

Borough of West Long Branch  
Planning/Zoning Boards  
965 Broadway  
West Long Branch, New Jersey 07764

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**MEMORANDUM**

To: Applicants, Attorneys and Engineers  
From: Planning/Zoning Board Secretary/Administrative Officer  
Date: \_\_\_\_\_  
Re: \_\_\_\_\_

Please be advised that applications and revisions being submitted to the Planning Board or Zoning Board of Adjustment will be accepted at Borough Hall between the hours of 8:30 AM and 4:30 PM.

Please note that notices for public hearings (notice to property owners and to newspapers) should indicate that documentation can be reviewed in the Borough Clerk's Office during normal business hours (8:30 AM to 4:30 PM).

**NOTE:** To assist the Board Staff, the Borough recommends that plans of thirty (30) sheets or less be folded into individual sets. Plans of more than thirty (30) sheets may be rolled in individual sets.

**NOTE:** Applying for a variance is a very technical, legal function. It is recommended that either you retain an attorney to handle your application, or follow the instructions very carefully. The Board cannot hear your case unless all of the proper forms and procedures are adhered to. This is mandated by State Law. The Planning Board/Zoning Board of Adjustment will assist you, but the burden of providing a validly supported application is on the applicant. Please note corporate applicants must be represented by an attorney.

Thank you in advance for your anticipated cooperation.

## **PART II. PROCEDURES.**

### **Rule 2:1. Applications and Hearings.**

**2:1-1. Administration of Applications; Completeness.** Applications for development shall be considered by the Board in accordance with the Land Use Ordinance. Upon receipt of an application by the Board Secretary, the application shall be assigned a docket number which shall thereafter appear on all subsequent papers filed in the case. The original copy of the application, together with a copy of all other documents filed with the application, shall be filed in the permanent case docket of the Board. The Board shall determine the completeness of the application in accordance with the Land Use Ordinance. Upon a determination of completeness, the Recording Secretary shall so notify the applicant, and the application shall be determined to be complete as of the day it was so certified by the Secretary for purposes of commencement of the time period within which the Board must act upon an application.

**2:1-2. Scheduling; Transmittals.** Upon determination of completeness, in accordance with these rules and regulations the application shall be assigned a hearing date. The Board Engineer shall determine whether the matter is complete. The Board Engineer shall, in its own discretion, require the applicant to submit additional documentation. In addition, the Board Engineer may present the matter to the Board, for a determination of whether the Board would grant certain waivers, so that the matter may be deemed complete as submitted. Not later than fifteen (15) working days before the date of the Planning/Zoning Board meeting the applicant shall have submitted to the Planning/Zoning Board and Board Engineer all plans, maps, calculations, reports and other data required by the West Long Branch Land use Ordinance and Municipal Land Use Law, to be deemed complete. If such data is not submitted, the application shall not be considered until this requirement is met, or in the alternative, the Board Engineer may declare the application as incomplete.

**2:1-3. Referral to Staff and Consultants.** Upon an application being deemed complete, the Recording Secretary shall cause the data so submitted by the applicant to be forwarded to all concerned West Long Branch agencies, board, commissions, staff and consultants for reports and comments. Such consultants shall return their responses not later than ten (10) days after notice. Reports from other agencies, boards and commissions may be considered by the Planning/Zoning Board, even if submitted later than ten (10) days before the meeting, and the absence of such reports shall not be the cause for canceling the hearing. The Board may, after commencing any public hearing, continue same to a subsequent date in order that the Board, and any interested parties, shall have sufficient time to review any late report. A copy of all staff and consultant reports and such other reports as are available from agencies, boards and commissions shall be made available at the Planning/Zoning Board Office on the Friday next preceding the public meeting, and may be picked up at the Planning/Zoning Board Office by the applicant or the applicant's representative.

**2:1-4. Scheduling of Public Hearing.** When an application has been determined complete, the Chairperson may assign a tentative public hearing date for those applications that require notice and a public hearing under the terms of New Jersey State Municipal Land Use Law and the Land Use Ordinances of the Borough of West Long Branch. The applicant shall not give notice of public hearing unless and until a clearance is obtained from the Planning/Zoning

Board finalizing the public hearing date by confirming that the applicant has provided all of the data and addressed all of the comments set forth in the reports. Nothing herein shall be construed as preventing the conducting of the public hearing because of the existence of unaddressed comments or missing data where the applicant intends to apply for a waiver or other exercise of discretion by the Planning/Zoning Board in conjunction with such missing data or unaddressed comments. **No applicant shall give notice of a public hearing until written clearance is obtained from the Planning/Zoning Board Chairperson as provided for herein.**

## **Rule 2:2. Hearing Procedure.**

**2:2-1. Appearance by Parties.** At the time of the hearing on an application, the applicant, or in the case of an appearance by a non-applicant party, such party, shall appear in person, or such person may appear by Attorney-At-Law admitted to practice in the State of New Jersey. No corporation shall be heard except through counsel.

**2:2-2. Testimony Under Oath.** All persons giving testimony at a hearing shall be duly sworn.

**2:2-3. Order of Presentation.** Each application shall be considered in accordance with the following order of presentation:

(a) The applicant shall enter an appearance on the record and be duly sworn. If the applicant is represented by counsel, the attorney shall enter his or her appearance, identifying the name and location of his or her firm, identifying the client who is represented, and shall then proceed to make opening remarks.

(b) The applicant shall then present testimony and such other evidence, depicted, documentary or otherwise, upon which the applicant intends to rely in order to establish a basis for the relief sought.

(c) At the conclusion of a witness's testimony, the Chair shall allow the members and, at the discretion of the Chair, any interested parties to ask questions of such witness, and may permit reasonable cross-examination by counsel representing an objector or interested party. An attorney representing a group of objectors or interested parties shall submit to the Board a written list of persons represented by such attorney and shall submit a copy of the same to the applicant or the attorney for the applicant. Such persons shall participate in the proceedings only through their attorney.

(d) Upon the conclusion of the presentation of the application, any objector(s) wishing to present a case in objection to the relief sought may do so in such order as may be recognized by the Chair, and may call any witnesses for testimony and introduce any documentary or other evidence upon which he or she will rely. Any witness and objector shall be subject to reasonable cross-examination by the applicant or his or her attorney and the Board, and the Chair shall allow a reasonable opportunity for interested parties to ask questions of such witnesses. The Chair shall first recognize presentations of counsel for objectors and those presentations involving expert testimony in the order that the Chair shall determine upon the exercise of reasonable discretion. Such presentations shall be subject generally to the procedure set forth in the above subparagraphs, affording the attorney for the applicant, an applicant pro se and any experts for the applicant a reasonable opportunity for cross-examination and commentary.

(e) The Board shall thereafter recognize public commentary by interested parties appearing pro se, and each such interested party shall be subject to cross-examination. The Chair shall have the right to cause any interested party appearing before the Board to be first duly sworn and shall do so whenever an interested party will proffer facts on which the Board would be expected to rely. All rebuttal testimony or evidence shall be considered in such order as the Chair shall designate. Only relevant objections shall be considered by the Board. The Board shall not consider unreasonable, repetitive or disorderly objections. The Board shall have the power to limit objections to those expressed by interested parties as the term is defined in the Municipal Land Use Law and construed by the courts of this State.

(f) Any member of the Board may place evidence before the Board as to any relevant matter of which he or she has personal or official knowledge for the purpose of amplifying the record, including facts ascertained from a viewing of the premises in question subject to these rules.

(g) The Board shall have the right to rely upon the expertise of its legal, engineering and planning consultants. The Board may also call, as witnesses, other municipal officials such as police officers, municipal engineers, the tax assessor, municipal employees managing municipal utilities, etc., to testify as to particular facts pertinent to the application. The Board shall also have the power to acquire additional evidence consistent with these rules.

**2:2-4. Reports from Officers, Boards or Agencies.** The Board may refer an application to another person or agency for a report provided that such reference shall not extend the time within which the Board must act. Such reports from other persons or agencies shall be made available to the applicant and to other interested parties for examination and refutation. The applicant and interested parties shall have the right to subpoena the officer making the report for purposes of cross-examination as to its contents and the basis for conclusions. The Board shall either obtain such reports prior to the hearing, giving all interested parties the right to examine the same, or the hearing may be adjourned to a specific time and place for the purpose of receiving the reports and recommendations of public officials or agencies involved.

**2:2-5. Continuances.** All cases may be continued to another date certain, which shall be the next regularly scheduled Board meeting unless otherwise determined by the Board. The Chair shall announce to all those present the date, time and place to which the hearing on the matter is continued. No further notice need be given by the applicant in that event. However, if the matter is continued to a special meeting, notice required under the Open Public Meetings Act shall be given. The Board reserves the right to continue a hearing on its own motion for purposes of further consideration, subject to limitations of time as provided in the Land Use Ordinance and the Municipal Land Use Law. The Board may also grant reasonable requests of interested parties to continue a matter in order to afford such parties sufficient time to prepare, engage counsel, obtain witnesses or for other good cause. However, the Board shall do so only to the extent that the applicant's interests are not unduly compromised or prejudiced with respect to the applicant's protected interests pursuant to prevailing law. Where adjournment for a continuance would extend the statutory period within which the Board is required to act, the consent of the applicant shall be evidenced in writing or shall be made on the record.

Any request for an adjournment by an applicant shall be made to the Board, in person at the public hearing, by either the applicant, or the attorney for the applicant. Provided however, that

the first request for any adjournment by an applicant may be made by written request, and delivered to the secretary of the Board, before the next regularly scheduled Board meeting.

**2:2-6. Refusal to Consent to Continuance.** Where an applicant has taken a substantial period of time to present his or her case and then refuses to consent to a continuance so that objectors can be heard or the Board has insufficient opportunity to consider the matter, such refusal by the applicant may be deemed arbitrary and unreasonable by the Board. Should the applicant move the Board to decide the matter without affording such opportunity, the applicant shall be at risk of a denial of the application for failure to sustain the burden of proof and failure to afford the Board an opportunity to reach an informed decision. The Planning/Zoning Board may, at its discretion, make any such denial without prejudice, depending on this sufficiency of the proofs presented to that point in the hearings and at the total discretion of the Board.

