

Terms Defined:

“Non-profit educational purposes,” means property which is tax exempt pursuant to N.J.S.A. 54:4-3.6

An exempt “amenity” is an element “to be made available to the public, including, but not limited to, recreational facilities, community centers, and senior centers, which are developed in conjunction with or funded by a non-residential developer.” If claiming this exemption attach Planning Board approval.

“Urban transit hub” means property located within a 1/2 mile radius surrounding the mid point of a New Jersey Transit Corporation, Port Authority Transit Corporation or Port Authority Trans-Hudson Corporation rail station platform area. A property that is partially included within the radius shall only be considered part of the hub if over 50 percent of its land area falls within the radius. “Rail station” shall not include any rail station located in an international airport. Maps of Urban Transit Hubs can be found at www.nj.gov/dca/coah/legislation.shtml.

A “Transit Village” is an area in a municipality that has been designated by the State inter-agency Transit Village Task Force. More information on Transit Villages can be found at www.state.nj.us/transportation/community/village/.

For Developers:

Developer completes Section A (except Construction Permit Application number) and submits with Construction Permit Application. Prior to claiming an exemption, credit, or 1% fee, the Developer should review the referenced statute and verify that it applies. If a reduced fee amount (1%) or credit is being claimed, substantiation of the claim (dated prior to the effective date of the Act) shall be provided and attached to the certificate, i.e., the redevelopment agreement, general plan approval, developer’s agreement, or proof of prior commitment of payment toward low and moderate income housing.

For Construction Official:

Construction Official to verify that Section A is fully completed and that property and contact information are same as those on the construction permit application, and fills in “Construction Permit Application Number.” Construction Official verifies that the form is signed by the Developer. If accurate and complete, Construction Official forwards original form to Assessor. If not accurate and complete, Construction Official shall refuse to accept it and return it to the applicant. Copies of all forms where the Developer claims an exemption should be sent to the Department of Community Affairs, 101 S. Broad Street, P.O. Box 806, Trenton, NJ 08625 Attn: Non-Residential Development Fee Coordinator.

For Assessor:

If an exemption is claimed by the Developer, the Assessor shall determine if the claimed exemption is justified. If the property is exempt, the Assessor shall check the “exempt” box at the bottom of Section B, sign and provide the original signed Form N-RDF to the Construction Official and a copy to the Developer. If not exempt, the Assessor, based on review of plans and conceptualls submitted with Construction Permit Application, prepares estimated assessment of property. Assessor completes “Estimated” column of Section B (E1-E5) to determine estimated non-residential development fee due (E6). If the development is new construction, then E4 and F4 should equal \$0, if the development is situated on real property that was previously developed with a building, structure, or other improvement, E4 and F4, should show the existing equalized assessed value of the property as of the date listed in section A when the construction or demolition permit was first sought. Assessor provides a copy of the estimate to the Construction Official and the Developer, retains original. The Construction Official’s copy is filed in the Construction Permit Application File. Upon notification that the property is ready for a final assessment, the Assessor reviews the estimate, performs a final assessment and completes Section B, “Final” column (F1-F5) to determine final fee, F6.

For Payment Recipient and Construction Official:

Assessor signs and provides original to Construction Official, who files in the Construction Permit Application file; Assessor provides copy to the Developer for use when making payment. If the municipality has a COAH approved Housing Trust Fund and Spending Plan, payment is to be remitted to the town and Section C, to be completed as receipt of payment. If payment is being made through Treasury, Developer to input information electronically and receive confirmation in similar format. When preparing to issue Certificate of Occupancy (CO), Construction Official to compare Developer’s receipt to copy in Construction Permit File, and if they match, issues the CO. If the fee imposed is being contested, the payment must equal E6; if not contested, payment must equal F6. If payment does not match the final or the estimated fee, a CO will not be issued. (For a limited period after the enactment of P.L. 2008, c. 46, the amount listed in E6 and F6 may differ from the fee paid, if the Developer is entitled to a credit pursuant to section 37 c. of P.L. 2008 c. 46 or payment of a 1% fee pursuant to section 37 a. of P.L. 2008 c. 46). This credit or reduced fee will be indicated in Section A. Where payments are made to the State of New Jersey and the developer claims a 1% fee, or a credit for prior payments, payment should be remitted to Department of Community Affairs, Division Of Codes and Standards, PO Box 802, Trenton NJ 08625-0802, Attn: Non-Residential Development Fee Coordinator.