning Board or Zoning Board of Adjustment. An applicant is under no obligation to request or participate in pre-application conference with the Pre-application Concept Review Committee.
2	Pre-Application Concept Review Committee
a	Acquaint the applicant with the substantive and procedural requirements of the City's Land Use Ordinance.
b	Exchange information with the Applicant concerning the relationship of the proposed development with the applicable elements of the City's Master plan, Land Use Ordinance or other applicable City regulations.
c	Advise the applicant of any public sources of information that may aid the applicant in preparing its submittal to the Planning or Zoning Board.
d	Review the condition of existing service facilities, the Impact of the proposed development on these facilities and improvements that may be necessary or required to accommodate the proposed development and the area affected by the proposed development.
e	Identify City policies or regulations that create opportunities for, or pose significant constraints on the proposed development (including but not limited to flood, fire, traffic, parking, public safety, environmental, historic preservation, architectural and neighborhood design standards, property maintenance, or availability of utilities).
f	Consider opportunities to increase development benefits and mitigate undesirable project consequences.
g	Provide input concerning the general design of the proposed development in an effort to expedite the Planning or Zoning Board review and approval process.
h	Discuss the need for any waivers or variances.
3	Effect of the Pre-Application Concept Review Committee
	The informal review by the Pre-application Concept Review Committee shall not be binding upon the applicant or the Planning Board, Zoning Board or any official participating in the Pre-Application Concept Review Committee. The purpose of the Pre-Application Concept Review Committee is to expedite development in the City and reduce the applicant's design and developmental costs.
4	Pre-Application Review Site Plan Checklist
	The applicant shall provide seven (7) copies to the Land Use Administrator the following information (as applicable) at least fourteen (14) days prior to the scheduled Pre-Application Concept Review Committee meeting.
a	Site plan drawing including general dimensions and layout.
b	Building elevation(s) or perspective drawing(s) depicting the general design of the building(s) which includes the anticipated building height.
c	Typical floor plan(s) including overall dimensions.
d	General project description which includes lot size, number of floors, proposed use or uses and any known waiver (i.e. buffer or setback) or variance requests.
e	General notes, (if applicable and known) concerning the following items: Ingress/egress and circulation, lighting, landscaping, utilities, storm water management, parking and open space.
	Additional copies of these documents may be required from the applicant prior to the scheduling of the Pre-Application Concept Review Committee if the City Manager determines that additional City representatives should participate in the Pre-Application Concept Review Committee.
5	Costs Associated with Technical Review Committee Meeting
	There shall be a \$500.00 fee for each requested Pre-Application Concept Review Committee



FORM 'B'

Department of Building Housing and Land Use
216 Union Street
Hackensack, NJ 07601
Tel: (201) 646-3920

DETAILS OF SITE PLAN – ORDINANCE 175-14.7

SITE PLAN CHECKLIST

The following checklist is designed to assist applicants in preparing site plans for board review. The applicant should check off each item to ensure it is included on the submittal plan(s).

Any site plan presented to the reviewing board shall be drawn to a scale not less than one inch equals 50 feet or more than one inch equals 10 feet.

Key: **Y** = Applicable and completed, **NA** = Not applicable, **N** = Not supplied, **W** = Waiver requested

Note: when requesting waiver(s) you must also submit in writing the reasons for the request.

Base / Survey Information Required:

	Included (Y)	Not Included (NA/N/W)	Description of information to be included (if applicable):
1			Site Plan application can be prepared on a survey, plat, or GIS Database which accurately depicts the dimensions of the site. <ul style="list-style-type: none"> Upon approval by the board(s), the applicant shall provide a site survey prepared by a licensed surveyor of New Jersey, or by a professional Engineer. In the event a site plan is approved and the site survey provided by a licensed surveyor or professional engineer does not accurately depict the survey, plat or GIS Database used for the application the approval(s) are void and subject to resubmission. Bearings shall be given to the nearest ten (10) seconds.
2			All site plans shall be in feet and decimals of a foot and as a minimum, set forth or depict the following information on sheet sizes of 11 x 17, 24 x 36 or 30 x 42 inches as measured from the cutting edges.

A. Site Plan Application information Required (If applicable):

	Included (Y)	Not Included (NA/N/W)	Description of information to be included (if applicable)
1			Title or name of the Developer.
2			Name and address of the Applicant and/or the Record Owner of all lots comprising any part of the plan.
3			Name and address, license number and seal of person preparing the site development plan.
4			Date of Site Plan (All revisions noted and dated).
5			Key Map showing the location of the tract with Lot and Block Numbers and reference to surrounding areas and existing street intersections.
6			Title of Development, North Arrow, Scale, Block and Lot Number(s).
7			Adjacent Street and Intersections.
8			Existing Zoning Criteria / Requirements and Municipal Boundaries if located within 200 feet of the tract.
9			Property Boundaries, Building and/or Setback Lines, existing Streets, Lots, Reservations, Easements, and Areas Dedicated to Public Use including Restrictions and Rights-of Way.
10			All distances, as measured from the centerline of existing streets abutting the property to the nearest intersection with any other public street.
11			Location of flood hazard boundaries as delineated by H.U.D. – F.H.A. (if applicable).
12			Wooded Areas, including single trees (8" in caliper or more) not in wooded areas, and other significant existing features (if applicable).
13			Location of existing buildings to remain and any other structure such as walls, fences, culverts, bridges, roadways, etc. <ul style="list-style-type: none"> Structures to be removed are indicated by dashed lines.
14			A copy of any covenants, deed restrictions or exceptions for any part of the tract.
15			Location of off-site buildings within 20 feet of the property line (with approximate building height/story).



FORM 'B'

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B. Project Development Information Required (If applicable):

	Included (Y)	Not Included (NA/N/W)	Description of information to be included (if applicable)
1			The proposed uses of land and buildings and proposed location of buildings, including proposed grades.
2			The general location of all storm drainage structures and utility lines whether publicly or privately owned.
3			Existing contours at intervals of one foot where slopes are three percent or less and intervals of two feet where slopes are more than three percent, based upon U.S. Coast and Geodetic Survey data. Where any changes in contours are proposed, existing grades are indicated by a dashed line and finished grades are shown by solid lines.
4			All means of vehicular access of ingress and egress to and from the site onto public streets showing the size and location of driveways and curb cuts including the possible utilization of traffic channels, channelization, acceleration and deceleration lanes, additional width, and any other device necessary to prevent a difficult traffic situation. The plan also shows sidewalks.
5			The interior corridor and egress layout of the proposed building or structure, first floor only if applicable.
6			All means of pedestrian access to and from the principal buildings, parking areas and adjacent public sidewalks and streets.
7			Drawings of Building elevations, perspectives or renderings to demonstrate the proposed building or buildings will be aesthetically pleasing and meet the design standards.
8			Location, size and description of all proposed signs relating to traffic regulations, off-street parking and loading areas and location, size and description of all business identification signs.
9			Landscape plan depicting proposed plant materials, sizes and locations.
10			Lighting plan with general notes.
11			The location and general design of on-site parking and/or loading areas showing size and location of bays, aisles, barriers, screening and internal traffic circulation.
12			Fire areas and other access ways for emergency vehicles.
13			Location of refuse collection and disposal system, including the location of dumpsters and screening and provisions for materials to be recycled.
14			Traffic Study – if applicable.