**2:2-7. Testimony from Board-Employed and Other Expert Witnesses.** The Board may require expert witnesses and reports. Experts shall be qualified to the satisfaction of the Board. In addition to experts for the applicant or others, the Board shall have the power to engage its own independent experts to either corroborate or refute the testimony of experts produced by an applicant or other party. The Board shall not be bound to accept the testimony of any expert. Where there is conflicting testimony of experts, the Board shall decide which to accept. These rules shall not be construed as requiring expert testimony in all instances to sustain a Board finding. The Board may require its consultants to confer with the experts of the applicant and, where appropriate, with experts hired by objectors or the Board in order to expedite consideration of the application. Informal communications between the Board's consultants or experts and those for the applicant shall be permitted outside the context of public meetings. The applicant shall reimburse the municipality for the expenses incurred by the municipality in having Board professionals and experts participate in such communications, and such amounts shall be deducted from escrow deposits made by the applicant to the Borough.

**2:2-8. Viewing by Board; Personal Knowledge of Board Members.** Viewing the property that is the subject of the application may be made by any Board Member. In that event, or in the event that one or more members of the Board are well acquainted with the subject property, knowledge thereby acquired of any particular fact or facts may be used in making a decision if such member or members establishes such facts as the record at the time of the hearing. The applicant, any objector, or any interested party shall have an opportunity to refute such facts. However, in the event that Board members visit the subject property or have historical or other knowledge of the subject property and no reference is made to the same on the record, it will be presumed that such facts were not necessary to reach an informed decision and merely helped such members to understand the evidence presented to them at the hearing. The absence of references to site visits and impressions shall not vitiate any decision otherwise reached on adequate grounds.

**2:2-9. Evidence; Exhibits.** The formal rules of evidence adopted by the courts of the State of New Jersey may be followed by the Board, but the Board shall not be bound by said formal rules in the proceedings. However, no decision shall be based upon any facts not proved or on matters which are not on the record unless they be such items of which the Board is entitled to take judicial notice. When any documents or exhibits are admitted into evidence during or for purposes of a hearing, they shall be marked and shall be retained by the Board as

part of the permanent file. After the Board has rendered its decision and the time for filing an appeal has expired, the Board Secretary may return any such exhibits or documents to the person who offered them upon request. Any evidence presented, whether by testimony or by documents and exhibits presented for the purpose of the hearing(s), which are not questioned or controverted by any other party or by any member of the Board, may be deemed to be true by the Board for purposes of its decision. The Board may limit irrelevant, immaterial or redundant testimony.

**2:2-10. Effect of Covenants, Judgments and Other Regulations Affecting Land Use.**

The Board is established for the sole purpose of exercising the powers conferred upon it by the Municipal Land Use Law. The Board is authorized by local ordinance only to hear matters within the purview of that ordinance. A restrictive covenant shall be construed as being in the nature of a private contract which may be enforceable either by a Grantor or other protected party. Such a covenant shall not affect the jurisdiction of the Board, and the grant of relief by this Board shall not affect the validity of any restrictive covenant. The existence of a covenant shall generally have no bearing on the Board's determination, unless a restrictive covenant was imposed as a condition of prior relief to the benefit of the public.

**2:2-11. Letters and Petitions in Objection.** Letters of objection and petitions shall not be admissible, though the writer of a letter or the signer of a petition may appear and testify.

**2:2-12. Burden of Proof.** The burden of proof is upon the applicant, and it is the applicant's responsibility to supply competent and credible evidence in order that the Board might determine the nature and degree of the relief sought by the applicant. The applicant must establish, to the Board's satisfaction, that pursuant to statutory and ordinance criteria, the applicant is entitled to the relief sought.

**Rule 2:3. Voting.**

**2:3-1. Voting Procedure.** All motions shall require a second. The Chair person shall allow discussion on any motion made and duly seconded. All votes shall be taken by roll call, and the vote and name of the member casting the vote shall be recorded in the minutes. Unless otherwise provided herein or under prevailing law, any action may be authorized by a majority vote of the members present at such meeting.

**2:3-2. Voting Margin and Effect.** If a motion to approve an application for development fails to receive the number of required votes, such failure shall be deemed an action denying the application.

**2:3-3. Abstentions.** Abstentions are disfavored except for good cause. An abstention shall be regarded as an assent to the vote of the majority. Thus, if the majority of those voting would affirm a measure, abstentions would be counted toward affirmance; if the majority would defeat a measure, abstentions will be counted toward defeat. A disqualified member shall not be counted as an abstention and shall, instead, remove himself or herself from the panel and not be involved in the consideration of the application. If the Board is evenly split in its decision, no majority exists with whom an abstaining member can be said to vote and accordingly abstentions

shall not be assigned to either bloc. A tie vote shall defeat an application, and abstentions shall not be construed to approve an application; nor shall abstentions be used to create a tie.

**2:3-4. Voting Eligibility; Review of Record.** When any hearing before the Board has been continued, a member of the Board who was absent for one or more hearing sessions shall be eligible to vote on the matter upon which the hearing is conducted notwithstanding the member's prior absence provided that such member certifies in writing to the Board that he or she has read a transcript or listened to a recording of the entire session for which he or she was absent. This rule shall not be construed as authorizing any hearing to be held whenever less than a quorum of the Board is present.

#### **Rule 2:4. Other Hearing Requirements and Procedures.**

**2:4-1. Record of Proceedings.** The record shall mean the application form, any exhibits or other documents submitted to the Board in support thereof, maps, proper submissions by interested parties, and the verbatim record of the hearings. The notes of the Board secretary shall also be part of the record, and the minutes of the meeting shall be considered both a summary of the record and part thereof.

**2:4-2. Transcripts.** The Board shall furnish a transcript of the hearing to interested party at his or her expense. Interest parties should not be charged more than the maximum permitted in N.J.S.2A:11-15.

**2:4-3. Inability to Make Verbatim Record.** If, at the time set for hearing, a verbatim record cannot be made for good reason, the Board shall, if time is not a factor, continue the hearing to another date. However, if time is a factor, and if all interested parties present agree, the Board may proceed with the hearing on the understanding that in the event of an appeal or further review, an agreed statement of facts will be supplied to the reviewing body. In the absence of such agreement, where time is a factor, the Board shall be entitled to deny the relief sought in order to prevent a statutory approval by reason of the Board's failure to make a decision within the required time.

**2:4-4. Subpoenas; Contempt.** The Chair and the Board Attorney shall have power to administer oaths and issue subpoenas to compel the attendance of witnesses and the production of relevant evidence, including witnesses and documents presented by the parties. The provisions of the county and municipal investigations law, N.J.S. 2A:67A-1 et seq. shall apply. Any person under subpoena who refuses or fails to appear or refuses to be examined or answer any proper questions or to produce any books, papers, documents or tangible things in accordance with the subpoena, shall be subject to the proceedings in the Superior Court for an Order to compel him or her to do so. If a person subject to subpoena shall engage in contemptuous conduct at any hearing, the Board may apply to the court to compel such person to refrain there from, and may seek costs and fees in connection therewith.

**2:4-5. Perjury.** Any person who shall willfully give false testimony under oath in the course of any hearing held before this Board shall, in accordance with the provisions of the County and Municipal Investigations Law (N.J.S. 2A:67A-1 et seq.), be guilty of perjury.

**2:4-6. Judicial Notice.** The Board may take judicial notice of such matters as are so notorious as not to be the subject of reasonable dispute, including matters of common knowledge, and provisions of the Municipal Land Use Law and the West Long Branch Land Use Ordinance.

**2:4-7. Dismissal Without Prejudice.** The Board, on its own motion, may dismiss any action without prejudice if neither the applicant nor anyone on his or her behalf appears at the time set for the hearing of said application. Further, the Board, on its own motion, may dismiss, without prejudice, any application for failure to comply with these rules. Any applicant may, at any time before the commencement of the hearing, or at any time before a final vote by the Board, voluntarily withdraw his or her application, in which case, the application shall be dismissed without prejudice. The Board reserves the power to impose reasonable terms and conditions on the dismissal of any application.

**2:4-8. Amended Applications.** An applicant may, prior to the commencement of a hearing, or prior to any final vote by the Board, amend his/her application provided that all applicable fees are paid. If revisions result in substantial amendment to layout of improvements in the project, or otherwise substantially change the character thereof, and the amendments are proposed after the Board has commenced public hearings on the application, the Board shall require the applicant to re-notice all concerned parties in the manner provided in the State Municipal Land Use Law and the West Long Branch Land Use Ordinance.

**2:4-9. Time of Decision Rule.** If, during the pendency of any application, an ordinance amendment is adopted which affects the application, such amendment shall control the decision of the Board. If the adoption of an ordinance prohibits the proposed use, the Planning Board's jurisdiction shall be terminated and the applicant shall be relegated to the jurisdiction of the Zoning Board of Adjustment.

**2:4-10. Conditions.** The Board shall have plenary power and discretion to impose conditions. The conditions shall be development-specific and predominantly aimed at mitigating specific concerns arising in connection with the proposed project. Such conditions shall not be deemed exclusive, and the applicant shall be subject to terms and conditions of approval that are expressed and implied at law, including those imposed pursuant to ordinance as applied uniformly to every development application. If a term or condition of approval is imposed by ordinance or law and the Planning/Zoning Board is not expressly granted the power to waive, enlarge or relax such term or condition, the Board shall not have such discretion or power. The right to impose conditions is an inherent power of the Board that exists regardless of whether the ordinance grants such a right to the Board. To be enforceable, a condition must be part of the record. Conditions must not offend against any provisions of the Land Use Ordinance, must be in the public interest, must be reasonably calculated to achieve a legitimate objective of the ordinance and shall not be unnecessarily burdensome to the applicant and/or owner. The Board shall have the power to require that conditions be fulfilled within a stated period of time. The Board may require that some or all conditions of approval, or the resolution itself, be recorded with the County Clerk along with any maps for filing.

## PART III. TAKING ACTION ON APPLICATIONS.

### Rule 3:1. Decisions.

**3:1-1. Decision Based on Evidence.** Each case shall be decided strictly on the basis of the facts adduced at the hearing viewed in light of the statutory and ordinance requirements. The Board is a quasi-judicial body whose function is to apply the facts adduced at the hearing to the legal requirements of the statute and ordinance and to decide whether the requested relief can be legally granted or not. The number of opponents or objectors present, or even the fact that no objections are heard, shall be only of secondary importance unless the Board finds that the absence of objection is evidence that relief can be granted without substantial detriment of the public good. The facts adduced at the hearing, all testimony and all evidence on which the Board makes its decision must be part of the record and the Board's decision must include findings of the facts from the record on which it made its decision and conclusions on the points of law raised. The Board's decision must be made at a public meeting and the Board's vote on the making of its decision and the adoption of its resolution must be taken at a public meeting.

