

## Chapter 188. Land Use and Development

### Article II. Administrative Provisions

#### § 188-13. Fees.

[Amended 7-14-1981 by Ord. No. 81-11; 6-28-1988 by Ord. No. 88-10; 4-25-1989 by Ord. No. 89-6; 12-19-1989 by Ord. No. 89-13; 12-17-1991 by Ord. No. 91-27]

Fees for applications or for the rendering of any services by the Planning Board or the Zoning Board of Adjustment or any member of their administrative staffs shall be as provided herein.

A. Application fees. The developer shall, at the time of filing any application for development, any application for amendment to or extension of any development approval, any request for a zone change or recommendation of a zone change and/or any request for amendment of the Master Plan, pay the following nonrefundable fees to the Township, by certified check or bank money order, except that any application in the AH District, in which low- and moderate-income dwelling units are to be constructed within the development, shall not have to pay fees for the low- and moderate-income dwelling units. All other fees shall apply. The nonrefundable fees set forth in Subsection A are to cover administrative expenses. Proposals involving more than one use shall pay a fee equaling the sum of the fees for the component elements of the plat. Proposals requiring a combination of approvals, such as subdivision, site plan and/or variance, shall pay a fee equal to the sum of the fees for each element. An application will not be considered complete until all required fees are paid, or waivers from same are obtained.

(1) Subdivision.

(a) Informal review: no fee.

(b) Minor subdivision, amended minor subdivision: \$600.

(c) Preliminary plat, amended preliminary plat:

[1] Major: \$2,000 plus \$50 per lot for every lot over 15.

[2] Farmland equity: \$1 per acre, payable at the time a submission is made for farmland equity subdivision, plus payment of the fee set forth above at the time a submission is made for preliminary major subdivision.

(d) Final plat, amended final plat: \$1,000.

(e) Request for reapproval or extension of time: \$250.

(f) Performance guarantees, inspection fees and maintenance guarantees shall be in addition to these filing fees and shall be as outlined in § 188-14, Guarantees and inspections, in this article.

(2) Site plan.

(a) Informal review: no fee.

(b) Minor site plan, amended minor site plan: \$250.

(c) Preliminary major site plan, amended preliminary major site plan:

[1] Residential: \$1,000 plus:

[a] From one to 10 units: \$20, plus \$15 per unit from 11 to 100 units, plus \$8 per unit for 101 units or more.

- [2] Commercial/Industrial:  
[Amended 3-10-2009 by Ord. No. 2009-06]
  - [a] Up to 100,000 square feet of proposed floor area or area of disturbance: \$2,500.
  - [b] Over 100,000 square feet of proposed floor area or area of disturbance: \$5,000.
- [3] Signs not included in a site plan submission: \$50 for the first sign, plus \$25 for each additional sign.  
[Amended 3-10-2009 by Ord. No. 2009-06]
- [4] Where more than one tenant may be on one lot, the fee shall be based on the square footage of gross floor area devoted to that tenant's use.
- (d) Final major site plan, amended final major site plan: 50% of the preliminary site plan fee, if filed separately; 25% of the preliminary site plan fee if filed with the preliminary.
- (e) Request for reapproval or extension of time: \$250.
- (f) Performance guarantees, inspection fees and maintenance guarantees shall be in addition to these filing fees and shall be as outlined in § 188-14, Guarantees and inspections, in this article.
- (3) Planned development.
  - (a) General development plan (GDP): \$100 + \$10/du + \$0.10 per square foot of nonresidential gross floor area.
  - (b) Preliminary plat, amended preliminary plat:
    - [1] Residential.
      - [a] Four hundred dollars per unit from one to 10 units, plus \$15 per unit from 11 to 100 units, plus \$8 per unit from 101 to 500 units, plus \$5 per unit from 501 to 1,000 units, plus \$3 per unit for 1,000 units or more.
      - [b] Minimum fee: \$400.
    - [2] Other uses.  
[Amended 3-10-2009 by Ord. No. 2009-06]
      - [a] Two hundred dollars per acre.
      - [b] Minimum fee: \$600.
    - [3] Proposals containing a mixture of uses shall have a total fee equal to the sum of the applicable portions of the fee schedule. Any changes to a plan during its review for either tentative or final approval resulting in more dwelling units or greater areas for nonresidential uses shall require the submission of additional fees computed from the preceding schedule.
  - (c) Final plat, amended final plat: 50% of the preliminary fee.
  - (d) Request for reapproval or extension of time: \$250.
  - (e) Performance guarantees, inspection fees and maintenance guarantees shall be in addition to these filing fees and shall be as outlined in § 188-14, Guaranties and inspections, in this article.
- (4) Variances.
  - (a) Hear and decide appeals (N.J.S.A. 40:55D-70a): \$250.
  - (b) Conditional use approval: \$250.
  - (c) Interpretations (N.J.S.A. 40:55D-70b): \$250.
  - (d) Dimensional or "c" variance: \$100 each in conjunction with site plan or subdivision approval; \$250 for one variance without site plan or subdivision approval, plus \$75 for each additional variance.
  - (e) Use or "d" variance.