C. Other Information:

The following information can be provided through notes for board(s) approval. Final design and details for the information shall be provided prior to issuance of a construction / building permit but are not necessarily required for board(s) review and approval. However, the board may request specific design details for any or all of the following items depending on the specific application			
	Included (Y)	Not Included (NA/N/W)	Description of information to be included (if applicable)
1			Design for the water, sewer and storm drainage structures including utility lines whether public or privately owned.
2			For applications of fifty or more single family units, twenty five (25) multi-family units or commercial – industrial developments in excess of one thousand (1,000) square feet shall provide notes pertaining to a solid waste management plan which shall provide provisions for the handling, storage and disposal of solid waste and recycled materials.
3			Proposed storm water drainage system designed to accommodate a twenty five year storm using the New Jersey Department of Environmental Protection rainfall intensity curve.
4			Proposed lighting plan / notes indicating the direction, power and time of proposed outdoor lighting.
5			For lots exceeding a half acre (21,780) square feet, existing contours of intervals of one (1) foot where slopes are more than three percent (3%) but less than fifteen percent (15%) and for all lots containing steeper slopes, contours at intervals of two (2) feet. <ul style="list-style-type: none"> Existing contours shall be indicated in dashed lines. Where changes in contours are proposed, finished grades shall be shown in solid lines. Floodway and flood fringe elevations and contours shall be clearly marked.



FORM 'B'

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	Included (Y)	Not Included (NA/N/W)	Description of information to be included (if applicable)
6			<p>The entire property in question even though only a portion of the property is involved in the site plan, provided that where it is physically impossible to show the entire property on one (1) sheet, it may be shown on a key map.</p> <ul style="list-style-type: none">• The key map shall also show the tract in relation to its surrounding area.
7			<p>Such other information or data as may be required by the reviewing board in order to determine the details of the site plan are in accordance with the standards of this chapter and all other ordinances of the City of Hackensack and further the building or use will not be detrimental to the public health, safety and welfare.</p>
8			<p>Approval of Soil Conservation District if the project results in a disturbance of more than 5,000 square feet of the surface area of land for the accommodation of construction for which the Uniform Construction Code of the State of New Jersey would require a building permit except that the construction of a single family dwelling unit shall not be deemed a project under the Salt Erosion and Sediment Control Act unless such unit is part of a proposed site plan, special exception, zoning variance, planned family unit development, building permit application involving two or more such single family dwelling units or where the combined disturbance of the demolition and new construction totals more than 5,000 sq. ft.</p>
9			<p>Upon Approval the following additional information shall be provided in addition to all required drawings and applications for review and approval.</p> <ul style="list-style-type: none">• Copy of any covenants, deed restrictions or exceptions that are intended to or do presently relate to all or any part of the tract.• Construction drawings for the location of all water, sewer and storm drainage structures and utility lines whether publicly or privately owned , with pipe sizes, grades and direction of flow, and if any existing utility lines are underground, the estimated location of said underground utility lines shall be shown.• Permits from the Department of Environmental Protection, Division of Water Resources, if applicable.• Permit from the Department of Transportation, if applicable.



Last Revised June 2013
FORM 'C'

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Department of Building Housing and Land Use
216 Union Street
Hackensack, NJ 07601
Tel: (201) 646-3920

Subdivision Application Instructions:

Fully collated set digitally (PDF or electronic file or Drop Box without expiration date) submitted to the Zoning Office at bmclaughlin@hackensack.org **Must name files accordingly with address/file type/date for all submittals and revised submittals. I.e. *123 Main Street _Architectural Plans_01.01.21.PDF*

- Five (5) hard copies to the following at 216 Union Street - Hackensack, NJ 07601:
 - Building Subcode, Fire Inspector, Traffic (HPD), Engineer, Shade Tree Committee
- All property owners must sign application, if land involved is owned by more than one person.
- The applicant must have an affidavit of ownership filled out and notarized.
- **Filing fees:**
File the proper amount of applications and sketch plats at the Planning and Zoning Department no later than (10) days prior to the scheduled meeting.

** Executed W-9 required*

- **Sketch Plat:**
One (1) digitally submitted to the Zoning Office at bmclaughlin@hackensack.org

The Sketch plat shall be based on tax map information or some other similarly accurate base at a scale not less than 100 feet to the inch to enable the entire tract to be shown on one sheet and shall show or include the following information:

- 1) The location of the portion which is to be subdivided in relation to the entire street.
- 2) All existing structures within the portion to be subdivided and all structures within 20 feet thereof, with house numbers indicated thereon.
- 3) The distance from existing and new lot lines (front, sides and rear) to all structures MUST be shown.
- 4) The name of the owner and all adjoining property owners across the street or streets from the property to be subdivided, as disclosed by the most recent municipal tax records.
- 5) The block and lot numbers of the property involved and all adjacent properties as shown on the Official City of Hackensack tax maps.

All drawings must comply with all professionally accepted specifications.

NOTICE TO THE APPLICANT

Title 40:55-1.18

"The final approval by the governing body or the planning board, as the case may be, of a plat showing a new street or the re-subdivision of land along a mapped street shall expire 90 days from the date of such approval, Unless within the period such plat shall have been duly filed by the owner or his agent with the County recording officer. The governing body for good cause shown may extend the time for the plat filing for a period not to exceed 90 days."

**'FORM D'**

Department of Building Housing and Land Use
 216 Union Street
 Hackensack, NJ 07601
 Tel: (201) 646-3920

SITE PLAN / SUBDIVISION / VARIANCE APPLICATION:

Application Number

Date

1	PROJECT INFORMATION	Actions Requested
	Project Address	Major Site Plan
	Project Name	Minor Site Plan
	Block	Major Subdivision
	Lot	Minor Subdivision
	Zoning District	"C" Variance
		"D" Variance
	Present Use of Property	
	Proposed Use of Property	
	Location of nearest intersection	

2	APPLICANT & PROPERTY OWNER INFORMATION	Applicant	Property Owner
	Name (Owner of Record)		
	Address (No P.O. Boxes)		
	Mailing Address (if different than Address)		
	City, State, Zip		
	Phone Number		
	Fax Number		
	E-Mail Address		

3	Does this constitute: (Check One)
	<input type="checkbox"/> New Applicant
	<input type="checkbox"/> Revision or Re-Submission of a prior Application
	<input type="checkbox"/> Prior Site Plans or Subdivisions

4	Applicant's Legal Interest in the Property
----------	--

5	Owner	
	Contract Purchaser	
	Designated Redeveloper	

Signature: _____ Title: _____



Last Revised July 2022

FORM E

ZONING PERMIT APPLICATION

Z Control # _____

CITY OF HACKENSACK

216 Union Street

Hackensack, NJ 07601

Phone: (201) 646-3920 Ext. 2020

Survey/ Floor/ Site Plan Must Be Submitted with Zoning Application**Must Include Property Line Setbacks and Calculation of Coverage and/or Impervious Coverage*******Please Note: Incomplete Applications Will Be Automatically Denied*******PROPERTY LOCATION:** _____

Block: _____ Lot(s): _____ Zone: _____

Applicant Name: _____	Property Owner Name: _____
Applicant Address: _____	Owners Address: _____
City, State, Zip: _____	City, State, Zip: _____
Email Address: _____	Email Address: _____
Phone #: _____	Phone #: _____

Check purpose of application below:

___ Zoning Fee: \$50.00

___ Fence, Patio, Walkway, Shed, Driveway/Paving Fee: Minimum - \$60.00, *see page 2 for additional fees***Describe Current Use of Property, in Detail:** _____

Describe Purpose of Application, in Detail:

FOR C.O. APPLICANTS

- Days and Hours of Operation: _____
- Days and Hours Open to the Public: _____
- Traffic concerns pertaining to your application: _____
- Days and Hours of any deliveries (truck, cars, or vans): _____
- Number of vehicles to be parked on site overnight (trucks, cars, or vans): _____
- Number of employees on site (highest shift): _____
 - If new construction is proposed, the location, dimensions, and all the other setbacks from the property lines must be shown clearly.
 - If this site has had any Planning or Zoning Board approvals in the past, please attach copy of the same.

