

55-90. TIME PERIODS FOR DECISION.

A . Unless the developer agrees to an extension, a Board must grant or deny approval of a development application within the following number of days after submission of a complete application:

(1) In the case of the Planning Board:

(a) For a minor subdivision: forty-five (45) days.

(b) For a preliminary major subdivision:

[1] For ten (10) lots or less: forty-five (45) days.

[2] For more than ten (10) lots: ninety-five (95) days.

(c) For a final major subdivision: forty-five (45) days.

(d) For a preliminary site plan:

[1] For ten (10) acres of land or less and ten (10) dwelling units or less: forty-five (45) days.

[2] For more than ten (10) acres of land or more than ten (10) dwelling units: ninety-five (95) days.

- (e) For a final site plan: forty-five (45) days.
 - (f) For a conditional use permit: ninety-five (95) days.
 - (g) For a combined application:
 - [1] For a conditional use permit and a site plan: ninety-five (95) days.
 - [2] For a subdivision plat and a conditional use permit or site plan: the longest time period for action by the Planning Board, whether it is for subdivision, conditional use or site plan approval.
 - [3] For a subdivision plat, site plan or conditional use permit and for certain zoning variances or direction of the issuance of a permit for a building not related to a street or in an area designated on the Official Map for public acquisition or use: ninety-five (95) days.
 - (h) For a minor site plan: forty-five (45) days.
- (2) In the case of the Board of Adjustment as set forth in § 55-292 of this chapter. The Board of Adjustment may refer any development application submitted to it pursuant to § 55-243 of this chapter to any appropriate person or agency, including the Planning Board, for its report, provided that such reference shall not extend the period of time within which the Board of Adjustment shall act.
- B. Whenever review or approval of the application by the County Planning Board is required by Section 5 of P.L. 1968, c. 285 (N.J.S.A. 40:27-6.3), in the case of a subdivision, or Section 8 of P.L. 1968, c. 285 (N.J.S.A.

40:27-6.6), in the case of a site plan, the Planning Board or Board of Adjustment shall condition any approval that it grants upon timely receipt of a favorable report on the application by the County Planning Board or approval by the County Planning Board by its failure to report thereon within the required time.

- C. In the event that the Planning Board or Board of Adjustment does not render a decision within the time periods prescribed above and the applicant has not agree to an extension of time, the application is deemed approved by default.