- [1] Residential: \$250 for up to 10 dwelling units; \$25 per unit for greater than 10 units.
  - [2] Other uses: \$250 per acre.
  - [3] Minimum: \$250.
- (f) Building permit in conflict with the Official Map or building permit for a lot not related to a street: \$250.
- (g) Request for reapproval or extension of time: \$250.
- (h) Request for administrative approval of application changes: \$250.
- (5) Other
- (a) Development permit (N.J.S.A. 40:55D:34 and 40:55D:35): \$250.
  - (b) Request for Master Plan amendment: \$250.
  - (c) Subdivision approval certificate: \$50 per certificate.
  - (d) Certificate of nonconformity (N.J.S.A. 40:55D-68): \$50 per certificate.
  - (e) Zoning permit: \$25 per permit, except that no permit fee is required for any sign or change of occupancy or change of tenant.  
[Amended 3-10-2009 by Ord. No. 2009-06]
- (6) Court reporter.
- (a) A court reporter shall be required for all hearings. The court reporter's fee for taking testimony shall be part of the applicant's fee outlined above.
  - (b) Any applicant may arrange for his own court reporter to take the testimony given before the Board. The cost of this court reporter shall be borne by the applicant.
  - (c) The cost of transcribing any testimony shall be the responsibility of the applicant whose testimony is being transcribed, including the cost of transcribing the copy for the Board before whom the hearing was held, except as noted below.
- (7) Preparation by the authorized officials of the list of property owners to be served with notice. Twenty-five cents per name or \$10, whichever is greater, shall be charged for each list.
- (8) GIS update fees on certain development applications.
- (a) Subdivision: minor, amended minor: \$150.
  - (b) Subdivision: preliminary major, amended preliminary major: \$500, plus \$15 per lot.
  - (c) Subdivision: final plat, amended final: \$500.
  - (d) Site plan: minor, amended minor: \$250. It is noted that when a minor site plan application involves more than one tenant on one lot, the GIS update fee shall be based on the square footage of gross floor area devoted to each tenant's use.
  - (e) Site plan: residential preliminary major, amended preliminary: \$500, plus \$5 per unit for one to 11 units; \$4 per unit for 12 to 100 units; and \$2 per unit over 100 units.
  - (f) Site plan: nonresidential preliminary major, amended preliminary: \$500 for up to 100,000 square feet of proposed floor area or area of disturbance or \$1,000 for over 100,000 square feet of proposed floor area or area of disturbance  
[Amended 2-13-2007 by Ord. No. 2007-03; 3-10-2009 by Ord. No. 2009-06]
  - (g) Site plan: final major, amended final major: 50% of the preliminary site plan GIS update fee if filed separately; 25% of the preliminary site plan GIS update fee if filed with the preliminary.
  - (h) Planned development: general development plan (GDP): \$100, plus \$5 per dwelling unit (DU), plus \$0.05 per square foot of nonresidential gross floor area.