Applicant Signature: _____ Date: _____

OFFICE USE ONLY: Fee: \$ _____ Check#: _____ Receipt#: _____ Received by: _____



ZONING PERMIT APPLICATION

CITY OF HACKENSACK

216 Union Street
Hackensack, NJ 07601
Phone: (201) 646-3920 Ext. 2020

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APPLICATION For Permit to Install or Replace a Fence, Patio, Walkway, Driveway/Paving, or Shed (under 200 sq. ft.):

****MUST CALL FOR FINAL INSPECTION****

Residential _____ Commercial _____

Description of work:

***NOTE:** The minimum fee required by the City Land Use Ordinance is \$20.00 per \$1,000.00 of estimated work, with a *minimum fee of \$60.00.*

Estimated cost of work: _____ Example: Est. cost of work \$5,000.00
÷ 1,000

**** Commercial Paving requires \$2,500 escrow and W-9**

$$\begin{array}{r} \times 20 \\ \hline \$ 100.00 \text{ Application Fee} \end{array}$$

FENCES:

*Fences or other man-made enclosures **MUST BE AT LEAST** three inches off the property line into YOUR side; the "Nice" side of the fence must face your neighbor; Dimensions of fence must be approved by zoning official. **The fence installer must measure and run string along three inch indent from stakes – call for inspection BEFORE installing fence; Final inspection is required. *Note:** The location is your responsibility – proceed at your own risk – if a property dispute arises, it is between the neighbors – **not** the zoning office.*

Height of fence: _____ Type of fence: _____ Does Fence surround pool or hot tub? YES: _____ NO: _____

CONTRACTOR INFORMATION:

Name: _____ Address: _____

Phone Number: _____ Federal ID # _____

E-Mail Address: _____ Contractor Registration #: _____

OFFICE USE ONLY:

Remarks: _____

Final Inspection Date: _____ Approved by: _____



FORM E-2

CITY OF HACKENSACK
Building, Housing, Land Use Department
216 Union Street
Hackensack, NJ 07601
201-646-3920 ext. 2020

Page 1 of 2

Z CONTROL # _____

APPLICATION FEE: \$50.00

APPLICATION FOR SIGN/AWNING/CANOPY PERMIT

No sign shall be erected or altered within the City of Hackensack without first obtaining a permit from the Construction Official of the City. A sign permit application shall include structural drawings of how the sign is to be erected and electrical drawings of how the sign is to comply with the National Electric Code.

COMPLETE ALL REQUESTED INFORMATION –PRINT OR TYPE – **ILLEGIBLE/INCOMPLETE FORMS WILL NOT BE ACCEPTED**
YOU MUST SUPPLY COLORED RENDERINGS, DENOTING DIMENSIONS, LETTER SIZE, ILLUMINATION, MOUNTING INFO, ETC.

PROPERTY LOCATION

WORK SITE _____
BLOCK _____ LOT _____ ZONE _____

BUSINESS INFORMATION

LEGAL NAME OF BUSINESS _____
NAME BUSINESS TRADING AS _____
NAME OF PRINCIPAL OFFICER _____
EMERGENCY CONTACT PERSON _____ TELEPHONE # _____

APPLICANT INFORMATION

NAME OF APPLICANT _____
APPLICANT ADDRESS _____
CITY _____ STATE _____ ZIP CODE _____
TELEPHONE # _____ E-MAIL _____
APPLICANT IS: ☐ BUSINESS OWNER ☐ SIGN/AWNING COMPANY REPRESENTATIVE
☐ OTHER (EXPLAIN) _____

SIGN / AWNING / CANOPY DETAILS

LETTERING & LOGOS

TYPE

☐ PAINTED ☐ 3 DIMENSIONAL ☐ OTHER (SPECIFY) _____

COLORS (SPECIFY) _____

TEXT

WORDING ON SIGN OR AWNING _____

Provide details of text colors, background colors, font styles, font heights and area of lettering and logos as required by the sign ordinance.

OFFICE USE ONLY

Fee: \$ _____ Check: # _____ Receipt: # _____ By: _____

**APPLICATION FOR SIGN/AWNING/CANOPY PERMIT****SIGN / AWNING / CANOPY DETAILS (CONTINUED)****SIGN****TYPE**

- ☐ FLAT WALL
☐ PROJECTION
 ☐ SINGLE FACE
 ☐ DOUBLE FACE
☐ WINDOW

- ☐ TEMPORARY
☐ GROUND
 ☐ SINGLE FACE
 ☐ DOUBLE FACE
☐ OTHER (SPECIFY) _____

LOCATION

- ☐ FRONT ☐ SIDE ☐ REAR

ILLUMINATION

- ☐ NON-ILLUMINATED ☐ EXTERIOR ILLUMINATED

MATERIALS

- ☐ PLEXIGLASS ☐ WOOD
☐ ALUMINUM ☐ OTHER (SPECIFY) _____

DETAILS

WHAT IS THE WIDTH OF THE BUILDING OR TENANT SPACE? _____ FT _____ IN
WHAT IS THE DIMENSION FROM THE GRADE TO THE BOTTOM OF THE SIGN? _____ FT _____ IN
WHAT IS THE DIMENSION FROM THE GRADE TO THE TOP OF THE SIGN? _____ FT _____ IN
WHAT IS THE WIDTH OF THE SIGN? _____ FT _____ IN
WHAT IS THE HEIGHT OF THE SIGN? _____ FT _____ IN
WHAT IS (ARE) THE COLOR(S) OF THE SIGN? _____
HOW FAR WILL THE SIGN PROJECT FROM THE FAÇADE? _____ IN

AWNING / CANOPY**TYPE**

- ☐ AWNING (SUPPORTED BY THE BUILDING) ☐ CANOPY (SUPPORTED BY COLUMNS)

LOCATION

- ☐ FRONT ☐ SIDE ☐ REAR

MATERIALS

DOES THE PLAN SHOW SUPPORTING FASTENERS? ☐ YES ☐ NO

SUPPORTING FRAMEWORK (SPECIFY) _____

COVERING (SPECIFY) _____

DETAILS

WHAT IS THE WIDTH OF THE BUILDING OR TENANT SPACE? _____ FT _____ IN
WHAT IS THE WIDTH OF THE AWNING? _____ FT _____ IN
WHAT IS THE VERTICAL HEIGHT OF THE AWNING? _____ FT _____ IN
WHAT IS THE VERTICAL AREA OF THE AWNING? _____ FT _____ IN
WHAT IS THE DIMENSION FROM THE GRADE TO THE BOTTOM OF THE AWNING? _____ FT _____ IN
WHAT IS (ARE) THE COLOR(S) OF THE AWNING? _____

APPLICANT'S CERTIFICATION

I hereby certify that I have been authorized by the property owner to make this application, that all information contained herewith is true and complete and accurately describes the existing and proposed uses of the subject property. I understand that if any of the above statements or information is false, misleading or omitted; I will be subject to penalty and revocation of the issued permit. I also grant permission to the Building (Zoning) Department staff to enter upon the property for purposes of evaluating this application.