**3:1-2. Alternative Relief.** The Board shall have the discretionary power to grant relief other than the precise relief or portion thereof sought by the applicant provided that interested parties shall have received reasonable notice of the fact that such relief might be granted.

**3:1-3. Reservation of Decision.** The Board may decide to reserve decision on a matter after the hearing is completed and may make its decision at the next meeting provided that the period within which to decide the application will not expire prior to the next succeeding meeting. The Board may also authorize the Board Attorney to prepare a resolution for consideration at the next meeting provided prevailing time limitation will not expire prior to such meeting. The making of a motion to have a resolution prepared for consideration shall not be construed as the making of a decision, but shall be only an indication of an intention to act upon an application in a certain manner. The Board shall not be bound by such measure.

**3:1-4. Memorializing Resolution.** After a decision has been reached by the Board as to whether the relief requested by the applicant is to be granted or denied and upon what terms, the Board's findings of fact and conclusions of law must be embodied in the form of a written resolution. When the Board votes to adopt a resolution, the findings and conclusions set forth in the resolution become the findings and conclusions of the Board. It shall be immaterial that at the time of voting certain Board members may have given other reasons or discussed matters not addressed in the resolution; nor shall it be necessary that Board members articulate particular reasons for reaching a decision at all, it being sufficient that the application be either approved or disapproved by a voice vote and that thereafter a memorializing resolution is adopted. The Board Attorney shall prepare the resolution in such a way as to give the greatest possible support to the decision which has been made by the Board. Once the resolution has been prepared and has been voted on favorably by the members of the Board, it shall become a memorializing resolution of the decision of the Board. It is the general policy of the West Long Branch Planning/Zoning Board that memorializing resolutions be employed for all decisions on applications before the Board.

**3:1-5. Contents of Resolution; Publication.** A copy of the Board's resolution shall be furnished to the applicant and his/her attorney within ten (10) days from the date of the Board's decision. The Board's Secretary shall cause notice of the Board's action to be published, one time, in the official newspaper of the Borough, in accordance with the provisions of the MLUL. The resolution of the Board may contain:

1. A statement of the Board's findings of fact and its conclusions of law, the Board's decision, any conditions imposed upon the relief granted, including the mandatory conditions hereinafter, or other provisions as the Board may deem appropriate and necessary;
2. Every resolution of the West Long Branch Borough Planning or Zoning Board may contain certain mandatory conditions as follows:
  - a. A condition requiring that payment of any additional escrow fees required pursuant to the West Long Branch Borough Land Use Ordinances.
  - b. A condition requiring the applicant to comply with any condition contained in the record of the proceedings in the matter including, the report of West Long Branch Borough agencies, commissions, boards and staff, unless such has been specifically waived by the Board.
  - c. A condition requiring that if the applicant proposed any dedication of land to the Borough of West Long Branch, approval shall be conditioned upon acceptance by the West Long Branch Borough Council of any such land.
  - d. Conditions requiring that if the applicant is to obtain approval from other governmental agencies having jurisdiction over any aspect of the development and such governmental agencies require any changes or adjustments to the plans approved by the Board, then any revised plan shall simultaneously be submitted to the Board and if such changes or adjustments are substantial to the application, the Board may require the applicant to appear before the Board for further action.
  - e. A condition that the applicant submit to the Planning or Zoning Board within ninety (90) days of the date of the adoption of the Resolution, any revised plats, maps, reports or other data containing additions or corrections specified in the record or proceedings. No construction permit shall be issued nor shall any map or plat be signed until this condition is satisfied and in the event that revised data is not submitted within the ninety (90) day period, the Board shall presume that

the applicant does not intend to submit the revisions and therefore the approval shall be rendered null, void and or no further effect.

- f. A condition requiring adherence to the West Long Branch Borough Affordable Housing Regulations and/or to Affordable Housing Fees required pursuant to the Fair Housing Act or other statute, where the application is subject to such regulations.
3. Where the Board has determined to impose additional conditions on the relief granted, such conditions shall be clearly set forth in the resolution. The board may, when it is deemed necessary to protect the interest of the public, specifically provide in its resolution for the retention of jurisdiction over the matter before the Board for a reasonable time. Such time may specifically set forth or may be conditioned on the happening of a certain event. The purpose of such retention or jurisdiction shall be to enable the Board, without limitation, to vary the terms of any conditions therein imposed or to impose additional conditions, in the public interest, in light of the then existing circumstances; or to permit the Board to finalize its action with respect to its other powers, as granted to the Board by statute and/or ordinance. However, nothing herein contained shall be construed to limit the Board's inherent power to modify a decision for good cause shown, irrespective of whether the Board has expressly retained jurisdiction;
4. The resolution shall set forth, with specificity, the relief granted to the applicant. The Board may grant such relief as it deems appropriate and in keeping with the intent and purpose of the appropriate ordinance, as the case may be, although the relief granted may be different in kind or degree from that requested in the application.

**3:1-6. Nature of Resolution Drafts.** A resolution prepared by the Board Attorney and transmitted to the Board for consideration at its next meeting shall be considered a draft document and shall not become a matter of public record until duly adopted by a vote of the Board. A copy of the draft resolution may be sent to the attorney for the applicant, in advance of meeting for comment. The Board attorney may thereafter amend the draft resolution prior to consideration by the Board to correct typographical and other non-substantive errors. If a change shall be made, the Board attorney shall announce the nature of the change for the Board's consideration prior to the Board's taking action.

**3:1-7. Time.** The resolution of memorialization shall be adopted within forty-five (45) days of the decision. Such resolution of memorialization shall be adopted by a majority vote of the members of the Board who voted in favor of the action previously taken. No other member shall vote thereon.

**3:1-8. Publication of Notices of Decisions.** A copy of the decision shall be mailed within ten (10) days of the date of the decision to the applicant or his or her attorney without charge, and to all who request a copy of the decision for a reasonable fee. A copy of the resolution shall be filed in the office of the Borough Clerk and shall be available to the public upon adoption. A brief notice of the decision shall be published in the official newspaper of the Borough, if there be one, or in a newspaper of general circulation in the Borough. Such publication shall be arranged by the applicant, if the application was granted. If the application were denied, such publication shall be arranged by the Board, and the Board's secretary shall be responsible for such publication. Nothing herein contained shall be construed as preventing the applicant from arranging such publication if so desired. The Borough may make a reasonable charge for its publication. The period of time in which an appeal of the decision may be made shall run from the first publication of the decision, whether arranged by the municipality or the applicant. The date of adoption of the memorializing resolution shall constitute the date of decision for the purpose of mailings, filings and publications.

**Rule 3:2. Rehearing; Modification.**

**3:2-1. Misrepresentation, Fraud, Mistake.** The Board may presume that all material statements of fact are true. The Board may also presume that all exhibits, maps and other documents submitted are true and accurate representations of all facts which such materials have been introduced to substantiate. In the event that it later appears to the Board on reasonable grounds that an applicant or witness has not been truthful, or that a mistake has been made, and such circumstances bear on facts which are essential in the granting of the relief sought by the applicant and were relied upon the Board in taking such action, then, upon discovery of such misrepresentation, fraud or mistake, the Board may rehear the matter either upon application of an interested party or on its own motion when unusual circumstances so require in the interest of justice. In such event, the Board may, upon notice directed to the applicant and all other interested parties, require the applicant to appear before it for the purpose of explaining the testimony previously given at the hearing. At such subsequent hearing it may be determined whether or not the testimony as given at the original hearing was in fact false. Mistake or fraud in proceedings, left uncured, shall constitute grounds for rescission.

**3:2-2. Rehearing.** An applicant or other interested party may, by right, within forty-five (45) days after the publication of notice of the decision, move the Board for a rehearing of the matter or a portion thereof for the reasons provided in Rule 3:2-1 by filing an application in the form of a letter addressed to the Board containing a brief statement of the grounds relied upon. If the motion is granted by the Board, it shall fix a date for rehearing and shall require the moving party to give notice to all persons who participated in the original hearing or hearings, upon such terms as the Board may deem adequate. The Board may order a rehearing on its own motion when unusual circumstances so require in the interest of justice. Any motions to rehear an application or portion thereof made after forty five (45) days following the publication of decision shall be considered strictly by leave and discretion of the Board in consideration of the protected interests of the applicant as balanced against the public interest.

**3:2-3. Vacation or Modification.** At any time after the adoption of a resolution of memorialization, any person having an interest in such decision may move the Board for an order vacating or modifying any term or condition of said decision by filing with the Board a petition in the form of a letter setting forth the reasons therefore and the grounds relied upon. Provided however, that the person shall also serve the applicant or the present owner of the property with its letter and all attachments thereto, by personal service. If the petition is granted, the Board shall fix a date for hearing and the movant shall give notice of such hearing in the same form and manner as otherwise required in the case of original applications. The Board, on its own motion, may, in a proper case, similarly order all parties in interest to show cause at a time and place fixed in the notice why the terms or provisions of any variance ought not to be vacated or modified.

**3:2-4. Res Judicata.** If the same parties or their privies seek the same relief in the same factual setting, the case may be dismissed on the ground that it has already been decided. However, if the first case was not a decision on the merits, there shall be no bar to the second application. If a second application seeks relief which is entirely different or is of lesser proportions than in the first application, the second application shall not be barred. An applicant shall also be given a fair opportunity to show that circumstances have changed significantly or that other good cause exists for reconsideration. This rule shall not be construed to disallow an application for modification or enlargement of an approval or for the lifting or relaxation of conditions previously imposed in connection with an approval upon a proper showing of changed circumstances or other good cause warranting a reconsideration.

**Rule 5:1. Fees.**

**5:1-1. Application Fees.** No application shall be considered which is not accompanied by an application fee in accordance with the schedule of administrative fees for development applications, as amended and in effect at the time application is made.

**5:1-2. Escrow Deposits for Professional Services.** No application shall be considered with respect to which an applicant has failed to comply with the prevailing Borough Land Use Ordinances or statutory requirements for the payment of escrow deposits toward anticipated Board or Borough expenses for professional services, to be based upon a schedule established by resolution. The amount of the initial deposit shall be established by ordinance. The applicant and the Board shall be bound by the provisions of N.J.S. 40:55D-53.2 and/or prevailing ordinance requirements as to their respective interests and duties.

