



**CITY OF SUMMIT - Department of Community Services (DCS)  
Application for Development - Worksheet**

- ORIGINAL FILING  MODIFICATION OF PRIOR APPROVAL  
 RESUBMITTAL OF "INCOMPLETE"  AMENDED PLAN(S)

Address: \_\_\_\_\_

Block(s) \_\_\_\_\_ Lot(s) \_\_\_\_\_ Zone(s) \_\_\_\_\_

How the property is used (one-family, offices, etc.): \_\_\_\_\_

Property Owner: \_\_\_\_\_ Phone \_\_\_\_\_

Email: \_\_\_\_\_

Owner Address: \_\_\_\_\_

Applicant: \_\_\_\_\_ Phone: \_\_\_\_\_

Email: \_\_\_\_\_

FILL IN ITEMS 1 THROUGH 5 - MARK EACH BOX  OR CIRCLE  AS APPROPRIATE FOR YOUR APPLICATION.

1 TYPE PROPERTY:  RESIDENTIAL  OTHER

2 Type application:

- |  |  |   |
|--|--|---|
| <input type="checkbox"/> Appeal            | <input type="checkbox"/> Interpretation    | <input type="checkbox"/> C – Bulk variance          |
| <input type="checkbox"/> D – Use variance  | <input type="checkbox"/> Conditional use   | <input type="checkbox"/> D – Floor area ratio (FAR) |
| <input type="checkbox"/> Minor subdivision | <input type="checkbox"/> Major subdivision | <input type="checkbox"/> Site plan                  |
| <input type="checkbox"/> Other _____       |  |   |

CONCEPT PLAN  PRELIMINARY  FINAL

3 Number of lots : \_\_\_\_\_ Existing  Number of dwelling units \_\_\_\_\_ Existing  
 \_\_\_\_\_ Proposed \_\_\_\_\_ Proposed

4 Building area \_\_\_\_\_ Existing  
 \_\_\_\_\_ Proposed new \*  
 \_\_\_\_\_ Total site building area

\*-NEW INCLUDES ADDITIONS AND EXPANDED AREAS AS WELL AS NEW STRUCTURES, BUT DOES NOT INCLUDE AREAS ALTERED WITHIN THE EXISTING BUILDING FOOTPRINT

5 Comments : \_\_\_\_\_  
 \_\_\_\_\_

6 Signature: \_\_\_\_\_ Date: \_\_\_\_\_

# PROCEDURE FOR FILING APPLICATIONS TO THE ZONING BOARD OF ADJUSTMENT



This guideline has been prepared to assist the applicant in making a complete application to the Board of Adjustment. It summarizes many of the requirements of the N.J. Municipal Land Use Law and the City of Summit Development Regulations Ordinance, but does not include all of the law or ordinance requirements.

The responsibility for meeting filing and similar requirements of the Municipal Land Use Law and the Development Regulations Ordinance rests with the applicant.

The Municipal Land Use Law and the Development Regulations Ordinance are available for review by interested parties at the Department of Community Services, 512 Springfield Avenue, Summit N.J. between the hours of 8:30 a.m. and 4:00 p.m.



## 1. WHEN AN APPLICATION IS REQUIRED:

- a. An application is required when the applicant has submitted a building permit application for proposed work and the Zoning Officer has denied the application.
- b. An application is required when the applicant is **appealing a decision** of the Zoning Officer but is not seeking a variance.
- c. An application is required when the applicant seeks an **interpretation** of the zoning map or of the language in the ordinance.
- d. A direct application can also be made to the Board, without first receiving a letter of denial, if the applicant has determined that **variances** (either **use** or **bulk variances** or both) are needed for a project.

**NOTE:** A **variance** is permission to depart from the literal requirement of the DRO.

The need for an application to request a variance may be for "bulk" requirements. These include seeking **variances** from the requirements of the ordinance, including setbacks from property lines, building coverage, lot coverage, lot area, lot width, or similar standards outlined in the DRO. These variances are called **(c) variances**.

The application could also seek approval of a "use" that is not permitted in a particular zone. These are called **use variances**.