APPLICANT SIGNATURE _____

DATE _____



SITE INFORMATION:

Easements	Are any easements or special deed covenants associated with the property?	Yes		No	
		If yes, attach copy			

Previous Reviews	Have there been any previous or simultaneous reviews of this property by the Zoning or planning Board? If so, attach prior resolutions.	Which Board	Date of Review

Bulk Requirements		Required	Proposed
	Lot Area Acres		
	Square Feet		
	Lot Width		
	Lot Depth		
	Height		
	Front Yard Setback		
	Side Yard Setback (one side)		
	Side Yard Setback (total)		
	Rear Yard Setback		
	Building Coverage		
	Off-Site Parking		
	Shared Parking		

Subdivision Only	Number of Lots	Existing		Proposed	
	Lot Line Elimination	Yes		No	
	Propose to sell lots	Yes		No	
	Propose to construct house to sell	Yes		No	



Last Revised June 2013

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'FORM G'

Department of Building Housing and Land Use

216 Union Street

Hackensack, NJ 07601

Tel: (201) 646-3920

CORPORATE OR PARTNERSHIP / OWNERSHIP DISCLOSURE:

	Name	Address
Corporation		
Stockholders with 10% or > of corporate stock		
Partnership		
Stockholders with 10% or > of Corporate stock		
L.P.		
Managing Partners		
L.L.C.		
Managing Members		

Professionals' Information				
<u>Attorney</u>				
Name: _____ Address: _____				
City: _____ State: _____ Zip: _____ Phone: _____ Fax: _____				
Email: _____				
<u>Engineer</u>				
Name: _____ Address: _____				
City: _____ State: _____ Zip: _____ Phone: _____ Fax: _____				
Email: _____				
<u>Architect</u>				
Name: _____ Address: _____				
City: _____ State: _____ Zip: _____ Phone: _____ Fax: _____				
Email: _____				
<u>Planner</u>				
Name: _____ Address: _____				
City: _____ State: _____ Zip: _____ Phone: _____ Fax: _____				
Email: _____				

**'FORM H'**

Department of Building Housing and Land Use
 216 Union Street
 Hackensack, NJ 07601
 Tel: (201) 646-3920

VARIANCE REQUEST: ACTION REQUESTED (mark each action requested):

Complete Section 6 if a variance is needed from the City's Zoning Ordinance

Reviews and Interpretations (NJSA 40:55 – 70a,b)	Describe and/or attach supplementary documentation
Review of action or determination by the administrative Officer that the petitioner claims is in error	
Interpretation of a portion of the zoning ordinance	

Bulk Variances (NJSA 40:55D-70c)				
Mark all variances that apply	Required	Proposed	Mark (x) If Variance	
Lot Area				
Lot Width				
Lot Depth				
Front Yard Setback				
Side Yard Setback (one side)				
Side Yard Setback (both side)				
Rear Yard Setback				
Height (<10% of max permitted)				
Building Coverage				
Impervious Surface Coverage				
Open Space Standard				
Building Setback Line				
Parking				
Other				

Use and other "D" Variances (NJSA 40:55D-70d)

Mark all variances that apply	Required	Proposed
1 Use		
2 Expansion of a non-conforming use		
3 Height (10% or > than max permitted)		
4 Floor Area Ratio		
5 Deviation from Conditional Use		
Standard (specify)		
Other (specify)		
6 Density		

**'FORM I'**

Department of Building Housing and Land Use
 216 Union Street
 Hackensack, NJ 07601
 Tel: (201) 646-3920

SUPPORT DOCUMENTS:

Required To Be Submitted With Application

SEE SITE PLAN/SUBDIVISION/VARIANCE APPLICATION GUIDANCE DOCUMENT

SIGNATURES**Property Owner**

I, the undersigned, hereby affirm that this application is being made with the consent and knowledge of the owner and that the information contained herein is true and correct to the best of my knowledge.

Name (print or type)

Property Owner's Signature

Date

Applicant

I, the undersigned, hereby confirm that the information contained herein and on the supporting documentation submitted herewith is true and complete to the best of my knowledge.

Name (print or type)

**Property Owner / Signature
 Contract Purchaser**

Date

Sworn and subscribed before me this

_____ day of _____ 20____

Notary Signature

Division of Planning Use Only

Board Jurisdiction	Planning Board	Board of Adjustment
Designation	Minor Site Plan	Minor Site Plan
	Preliminary Major Site Plan	Preliminary Major Site Plan
	Final Major Site Plan	Final Major Site Plan
	Minor Subdivision	Minor Subdivision
	Major Subdivision	Major Subdivision
	"C" Variance	"C" Variance
		"D" Variance



‘FORM J’

Department of Building Housing and Land Use
216 Union Street
Hackensack, NJ 07601
Tel: (201) 646-3920

Site Plan / Subdivision / Variance Application Guidance

In order to be reviewed, a complete application package must be submitted. A complete package consists of:

- Completed application form
- Fully collated set digitally (PDF or electronic file) submitted to the Zoning Office at bmclaughlin@hackensack.org
- Five (5) **hard copies** to the following at 216 Union Street - Hackensack, NJ 07601:
 - Building Subcode, Fire Inspector, Traffic (HPD), Engineering, Shade Tree Committee

The site plan must include:

- Landscaping Plan
- Lighting Plan
- Utilities Plan
- Grading Plan
- Soil Erosion and Sediment Control Plan
- Site logistics plan, if any sidewalks or streets are to be closed for construction staging or safety
- Architectural plans, including floor plans depicting all room dimensions, room uses, all means of ingress and egress and elevations of all visible side of buildings.
- Property Survey prepared, signed and sealed by a licensed New Jersey surveyor
- Letter of Principal Points describing the proposed development
- Traffic Impact Statement
- Environmental Impact Statement
- Drainage Calculations
- Copies of any easements, covenants, deed restrictions, court decisions or board decisions affecting the property, and submission of an easement due diligence checklist certification
- Certified list of property owners within 200’ of the planned development – See Form ‘P’ and Submit to Glenn Zabransky at 216 Union Street – Hackensack, NJ 07601
- Certification of Paid Taxes – See Form ‘O’ and Submit to the Tax Office at 65 Central Avenue – Hackensack, NJ 07601
- Copy of completed W-9 Form
- Payment for Application Fee (see Section 16.24.260)
- Payment for Professional Review Escrow Fee (see Section 16.16.040)
- If determined necessary by the Administrative Officer, a Phase 1 Environmental Report or a No Further Action Letter from the NJ DEP
- If determined necessary by the Administrative Officer, a site traffic circulation plan graphically showing the ability of vehicles anticipated to use the site to navigate through the site without obstruction

Fees: See Forms ‘L & M’ – The application fee & professional escrow fees must be paid by separate checks or money orders. Cash will not be accepted.