**5:1-3. Special Meeting Costs.** In the event that a special meeting is scheduled and convened for the benefit of an applicant pursuant to these rules, any special or uncustomary disbursements, expenses, fees or costs incurred by the Board and the Municipality for the rendering of special services, arrangements or accommodations for the benefit of the applicant shall be reimbursed entirely by the applicant. The Board may require a reasonable antecedent escrow deposit to protect against an applicant's failure to comply with this section.

**Rule 5:3. Payment of Taxes.**

**5:3-1. Proof of Payment; Alternative Agreement.** The applicant, at the time of filing the application for development, shall file with the Board a certification of the Tax Collector that municipal taxes and/or assessments have been paid. In the event that taxes and/or assessments on the property affected by the application for development are unpaid, the applicant shall submit, in lieu of the certificate of payment of taxes and/or assessments, a written request that the Board take action, which request shall include a stipulation that any approval shall be subject to the payment of taxes and/ or assessments and the Board may suspend post-approval execution and other action until such time as taxes and assessments are paid, subject to prevailing rules of law and ordinance.

**INSTRUCTIONS FOR FILING PETITION  
FOR VARIANCE FROM THE TERMS OF THE ORDINANCE**

1. **APPLICATION** – The applicant must fill out, in detail, the required Petition form, inserting in the appropriate blanks their name, address and a **detailed** description of the variance required. The original Petition (Form 1) and twenty (20) copies must then be filed with the Borough Clerk’s Office, together with the required application and escrow fees at least fourteen (14) days prior to the hearing date. Also required for filing are twenty (20) scale drawings of the property showing the existing structures and any plot plan, map or other information deemed pertinent to the hearing for the Board’s file (see attached checklist).
  
2. **NOTICE** – At least ten (10) days prior to the date of the hearing the petitioners shall give notice as set forth in N.J.S.A. 40:55D-12 as follows:
  - a.) **To all property owners within two hundred feet (200’) of the property affected.** A Certified List of Property Owners within two hundred feet (200’) of the subject property may be obtained from the Borough Clerk’s Office by making a written request and paying a fee of ten dollars (\$10.00) to the Borough of West Long Branch. Should you need a Certified List of Property Owners in adjoining municipalities, you must contact that municipality.
  
  - b.) **To the Clerk of an adjoining municipality** within two hundred feet (200’) of the property, if any.
  
  - c.) **To the Monmouth County Planning Board**, Hall of Records Annex, East Main Street, 2<sup>nd</sup> Floor, Freehold, New Jersey 07728, in the event the property fronts on an existing or proposed county road or adjoins other county land, or is situated within two hundred feet (200’) of a municipal boundary.
  
  - d.) **To the Commissioner of Transportation of the State of New Jersey**, 1035 Parkway Avenue, Trenton, New Jersey 08625, if the property is adjacent to a state highway.
  
  - e.) **To the State Planning Commission**, if the application concerns development of property in excess of one hundred fifty (150) acres or five hundred (500) dwelling units, including plans and documents filed with the Borough.

Notice may be made by personal service or Certified Mail, Return Receipt Requested, as set forth in N.J.S.A. 40:55D-12. A copy of the **NOTICE** (See Page 32) must be presented to the Board.

3. **PUBLICATION** – At least ten (10) days prior to the hearing, the applicant must publish a Notice of Hearing in the *Asbury Park Press*. Notice shall include:
  - a.) Date, time and place of hearing
  
  - b.) Nature of matters to be considered
  
  - c.) Identification of the property by street address as well as block and lot numbers as shown on the current West Long Branch Tax Map
  
  - d.) The location and times when maps and documents for which the approval is being sought can be seen

4. **AFFIDAVIT OF SERVICE** – The applicant shall prepare an **Affidavit of Service Notice** (See Page 33). The Affidavit shall indicate who was served and how they were served, and be presented to the Secretary of the Board prior to the hearing. A copy of the Notice which was served (See Page 32), the original list of property owners within two hundred feet (200'), the Affidavit of Publication (See Page 34) and the stamped white certified mail receipts must accompany the Affidavit of Services.

It is expected that the applicant or their attorney will present their case to the Board at the hearing. The zoning laws can be technical. It is suggested that you retain the services of an attorney.

**NOTE:** These instructions are excerpts from the law. If in doubt, the law must be followed.

# **APPLICATION FORMS**

**APPLICATION – PRELIMINARY SITE PLAN APPROVAL (Page 1 of 2)**

Borough of West Long Branch  
Planning/Zoning Boards  
965 Broadway  
West Long Branch, New Jersey 07764

Telephone: (732) 229-1756  
Fax: (732) 571-9185

Pursuant to Section \_\_\_\_\_ of the Borough of West Long Branch Site Plan Ordinance, application is hereby made to the  Planning Board  Zoning Board of Adjustment for preliminary approval of a site plan hereinafter more particularly described:

Owner's Name: \_\_\_\_\_ Telephone: \_\_\_\_\_

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

Location of Premises (Neighborhood/Section): \_\_\_\_\_

Street/Cross Street: \_\_\_\_\_

Tax Map: Block: \_\_\_\_\_ Lot(s): \_\_\_\_\_ Latest Date on Tax Map: \_\_\_\_\_

Applicant's Name: \_\_\_\_\_ Telephone: \_\_\_\_\_

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

Relationship to Owner: \_\_\_\_\_

Person Preparing Preliminary Site Plan: \_\_\_\_\_

Profession: \_\_\_\_\_ Telephone: \_\_\_\_\_

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

Attorney's Name: \_\_\_\_\_ Telephone: \_\_\_\_\_

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

Proposed Use:

Area of Entire Tract: \_\_\_\_\_ Zone: \_\_\_\_\_

Applicant's Signature: \_\_\_\_\_ Date: \_\_\_\_\_



**APPLICATION – FINAL SITE PLAN APPROVAL (Page 1 of 2)**

Borough of West Long Branch  
Planning/Zoning Boards  
965 Broadway  
West Long Branch, New Jersey 07764

Telephone: (732) 229-1756  
Fax: (732) 571-9185

Pursuant to Section \_\_\_\_\_ of the Borough of West Long Branch Site Plan Ordinance, application is hereby made to the  Planning Board  Zoning Board of Adjustment for final approval of a site plan hereinafter more particularly described:

Owner's Name: \_\_\_\_\_ Telephone: \_\_\_\_\_

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

Location of Premises (Neighborhood/Section): \_\_\_\_\_

Street/Cross Street: \_\_\_\_\_

Tax Map: Block: \_\_\_\_\_ Lot(s): \_\_\_\_\_ Latest Date on Tax Map: \_\_\_\_\_

Applicant's Name: \_\_\_\_\_ Telephone: \_\_\_\_\_

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

Relationship to Owner: \_\_\_\_\_

Person Preparing Final Site Plan: \_\_\_\_\_

Profession: \_\_\_\_\_ Telephone: \_\_\_\_\_

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

Attorney's Name: \_\_\_\_\_ Telephone: \_\_\_\_\_

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

Does the final site plan follow exactly the preliminary site plan in regard to all details?  Yes  No  
If no, indicate all material changes:

Area of Entire Tract: \_\_\_\_\_ Zone: \_\_\_\_\_

Applicant's Signature: \_\_\_\_\_ Date: \_\_\_\_\_



**APPLICATION – PRELIMINARY MAJOR SUBDIVISION APPROVAL (Page 1 of 2)**

Borough of West Long Branch  
Planning/Zoning Boards  
965 Broadway  
West Long Branch, New Jersey 07764

Telephone: (732) 229-1756  
Fax: (732) 571-9185

Pursuant to Section \_\_\_\_\_ of the Borough of West Long Branch Site Plan Ordinance, application is hereby made to the  Planning Board  Zoning Board of Adjustment for preliminary approval of a major subdivision hereinafter more particularly described:

Owner's Name: \_\_\_\_\_ Telephone: \_\_\_\_\_

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

Location of Subdivision (Neighborhood/Section): \_\_\_\_\_

Street/Cross Street: \_\_\_\_\_

Tax Map: Block: \_\_\_\_\_ Lot(s): \_\_\_\_\_ Latest Date on Tax Map: \_\_\_\_\_

Number of Proposed Lots \_\_\_\_\_ Total Acre of Tract \_\_\_\_\_

Portion Being Subdivided: \_\_\_\_\_

Are there any deed restrictions that apply or are contemplated?  Yes  No  
If the answer is yes, attach a copy of all restrictions.

\_\_\_\_\_  
Applicant's Name: \_\_\_\_\_ Telephone: \_\_\_\_\_

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

Relationship to Owner: \_\_\_\_\_ Telephone: \_\_\_\_\_

Person Preparing Preliminary Plat: \_\_\_\_\_

Profession: \_\_\_\_\_ Telephone: \_\_\_\_\_

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

Attorney's Name: \_\_\_\_\_ Telephone: \_\_\_\_\_

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

**APPLICATION – PRELIMINARY MAJOR SUBDIVISION APPROVAL (Page 2 of 2)**

List all proposed improvements, utilities and intentions to install or post performance guarantee prior to Final Approval:

Improvement: \_\_\_\_\_

Intention: \_\_\_\_\_

List all maps and other materials accompanying this application and the number of each:

Number: \_\_\_\_\_

Item: \_\_\_\_\_

Applicant's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**For Official Use Only:**

Received By: \_\_\_\_\_ Date: \_\_\_\_\_ Fee: \_\_\_\_\_

**Administrative Completeness Review Checklist: (Check if Provided or Not Applicable)**

- |                                                  |                                                                                                |                                                                       |
|--------------------------------------------------|------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------|
| <input type="checkbox"/> Application Form        | <input type="checkbox"/> W-9 Form                                                              | <input type="checkbox"/> Owner Letter Authorizing Application         |
| <input type="checkbox"/> Application Fee         | <input type="checkbox"/> Escrow Fee                                                            | <input type="checkbox"/> Corporate Resolution (auth. officers to act) |
| <input type="checkbox"/> Zoning Officer's Denial | <input type="checkbox"/> Submission Checklist                                                  | <input type="checkbox"/> Environmental Commission Review Form         |
| <input type="checkbox"/> Submission Checklist    | <input type="checkbox"/> Brief Narrative                                                       | <input type="checkbox"/> Property Survey                              |
| <input type="checkbox"/> Subdivision Plans       | <input type="checkbox"/> Disclosure Statement of Names of Persons w/10% or More Interest/Stock |                                                                       |