- (i) Planned development: residential preliminary plat, amended preliminary: \$50 per DU for one to 10 DUs, plus \$7 per DU for 11 to 100 DUs, plus \$5 per DU for 101 to 500 DUs, plus \$3 per DU for 501 to 1,000 DUs, plus \$2 per DU over 1,000 DUs. The minimum GIS update fee is \$100.
  - (j) Planned development: nonresidential preliminary plat, amended preliminary: \$50 per acre.  
[Amended 3-10-2009 by Ord. No. 2009-06]
  - (k) Planned development: final plat, amended final: 50% of the preliminary surcharge.
  - (l) Conditional use: \$250.
  - (m) Dimensional or "c" variance: \$50 for each variance in conjunction with a site plan or subdivision; \$25 for each variance without site plan or subdivision.
  - (n) Use or "d" variance: residential: \$250 for one to 10 DUs and \$10 per DU over 10 DUs.
  - (o) Use or "d" variance: nonresidential: \$250 per AC.
  - (p) In no event shall the total GIS update fee for any application exceed \$5,000.  
[Added 2-13-2007 by Ord. No. 2007-03]
- B. The Planning Board and/or Zoning Board of Adjustment shall require escrow deposits in accordance with the provisions of this section. The escrow deposit is established to cover the cost of professional services, rendered by outside consultants and/or staff employees, including but not limited to engineering, planning, legal, traffic, environmental, health and other expenses, including but not limited to court reporter and transcript costs as described in § 188-13A(6) above, associated with the review of and/or testimony concerning an application for development submitted by an applicant. The application review and inspection charges shall be limited only to professional charges for review of applications, review and preparation of documents and inspections of developments under construction and review by outside consultants when an application is beyond the scope of the expertise of the professionals normally utilized by the municipality. The only cost that shall be added to any such charges shall be actual out-of-pocket expenses of any such professionals or consultants, including normal and typical expenses incurred in processing applications and inspecting improvements. The amount of the deposit required shall be reasonable in regard to the scale and complexity of the development.  
[Amended 12-19-1995 by Ord. No. 95-47; 8-27-2002 by Ord. No. 2002-23; 5-27-2003 by Ord. No. 2003-07; 12-9-2003 by Ord. No. 2003-24]
- (1) Subject to the provisions of Subsection **B(2)** herein below, each applicant shall, prior to the application being ruled complete pursuant to the provisions of the Municipal Land Use Law, submit the following sums to be held in escrow in accordance with the provisions hereof:
    - (a) Applicable escrows.
      - [1] Subdivision.
        - [a] Informal review:
          - [i] Minor subdivision: no escrow. If professional review is requested: \$2,000.
          - [ii] Major subdivision: \$2,000.
        - [b] Minor subdivision: \$1,000, plus \$25 per lot.
        - [c] Preliminary major plat: \$1,500, plus \$100 per lot.
        - [d] Final plat: \$750, plus \$25 per lot.
        - [e] Amended minor, amended preliminary major and/or amended final major subdivision plat: \$400 per lot.
        - [f] Request for reapproval or extension of time: \$500.
        - [g] Request for administrative approval of changes to plans: \$300.
      - [2] Site plan.
        - [a] Informal review: no escrow. If professional review is requested: \$2,000.

- [b] Minor site plan: \$2.50 per square foot of proposed building area, or for residential uses, \$250 per unit. When no building improvements are proposed, the required escrow fee shall be \$1.50 per square foot of proposed lot improvements.
  - [c] Preliminary major site plan.
    - [i] Residential: \$750 per residential acre or part thereof, plus \$6 per dwelling unit and \$5 per square foot of site area being disturbed.
    - [ii] Commercial/Industrial: \$750 per acre or part thereof, plus \$0.10 per square foot of site area being disturbed and/or modified.
  - [d] Final site plan: 25 percent of preliminary fee.
  - [e] Amended minor, amended preliminary and/or final major site plan: 75% of original fee.
  - [f] Review of sign waiver request: \$500.
  - [g] Request for reapproval or extension of time: \$500.
  - [h] Request for administrative approval of changes to plans: \$300.
- [3] Planned development.
- [a] Informal review: \$2,000.
  - [b] General development plan (GDP): \$7,500.
  - [c] Preliminary residential plat: \$250 per acre or part thereof, plus \$6 per dwelling unit and \$0.05 per square foot of site area being disturbed and/or modified.
  - [d] Preliminary nonresidential plat: \$750 per acre or part thereof, plus \$0.10 per square foot of site area being disturbed.
  - [e] Final plat: 50% of the escrow required for a preliminary plat.
  - [f] Amended GDP, preliminary or final plat: 75% of original fee.
  - [g] Request for reapproval or extension of time: \$500.
  - [h] Request for administrative approval of changes to plans: \$300.
- [4] Other.
- [a] Appeals (N.J.S.A. 40:55D-70a): \$1,000.
  - [b] Interpretations (N.J.S.A. 40:55D-70b): \$1,000.
  - [c] Dimensional or "c" variance without site plan or subdivision: \$1,000.  
[Amended 2-24-2004 by Ord. No. 2004-03]
  - [d] Use variance without site plan or subdivision: \$1,000.
  - [e] Development permit (N.J.S.A. 40:55D-34 and 40:55D-35): \$500.
  - [f] Conditional use without site plan or subdivision: \$1,000.
  - [g] Request for Master Plan amendment: \$3,000.
  - [h] Change of use (no site improvements): \$1,000.
  - [i] Request for reapproval or extension of time of items in this subsection: \$500.
  - [j] Certificate of nonconformance (N.J.S.A. 40:55D-68): \$400.