Checks are made payable to: City of Hackensack

NOTICE: The applicant is solely responsible for complying with all notice requirements, including those set forth in Section “26 of the City of Hackensack and as set forth in N.J.S.A. 40:55D-12 et seq. Applicant shall provide the City with affidavits for proof of service on all proximity property owners and of publication of notice of the hearing in the newspaper”



'FORM K'

Department of Building Housing and Land Use
 216 Union Street
 Hackensack, NJ 07601
 Tel: (201) 646-3920

Land Use Application - Directions

•	Minor Site Plan	Enter number "1" if there is a minor site plan review	
•	Site Plan Base Fee	Enter number "1" if there is a site plan review	
•	Non Residential Square Footage	Enter # of SF up to 10,000 SF Enter # of SF in ADDITION to the initial 10,000 SF (Example: 35,000 SF building has a fee of \$5,250.00 = (10,000 SF x 0.5) + (25,000 SF x 0.01))	Fee = 50 Cents for every SF up to 1,000 SF Fee = 1 Cent for every SF in addition to the first 10,000 SF
•	Residential Fee	Enter # of units or initial 10 units Enter up to next 10 units Over 20 units (Example: 35 units = \$65,000 = (10 x \$300.00) + (10 x \$200.00) + (15 x \$100.00))	Fee = \$300 per unit Fee = \$200 per unit Fee = \$100 per unit
•	Preliminary Site Plan Fee	= Minor Site Plan Fee + Site Plan Base Fee + Non Residential SF Fee + Residential Fee	
•	Final Site Plan Fee	50% of Preliminary Site Plan Fee	
•	Minor Base Subdivision	Enter # of existing lots to be subdivided Enter # of new lots to be created	Fee = # of existing lots x \$500.00 Fee = # of new lots to be created (not including existing lot(s) x \$200.00)
•	New Lots Total	= Base Fee + New Lot Fees	
•	Major Base Subdivision	Enter # of existing lots to be subdivided Enter # of new lots to be created	Fee = # of existing lots x \$1,000 Fee = # of new lots to be created (not including existing lot(s) x \$350.00)
•	New Lots Total	= Base Fee + New Lot Fees	
•	Final Subdivision	= 50% of Preliminary Subdivision Fee	

**‘FORM L’****Department of Building Housing and Land Use**

216 Union Street

Hackensack, NJ 07601

Tel: (201) 646-3920

Land Use Application Fees – Page 1

Address

Block

Lot

Owner / Applicant

Project Name

Action

	Fee	Number	Amount	Sub-total	Total
• Technical Review Committee Submittal	\$500.00	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
• Minor Site Plan	\$500.00	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
• Site Plan	\$1,000.00	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
• Preliminary Site Plan Non-Residential					
Sq. Footage	First 10,000 SF Fee = 50 Cent for every 1,000 SF over 10,000 SF				
	Fee = 1 Cent for every SF in addition to the first 10,000 SF				
<u>Total SF & Preliminary Site Plan Non-Residential Fee</u>					
• Preliminary Site Plan Residential					
Units 1 – 10	x \$300.00	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
Units 11 – 20	x \$200.00	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
Units 21 and over	x \$100.00	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
<u>Total Preliminary Site Plan Residential</u>					
• Final Site Plan	50% of Preliminary Fee				
Base	\$500.00	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
New Lots	\$200.00	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
<u>Total Minor Subdivision</u>					
• Preliminary Major Subdivision					
Base	\$1,000.00	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
New Lots	\$350.00	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
<u>Total Preliminary Major Subdivision</u>					
• Final Major Subdivision					
Base	\$1,000.00	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
New Lots	\$350.00	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
<u>Total Preliminary Major Subdivision</u>					



Last Revised June 2013

Page 2 of 2

'FORM L'

Department of Building Housing and Land Use
216 Union Street
Hackensack, NJ 07601
Tel: (201) 646-3920

Land Use Application Fees – Page 2

Address	
Owner / Applicant	
Project Name	

Block		Lot	
		App#	

Action

Variances

- Appeal
- Interpretations

Fee per Variance
\$500.00
\$500.00

"C" Bulk Variances (1 & 2 Family Residence)

- Lot Size
- Lot Width
- Lot Depth
- Building Coverage
- Impervious Surface
- Open Spaces Std
- Building Setback Line
- Height
- Front Yard Setback
- Side Yard Setback
- Rear Yard Setback
- Parking

Fee per Variance
\$100.00
\$100.00
\$100.00
\$100.00
\$100.00
\$100.00
\$100.00
\$100.00
\$100.00
\$100.00
\$100.00
\$100.00

Total "C" Bulk Variances

Number	Total

"C" Bulk Variances (All Other Uses)

- Lot Size
- Lot Width
- Lot Depth
- Building Coverage
- Impervious Surface
- Open Spaces Std
- Building Setback Line
- Height
- Front Yard Setback
- Side Yard Setback
- Rear Yard Setback
- Parking

Fee per Variance
\$350.00
\$350.00
\$350.00
\$350.00
\$350.00
\$350.00
\$350.00
\$350.00
\$350.00
\$350.00
\$350.00
\$350.00

Total "C" Bulk Variances

"D" Use Variances

- Non-Permitted Use
- Expansion of Non-Conforming Use
- Conditional Use Non-Conforming
- F.A.R.
- Density
- Height>10% / 10ft.

Fee per Variance
\$1,500.00
\$1,500.00
\$1,500.00
\$1,500.00
\$1,500.00
\$1,500.00

Total "D" Variances

**'FORM M'**

Page 1 of 1
Department of Building Housing and Land Use
216 Union Street
Hackensack, NJ 07601
Tel: (201) 646-3920

ESCROW FEE STRUCTURE:

Address	
Owner / Applicant	
Project Name	

Block		Lot	
		App#	

Residential Site Plan**Number of Units**

- Variance w/o site plan or subdivision (1-2 unit detached houses exempted)
- 0-10 Units
- 11-25 Units
- 26-100 Units
- 100-200 Units
- 200 Units or More

Initial Deposit
\$750
\$3,500
\$5,000
\$7,500
\$10,000
\$12,500

Total

Non-Residential

- Variance w/o site plan or subdivision
- < 1250 sf total floor area
- 1250 to 20,000 sf TFA
- 20,000 sf – 40,000 sf
- > 40,000 sf TFA

Initial Deposit
\$2,000
\$2,000
\$4,000
\$6,000
\$8,000

Total

Subdivision

Subdivision	Initial Deposit
• Minor	\$2,000
• Major	\$2,000

Total

Total

Instructions

- Enter # "1" for a variance with no site plan or subdivision 3-9 units
- Enter # "1" if there are between 1 and 10 residential units
- Enter # "1" if there are between 10 and 25 residential units
- Enter # "1" if there are 26 or more residential units
- Enter # "1" for a variance with no site plan or subdivision
- Enter # "1" if there is less than 1250 SF of commercial space
- Enter # "1" if there is between 1250 SF and 20,000 SF of total commercial floor area
- Enter # "1" if there is more than 20,000 SF of total commercial floor area
- Enter # "1" if there is more than 40,000 SF of total commercial floor area
- If minor subdivision, enter "1"
- If major subdivision, enter "1"

Last Revised June 2013

Department of Building Housing and Land Use
216 Union Street
Hackensack, NJ 07601
Tel: (201) 646-3920

**'FORM N'****NOTICE REQUIREMENTS FOR APPLICANT**

Application # _____

Date: _____

Dear Applicant:

This notice shall acknowledge your application to the City of Hackensack for a variance, site plan, subdivision or _____ regarding the premises located at the following address:

Which is also known as Block _____, Lot _____, Zone _____ in the City of Hackensack.

A public hearing will be held concerning this application at 65 Central Avenue, 3rd floor Council Chambers, Hackensack on the _____ day of _____, 202__, 7:00 PM at which time you must be present either in person or be represented by your attorney or agent.

