

submission of the sketch plat pertaining to the preliminary plat and within five days of submitting an application for preliminary plat approval to the municipal approval authority.

(b) Applications for preliminary plat approval shall include the following:

1. A complete application form, signed by the applicant and the property owner, containing the following major components:

- i. Applicant information;
- ii. Property description, location, proposed subdivision, and ownership information; and
- iii. Specification of whether a major or minor subdivision classification is requested;

2. The required preliminary plat fee, in accordance with N.J.A.C. 19:4-11;

3. Ten copies of the proposed preliminary plat prepared in accordance with this chapter; and

4. Such additional information and documents as may be required by N.J.A.C. 19:5-7.

(c) Upon receipt of a complete application for preliminary plat approval, the NJMC shall:

1. Review the preliminary plat and the reports and recommendations of the municipal approval authority and other agencies having jurisdiction;

2. Hold a public hearing on the preliminary plat in accordance with N.J.A.C. 19:4-4.17; and

3. Determine, based on the record of the hearing and the documentation submitted, whether the preliminary plat meets the provisions of the NJMC Master Plan, any applicable NJMC redevelopment plan, and this chapter.

(d) If the considerations of (c) above are satisfied, the Chief Engineer shall approve the preliminary plat.

(e) If the Chief Engineer determines that the preliminary plat does not satisfy the considerations of (c) above:

1. The Chief Engineer may suggest modifications to the plat. In such event:

- i. The applicant may amend the preliminary plat in accordance with the modifications suggested by the Chief Engineer and resubmit the plat. If the amended plat is deemed to satisfy the considerations of (c) above, the Chief Engineer shall approve same; or

- ii. The applicant may reject the suggested modifications, or, within the time allowed for action by the Chief Engineer, may refrain from taking any action thereon. In either event, the preliminary plat shall be deemed to have been disapproved, and the Chief Engineer shall notify the applicant in accordance with (f) below.

2. If the Chief Engineer determines that the preliminary plat does not satisfy the considerations of (c) above and that modifications would be too extensive or impracticable, the Chief Engineer shall disapprove the preliminary plat and notify the applicant in accordance with (f) below.

(f) If the preliminary plat is disapproved, within 10 days thereof, the Chief Engineer shall notify the applicant in writing of the reasons for disapproval.

(g) If the preliminary plat is approved by the Chief Engineer, a notation to that effect shall be affixed on the plat by the Chief Engineer and transmit copies to the applicant and the municipal approval authority. If the preliminary plat is approved with modifications, the applicant shall resubmit a preliminary plat incorporating the modifications to the NJMC within 90 days of the date of such approval.

(h) The foregoing provisions to the contrary notwithstanding, the Chief Engineer shall approve or disapprove the preliminary plat within 90 days from the date of the filing of such plat, or from the date the applicant has submitted the last item of required data, whichever date is later, unless such time is extended by mutual consent.

(i) If the NJMC fails to proceed with review of the preliminary plat within 45 days of the date of receipt of a complete application in accordance with (b) above, such preliminary plat shall be deemed to have been approved unless the applicant shall have consented to extend or waive such time limitation.

(j) Approval of the preliminary plat shall not constitute approval of the subdivision by the Chief Engineer, but shall confer the following rights upon the applicant for a three-year period from the date of preliminary approval:

1. The general terms and conditions upon which the preliminary approval was granted will not be changed; and

2. The applicant may submit on or before the expiration date the whole or part(s) of said plat for final approval.

(k) If a final plat is not submitted to the NJMC within such three-year period, the preliminary plat and appropriate fee shall be resubmitted to the NJMC as if such plat had never been approved.

19:5-5.7 Final plat procedure

(a) The applicant shall file an application for final plat approval with the NJMC within three years from the date of preliminary plat approval and within five days of submitting an application for final plat approval to the municipal approval authority.

(b) Applications for final plat approval shall include the following:

1. A complete application form, signed by the applicant and the property owner, containing the following major components:

- i. Applicant information;
- ii. Property description, location, proposed subdivision, and ownership information; and
- iii. Specification of whether a major or minor subdivision classification is requested;

2. The required final plat fee, in accordance with N.J.A.C. 19:4-11;

3. Ten copies and one original mylar of the proposed final plat, and when prepared digitally, a digital copy of the plat in AutoCAD-compatible format, prepared in accordance with these regulations; and

4. Such additional information and documents as may be required by N.J.A.C. 19:5-7.

(c) The Chief Engineer shall review and approve or disapprove the final plat within 45 days after receipt of a complete application for final plat approval. Upon mutual agreement among the NJMC, the municipal approval authority, and the applicant, the 45-day period shall be extended for an additional 45-day period.

(d) The Chief Engineer shall approve a final plat in accordance with the following:

1. The final plat shall be substantially the same as the approved preliminary plat;
2. The final plat shall comply with any conditions of the approval of the preliminary plat; and
3. The final plat shall comply with all NJMC regulations and other applicable requirements.

(e) If the Chief Engineer approves the final plat, the Secretary shall affix the seal of the Commission on the face of the plat. A copy of the approved final plat shall be forwarded to the municipal approval authority and to the applicant.

(f) If the Chief Engineer disapproves the final plat, the Chief Engineer shall notify the applicant in writing of the reasons for such disapproval within 10 days of such decision.

(g) If the Chief Engineer has taken no action to approve or disapprove the final plat within the required time period, the Secretary shall, at the request of the applicant, certify such fact upon the final plat submitted and transmit the final plat to the municipal approval authority. Such certification shall be sufficient authorization for further action by the municipal approval authority and filing with the appropriate county recording officer.

(h) The approved final plat shall be filed by the applicant in the appropriate county recorder's office in accordance with

N.J.A.C. 19:5-5.9 within the timeline established by the municipal approval authority. The applicant shall forward to the NJMC a copy of any time extensions granted by the municipal approval authority. Proof of the recording of the subdivision shall be submitted to the NJMC.

Amended by R.2009 d.40, effective January 20, 2009.

See: 40 N.J.R. 4696(a), 41 N.J.R. 624(b).

In (b)3, inserted "and when prepared digitally, a digital copy of the plat in AutoCAD-compatible format."

19:5-5.8 Other approvals

(a) No zoning certificate or occupancy certificate shall be issued by the NJMC or other agency having jurisdiction for a new building or structure on any lot of any subdivision that is subject to the provisions of this chapter until the minor subdivision plat, minor subdivision deed, or final plat of a major subdivision bearing the certification of approval of the Commission has been recorded by the appropriate county recording officer, and proof of such recording is submitted in writing to the NJMC.

(b) No such permits or certificates shall be issued until there has been compliance with these regulations, including the approval of engineering drawings for required improvements and the submission of performance guarantees to ensure the completion of such improvements.

19:5-5.9 Commission approval for subdivision filing

No plat of any subdivision subject to the provisions of this chapter shall be accepted for filing by the appropriate county recording officer unless it bears the certification of approval of the Commission.

SUBCHAPTER 6. CONTENTS OF PLATS

19:5-6.1 Sketch plat contents

(a) The sketch plat shall be prepared by a New Jersey-licensed professional land surveyor (PLS).

(b) Such plat shall be drawn at a scale sufficient to show the entire tract on one sheet, but in no case shall such scale be less than one inch equal to 200 feet.

(c) The sketch plat shall include the following information:

1. The name and address of the property owner, applicant, and person preparing plat;
2. The names of all adjoining property owners as shown by the most recent municipal tax records;
3. A key map showing the entire subdivision and its relation to surrounding areas;