In any case, the Zoning Officer's letter of denial may form the basis for the application. Additionally, the Zoning Board may determine that additional variances are needed at

the time of the hearing based on their review of the ordinance, and on the testimony and the evidence presented.

## **2. PRIOR TO FILING THE APPLICATION :**

a. **Obtain an application package** from Community Services.

- \* - application form
- \* - submission checklist
- \* - copy of sample advertisement
- \* - copy of sample notice
- \* - copy of certification of paid property taxes
- \* - site plan package (if needed)
- \* - subdivision package (if needed)

b. **Obtain from Community Services a certified list of property owners**, and a copy of the tax map section showing all properties within 200 feet of the applicant's property. The applicant uses this list for notification to property owners that you are filing an application. **FEE - \$11.00**

**NOTE:** An applicant may prepare the maps and lists with information taken from the city's tax assessor's records. You must then have the lists notarized and submit them with the application.

## **3. SUBMITTING AN APPLICATION :**

a. **Complete the application form and all other required forms, including the checklists.** Mark the checklists for each item, either a check mark (✓) for items submitted or N/A for those not applicable.

b. **Make 12 copies of all of the applicable numbered items on your primary checklist (#1 through #7),** making the number of copies indicated for each.

1. Collate all items (#1 through #7) being submitted into the number of separate packages indicated on the checklist. When you are finished, you should have 12 packages, consisting of one set of originals and 11 sets of copies. Each package will have items #1 through #7 in number sequence order (i.e., item #1 on top, then items #2, #3, etc.)
2. Collate the remaining checklist items (#8 through #13) and submit them with the original copy set of items #1 through #7.

c. **File the packages with the Department of Community Services at least thirty days prior to the desired meeting date.** The meeting schedule is available from the Department, and is posted on the kiosk on the first floor lobby of City Hall.

d. **Pay the required fees.**

\* Refer to the attached fee schedule for application and escrow fees.

\* Plus subdivision, conditional use and/or site plan fees, if needed.

\*\* You will be charged for the time the City Professionals spend on your case. The City Professionals include the court reporter, the engineer, the city planner, the city forester and any other professional, as needed. The escrow deposit will be used to pay these charges. After the application is decided and you receive your resolution, you will either be billed for additional money or receive a refund.

#### 4. AFTER THE APPLICATION IS FILED :

- a. **Determination of "Completeness"** - The office staff will review the package to determine that the application is complete, pursuant to the requirements of the *Municipal Land Use Law* (N.J.S.A. 40:55-10.3). This is a legal determination as to whether the application package contains all of the items and the detail required by the checklist.

(1.) **For incomplete applications:** Either at the time of filing or within 45 days, you will be notified of the deficient item(s); it is up to the applicant to then make any correction(s). You will not be able to advertise or notify property owners until the application is complete!

(2.) **For complete applications:** You will receive a letter from the board secretary that includes the date of the hearing. You then must notify all parties required by law to receive notice, and also advertise the hearing in one of the official newspapers of the City as designated by the Common Council.

- b. **Public Notice:** You must serve notice of the hearing on all property owners within 200 feet of your property, and on the public utility companies, and on the County Planning Board and on the Municipal Clerks when adjoining municipalities are within 200 feet, and on the County Planning Board when your property is located on a county road, and on any other agencies as may be required by the *Municipal Land Use Law*. (See N.J.S.A. 40:55D-12).

(1.) The notice must be in writing.

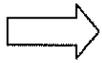
(2.) The notice must set forth the date, time and place of the hearing; the nature of the matter(s) to be considered (reasons for the hearing, including variances sought); identification of the property by street address.

(3.) The notice must identify the location where all application documents may be inspected.

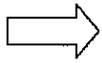
(4.) The notice must be served at least ten calendar days prior to the date of the hearing, by certified mail or by personal service (hand delivery).

- (a) If hand delivered, the notice must be presented to a member of the owner's household at least fourteen years of age, with the date, time and name of that person recorded on a list of persons served. Notice must be served to the Property Owner, not a tenant as listed on the Property Owner's List.

- (b) The date of hearing is not one of the ten days. For example, notice of hearing on July 2nd must be served by June 22nd; service on June 23rd would be too late.