(2) Review.

- (a) Within 45 days after the filing of an application for development with the Planning Board or Zoning Board of Adjustment, as the case may be, the Hillsborough Township Planner or his/her designee, in collaboration with the Hillsborough Township Engineer and in conjunction with appropriate representatives of the staff of the Township of Hillsborough, shall review said application for development to determine whether the escrow amount set forth above is adequate. In conducting said review, the following criteria shall be considered:
    - [1] The presence or absence of public water and/or sewer servicing the site.
    - [2] Environmental considerations, including but not limited to geological, hydrological and ecological factors.
    - [3] The traffic impact of the proposed development.
    - [4] The impact of the proposed development on existing aquifer and/or water quality.
  - (b) Upon completion of said review and within said forty-five-day period, the Township Planner shall make formal recommendations to the Board, which shall adopt a resolution specifying whether the escrow amount specified above is sufficient, excessive or insufficient. In the event that the Board shall determine that said amount is excessive, it shall, in the resolution, specify the amount that shall be deemed sufficient, including the specification, if appropriate, that no escrow be posted. In the event that the Board shall determine the amount specified above is insufficient, it shall so specify and shall further set forth the amount required to be posted in light of the criteria specified herein.
- (3) No application for development shall be deemed complete until such time as the applicant shall have posted with the Township of Hillsborough, in cash, certified check or money order, the amount of escrow deposit determined by the Planning Board and/or Board of Adjustment to be required in accordance with the provisions of this article.
- (4) Billing procedures; vouchers; responsibilities of Chief Financial Officer.  
[Amended 12-19-1995 by Ord. No. 95-47]
- (a) The Chief Financial Officer of the Township shall make all of the payments to professionals for services rendered to the municipality or approving authority for review of applications for development, review and preparation of documents, inspection of improvements or other purposes under the provisions of P.L. 1975, c. 291.<sup>[1]</sup>
    - [1] *Editor's Note: See N.J.S.A. 40:55D-1 et seq., the Municipal Land Use Law.*
  - (b) The Township or approving authority shall not bill the applicant, nor charge any escrow account or deposit authorized under Section 8-1 for any municipal clerical or administrative functions, overhead expenses, meeting room charges, or any other municipal costs and expenses except as provided for in Subsection **B(8)**, nor shall a municipal professional add any such charges to his bill.
  - (c) Each payment charged to the deposit for review of applications, review and preparation of documents and inspection of improvements shall be pursuant to a voucher from the professional, which voucher shall identify the personnel performing the service, and for each date the service is performed, the hours spent to 1/4 hour increments, the hourly rate and the expenses incurred.
  - (d) All professionals shall submit vouchers to the Chief Financial Officer of the municipality on a monthly basis in accordance with schedules and procedures established by the Chief Financial Officer of the Township.
  - (e) If the services are provided by a township employee, the municipal employee shall prepare and submit to the Chief Financial Officer of the municipality a statement containing the same information as required on a voucher, on a monthly basis.
  - (f) The professional shall send an informational copy of all vouchers or statements submitted to the Chief Financial Officer of the municipality simultaneously to the applicant. The Chief Financial Officer shall prepare and send to the applicant a statement which shall include an accounting of funds listing all deposits, interest earnings, disbursements and the accumulative balance of the escrow account.
  - (g) This information shall be provided on a quarterly basis, if monthly charges are \$1,000 or less or on a monthly basis if monthly charges exceed \$1,000.