You are required to publish notice of this hearing in the newspaper in accordance with the Section 26-30A of the Code of the City of Hackensack. You are also required to personally serve notice of the hearing on OWNERS OF PROXIMITY PROPERTIES as required by Section 26-30 of the Code of the City of Hackensack. You may use this form to provide notice to the newspaper and proximity property owners at least 10 days prior to the hearing. You may use Form P to request a list of proximity property owners from the City.

Within ten (10) days of the hearing, you must file in this office a verified statement that you have served by certified mail or personal service the notice of hearing on proximity property owners, along with receipts stamped by the post office (or other proof of service) together with the names and addresses of those so notified.

The aforementioned forms are found on the City's website; an unofficial file can be obtained at 216 Union Street, Hackensack, NJ.

Respectfully,

Ernest Sisco

Construction Official/Land Use Administrator



Department of Building Housing and Land Use
216 Union Street
Hackensack, NJ 07601
Tel: (201) 646-3920

'FORM O'

CERTIFICATION BY TAX COLLECTOR

Application # _____ Date Submitted by Applicant: _____

Applicant Name: _____

Applicant Mailing Address: _____

Dear Applicant:

This Certification shall acknowledge your request that I provide a Certification concerning the status of taxes owed regarding the premises located at the following address:

Which is also known as Block _____, Lot _____, Zone _____ in the City of Hackensack.

THIS SHALL CERTIFY THAT AS OF THE DATE NOTED BELOW THAT THE TAXES ON THE
AFOREMENTIONED PROPERTY

_____ ARE CURRENT

_____ ARE PAST DUE

_____ PLEASE CALL THE TAX OFFICE

This information has been provided to the applicant by the address noted above.

Elisa Coccia, CTC
Tax Collector

Date Certified by Tax Collector

Last Revised June 2013



CITY OF HACKENSACK
BUILDING, HOUSING, LAND USE DEPARTMENT
BUILDING DEPARTMENT
216 Union Street
Hackensack, NJ 07601
(201) 646-3920
www.hackensack.org

Ernest Sisco
Construction Official

Bridget McLaughlin
Zoning Official

'FORM P'

Request For List of Proximity Property Owners

Application # _____ Date Submitted by Applicant: _____

Applicant Name: _____

Applicant Mailing Address: _____

Applicant Phone Number: () _____ Fax Number: () _____

Applicant Email Address: _____

Option for Delivery (Check all that apply): ☐ Email ☐ Mail ☐ Fax

To the Zoning Official for the City of Hackensack:

Pursuant to N.J.S.A 40:55D-12 and the requirements of Section 26-30 of the Code of the City of Hackensack, I hereby request that the Zoning Official provide a list of the names, address, block, and lot numbers for all the properties within a two hundred (200) foot area of any point of the below which is the subject of an application before the Planning Board or Zoning Board:

Property Address: _____

Property Block and Lot: Block: _____ Lot: _____

Please provide this list by mail, email or fax to me at the above address; I am enclosing the \$10 fee (Per Address), payable to the City of Hackensack which must be received for this list.



Last Revised October 2020

CITY OF HACKENSACK
BUILDING, HOUSING, LAND USE DEPARTMENT
BUILDING DEPARTMENT

216 Union Street
Hackensack, NJ 07601
(201) 646-3920
www.hackensack.org

'FORM Q'

**PROOF OF SERVICE OF NOTICE OF PUBLIC HEARING IN CONNECTION WITH
APPLICATION TO PLANNING BOARD OR ZONING BOARD OF ADJUSTMENT**

Application # _____ Date Submitted by Applicant: _____

Applicant Name: _____

Applicant Mailing Address: _____

Applicant Phone Number: () _____ Fax Number: () _____

Applicant Email Address: _____

State of New Jersey }
County of Bergen } ss.

I, _____ of full age, being duly sworn according to law, deposes and say
that I reside at _____ in the city of _____,
County of _____, and the State of _____; that I am the
applicant in the above noted proceeding before the Planning Board or Zoning Board of Adjustment which
relates to:

Property Address _____

Property Block & Lot _____

I gave notice of this proceeding to each and every property owner affected by the application by personal
service or certified mail on the _____ day of _____ 202_____. True copies of the notice and list of
persons notified are attached to this affidavit.

Signature of Affiant

Sworn to and subscribed before me on this _____ day of _____, 202_____

Last Revised June 2013

PROCEDURE FOR RELEASE OF ESCROW FUNDS

Please do not call the Building Department for release of Escrow funds.

- ❖ You must provide a letter addressed to Ernie Sisco, Construction Official, stating you would like the release of your escrow funds. The letter should contain the following information:
 - Address of the project
 - Name, address and phone number of the person requesting the escrow
 - The amount of escrow to be returned
- ❖ Once your request is received, it will be circulated to our professionals for sign off and to determine if there are any outstanding invoices or compliance issues.

****Please note that this process usually takes between six months to one year****
- ❖ The Building Department will notify the City of Hackensack's Chief Financial Officer to release any unused funds.
- ❖ The Chief Financial Officer will then present the resolution to the Mayor and Council for release of the escrow funds.
- ❖ Escrow will then be returned by the Chief Financial Officer.

Last Revised October 2020



CITY OF HACKENSACK
ESCROW ACCOUNTS
PLANNING & ZONING BOARD CASES

Please read the requirements regarding escrow accounts for all Planning or Zoning Board cases. So that there is no misunderstanding regarding our policies for these escrow accounts, applicant must sign and date below, a copy will be kept on file.

1. Initial escrow amount established on application packet or letter of denial **must** be maintained throughout duration of the board case or project so that professional fees can be paid when they are submitted.
2. If applicant is notified that an escrow account has a low balance or account is in arrears, it is the applicant's full responsibility to immediately replenish the account with the initial amount of escrow deposited when account was established.
3. Should an escrow account become delinquent, your board case will **not** be heard on the scheduled meeting date, and postponement will be in effect until the required escrow is received and posted and the account is deemed current. At that time, the Zoning Officer will schedule the board case for the next available meeting date.

If a board case was previously approved, prior to memorialization, the amount of your initial escrow deposit must also be maintained until all professional fees are deemed paid in association with the board case or the project.

*Failure to follow any of the above procedures will result in delays in the application/approval process and the City of Hackensack shall not accept responsibility for these delays based on the above-mentioned policies.

Applicant

Date



Joseph A. Inglima
Superintendent of Public
Works

CITY OF HACKENSACK

DEPARTMENT OF PUBLIC WORKS
120 EAST BROADWAY
HACKENSACK, N.J. 07601
(201)-646-3950
Fax (201)-646-0320
www.hackensack.org

TREE REMOVAL NOTIFICATION FORM

Background and Instructions: Pursuant to Ordinance No. 17-2024, the City of Hackensack has established certain regulations relating to tree removal and replacement within the City. In order to ensure compliance with the requirements of the Ordinance, this form has been developed to properly record tree removals within the City and ensure that replacement requirements are fully met. This Ordinance is codified at Chapter 162 of the City Code (available on the City's website, www.hackensack.org).

Not all trees that are being removed by a property owner must be reported using this form – only trees that have a minimum diameter at breast height ("DBH") of 6" or greater. This is the diameter of the trunk of a mature tree generally measured at a point 4 and ½ feet above ground level from the uphill side of the tree. For species of trees where the main trunk divides below this height, the DBH is measured at the highest point before any division. For street trees – those planted in a sidewalk, planting strip or public right of way – the applicable DBH is 2.5" or greater.