**Administrative Completeness Determination**

Complete     Incomplete    Date: \_\_\_\_\_ By: \_\_\_\_\_

Forwarded to Board Engineer: \_\_\_\_\_ Date: \_\_\_\_\_

Board Engineer Completeness Review:  Complete     Incomplete    Date: \_\_\_\_\_

Board Decision:     Approved                       Denied                      Date: \_\_\_\_\_

Extension of Time Limit for Final Approval: \_\_\_\_\_ Date: \_\_\_\_\_

Chairman's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Secretary's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**APPLICATION – FINAL MAJOR SUBDIVISION APPROVAL (Page 1 of 2)**

Borough of West Long Branch  
Planning/Zoning Boards  
965 Broadway  
West Long Branch, New Jersey 07764

Telephone: (732) 229-1756  
Fax: (732) 571-9185

Pursuant to Section \_\_\_\_\_ of the Borough of West Long Branch Site Plan Ordinance, application is hereby made to the  Planning Board  Zoning Board of Adjustment for final approval of a major subdivision hereinafter more particularly described:

Owner's Name: \_\_\_\_\_ Telephone: \_\_\_\_\_

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

Location of Subdivision (Neighborhood/Section): \_\_\_\_\_

Street/Cross Street: \_\_\_\_\_

Tax Map: Block: \_\_\_\_\_ Lot(s): \_\_\_\_\_ Latest Date on Tax Map: \_\_\_\_\_

Date of Preliminary Approval: \_\_\_\_\_

Number of Proposed Lots for Final Approval: \_\_\_\_\_

Applicant's Name: \_\_\_\_\_ Telephone: \_\_\_\_\_

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

Relationship to Owner: \_\_\_\_\_ Telephone: \_\_\_\_\_

Person Preparing Final Plat: \_\_\_\_\_

Profession: \_\_\_\_\_ Telephone: \_\_\_\_\_

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

Attorney's Name: \_\_\_\_\_ Telephone: \_\_\_\_\_

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

Does Final Plat conform exactly to the Preliminary Plat in all details and area covered?  Yes  No  
If no, indicate material changes:



**APPLICATION – MINOR SUBDIVISION PLAN APPROVAL (Page 1 of 2)**

Borough of West Long Branch  
Planning/Zoning Boards  
965 Broadway  
West Long Branch, New Jersey 07764

Telephone: (732) 229-1756  
Fax: (732) 571-9185

Pursuant to Section \_\_\_\_\_ of the Borough of West Long Branch Site Plan Ordinance, application is hereby made to the  Planning Board  Zoning Board of Adjustment for approval of a minor subdivision hereinafter more particularly described:

Owner's Name: \_\_\_\_\_ Telephone: \_\_\_\_\_

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

Location of Subdivision (Neighborhood/Section): \_\_\_\_\_

Street/Cross Street: \_\_\_\_\_

Tax Map: Block: \_\_\_\_\_ Lot(s): \_\_\_\_\_ Latest Date on Tax Map: \_\_\_\_\_

Number of Proposed Lots \_\_\_\_\_ Total Acre of Tract \_\_\_\_\_

Portion of Tract Being Subdivided: \_\_\_\_\_

Are there any deed restrictions that apply or are contemplated?  Yes  No  
If the answer is yes, attach a copy of all restrictions.

Applicant's Name: \_\_\_\_\_ Telephone: \_\_\_\_\_

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

Relationship to Owner: \_\_\_\_\_ Telephone: \_\_\_\_\_

Person Preparing Plat: \_\_\_\_\_

Profession: \_\_\_\_\_ Telephone: \_\_\_\_\_

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

Attorney's Name: \_\_\_\_\_ Telephone: \_\_\_\_\_

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

**APPLICATION – MINOR SUBDIVISION PLAN APPROVAL (Page 2 of 2)**

List all maps and other materials accompanying this application and the number of each:

Number: \_\_\_\_\_ Item: \_\_\_\_\_

Applicant's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**For Official Use Only:**

Received By: \_\_\_\_\_ Date: \_\_\_\_\_ Fee: \_\_\_\_\_

**Administrative Completeness Review Checklist: (Check if Provided or Not Applicable)**

- |                                                  |                                                                                                |                                                                       |
|--------------------------------------------------|------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------|
| <input type="checkbox"/> Application Form        | <input type="checkbox"/> W-9 Form                                                              | <input type="checkbox"/> Owner Letter Authorizing Application         |
| <input type="checkbox"/> Application Fee         | <input type="checkbox"/> Escrow Fee                                                            | <input type="checkbox"/> Corporate Resolution (auth. officers to act) |
| <input type="checkbox"/> Zoning Officer's Denial | <input type="checkbox"/> Submission Checklist                                                  | <input type="checkbox"/> Environmental Commission Review Form         |
| <input type="checkbox"/> Submission Checklist    | <input type="checkbox"/> Brief Narrative                                                       | <input type="checkbox"/> Property Survey                              |
| <input type="checkbox"/> Minor Subdivision       | <input type="checkbox"/> Disclosure Statement of Names of Persons w/10% or More Interest/Stock |                                                                       |

**Administrative Completeness Determination**

Complete  Incomplete Date: \_\_\_\_\_ By: \_\_\_\_\_

Forwarded to Board Engineer: \_\_\_\_\_ Date: \_\_\_\_\_

Board Engineer Completeness Review:  Complete  Incomplete Date: \_\_\_\_\_

Board Decision:  Approved  Denied Date: \_\_\_\_\_

Conditions (Where Applicable):

Chairman's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Secretary's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**BOROUGH OF WEST LONG BRANCH, NEW JERSEY**

**ZONING BOARD OF ADJUSTMENT**

**VARIANCE APPLICATION (Page 1 of 3)**

Applicant

Lot Definition

Name: \_\_\_\_\_ Lot No.: \_\_\_\_\_

Address: \_\_\_\_\_ Block No.: \_\_\_\_\_

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

Telephone: \_\_\_\_\_ Zone Type: \_\_\_\_\_

Property Owner

Person Preparing Plans

Name: \_\_\_\_\_

Name: \_\_\_\_\_

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

Profession: \_\_\_\_\_

\_\_\_\_\_

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

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

\_\_\_\_\_

Representative (Attorney)

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

Name: \_\_\_\_\_

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

\_\_\_\_\_

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

Existing use: \_\_\_\_\_

Proposed use: \_\_\_\_\_

Provide a brief narrative explaining the proposed application (attached additional page if necessary):

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**VARIANCE APPLICATION (Page 2 of 3)**

Size of building(s) (present and/or proposed) at street level: \_\_\_\_\_

Frontage \_\_\_\_\_ Department \_\_\_\_\_

Have there been any previous variance applications or appeal involving these premises? \_\_\_\_\_

If so, note the date and resolution number: \_\_\_\_\_

<u>List Specific Variance Requested</u>	<u>List Specific Requirement of Zone and State Specific Section of Ordinance Applicable</u>
1. _____	1. _____
2. _____	2. _____
3. _____	3. _____
4. _____	4. _____
5. _____	5. _____
6. _____	6. _____
7. _____	7. _____
8. _____	8. _____
9. _____	9. _____

Number of proposed lots: \_\_\_\_\_

- Development plats (Check One)
- (a.) Sell lots only
  - (b.) Construct houses for sale
  - (c.) Site Plan
  - (d.) Other (specify) \_\_\_\_\_

Person preparing plat, if other than applicant

- (a.) Name: \_\_\_\_\_
- (b.) Profession: \_\_\_\_\_
- (c.) Address: \_\_\_\_\_
- (d.) Telephone: \_\_\_\_\_

List of all accompanying papers, reports and plans

<u>Description</u>	<u>Number Submitted</u>
1. _____	_____
2. _____	_____
3. _____	_____
4. _____	_____
5. _____	_____
6. _____	_____
7. _____	_____
8. _____	_____
9. _____	_____
10. _____	_____

**VARIANCE APPLICATION (Page 3 of 3)**

Certification of Applicant:

I do hereby certify that all statements made herein and in any document submitted herewith are true and exact.

Signature of Applicant: \_\_\_\_\_ Date: \_\_\_\_\_

Owner(s) Concurrence per Board Attorney's Letter:

Signature of Owner: \_\_\_\_\_ Date: \_\_\_\_\_

Signature of Owner: \_\_\_\_\_ Date: \_\_\_\_\_

Signature of Owner: \_\_\_\_\_ Date: \_\_\_\_\_

**For Official Use Only:**

Received By: \_\_\_\_\_ Date: \_\_\_\_\_ Fee: \_\_\_\_\_

Administrative Completeness Review Checklist: (Check if Provided or Not Applicable)

- |                                                  |                                                                                                |                                                                  |
|--------------------------------------------------|------------------------------------------------------------------------------------------------|------------------------------------------------------------------|
| <input type="checkbox"/> Application Form        | <input type="checkbox"/> W-9 Form                                                              | <input type="checkbox"/> Owner Letter Authorizing Application    |
| <input type="checkbox"/> Application Fee         | <input type="checkbox"/> Escrow Fee                                                            | <input type="checkbox"/> Environmental Commission Review Form    |
| <input type="checkbox"/> Zoning Officer's Denial | <input type="checkbox"/> Submission Checklist                                                  | <input type="checkbox"/> Architectural Floor Plans and Elevation |
| <input type="checkbox"/> Submission Checklist    | <input type="checkbox"/> Property Survey                                                       | <input type="checkbox"/> Plot Plan/Variance Plan                 |
| <input type="checkbox"/> Brief Narrative         | <input type="checkbox"/> Disclosure Statement of Names of Persons w/10% or More Interest/Stock |                                                                  |

Administrative Completeness Determination

Complete     Incomplete    Date: \_\_\_\_\_ By: \_\_\_\_\_

Forwarded to Board Engineer: \_\_\_\_\_ Date: \_\_\_\_\_

Board Engineer Completeness Review:  Complete     Incomplete    Date: \_\_\_\_\_

Board Decision:     Approved                       Denied                      Date: \_\_\_\_\_

Conditions (Where Applicable):

Chairman's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Secretary's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**BOROUGH OF WEST LONG BRANCH**  
 **PLANNING BOARD**  
 **ZONING BOARD**

**IN THE MATTER OF THE APPLICATION**

**OF** \_\_\_\_\_ **PETITION**  
*(Name of Applicant)*  
**FOR A VARIANCE**

The petition/application of \_\_\_\_\_  
*(Name of Applicant)*

Residing at \_\_\_\_\_  
*(Home Mailing Address)*

Respectfully shows:

1. They are the owners of the premises situated at \_\_\_\_\_  
*(Street Address)*  
\_\_\_\_\_ in the Borough of West Long Branch and have owned said  
property since \_\_\_\_\_.  
*(Date Property Was Acquired)*

2. Said premises are known as Block \_\_\_\_\_, Lot(s) \_\_\_\_\_ and are located in  
the \_\_\_\_\_ Zone.

3. Property is presently used as (list all uses) \_\_\_\_\_  
\_\_\_\_\_

4. Petitioners/Applicants desire a variance from the terms of the Board Ordinance to permit them to:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

5. Your Petitioner/Applicant prays that a day be fixed for a hearing on this application and states  
that the proper notice will be sent or served on all people required by statutes.

