



TOWNSHIP OF CHATHAM

58 Meyersville Road
Chatham, New Jersey 07928
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DEVELOPMENT FEE WORKSHEET
**PURSUANT TO SUBSECTION 29-2 TITLED
"DEVELOPMENT FEES" OF REVISED GENERAL
ORDINANCES OF THE TOWNSHIP OF CHATHAM

SECTION A: TO BE COMPLETED BY DEVELOPER:

APPLICANT

Name: Phone:

Address: Email:

SUBJECT PROPERTY

Location/Address: Block: Lot(s):

PROPOSED IMPROVEMENT SUBJECT TO DEVELOPMENT FEE

Residential (1.5% Fee) Non-Residential (2.5% Fee) - Also Requires State Form N-RDF

Was a "D - Variance" granted in connection with this proposed improvement? Yes No

Description of Improvement:

Does this proposed improvement meet any of the "Exclusions" under 29-2.3 or 2.4? (see back of form) Yes No

If so, describe:

Date

Signature of Applicant

SECTION B: FOR MUNICIPAL USE ONLY

TAX ASSESSOR (Initial)

Initial Calculation of Increase in Total Equalized Assessed Value \$
Development Fee at % \$
Total Initial Development Fee \$
Total Initial Development Fee Required Payment (50%) \$

Date

Signature of Tax Assessor

TAX ASSESSOR (Final)

Final Calculation of the Increase in Total Equalized Assessed Value \$
(Note: Assessment for ad valorem tax purposes is not predicated on fee calculation)
Development Fee at % \$
Total Final Development Fee \$
Total Final Development Fee Payment Due (Final minus Initial) \$

Date

Signature of Tax Assessor

DEVELOPMENT FEES ARE TO BE PAID BY SEPARATE CHECK MADE OUT TO "TOWNSHIP OF CHATHAM"

INITIAL PAYMENT: PAYMENT AMOUNT: DATE PAYMENT RECEIVED:
CHECK NUMBER: PAYMENT CODE: W70
RECEIVED BY: SIGNATURE:

FINAL PAYMENT: PAYMENT AMOUNT: DATE PAYMENT RECEIVED:
CHECK NUMBER: PAYMENT CODE: W70
RECEIVED BY: SIGNATURE:

SUBSTANTIAL IMPROVEMENT

Any reconstruction, addition, or other improvement of a structure, the cost of which exceeds fifty (50%) percent of the equalized assessed value of the structure before the start of construction of the improvement.

§ 29-2.3 Development fees.

A. Residential development fees.

(1) Imposed fees.

- (a) Within the Township of Chatham, residential developers, except for developers of the types of development specifically exempted below, shall pay a fee of 1.5% of the equalized assessed value for residential development, provided no increased density is permitted.
- (b) When an increase in residential density pursuant to N.J.S.A. 40:55D-70d(5) (known as a "d" variance) has been permitted, developers may be required to pay a development fee of 4% of the equalized assessed value for each additional unit that may be realized. However, if the zoning on a site has changed during the two-year period preceding the filing of such a variance application, the base density for the purposes of calculating the bonus development fee shall be the highest density permitted by right during the two-year period preceding the filing of the variance application. Example: If an approval allows four units to be constructed on a site that was zoned for two units, the fees could equal 1.5% of the equalized assessed value on the first two units; and the specified higher percentage up to 4% of the equalized assessed value for the two additional units, provided zoning on the site has not changed during the two-year period preceding the filing of such a variance application.

(2) Eligible exactions, ineligible exactions and exemptions for residential development:

- (a) Affordable housing developments and developments where the developer has made a payment in lieu of on-site construction of affordable units shall be exempt from development fees.
- (b) Developments that have received preliminary or final site plan approval prior to the adoption of a municipal development fee ordinance shall be exempt from development fees, unless the developer seeks a substantial change in the approval. Where a site plan approval does not apply, a zoning and/or building permit shall be synonymous with preliminary or final site plan approval for this purpose. The fee percentage shall be vested on the date that the building permit is issued.
- (c) Except as provided in Subsection 29-2.3A(2)(d) below, development fees shall be imposed and collected on new residential construction or when an existing residential structure undergoes a substantial improvement as defined in Section 29-2.2 above, is demolished and replaced, or is expanded where the size of the change, replacement, or expansion is greater than 2,500 square feet. The development fee shall be calculated on the increase in the equalized assessed value of the new or improved structure.
- (d) Developers of residential structures demolished and replaced as a result of fire, or natural disaster, or other catastrophic events shall be exempt from paying a development fee.

B. Nonresidential development fees.

(1) Imposed fees.

- (a) Within all zoning districts, nonresidential developers, except for developers of the types of development specifically exempted, shall pay a fee equal to 2.5% of the equalized assessed value of the land and improvements, for all new nonresidential construction on an unimproved lot or lots.
- (b) Nonresidential developers, except for developers of the types of development specifically exempted, shall also pay a fee equal to 2.5% of the increase in equalized assessed value resulting from any additions to existing structures to be used for nonresidential purposes.
- (c) Development fees shall be imposed and collected when an existing structure is demolished and replaced. The development fee of 2.5% shall be calculated on the difference between the equalized assessed value of the preexisting land and improvement and the equalized assessed value of the newly improved structure, i.e., land and improvement, at the time a final certificate of occupancy is issued. If the calculation required under this section results in a negative number, the nonresidential development fee shall be zero.

(2) Eligible exactions, ineligible exactions and exemptions for nonresidential development.

- (a) The nonresidential portion of a mixed-use inclusionary or market-rate development shall be subject to the development fee of 2.5% unless otherwise exempted below.
- (b) The fee of 2.5% shall not apply to an increase in equalized assessed value resulting from alterations, change in use within existing footprint, reconstruction, renovations and repairs.
- (c) Nonresidential developments shall be exempt from the payment of nonresidential development fees in accordance with the exemptions required pursuant to P.L.2008, c.46, as specified in the Form N-RDF "State of New Jersey Non-Residential Development Certification/Exemption." Any exemption claimed by a developer shall be substantiated by that developer.
- (d) A developer of a nonresidential development exempted from the nonresidential development fee pursuant to P.L.2008, c.46, shall be subject to it at such time the basis for the exemption no longer applies, and shall make the payment of the nonresidential development fee, in that event, within three years after that event or after the issuance of the final certificate of occupancy of the nonresidential development, whichever is later.
- (e) If a property which was exempted from the collection of a nonresidential development fee thereafter ceases to be exempt from property taxation, the owner of the property shall remit the fees required pursuant to this section within 45 days of the termination of the property tax exemption. Unpaid nonresidential development fees under these circumstances may be enforceable by the Township as a lien against the real property of the owner.

§ 29-2.4 Exempt development types.

The following development types are exempt from development fees:

- A. Nonprofit and public education buildings.
- B. Houses of worship.
- C. Public amenities (recreational, community, or senior centers).
- D. Parking lots and structures.
- E. Nonprofit hospital relocation or improvement.
- F. State, county and local government buildings.
- G. Transit hubs, transit villages, and light-rail hubs.
- H. Commercial farm buildings and Use Group U structures.
- I. Developments with a general development plan approval, or executed developer's or redeveloper's agreement, prior to July 17, 2008, with a fee or affordable housing requirement the equivalent of at least 1% of equalized assessed value.