**Failure to properly notify all required parties prior to the hearing will prevent the case from being heard.**

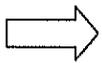


**Notifying required parties before the application is determined to be complete will result in your application being withheld from the Board's agenda, and cause you to send a second notice, delaying your hearing date.**

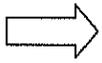
- c. **Advertising:** the advertisement for the hearing must be published at least ten days prior to the hearing in the *Union County Local Source* or in the *Star Ledger* newspapers (or any other official City newspapers as designated by the Common Council).

(1.) *The Union County Local Source* publishes on Thursdays only. Please contact the Union County Local Source for deadline date to submit your legal notice.

(2.) The content of the advertisement is the same as the **Public Notice** described in Section b. above.



**The applicant is responsible for submitting the advertisement to the newspaper in time for publication. Failure to advertise prior to the hearing will prevent the case from being heard.**



**Advertising before the application is determined to be complete will result in your application being withheld from the Board's agenda, and cause you to advertise a correction notice, delaying your hearing date.**

## 5. **THE HEARING PROCESS :**

- a. **Affidavit of Service:** After serving notice and after advertising, the applicant must submit an affidavit to Community Services, certifying both have been done according to law. This affidavit must be filed with the board secretary at least three business days prior to the hearing date. The affidavit must include the receipts for the certified mail and/or the signed proof of notice if you hand deliver along with the property owner's list within 200 ft.

**(\*you may attach several receipts onto one 8 ½ " x 11" piece of plain paper in the order of property owners list, in order to assist in making copies)**

- b. **Agenda of the meeting:** The Board chairperson will call the case according to the agenda prepared by the secretary prior to the meeting.

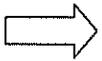
- c. **Presentation of witnesses and evidence:** The applicant is responsible for having all witnesses, reports, evidence, displays, and any other items related to the case ready for presentation at the time of the hearing.

(1) The applicant may appear *pro se*, that is, without an attorney, except when the owner of the property is a corporation.

(2) Any sketch, plat or other drawing prepared on a display board or similar format must also be presented to the Board Secretary in **foldable** paper form for archive purposes. The paper form will be the document marked into evidence or identified as an exhibit.

d. **Resolution of decision:** Upon conclusion of the hearing, or as soon thereafter as the agenda permits, the Zoning Board will deliberate the merits of the application. This may be at the same meeting as the hearing, or at a following meeting. Once discussed and a decision is reached by vote, a resolution will be prepared by the boards attorney, setting forth the findings and decision.

e. **Memorialization of the decision:** The decision of the board will be *memorialized* in the formally adopted resolution at a subsequent meeting of the board, usually the next regularly scheduled meeting. The applicant's attorney may be required to prepare a draft resolution setting forth the Boards findings and decision. This draft resolution will be submitted to Board attorney who will then review it in conjunction with the transcripts and evidence to assure its accuracy. The final resolution will be mailed to the applicant after it has been adopted and signed.



**A favorable decision by the Zoning Board is not approval to begin construction work.**

**If you need assistance please contact 908-273-6407 Planning and Zoning**

## 6. **CONSTRUCTION PERMITS:**

Construction permits, sewer installation permits, road opening permits, grading permits, curb and sidewalk permits, tree removal permits, and other similar forms of approval may be required before work can commence. These approvals will not be given to the applicant until after the Board has adopted and memorialized the resolution and all Performance Guarantees and fees are submitted.

The applicant must present a copy of the signed resolution along with construction plans, completed permit forms, and any other information needed to obtain permits. Permit application information is available from the Department of Community Services.

**If you need assistance please contact 908-273-6408 Contruction**





# Application to Zoning Board of Adjustment of Summit, New Jersey

Summit, N. J. \_\_\_\_\_, 20\_\_\_\_\_

In the matter of the petition of \_\_\_\_\_ for relief from the strict application of the provisions of the Development Regulations Ordinance of the City of Summit.

Petitioner \_\_\_\_\_

residing at \_\_\_\_\_ says:

1. Petitioner is the \_\_\_\_\_ of property located at \_\_\_\_\_.

Block \_\_\_\_\_, Lot(s) \_\_\_\_\_ on the Tax Map located in the \_\_\_\_\_ Zone.