This form must be completed and filed with the Department of Public Works prior to the removal of any tree (as that term is defined in Ordinance 17-2024), which meets the above requirements. Unless you meet one of the specific exemptions in the Ordinance, you will be required to replace the trees that you remove, in the manner established by the Ordinance, or pay a fee of \$350.00 per tree removed, which will be placed by the City into a dedicated fund for tree planting and maintenance.

Failure to comply with the requirements established in Ordinance 17-2024 will subject you to the penalties established by law. For further information, please contact the Department of Public Works.



Joseph A. Inglima
Superintendent of Public
Works

CITY OF HACKENSACK

DEPARTMENT OF PUBLIC WORKS
120 EAST BROADWAY
HACKENSACK, N.J. 07601
(201)-646-3950
Fax (201)-646-0320
www.hackensack.org

If you cannot fully answer any question within the space provided, please attach additional sheets noting the specific question you are answering.

1. Property Owner:

Name _____

Address _____

Telephone _____

E-mail: _____

2. Property Address: _____

Block _____ Lot _____ Zone _____

3. Person Completing Application (if different from Property Owner):

Name _____

Address _____

Telephone _____

E-mail: _____

4. Reason for tree removal: _____

5. Total number of trees to be removed: _____



Joseph A. Inglima
Superintendent of Public
Works

CITY OF HACKENSACK

DEPARTMENT OF PUBLIC WORKS
120 EAST BROADWAY
HACKENSACK, N.J. 07601
(201)-646-3950
Fax (201)-646-0320
www.hackensack.org

6. Is this property currently the subject of an application before the Planning Board or Zoning Board of Adjustment (yes/no): _____

7. Tree Removal Plan: Attach a copy of a tree removal plan consisting of a map, diagram or survey showing the location of all trees on the property proposed for removal marked by an "X," along with the DBH of each such tree. The plan must include the location of all existing structures. Additional documentation or photos may be required.

8. Are you using a Licensed Tree Care Operator ("LTCO") or Licensed Tree Expert ("LTE") for the tree removal (yes/no): _____

9. If the answer to #8 is yes, please provide contact information for the LTCO or LTE performing the tree removal:

Name _____

Address _____

Telephone _____

E-mail: _____

10. Proposed date of tree removal: _____

11. Are you claiming an exemption from having to replace some or all of the trees being removed pursuant to this notification (yes/no): _____

12. If the answer to #11 is yes, what is the basis for your claim of exemption (see Section 162-9 for specific exemption categories): _____



Joseph A. Inglima
Superintendent of Public
Works

CITY OF HACKENSACK

DEPARTMENT OF PUBLIC WORKS
120 EAST BROADWAY
HACKENSACK, N.J. 07601
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13. If the answer to #11 is no, do you propose to replace all of the removed trees in accordance with City Code requirements (see Section 162-8 for specific replacement requirements) (yes/no): _____

14. If the answer to #13 is no, what is your reason for claiming that some or all of the required replacement trees cannot be planted on the property where the tree removal activity occurred: _____

Certification of Property Owner:

The undersigned hereby certifies that he or she is the property owner affected by this application, acknowledges receipt of a copy of Ordinance 17-2024, and certifies that the information provided herein is true and accurate to the best of his or her knowledge.

Signature of Property Owner

FOR CITY OF HACKENSACK USE ONLY

Based upon the information provided, the following tree replacement requirements have been determined to apply pursuant to Section 162-8 of the City Code: _____

City Representative making this determination: _____

**CITY OF HACKENSACK
ORDINANCE NO. 17-2024**

**AN ORDINANCE AMENDING CHAPTER 162 OF THE
CODE OF THE CITY OF HACKENSACK, "TREES," TO
ESTABLISH PROCEDURES FOR TREE REMOVAL AND
REPLACEMENT IN ORDER TO COMPLY WITH STATE
REQUIREMENTS**

AS AMENDED FOR APRIL 16, 2024 COUNCIL MEETING

WHEREAS, the City's professionals have advised the City Council that the New Jersey Department of Environmental Protection ("NJDEP") has required municipalities adopt legislation addressing tree removal and replacement to comply with NJDEP stormwater regulations; and,

WHEREAS, trees play a critical, often overlooked, role in the water cycle and in the mitigation of stormwater runoff issues such as soil erosion, pollutant reduction, infiltration, quantity reduction, and thermal effects; and,

WHEREAS, the 2023 Tier A MS4 permit renewal requires the City to, at a minimum, adopt and enforce a community-wide ordinance to control tree removal and replacement for all types of properties where it has jurisdiction; and,

WHEREAS, the DEP has prepared a model ordinance in furtherance of this effort that the City Council believes is appropriate to adopt with various modifications as recommended by the City's professionals.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HACKENSACK, as follows:

Section 1:

Chapter 162 of the Code of the City of Hackensack, "Trees," is hereby amended to add the following provisions relating to tree removal and replacement as follows:

§162-6 Purpose.

The purpose of this ordinance is to establish requirements for tree removal and replacement in the City of Hackensack to reduce soil erosion and pollutant runoff, promote infiltration of rainwater into the soil, and protect the environment, public health, safety, and welfare.

§162-7 Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

APPLICANT

Any "person," as defined herein, who applies for approval to remove trees regulated under this ordinance.

CRITICAL ROOT RADIUS ("CRR")

The zone around the base of a tree where the majority of the root system is found. This zone is calculated by multiplying the diameter at breast height ("DBH") of the tree by 1.5 feet. For example: a tree with a 6" DBH would have a $CRR = 6" \times 1.5' = 9'$.

DIAMETER AT BREAST HEIGHT ("DBH")

The diameter of the trunk of a mature tree generally measured at a point four and a half feet above ground level from the uphill side of the tree. For species of trees where the main trunk divides below the 4 ½ foot height, the DBH shall be measured at the highest point before any division.

HAZARD TREE

A tree or limbs thereof that meet one or more of the criteria below. Trees that do not meet any of the criteria below and are proposed to be removed solely for development purposes are not hazard trees.

- A. Has an infectious disease or insect infestation;
- B. Is dead or dying;
- C. Obstructs the view of traffic signs or the free passage of pedestrians or vehicles, where pruning attempts have not been effective;
- D. Is causing obvious damage to structures (such as building foundations, sidewalks, etc.); or
- E. Is determined to be a threat to public health, safety, and/or welfare by a certified arborist or Licensed Tree Expert ("LTE").

PERSON

Any individual, resident, corporation, utility, company, partnership, firm, or association.

PLANTING STRIP

The part of a street right-of-way between the public right-of-way and the portion of the street reserved for vehicular traffic or between the abutting property line and the curb or traveled portion of the street, exclusive of any sidewalk.

RESIDENT

An individual who resides on the residential property or contractor hired by the individual who resides on the residential property where a tree(s) regulated by this ordinance is removed or proposed to be removed.

STREET TREE

A tree planted in the sidewalk, planting strip, and/or in the public right-of-way adjacent to the portion of the street reserved for vehicular traffic.

This also includes trees planted in planting strips within the roadway right-of-way, i.e., islands, medians, pedestrian refuges.

TREE

means a woody perennial plant, typically having a single stem or trunk growing to a considerable height and bearing lateral branches at some distance from the ground.

TREE CALIPER

The diameter of the trunk of a young tree, measured six (6) inches from the soil line. For young trees whose caliper exceeds four (4) inches, the measurement is taken twelve (12) inches above the soil line.