- (h) If an escrow account or deposit contains insufficient funds to enable the municipality or approving authority to perform required application reviews or improvement inspections, the Chief Financial Officer shall provide the applicant with a notice of the insufficient escrow or deposit balance.
  - (i) In order for work to continue on the development or the application, the applicant shall, within a reasonable period of time, post a deposit to the account in an amount to be agreed upon by the Township or approving authority and the applicant. In the interim, any required health and safety inspections shall be made and charged back against the replenishment of funds.
- (5) The officer shall deposit all funds pending completion and review of the development application. Said moneys shall be placed in an interest-bearing account. In the event that a refund is to be made to the applicant pursuant to Subsection **B(4)** above, the municipality shall refund with interest said amount within 30 days from the date of final approval.
- (6) With respect to applications for farmland equity preservation major preliminary subdivision approval, the requirements of § **188-13B(1)** through **(5)** need not be met until the time the applicant makes his submission pursuant to Article **III** of this chapter.
- (7) If, as a result of revisions to development plans and/or related submitted materials and/or resubmissions of applications and/or other justifiable reasons, either before or after Board approval, the escrow deposit is either partially or totally depleted and additional escrow deposits are deemed necessary by the Development Coordinator, the applicant shall submit the following additional escrow deposit guideline sum: 50% of the guideline sums originally applicable under § **188-13B(1)** above. The Development Coordinator, in collaboration with the Township Engineer and in conjunction with appropriate representatives of the staff of the Township of Hillsborough, shall review said development application to determine whether the additional escrow sum set forth above is adequate. In conducting such review, the Development Coordinator shall consider the criteria utilized in § **188-13B(2)(a)[1]** through **[4]** and shall follow the procedure delineated in § **188-13B(2)** through **(6)**.
- (8) Actual fees and charges.  
[Added 5-11-1993 by Ord. No. 93-11; 12-19-1995 by Ord. No. 95-47]
- (a) If the salary, staff support and overhead for a municipal professional are provided by the Township, the charge shall not exceed 200% of the sum of the products resulting from multiplying the hourly base salary which shall be established annually by ordinance of each of the professionals by the number of hours spent by the professional on review of the application for development or inspection of the developer's improvements, as the case may be. The term municipal professional shall include those professionals retained at the outset of each calendar year to provide the additional manpower necessary to supplement the in-house professional staff. In the case of such outside professionals hired to provide the necessary in-house manpower, the charge shall be the rate set forth in the resolution awarding the contract to the professional.
  - (b) For all other outside professionals and consultants, the charge shall be at the same rate as all other work of the same nature by the professional for the municipality when fees are not reimbursed or otherwise imposed on applicants or developers.
  - (c) The fees or charges shall be based upon the following schedules:
    - [1] For outside professionals retained to supplement the in-house manpower, the rate shall be in accordance with the resolution of the Township Committee awarding the contract.
    - [2] For all other outside consultants and professionals, the rates shall be established by resolution of the approving authority.
    - [3] For all staff and in-house professionals, the rates shall be in accordance with the formula delineated hereinabove.
- (9) Close-out procedures.  
[Added 12-19-1995 by Ord. No. 95-47]
- (a) The following close-out procedure shall apply to all deposits and escrow accounts established under the provisions of P.L. 1975, c. 291, and shall commence after the approving authority has granted final approval and signed the subdivision plat or site plan, in the case of application review escrows and

deposits, or after the improvements have been approved as provided in Section 41 of P.L. 1975, c. 291,<sup>[2]</sup> in the case of improvement inspection escrows and deposits.

[2] *Editor's Note: See N.J.S.A. 40:55D-53.*

- (b) The applicant shall send written notice by certified mail to the Chief Financial Officer of the Township and the approving authority, and to the relevant municipal professional, that the application or improvements, as the case may be, are completed.
- (c) After receipt of such notice, the professional shall render a final bill to the Chief Financial Officer within 30 days and shall send a copy simultaneously to the applicant.
- (d) The Chief Financial Officer of the Township shall render a written final accounting to the applicant on the uses to which the deposit was put within 45 days of receipt of the final bill.
- (e) Any balances remaining in the deposit or escrow accounts, including interest in accordance with Section 1 of P.L. 1985, c. 315,<sup>[3]</sup> shall be refunded to the developer along with the final accounting.

[3] *Editor's Note: See N.J.S.A. 40:55D-53.1.*

(10) Miscellaneous.