2a.) With respect to said property petitioner desires a variance, special exception, or other relief from the bulk requirements of the Zoning Ordinance of the City of Summit to permit the use of the property in the following manner: \_\_\_\_\_

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2b.) The proposed use described above requires the following variance(s): \_\_\_\_\_

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3. The premises affected are more particularly described as follows:

Area of Plot \_\_\_\_\_ square feet

Area of existing structures which will remain \_\_\_\_\_ square feet

Total area of plot to be occupied by structures \_\_\_\_\_ square feet

Percentage of lot to be occupied by structures \_\_\_\_\_ percent

Proposed set-back, front line \_\_\_\_\_ feet;

Proposed sidelines (specify if corner \_\_\_\_\_ feet;

Proposed rear yard \_\_\_\_\_ feet.

Year house built \_\_\_\_\_.

Other pertinent characteristics \_\_\_\_\_

\_\_\_\_\_

4. There has been no previous petition for relief involving these premises except: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

5. The reasons which support petitioner's claim of the right to relief are as follows: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

6. Attached hereto and made a part hereof are the following:

(a) Complete set of plans of any proposed building alteration or extension including schematic floor plans and elevations with sufficient notations to clearly establish the extent and character of the proposed structure:

(b) Plot plan showing size of plot bounding streets: compass point, size, type and location of all existing buildings and improvements on the plot: size and location of proposed building and improvements: distance of all property lines from buildings and improvements including the proposed building or buildings.

7. By signing this section, the petitioner hereby gives consent for City Officers and Board Members to enter upon this property for the purpose of reasonable inspections to investigate representations made herein.

\_\_\_\_\_  
Petitioner

Petitioner's Phone Number \_\_\_\_\_

Petitioner's Email \_\_\_\_\_

Attorney's name, address, phone, email and fax numbers.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\*\*\*\*\*

State of New Jersey  
County of Union

\_\_\_\_\_, being duly sworn, says that she/he is the petitioner, or one of the petitioners, in the above action; that permission of the owner has been obtained if the petition is filed by a party other than the owner; and that all of the matters and things set forth herein are true.

\_\_\_\_\_  
Petitioner's printed name

\_\_\_\_\_  
Petitioner's signature

Sworn and subscribed before me this

\_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

\_\_\_\_\_  
Notary Public

Check here if additional pages are attached.

# The City of Summit

## New Jersey

City Hall

512 Springfield Avenue

Summit NJ 07901

Date: \_\_\_\_\_

**PLEASE PRINT**

**FEE: \$11.00<sup>1</sup>**

Application for a *Certified List of Property Owners* within 200 feet of the following:

Property address: \_\_\_\_\_

Block \_\_\_\_\_ and Lot(s) \_\_\_\_\_

Owner : \_\_\_\_\_ Address: \_\_\_\_\_

Applicant : \_\_\_\_\_ Telephone: \_\_\_\_\_

Email Address: \_\_\_\_\_

Block	Lot(s)

Block	Lot(s)

Block	Lot(s)

Notes: \_\_\_\_\_

I certify that the attached is an accurate and complete list of property owners and addresses from the Tax Assessor records.

\_\_\_\_\_  
Timothy O'Connor, Tax Assessor

<sup>1</sup> Includes map. Fee is \$10 without map

# **The City of Summit**

## **New Jersey**

### **Public Utility Registration List**

### **Request for Notice of Hearings**

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Any public utility, cable television company, local or other utility may request service of notice of hearings for development, pursuant to N.J.S.A. 40:55D-12, et. seq., provided the utility has an easement or other form of right-of-way.

The following listed utilities have registered to receive service of any notice of hearing for development in the City of Summit. Proof of service, as required by the Municipal Land Use Law, shall include service to this utility.

