

FREQUENTLY ASKED PLANNING QUESTIONS

- 1. What is the Master Plan and why is it important?** In simple terms, the Master Plan is the vision of how Hamilton Township will develop over time. As such it provides local elected officials with guidance regarding how areas should be zoned, the standards that should be incorporated in the Land Use and Development ordinance (commonly referred to as the Zoning Ordinance) and other development standards. Information included in the Master Plan can also help a wide variety of public and private entities, including schools, utilities, emergency services, etc., in their long term capital and service needs planning.
- 2. What are the roles of the Planning Board, Township Committee and Zoning Board of Adjustment in the planning process?** The roles of these entities are established in the New Jersey Municipal Land Use Law and can be summarized as follows:
 - The Planning Board prepares and adopts the Master Plan (including individual Master Plan elements, amendments or reexamination reports), reviews and recommends to Township Committee the zoning map and ordinance and any amendments thereof, and reviews and acts on applications for site plan or subdivision or conditional use approval, including any associated 'bulk' variances, when the use proposed is permitted by the zoning ordinance.
 - Township Committee prepares and adopts the Zoning Map and the Land Use Ordinance and any amendments to those documents.
 - The Zoning Board of Adjustment hears appeals of decisions made by the Zoning Officer, issues interpretations of the zoning ordinance, hears applications for 'c', or bulk, variances that do not involve site plan approval and hears applications for 'use', or 'd', variances, including acting on any site plan or subdivision approval sought in conjunction with a 'd' variance.
- 3. When was the Master Plan adopted and how often is it updated or amended?** The Hamilton Township Comprehensive Management Plan (aka the Master Plan) was adopted by the Planning Board in 1983 and certified by the Pinelands Commission in 1985. Since then the Master Plan has been the subject of periodic reexamination by the Planning Board (in 1992, 1999 & 2006 and a current reexamination that was started in 2011) as required by State law. In addition, the Master Plan has been the subject of several amendments and updates.
- 4. Where can I find a copy of the Master Plan and/or the Land Use Ordinance?** Digital copies of all Master Plan documents (the Master Plan, all Reexamination Reports and Amendments) and the Land Use & Development Ordinance can be accessed from Planning and Zoning page of the Township web site. All of these documents are also available for review at the Planning & Zoning office during regular business hours, Monday thru Friday between 8:30 AM and 4:30PM.

5. **How can I find out if someone has filed an application to develop a property near me?** There are several ways that you can find out about development applications in the Township.

The Municipal Land Use Law requires applicants to provide notice to all property owners within 200 ft of a proposed development site at least ten (10) days prior to a scheduled hearing before the Planning Board or Zoning Board of Adjustment for the following applications - site plans, major subdivisions and all variances. This notice may be provided either by direct service or certified mail. Applicants must also publish the notice of the hearing in one of the newspapers designated by the board at least 10 days before the hearing.

You can also find out about proposed development activity in the Township by checking the agendas the Planning Board and/or Zoning Board of Adjustment, which are posted on the bulletin board at Town Hall and on line on the respective web pages under Agendas and Minutes.

6. **What is a site plan?** A site plan is a development plan for a single site, such as a shopping center or a warehouse facility; but excludes one and two family dwellings and subdivisions. Site plans include information of existing and proposed conditions of the parcel, existing & proposed buildings and structures, parking areas, driveways, utilities, etc.
7. **What is a subdivision?** A subdivision is the division of a lot, tract or parcel of land into two or more lots, tracts or parcels or other division of land for sale or development. Subdivisions include changes to the lot lines between properties but do not include the consolidation of lots.
8. **What are some of the other agencies or boards that may be involved if I submit a development application?** The following is a brief list of some of the other agencies that have an involvement in or influence on the planning & design of a development in Hamilton Township:
- The NJ Pinelands Commission – Approximately 95% of the Township is located in the Pinelands Protection Area and development projects, as well as the Township's land use regulations, must comply with the standards and regulations of the Pinelands Comprehensive Management Plan.
 - NJ Department of Environmental Protection – Regulations protect coastal and freshwater wetlands, as well as other important resources, in the 5% of the Township not in the Pinelands Area.
 - Atlantic County Planning Board – Reviews and acts on development applications for property located on a County Road or that affects County drainage facilities.
 - NJ Department of Transportation – Reviews and acts on development applications for projects located along a federal or State highway.

9. **What is a variance?** The Municipal Land Use Law defines variances as “*permission to depart from the literal requirements of a zoning ordinance*”. The law allows for variances to prevent a hardship that the zoning ordinance may cause based on the nature of the property in question. Under the MLUL variances fall under the following two broad categories that are commonly referred to by the subsection of the law: ‘c’, or bulk, variances which deal with deviations from a dimensional or area requirement of the ordinance (e.g. yard setbacks, lot width, etc.); and, ‘d’, or ‘use’, variances which deal with uses not specifically permitted by the ordinance as well as certain increases in height and density or intensity of development.