Dated: \_\_\_\_\_

Petitioner: \_\_\_\_\_

**BOROUGH OF WEST LONG BRANCH**  
 **PLANNING BOARD**       **ZONING BOARD**

**SAMPLE FORM OF PUBLIC NOTICE**

PLEASE TAKE NOTICE that on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_, at 7:30  
(Day) (Month) (Year)  
P.M. at the Municipal Building, 965 Broadway, West Long Branch, New Jersey, a Public Hearing will be held before the West Long Branch \_\_\_\_\_ to consider the application of  
(Planning Board or Board of Adjustment)  
\_\_\_\_\_ for premises at \_\_\_\_\_ and  
(Applicant's Name) (Street Location)  
designated as Block \_\_\_\_\_, Lot(s) \_\_\_\_\_ on the official tax map  
(Block) (Lot Numbers)  
of the Borough of West Long Branch, Zone District \_\_\_\_\_, at which time and place all  
(Zone Designation)  
interested persons will be given an opportunity to be heard.

The applicant seeks the following: (Insert what the applicant is seeking to do)

---

---

---

---

---

The applicant also seeks any and all other variances or waivers as may be required in connection of this application.

The application and supporting documents are on file at the Office of the West Long Branch Borough Clerk, 965 Broadway, West Long Branch, New Jersey and available for inspection by the public during regular business hours (8:30 a.m. to 4:30 p.m.).

This notice is sent to you as an owner of property in the immediate vicinity of this application, and is also published, as required by law. Any interested parties may appear at said hearing and participate therein in accordance with the rules of the \_\_\_\_\_.  
*Planning Board or Board of Adjustment*

Respectfully,

Dated: \_\_\_\_\_

\_\_\_\_\_  
**Applicant**

<b>IN THE MATTER OF THE APPLICATION OF</b>
<b>BLOCK _____ LOT(S) _____</b>
<b>OF THE OFFICIAL MAP OF THE BOROUGH OF WEST LONG BRANCH</b>

**BOROUGH OF WEST LONG BRANCH**  
 **PLANNING BOARD**  
 **ZONING BOARD**

**AFFIDAVIT  
OF  
SERVICE**

**STATE OF NEW JERSEY**  
:SS  
**COUNTY OF MONMOUTH**

I, \_\_\_\_\_, of full age, being duly sworn according to law, upon his/her oath, deposes and says:

- I am the applicant/applicant’s representative in the captioned matter.
- FOR THOSE INDIVIDUALS SERVED BY CERTIFIED MAIL:**

On \_\_\_\_\_, 20\_\_, I mailed by Certified Mail, Return Receipt Requested, a copy of the Notice attached hereto as Exhibit “A”, to each of the persons, municipal agencies and utilities at the addresses listed upon the Certified List of Property Owners within two-hundred feet (200’) of the premises in question provided by the Borough of West Long Branch, which said list is attached hereto as Exhibit “B”. Service of this Notice was hereby made at least ten (10) days in advance of the public hearing scheduled in this matter.

- FOR THOSE INDIVIDUALS SERVED PERSONALLY (IF ANY):**

On \_\_\_\_\_, 20\_\_, I personally served a copy of the Notice, attached hereto as Exhibit "A", to the following persons on the attached list Exhibit “C”, at the address set forth upon the original List of Property Owners. Service of this Notice was hereby made at least ten (10) days in advance of the public hearing scheduled in this matter. Everyone not served personally was served by Certified Mail, Return Receipt Requested.

*If no one was served personally, please check None*

- I state that all the referenced persons are the owners of the property within a radius of two hundred feet (200’) of the property in question, as set forth in Exhibit “B”.

\_\_\_\_\_  
Applicant

Sworn to and subscribed  
Before me this \_\_\_\_\_  
Day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Notary

IN THE MATTER OF THE APPLICATION  
OF  
BLOCK \_\_\_\_\_ LOT(S) \_\_\_\_\_  
OF THE OFFICIAL MAP OF THE  
BOROUGH OF WEST LONG BRANCH

**BOROUGH OF WEST LONG BRANCH**  
 **PLANNING BOARD**  
 **ZONING BOARD**

**AFFIDAVIT  
OF  
PUBLICATION**

**STATE OF NEW JERSEY**  
:SS  
**COUNTY OF MONMOUTH**

I, \_\_\_\_\_, the applicant in the captioned matter, who being duly sworn upon his/her oath, disposes and says that the Notice of Hearing in the matter, of which the annexed is a true copy, has been published in the *Asbury Park Press* on the date of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Applicant

Sworn to and subscribed  
Before me this \_\_\_\_\_  
Day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Notary

**IN THE MATTER OF THE APPLICATION  
OF**

---

**BLOCK \_\_\_\_\_ LOT(S) \_\_\_\_\_  
OF THE OFFICIAL MAP OF THE  
BOROUGH OF WEST LONG BRANCH**

**BOROUGH OF WEST LONG BRANCH**  
 **PLANNING BOARD**  
 **ZONING BOARD**

**OWNERS CONCURRENCE**

**STATE OF NEW JERSEY**  
**:SS**  
**COUNTY OF MONMOUTH**

I, \_\_\_\_\_, hereby certify that I am  
*(Name of Property Owner)*  
the owner of record of Lot(s) \_\_\_\_\_ in Block \_\_\_\_\_ in the Borough of West  
Long Branch, Monmouth County New Jersey, commonly known  
as \_\_\_\_\_ and I hereby acknowledge that the application for  
*(Address of Subject Property)*  
development of said Lot(s) is being made with my complete understanding and permission in  
accordance with an agreement entered into between me and the applicant noted below and that I  
concur with the plans as shown.

**Applicant**

**Property Owner**

Name: \_\_\_\_\_

Name: \_\_\_\_\_

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

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

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

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

\_\_\_\_\_  
Signature of Property Owner

Sworn to and subscribed  
Before me this \_\_\_\_\_  
Day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Notary

# **APPENDIX A**

## **CHECKLIST**

**(Application Submission Requirements)**

**BOROUGH OF WEST LONG BRANCH  
DEVELOPMENT REGULATIONS - CHECKLIST  
(Documents Required To Be Submitted)**

Project Name: \_\_\_\_\_ Date: \_\_\_\_\_  
 Owner: \_\_\_\_\_ Phone Number: \_\_\_\_\_  
 Applicant: \_\_\_\_\_ Phone Number: \_\_\_\_\_  
 Engineer: \_\_\_\_\_ Phone Number: \_\_\_\_\_  
 Attorney: \_\_\_\_\_ Phone Number: \_\_\_\_\_

**THIS CHECKLIST MUST BE COMPLETED AND RETURNED TO THE BOARD AS PART OF ANY APPLICATION. ALL OF THE FOLLOWING ITEMS MUST BE SHOWN ON THE SUBMITTED PLANS OR ATTACHED THERETO OR FILED FOR THE APPLICATION TO BE CONSIDERED FOR COMPLETENESS REVIEW.**

Waivers may be requested from some of the following items. The items should be checked where provided and an explanation of the reasons for the waiver or non-applicable items explained in a *separate letter* to be attached to this checklist. Twenty (20) copies of all reports and filing data are to be submitted, unless otherwise specified.

**NOTE:** Plans consisting of up to thirty (30) sheets should be folded. Plans of over thirty (30) sheets should be rolled in separate sets for processing.

**KEY: X= Required P = Provided W=Waiver Requested N/R =Not Required or Applicable**

Item No.	Description	Variance	Concept Plan	Minor Application		Major Subdivision		Major Site Plan		(Circle One)
				Subdivision	Site Plan	Preliminary	Final	Preliminary	Final	To be Completed by Applicant
A.	Application Form	X		X	X	X	X	X	X	(P) (W) (N/R)
B.	Project Plat Information									
1.	Name and address of owner and applicant	X	X	X	X	X	X	X	X	(P) (W) (N/R)
2.	Notarized signature (final plat prior to filing)			X			X			(P) (W) (N/R)
3.	Name, signature, license number, seal and address of engineer, land surveyor, architect, professional planner, and/or landscape architect, as applicable, involved in preparation of plat (any plans drawn by the applicant must include a notarized statement that the applicant prepared the plan)	X	X	X	X	X	X	X	X	(P) (W) (N/R)
4.	Title block denoting type of application, tax map sheet, county, name of municipality, block and lot, and street location	X	X	X	X	X	X	X	X	(P) (W) (N/R)
5.	Key map at specified scale showing location to surrounding properties, streets, municipal boundaries, zone districts, etc., within 500 feet of property	X		X	X	X	X	X	X	(P) (W) (N/R)

**BOROUGH OF WEST LONG BRANCH  
DEVELOPMENT REGULATIONS - CHECKLIST  
(Documents Required To Be Submitted)**

Item No.	Description	Variance	Concept Plan	Minor Application		Major Subdivision		Major Site Plan		(Circle One)
				Subdivision	Site Plan	Preliminary	Final	Preliminary	Final	To be Completed by Applicant
6.	North arrow and scale	X	X	X	X	X	X	X	X	(P) (W) (N/R)
7.	Schedule of required zone district requirements, including lot area, width, depth, yard setbacks, building coverage, open space, parking, etc.	X	X	X	X	X	X	X	X	(P) (W) (N/R)
8.	Signature blocks for chairman, secretary, and municipal engineer			X	X	X	X	X	X	(P) (W) (N/R)
9.	Proof that taxes are current	X		X	X	X	X	X	X	(P) (W) (N/R)
10.	Certification blocks required by Map Filing Law			X			X			(P) (W) (N/R)
11.	Monumentation as specified by Map Filing Law			X			X			(P) (W) (N/R)
12.	Date of current property survey			X	X	X	X	X	X	(P) (W) (N/R)
13.	Plans to a scale of not less than 1"=100' on one of four of the following standard sheet sizes:  8½" x 13" 15" x 21" 24" x 36" 30" x 42"			X	X	X	X	X	X	(P) (W) (N/R)
14.	Metes and bounds description showing dimension, bearings of original and proposed lots			X			X			(P) (W) (N/R)
15.	Metes and bounds description showing dimensions, bearings, curve data, length of tangents, radii, arcs, chords, and central angles for all centerlines and rights-of-way and centerline curves on street			X		X	X		X	(P) (W) (N/R)
16.	Acreage of tract to the nearest tenth of an acre			X	X	X	X	X	X	(P) (W) (N/R)
17.	Date of original preparation and of each subsequent revision, including a brief narrative of each revision	X		X	X	X	X	X	X	(P) (W) (N/R)
18.	Size and location of any existing and proposed structures with all setbacks dimensioned	X	X	X	X	X	X	X	X	(P) (W) (N/R)
19.	Size and location of all existing structure within 200 feet of the site boundaries			X	X	X	X	X	X	(P) (W) (N/R)
20.	Tax lot and block numbers of existing and proposed lots			X		X	X			(P) (W) (N/R)
21.	Area of proposed lots in square feet		X	X		X	X			(P) (W) (N/R)