**Donna Short**  
**GIS Supervisor**  
**New Jersey-American Water Company, Inc.**  
**1025 Laurel Oak Road**  
**Voorhees, NJ 08043**

**Public Service Electric and Gas Company**  
**Manager - Corporate Properties**  
**80 Park Plaza, T6B**  
**Newark, NJ 07102**

# The City of Summit New Jersey

City Hall 512 Springfield Avenue Summit NJ 07901

Juliet B. Ruggiero  
Collector of Taxes

Telephone (908) 273-6403  
Fax (908) 273-2977

ADDRESS: \_\_\_\_\_ DATE: \_\_\_\_\_

OWNER(S): \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

BLOCK: \_\_\_\_\_ LOT(S): \_\_\_\_\_

PURSUANT TO THE PROVISIONS OF THE MUNICIPAL LAND USE LAW,  
N.J.S.A. 40:55D-1 ET. SEQ. PERTAINING TO THE ZONING BOARD OF  
ADJUSTMENT AND/OR PLANNING BOARD APPLICATIONS. I, HEREBY  
CERTIFY THAT THE TAXES OR ASSESSMENTS FOR PUBLIC IMPROVEMENTS,  
OR BOTH, ARE NOT DUE OR DELINQUENT ON THE ABOVE PARCEL(S), AND  
HAVE BEEN PAID TO DATE ACCORDING TO LAW.

\_\_\_\_\_  
Juliet B. Ruggiero  
Collector of Taxes

For Office Use Only:

Department of Community Services

Date filed \_\_\_\_\_

File ZB/PB - \_\_\_\_\_

Received by : \_\_\_\_\_

# NOTICE OF HEARING

DATE: \_\_\_\_\_

TO: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

YOU ARE HEREBY NOTIFIED, as provided in the Municipal Land Use Law, that the Zoning Board Board of Adjustment of the City of Summit, New Jersey, will hold a hearing on \_\_\_\_\_, 20\_\_ at 7:30 p.m. in the City Hall Council Chambers, 512 Springfield Avenue, Summit, New Jersey, to consider an application affecting the property whose street address is known as \_\_\_\_\_.

The conditions affecting this property and the reasons for the application being heard are as follows: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Applicant requests any other waivers or variances as may be required by the Board or its professionals at the time of the hearing.

The application forms and supporting documents are on file in the Department of Community Services, 512 Springfield Avenue, and may be inspected any workday between the hours of 8:30 a.m. and 4:00 p.m. Any interested party may appear at the hearing and participate therein, subject to the rules of the Board.

\_\_\_\_\_  
Applicant's signature

\_\_\_\_\_  
Applicant's printed name

**NOTICE OF HEARING FOR PUBLICATION**

The Union County Local Source  
1291 Stuyvesant Avenue  
Union, NJ 07083

Tel: 908-686-7700

TAKE NOTICE THAT the Zoning Board of Adjustment of the City of Summit, New Jersey, will hold a hearing on \_\_\_\_\_, 20\_\_\_\_ at 7:30 p.m. in the City Hall Council Chambers, 512 Springfield Avenue, Summit, New Jersey, to consider an application affecting the property whose street address is known as

\_\_\_\_\_, Block \_\_\_\_\_, Lot \_\_\_\_\_.

The conditions affecting this property and the reason for the application being heard are as follows: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Applicant requests any other waivers or variances as may be required by the Board or its professionals at the time of the hearing.

The application forms and supporting documents are on file in the Department of Community Services, 512 Springfield Avenue, and may be inspected on any workday during business hours, 8:30 a.m. to 4:00 p.m. Any interested party may appear at the hearing and participate therein, subject to the rules of the Board.

\_\_\_\_\_  
Applicant's printed name

**AFFIDAVIT OF PROOF OF SERVICE  
PLANNING BOARD  
CITY OF SUMMIT**

**PROOF OF SERVICE OF NOTICES REQUIRED BY THE MUNICIPAL LAND USE  
LAW MUST BE FILED WITH THE ADMINISTRATIVE OFFICES OF THE BOARD  
AND VERIFIED AT LEAST THREE BUSINESS DAYS PRIOR TO THE DATE OF THE  
HEARING.**