[Added 12-19-1995 by Ord. No. 95-47]

- (a) All professional charges for review of an application for development, review and preparation of documents or inspection of improvements shall be reasonable and necessary given the status and progress of the application or construction.
- (b) Review fees shall be charged only in connection with an application for development presently pending before the approving authority or upon review of compliance with conditions of approval or review of request for modification or amendment made by the applicant.
- (c) A professional shall not review items which are subject to approval by any state governmental agency and not under municipal jurisdiction, except to the extent consultation with a state agency is necessary due to the effect of state approvals on the subdivision or site plan.
- (d) Inspection fees shall be charged only for actual work shown on a subdivision or site plan as required by an approving resolution. Professionals inspecting improvements under construction shall charge only for inspections that are reasonably necessary to check the progress and quality of work and such inspections shall be reasonably based on the approved development plans and documents.
- (e) If the municipality retains a different professional or consultant in the place of the professional originally responsible for development of application review or inspection of improvements, the Township or approving authority shall be responsible for all time and expenses of the new professional to become familiar with the application or the project and the Township or approving authority shall not bill the applicant or charge the deposit or escrow account for any such services.

(11) Appeal process.

[Added 12-19-1995 by Ord. No. 95-47]

- (a) An applicant shall notify in writing the governing body with copies to the Chief Financial Officer, the approving authority and professional whenever the applicant disputes the charges made by a professional for services rendered to the municipality in reviewing applications for development, review and preparation of documents, inspection of improvements or other charges made pursuant to the provisions of P.L. 1975, c. 291.<sup>[4]</sup>

[4] *Editor's Note: See N.J.S.A. 40:55D-1 et seq.*

- (b) The governing body, or its designee, shall within a reasonable period of time attempt to remediate any disputed charges.
- (c) If the matter is not resolved to the satisfaction of the applicant, the applicant may appeal to the County Construction Board of Appeals any charge to an escrow account or a deposit by any municipal professional or consultant or the cost of the installation of improvements estimated by the Municipal Engineer pursuant to Section 15 of P.L. 1991, c. 256.<sup>[5]</sup>

[5] *Editor's Note: See N.J.S.A. 40:55D-53.4.*



- (d) An applicant or his authorized agent shall submit the appeal in writing to the Construction Board of Appeals. The applicant or his authorized agent shall simultaneously send a copy of the appeal to the Township Committee, approving authority and any professional whose charge is the subject of the appeal.
- (e) An applicant shall file an appeal within 45 days from receipt of the informational copy of the professional's voucher required by Subsection **B(10)** hereinabove, except that if the professional has not supplied the applicant with an informational copy of the voucher, then the applicant shall file his appeal within 60 days from the receipt of the municipal statement of activity against the deposit or escrow account required as delineated hereinabove.
- (f) An applicant may file an appeal for an ongoing series of charges by a professional during a period not exceeding six months to demonstrate that they represent a pattern of excessive or inaccurate charges. An applicant making use of this provision need not appeal each charge individually.
- (g) The Construction Board of Appeals shall hear the appeal, render a decision thereon and file its decision with the statement of the reasons therefor with the municipality or approving authority not later than 10 business days following the submission of the appeal, unless such period of time has been extended with the consent of the applicant.
- (h) The decision may approve, disapprove or modify the professional charges appealed from. A copy of the decision shall be forwarded by certified or registered mail to the applicant making the appeal, the Township Committee, the approving authority and the professional involved in the appeal.
- (i) Failure by the Board to hear an appeal and render and file a decision thereon within the time limits prescribed in this subsection shall be deemed a denial of the appeal for purposes of a complaint, application or appeal to a court of competent jurisdiction.
- (j) The Construction Board of Appeals shall provide rules for its procedure in accordance with this section. The Board shall have the power to administer oaths and issue subpoenas to compel the attendance of witnesses and the production of relevant evidence and the provisions of the County and Municipal Investigations Law (N.J.S.A. 2A:67A-1 et seq.) shall apply.
- (k) During the pendency of any appeal, the municipality or approving authority shall continue to process, hear and decide the application for development and to inspect the development in the normal course and shall not withhold, delay or deny reviews, inspections, signing of subdivision plats or site plans, the reduction or release of performance or maintenance guarantees, the issuance of construction permits or certificates of occupancy or any other approval or permit because an appeal has been filed or is pending under this section.
- (l) The Chief Financial Officer of the municipality may pay charges out of the appropriate escrow account or deposit for which an appeal has been filed.
- (m) If a charge is disallowed after payment, the Chief Financial Officer shall reimburse the deposit or escrow account in the amount of any such disallowed charge or refund the amount to the applicant.
- (n) If a charge is disallowed after payment to a professional or consultant who is not an employee of the municipality, the professional or consultant shall reimburse the municipality in the amount of any such disallowed charge.