**BOROUGH OF WEST LONG BRANCH  
DEVELOPMENT REGULATIONS - CHECKLIST  
(Documents Required To Be Submitted)**

Item No.	Description	Variance	Concept Plan	Minor Application		Major Subdivision		Major Site Plan		(Circle One)
				Subdivision	Site Plan	Preliminary	Final	Preliminary	Final	To be Completed by Applicant
22.	Any existing or proposed easement or land reserved for or dedicated to public use	X	X	X	X	X	X	X	X	(P) (W) (N/R)
23.	Name and address and lot and block numbers of property owners within 200 feet of subject property			X	X	X	X	X	X	(P) (W) (N/R)
24.	Location of streams, floodplains, wetlands or other environmentally sensitive areas on or within 200 feet of the project site (Note: variance applications need only show these features on-site)	X		X	X	X	X	X	X	(P) (W) (N/R)
25.	List of variances required or requested	X		X	X	X	X	X	X	(P) (W) (N/R)
26.	List of requested design waivers or exceptions			X	X	X	X	X	X	(P) (W) (N/R)
27.	Phasing plan as applicable to include:  i.) Circulation plan, including signage, separating construction traffic from traffic generated by intended use of site.  ii.) Timetable and phasing sequence					X	X	X	X	(P) (W) (N/R)
28.	Preliminary architectural plans and elevations	X	X		X			X	X	(P) (W) (N/R)
29.	Site identification signs, traffic control signs, and identification signs				X	X	X	X	X	(P) (W) (N/R)
30.	Sight triangles			X	X		X	X	X	(P) (W) (N/R)
31.	Proposed street names when new road is proposed					X	X	X	X	(P) (W) (N/R)
32.	Parking plan showing spaces, sizes, and types, aisle width, curb cuts, drives, driveways, and all ingress and egress areas and dimensions, the number of spaces required by ordinance, and the number of spaces provided				X			X	X	(P) (W) (N/R)
33.	Soil Waste Management and Recycling Plan showing holding location and provisions for waste and recyclables				X	X	X	X	X	(P) (W) (N/R)
34.	Traffic Study					X		X		(P) (W) (N/R)

**BOROUGH OF WEST LONG BRANCH  
DEVELOPMENT REGULATIONS - CHECKLIST  
(Documents Required To Be Submitted)**

Item No.	Description	Variance	Concept Plan	Minor Application		Major Subdivision		Major Site Plan		(Circle One)
				Subdivision	Site Plan	Preliminary	Final	Preliminary	Final	To be Completed by Applicant
C.	<u>Construction Plans</u>									
1.	Site layout showing all roadways, circulation patterns, curbs, sidewalk, buffers, structures, open space, recreation, etc., as applicable				X	X	X	X	X	<b>(P) (W) (N/R)</b>
2.	Grading and Utility Plan to include as applicable:  i.) Existing and proposed contours at 1 foot intervals for grades 3% or less and at 2 foot intervals for grades more than 3 inches ii.) Elevations of existing and proposed structures iii.) Location and invert elevation of existing and proposed drainage structures iv.) Locations of all streams, ponds, lakes, wetlands areas v.) Locations of existing and proposed and existing utilities including depth of structures, locations of manholes, valves, services, etc.				X	X	X	X	X	<b>(P) (W) (N/R)</b>
3.	Profiles of existing and proposed roadways, including all utilities and stormwater facilities. Roadway cross-sections at 50 foot intervals. Horizontal and vertical scales to be the same.					X	X	X	X	<b>(P) (W) (N/R)</b>
4.	Landscaping Plan to include:  i.) Locations of existing vegetation and clearing limits. Tree Save Plan for major applications must show the locations, sizes and species of all existing trees 4 inches in caliper or greater. ii.) Proposed buffer areas and method of protection during construction iii.) Proposed landscaped areas iv.) Number, types & locations of proposed plantings including street trees v.) Details for method of planting, including optimum planting season				X	X	X	X	X	<b>(P) (W) (N/R)</b>

**BOROUGH OF WEST LONG BRANCH  
DEVELOPMENT REGULATIONS - CHECKLIST  
(Documents Required To Be Submitted)**

Item No.	Description	Variance	Concept Plan	Minor Application		Major Subdivision		Major Site Plan		(Circle One)
				Subdivision	Site Plan	Preliminary	Final	Preliminary	Final	To be Completed by Applicant
5.	Soil Erosion and Sediment Control Plan prepared in accordance with the standards for soil erosion and sediment control standards in New Jersey				X	X	X	X	X	(P) (W) (N/R)
6.	Lighting Plan to include: i.) Locations and height of proposed fixtures ii.) Proposed lighting levels iii.) Detail for construction of fixture				X	X	X	X	X	(P) (W) (N/R)
7.	Construction details for all improvements: i.) Roadways ii.) Curb iii.) Sidewalk iv.) Driveway Aprons v.) Drainage Inlets vi.) Pipe Bedding vii.) Outfalls viii.) Manholes ix.) Gutters x.) Plantings xi.) Parking Lots xii.) Soil Erosion and Sediment Control Structures				X	X	X	X	X	(P) (W) (N/R)
D.	Supplementary Documents									
1.	List of all federal, state, regional and/or municipal approvals or permits required			X	X	X	X	X	X	(P) (W) (N/R)
2.	Copies of any existing or proposed deed restrictions or covenants			X	X	X	X	X	X	(P) (W) (N/R)
3.	Freshwater wetlands Letter of Interpretation for the project area			X	X	X	X	X	X	(P) (W) (N/R)
4.	Performance guarantees			X	X		X		X	(P) (W) (N/R)
5.	Executed developer's agreement						X		X	(P) (W) (N/R)
6.	Signed Affidavit of Owners Consent	X	X	X	X	X	X	X	X	(P) (W) (N/R)
7.	Disclosure statement (see NJSA 40:55D-48. let seq.)				X	X	X	X	X	(P) (W) (N/R)
8.	Statement from utility companies as to serviceability of site			X	X	X	X	X	X	(P) (W) (N/R)
9.	Stormwater management calculations					X	X	X	X	(P) (W) (N/R)
10.	Payment of all applicable fees		X	X	X	X	X	X	X	(P) (W) (N/R)
11.	Environmental Impact Report					X		X		(P) (W) (N/R)
12.	Application for Environmental Commission Site Plan Review	X	X	X	X	X	X	X	X	(P) (W) (N/R)
13.	Building Elevation and floor plans of any proposed structure(s)	X			X			X		(P) (W) (N/R)

**SIGNATURE BLOCKS**

**1. Signature Block (shown on each sheet of Preliminary Plans and only on the Final Plat or Minor Subdivision Plat):**

Approved by the Planning Board (or Zoning Board of Adjustment) of the Borough of West Long Branch on \_\_\_\_\_ .

Board Chairman	Date
Board Secretary	Date
Board Engineer	Date

**2. Certifications of Consent (shown on the first sheet of all plans and on all subdivision plats):**

I hereby certify that I am the owner of record and that I concur with the plans as shown.

Name	Date
------	------

**3. Date of Filing Block (shown on all subdivision plats):**

This is to certify that the Planning Board is the proper authority to approve and has approved this map. This map shall be filed in the Monmouth County Clerk’s Office on or before the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, which is one hundred and ninety (190) days from the date of approval for a Minor or ninety-five (95) days from signature of this map for a Final.

Planning Board Secretary	Date
--------------------------	------

**4. If interior monuments will be set at a later date:**

The interior monuments shown on this map shall be set within an approval time limit as provided for in the “Municipal Land Use Law,” PL 1975 c 291 (C 40:55 D-1 et seq.) or Local Ordinance. I hereby certify that a bond has been given to the Borough guaranteeing the future setting of monuments as shown on this map and so designated.

Borough Clerk	Date
---------------	------

**5. Engineer’s Certification (to be shown on all subdivision plats):**

I have examined this map and, to the best of my knowledge and belief, find it conforms with the provisions of the “Map Filing Law,” Resolution of Approval and Municipal Ordinance and requirements applicable thereto:

Borough Engineer	Date
------------------	------

**6. Land Surveyor’s Certification if the map and survey were prepared by the same individual (to be shown on all subdivision plats):**

I hereby certify that, to the best of my knowledge and belief, this map and land survey dated \_\_\_\_\_, 20\_\_ meets the minimum survey detail requirements as promulgated by the State Board Professional Engineers and Land Surveyors and has been made under my supervision and complies with the provision of the “Map Filing Law” and that the outbound monuments have been found or set.

*(Include the following, if applicable)*

I do further certify that the monuments, as designated and shown hereon, have been set.

\_\_\_\_\_  
Licensed Professional Land Surveyor and No. \_\_\_\_\_ Date \_\_\_\_\_

**7. Land Surveyor’s Certification if the Land Surveyor who prepared the map differs from the Land Surveyor who prepared the outbound survey (to be shown on all subdivision plats):**

I hereby certify that, to the best of my knowledge and belief, this land survey dated \_\_\_\_\_, 20\_\_ has been made under my supervision and meets the minimum survey detail requirements as promulgated by the State Board Professional Engineers and Land Surveyors and that the outbound monuments have been found or set.

\_\_\_\_\_  
Licensed Professional Land Surveyor and No. \_\_\_\_\_ Date \_\_\_\_\_

I hereby certify that this map has been made under my supervision and complies with the provisions of the “Map Filing Law.”