STATE OF NEW JERSEY }  
COUNTY OF UNION }

\_\_\_\_\_, of full age, being duly sworn according to law, deposes  
and says that he/she/they reside(s) at \_\_\_\_\_ in the  
\_\_\_\_\_ of \_\_\_\_\_, County of \_\_\_\_\_, and  
he/she/they is (are) the applicant(s) in a proceeding before the Planning Board of Summit, New  
Jersey, said proceeding being an appeal or an application under the Development Regulations  
Ordinance, and which relates to premises known as Block \_\_\_\_\_, Lot \_\_\_\_\_, and street address  
\_\_\_\_\_ and that on \_\_\_\_\_, 20\_\_\_\_,  
gave written notice of the hearing on this application to each and all of the persons upon whom  
service must be made, in the required form and according to the attached list(s), and in the manner  
attached hereto.

\_\_\_\_\_  
Applicant's printed name

\_\_\_\_\_  
Applicant's signature

Sworn and subscribed before me  
this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Notary Public

**CITY OF SUMMIT**  
**TABLE OF PLANNING AND ZONING FEES**  
**with Ordinance Section Reference and Price**

D.R.O. Section	Description	Price
<b>PRIMARY ZONING BOARD FEES</b>		
6.5 D	<i>One/two family Floor Area Ratio ("D") variance – application fee.</i>	\$200
6.5 D	Escrow fee, FAR variance one/two family	\$800
6.5 D	<i>One/two family "C" variance – application fee</i>	\$200
6.5 D	Escrow fee, one/two family "c" variance	\$800
6.5 D	<i>"C" variance (not one or two family dwellings) – application fee</i>	\$500
6.5 D	Escrow fee,"C" variance other than one or two family dwellings	\$1000
6.5 D	<i>"D" variance (not one or two family dwelling FAR) – application fee</i>	\$1000
6.5 D	Escrow fee,"D" variance (not one or two family dwelling FAR)	\$2000
6.5 F	Additional escrow required to maintain minimum 30% of original amount	To be det'd.
6.5 D	<i>Conditional use application fee</i>	\$250
6.5 D	Escrow fee, conditional use application	\$750
6.5 D	<i>Appeal of zoning officer decision - application fee</i>	\$250
6.5 D	Escrow fee, appeal of zoning officer decision	\$500
6.5 D	<i>Interpretation of Zoning Ordinance or Map - application fee</i>	\$250

<b>ZONING BOARD OF ADJUSTMENT</b> <b>2016 MEETING SCHEDULE</b>
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As approved by the Zoning Board of Adjustment  
Annual Notice of Regular Meetings and Notice of Second Session Meetings  
for the Zoning Board of Adjustment of the City of Summit

Regular and Second Session Meetings – 7:30 P.M.  
City Hall, Council Chambers\*, 512 Springfield Avenue, Summit  
(All meetings on Mondays, except where noted)

Filing Deadline for other than Site Plans/Sub- divisions (***)	Publishing Date:	Regular Meeting <sup>1</sup> :	Second Session (**):
November 20	December 17	January 4	January 20 (Weds.)
December 18	January 14	February 1	February 17 (Weds.)
January 22	February 18	March 7	March 21
February 19	March 17	April 4	April 18
March 18	April 14	May 2	May 16
April 22	May 19	June 6	June 20
May 20	June 16	July 6 (Weds.)	July 18
June 17	July 14	August 1	August 15
July 22	August 18	September 7 (Weds.)	September 19
August 19	September 15	October 5 (Weds.)	October 17
September 23	October 20	November 7	November 21*
October 21	November 17	December 5	December 19*
November 18	December 15	January 4, 2017 (Weds.)	January 18, 2017 (Weds.)
December 23	January 19, 2017	February 6, 2017	February 22, 2017 (Weds.)

(\*) Meeting to be held in the Janet Whitman Community Meeting Room on the 2<sup>nd</sup> Floor

(\*\*) If necessary.

(\*\*\*) Site plan and subdivision applications follow Technical Review Committee track  
*Italicized dates conflict with City Holidays.*

**ROOM ASSIGNMENTS SUBJECT TO CHANGE**

<sup>1</sup> Filing an application by the deadline shown does **not** guarantee a scheduled appearance at the regular or second session shown. Once an application is deemed complete, the first available hearing date will be assigned.