TREE REMOVAL

To kill or to cause irreparable damage that leads to the decline and/or death of a tree. This includes, but is not limited to, excessive pruning, application of substances that are toxic to the tree, over-mulching or improper mulching, and improper grading and/or soil compaction within the critical root radius around the base of the tree that leads to the decline and/or death of a tree. Removal does not include responsible pruning and maintenance of a tree, or the application of treatments intended to manage invasive species.

§ 162-8 Regulated Activities.

- A. The removal of any tree within the City of Hackensack shall remain subject to the City's existing business practices and permit application reviews, including, but not limited to, site plan approvals, building permit approvals, planning board application approvals, and so forth. There shall not be a separate application process for tree removal and replacement under this ordinance. However, advance notification of any "tree removal," as that term is defined in this ordinance, involving a tree with a minimum DBH of 2.5" (for street trees) or 6" (for non-street trees) must separately be provided to the Supervisor of the Tree Division of the Department of Public Works, or designee, in a manner to be established by the Director of the Department of Public Works.
- B. The following tree replacement requirements shall apply when a person engages in "tree removal" as that term is defined in this ordinance:

1. Any person who removes one or more street tree(s) with a DBH of 2.5" or more, unless exempt under §162-9, shall be subject to the requirements of the Tree Replacement Requirements Table below.
2. Any person who removes one or more tree(s) with a DBH of 6" or more per acre, unless otherwise exempt under §162-9, shall be subject to the requirements of the Tree Replacement Requirements Table below.
3. The species type and diversity of replacement trees are set forth in Appendix A to this ordinance (§162-12). The provisions of §162-3 addressing certain prohibited trees and vegetation at certain locations within the City shall continue to apply in all cases.

C. Replacement tree(s) shall:

1. Be replaced in kind with a tree that has an equal or greater DBH than tree removed or meet the criteria in the Tree Replacement Requirements Table below;
2. Be planted within twelve (12) months of the date of removal of the original tree(s);
3. Be monitored by the applicant for a period of two (2) years to ensure their survival and shall be replaced as needed within twelve (12) months; and
4. Shall not be planted in temporary containers or pots, as these do not count towards tree replacement requirements.

Tree Replacement Requirements Table:

Category	Tree Removed (DBH)	Tree Replacement Criteria (See Appendix A)
1	DBH of 2.5" (for street trees) or 6" (for non-street trees) to 12.99"	Replant 1 tree with a minimum tree caliper of 1.5" for each tree removed
2	DBH of 13" to 22.99"	Replant 2 trees with minimum tree calipers of 1.5" for each tree removed
3	DBH of 23" to 32.99"	Replant 3 trees with minimum tree calipers of 1.5" for each tree removed
4	DBH of 33" or greater	Replant 4 trees with minimum tree calipers of 1.5" for each tree removed

D. If the City determines that some or all required replacement trees cannot be planted on the property where the tree removal activity occurred, then the person responsible for the property shall do one of the following:

1. Plant replacement trees in a separate area(s) approved by the City; or
2. Pay a fee of \$350.00 per tree removed, which shall be placed into a fund dedicated to tree planting and continued maintenance of the trees.

§ 162-9 Exemptions.

All persons shall comply with the tree replacement standard outlined in § 162-8, except in the cases detailed below. Any exemption sought shall be supported by proper justification submitted to the Supervisor of the Tree Division of the Department of Public Works or designee. Proper justification may include photographs or written documentation from a certified arborist or a LTE as certified by the Board of Tree Experts within the New Jersey Department of Environmental Protection ("NJDEP").

- A. Residents removing less than four (4) trees per acre that fall into category 1, 2, or 3 of the Tree Replacement Requirements Table within a five-year period. NOTE: The number of trees removed is a rolling count across a five-year period. For example, if 3 trees from category 1 are removed in July 2023, the 'count' resets to zero in July 2028. However, if 1 tree from category 1 is removed in July 2023 and another in July of 2025 the first tree will come off the count in July 2028 and the second in July 2030.
- B. Tree farms in active operation, nurseries, fruit orchards, and garden centers.
- C. Properties used for the practice of silviculture under an approved forest stewardship or woodland management plan that is active and on file with the municipality.
- D. Any trees removed as part of a municipal or state decommissioning plan. This exemption only includes trees planted as part of the construction and predetermined to be removed in the decommissioning plan.
- E. Any trees removed pursuant to a NJDEP or United States Environmental Protection Agency ("EPA") approved environmental clean-up, or NJDEP approved habitat enhancement plan.
- F. Approved game management practices, as recommended by the NJDEP's Division of Fish, Game and Wildlife.
- G. Hazard trees as defined in this ordinance may be removed with no fee or replacement requirement.

§ 162-10 Enforcement.

This ordinance may be enforced by the Police Department, the Supervisor of the Tree Division of the Department of Public Works, the Zoning Officer, or other official designated by the City Manager during the course of ordinary enforcement duties.

§ 162-11 Violations and Penalties.

Any person(s) who is found to be in violation of the provisions of this ordinance shall be subject to the penalties established in §1-15 of the Code of the City of Hackensack, provided, however, that the minimum fine shall be \$100. A separate penalty shall be imposed for each tree improperly removed without being replaced.

§ 162-12 Appendix A, Authorized Replacement Trees

Any tree species that has been recognized by the Native Plant Society of New Jersey (www.npsnj.org) as a recommended tree native to New Jersey is authorized as a replacement tree, street trees excluded. Other tree species may be separately authorized by the Supervisor of the Tree Division of the Department of Public Works for good cause and following consultation with the Shade Tree Advisory Committee. The list of authorized replacement trees may be found at the following Internet link:

https://npsnj.org/wp-content/uploads/2023/01/native_trees_for_landscaping.pdf

Authorized street trees shall be determined by the Supervisor of the Tree Division of the Department of Public Works following consultation with the Shade Tree Advisory Committee. Replacement of trees shall follow appropriate planting procedures to be developed by the Supervisor of the Tree Division of the Department of Public Works and posted on the City's website.

Section 2:

Repeal of Inconsistent Provisions. All ordinances or parts thereof in conflict or inconsistent with this Ordinance are hereby repealed, but only however, to the extent of such conflict or inconsistency, it being the legislative intent that all ordinances or part of ordinances now existing or in effect unless the same being conflict or inconsistent with any provision of this Ordinance shall remain in effect.

Section 3:

Severability. The provisions of this Ordinance are declared to be severable and if any section, subsection, sentence, clause or phrase thereof for any reason is held to be invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the remaining sections, subsections, sentences, clauses and phrases of this Ordinance, but shall remain in effect; it being the legislative intent this Ordinance shall stand notwithstanding the invalidity of any part.

Amended

Section 4:

Codification. This Ordinance shall be a part of the Code of the City of Hackensack as though codified and fully set forth therein. The City Clerk shall have this ordinance codified and incorporated in the official copies of the Code. The City Clerk and the City Attorney are authorized and directed to change any Chapter, Article and/or Section number of the Code of the City of Hackensack in the event that the codification of this Ordinance reveals that there is a conflict between the numbers and the existing Code, and in order to avoid confusion and possible accidental repealers of existing provisions not intended to be repealed.

Section 5:

This Ordinance shall take effect upon passage, adoption, and publication in the manner prescribed by law.

Introduced: April 2, 2024
Adopted: April 16, 2024

ATTEST:

CITY OF HACKENSACK

By: _____
Deborah Karlsson, City Clerk

By: _____
John P. Labrosse Jr., Mayor

Amended