*(Include the following, if applicable)*

I do further certify that the monuments, as designated and shown hereon, have been set.

\_\_\_\_\_  
Licensed Professional Land Surveyor and No. \_\_\_\_\_ Date \_\_\_\_\_

**8. If the map shows streets, avenues, lanes or alleys (to be shown on the subdivision plats):**

I hereby certify that the municipal body has approved such streets, avenues, roads, lanes or alleys.

\_\_\_\_\_  
Borough Clerk \_\_\_\_\_ Date \_\_\_\_\_

# **APPENDIX B**

## **ADDITIONAL SUBMISSION**

## **FORMS & REQUIREMENTS**

## ZONING OFFICER'S REVIEW FORM

Applicant's Name: \_\_\_\_\_ Telephone: \_\_\_\_\_  
 Applicant's Address: \_\_\_\_\_

Your application will be reviewed for conformance with the Zoning Ordinance. Please complete this form and submit with your application.

Zone:    R-22    R-15    R-10    RP    I    N/C    H/C    Other: \_\_\_\_\_

Block: \_\_\_\_\_ Lot(s): \_\_\_\_\_ Proposed Use: \_\_\_\_\_

<i>To be completed by Applicant</i>				<i>For Official Use Only:</i>	
Zoning Requirements	Permitted/Required	Existing	Proposed	Variance Required	Comments/Codes
Lot Area					
Lot Width					
Front Yard Setback					
Side Yard Setback: • One Side • Both Sides					
Rear Yard Setback					
Building Coverage					
Impervious Coverage					
Maximum Building Height					
Density					
Buffer					
Parking					
Accessory Building Height					
Accessory Building Setback					
Other					

**NOTE:** It should be clearly understood that the variances that may be required are not limited to those noted above.

Submitted by \_\_\_\_\_ Date \_\_\_\_\_

**OFFICE USE ONLY**

Borough of West Long Branch  
Planning/Zoning Boards  
965 Broadway  
West Long Branch, New Jersey 07764

ATTN: Borough Clerk

Please supply me with a Certified List of Property Owners within two hundred feet (200') of the below listed property. Attached is my fee of \$10.00 for same.

Block: \_\_\_\_\_ Lot(s): \_\_\_\_\_

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

\_\_\_\_\_

Name: \_\_\_\_\_ Telephone: \_\_\_\_\_

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

\_\_\_\_\_

**BOROUGH OF WEST LONG BRANCH**

**TAX CERTIFICATION**

- Zoning Officer
- Planning Board
- Zoning Board of Adjustment

Property Owner: \_\_\_\_\_ Telephone: \_\_\_\_\_

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

Location: \_\_\_\_\_

\_\_\_\_\_

Block: \_\_\_\_\_ Lot(s): \_\_\_\_\_ CN: \_\_\_\_\_

**FOR OFFICIAL USE ONLY**

THIS WILL CERTIFY THAT TAXES ON THE ABOVE PROPERTY:

- Are Paid
- Are not Paid

\_\_\_\_\_ Quarter \_\_\_\_\_ Year

THIS PROPERTY MAY BE SUBJECT TO ROLLBACK TAXES NOT YET ESTABLISHED.

Name: \_\_\_\_\_

Title: \_\_\_\_\_

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

**THE BOROUGH OF WEST LONG BRANCH  
MONMOUTH COUNTY, NEW JERSEY**

**APPLICATION FOR ENVIRONMENTAL COMMISSION SITE PLAN REVIEW**

**Purpose:** This application provides the Environmental Commission of the Borough of West Long Branch with information needed to help determine, in an orderly manner, whether a proposed project or action may be significant. The applicant has a legal responsibility to answer truthfully and completely and will be held accountable for information contained herein. A review of this application by the Environmental Commission and a resolution of all questions arising therefrom are required before the start of any site work.

**Instructions:** Answer each item in the space provided. The completed application must accompany project drawings submitted to the Planning Board and the Zoning Board of Adjustment, together with a copy for the Environmental Commission.

---

---

Applicant Company/Individual: \_\_\_\_\_ Telephone: \_\_\_\_\_

Applicant Company/Individual Address: \_\_\_\_\_  
\_\_\_\_\_

Present Property Owner's Name: \_\_\_\_\_ Telephone: \_\_\_\_\_

Present Property Owner's Address: \_\_\_\_\_  
\_\_\_\_\_

Responsible Person: \_\_\_\_\_ Telephone: \_\_\_\_\_

Responsible Person's Title: \_\_\_\_\_

Responsible Person's Address: \_\_\_\_\_  
\_\_\_\_\_

Site Location Street Address: \_\_\_\_\_

Nearest Existing Street Intersection: \_\_\_\_\_

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

---

---

a) Present Use:

b) Proposed Use:

**APPLICATION FOR ENVIRONMENTAL COMMISSION SITE PLAN REVIEW**

c) Break down total acreage of project site as follows:

	Present	Planned
Wetland		
Wooded		
Water Surface Area		
Unvegetated (Rock, Earth, Fill)		
Buildings, Paved Surfaces		
Areas to be Left in Their Natural State		
Other (Give Detail)		

d) Describe predominant floral and fauna:

e) Total number of trees on-site with a trunk diameter of six inches (6") or greater.

f) List the number of trees, by species, with a trunk diameter of six inches (6") or greater, as measured one foot (1') from grade, that are to be destroyed:

g) Will project cause or increase water pollution, air pollution or noise pollution?  Yes  No If yes, please explain.

**APPLICATION FOR ENVIRONMENTAL COMMISSION SITE PLAN REVIEW**

- h) Will the project affect the water table in the area?  Yes  No If yes, please explain.
- i) Will the project result in an increase or decrease in the surface area of any body of water?  Yes  No If yes, please explain.
- j) Is the project located in the 100-year flood plan?  Yes  No If yes, please explain.
- k) Is there wetlands within one hundred feet (150') of the project?  Yes  No If yes, please explain.



**APPLICATION FOR ENVIRONMENTAL COMMISSION SITE PLAN REVIEW**

- p) List any New Jersey Department of Environmental & Energy (NJDEPE) or U.S. Army Corps of Engineers permits that you have or for which you have applied.

- q) Do you have any of the following on or within fifty feet (50') of your property boundaries?

Ponds, streams, brooks, marshes, bays, rivers, lakes, bogs, ditches, creeks, swamps or other low areas which regularly contain water for a length of time?

Yes  No

If you answered yes, you must contact the New Jersey Department of Environmental & Energy (NJDEPE), Division of Coastal Resources, Bureau of Freshwater Wetlands, to obtain their clearance, prior to obtaining a Building Permit from the Borough. If you are unsure, you should contact the NJDEPE. Violation of the Freshwater Wetlands Act could result in fines imposed by the State of New Jersey.

Bureau of Freshwater Wetlands  
Division of Coastal Resources  
New Jersey Department of Environmental Protection & Energy  
CN 401  
Trenton, New Jersey 08625  
  
Telephone: (609) 633-6754

Borough of West Long Branch  
965 Broadway  
West Long Branch, New Jersey 07764

Telephone: (732) 229-1756  
Fax: (732) 571-9185

To: Administrative Officer  
From: \_\_\_\_\_  
Applicant  
Date: \_\_\_\_\_  
Re: **REVISION/RE-SUBMISSION APPLICATION**

The Revision/Re-submission Application submitted on \_\_\_\_\_ to the

- Planning Board
- Zoning Board of Adjustment

- reflects a change in lot lines and/or road alignment\*
- does not reflect a change in lot lines and/or road alignment

Applicant's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Name of Firm: \_\_\_\_\_

Address of Firm: \_\_\_\_\_  
\_\_\_\_\_

\*Changes in lot lines and/or road alignment must be sent to the Zoning Officer and Fire Official for additional review

# MONMOUTH COUNTY PLANNING BOARD

HALL OF RECORDS ANNEX  
ONE EAST MAIN STREET  
FREEHOLD, NEW JERSEY 07728-1255  
Phone, 732.431.7460 Fax, 732.409.7540  
Web Site: www.visitmonmouth.com



FILE NUMBER \_\_\_\_\_

## SITE PLAN APPLICATION FORM

Municipality \_\_\_\_\_

Project Name \_\_\_\_\_

Applicant \_\_\_\_\_

Name of Person and \_\_\_\_\_

Address \_\_\_\_\_

Firm preparing plan \_\_\_\_\_

\_\_\_\_\_

Address \_\_\_\_\_

Telephone \_\_\_\_\_

\_\_\_\_\_

Owner \_\_\_\_\_  
(if other than applicant)

Telephone \_\_\_\_\_

Address \_\_\_\_\_

Attorney \_\_\_\_\_

\_\_\_\_\_

Address \_\_\_\_\_

\_\_\_\_\_

Telephone \_\_\_\_\_

Indicate which Municipal Agency that plans have been filed with:

Planning Board       Board of Adjustment       Construction Official       Other

Tax Map: Block(s) \_\_\_\_\_ Lot(s) \_\_\_\_\_

Location: (Road, intersecting roads, between what roads?) \_\_\_\_\_

Site Plan Address: \_\_\_\_\_

Zone \_\_\_\_\_ Existing use \_\_\_\_\_ Proposed use \_\_\_\_\_

Area of tract \_\_\_\_\_ If residential, indicate number of dwelling units \_\_\_\_\_ Gross density \_\_\_\_\_

Area of building (square feet): Existing \_\_\_\_\_ Proposed \_\_\_\_\_ Total \_\_\_\_\_

Number of buildings \_\_\_\_\_ Area of each \_\_\_\_\_

Number of parking spaces: Existing \_\_\_\_\_ Proposed \_\_\_\_\_ Total \_\_\_\_\_

Impervious Area: Existing \_\_\_\_\_ Proposed \_\_\_\_\_ Total \_\_\_\_\_

Number of employees: Existing \_\_\_\_\_ Proposed \_\_\_\_\_ Total \_\_\_\_\_

Hours of operation: Starting time \_\_\_\_\_ Quitting time \_\_\_\_\_

Signature of applicant or agent \_\_\_\_\_ Date \_\_\_\_\_

**The review period will not commence until the proper fee, three (3) sets of sealed plans (two [2] if not on county road) and a completed Monmouth County Development Review Checklist for applications on county roads, are received.**

**Checks or Money Orders shall be made payable to the County of Monmouth. Cash will not be accepted.**

**State, county and municipal governments and quasi-governmental entities are exempt from the payment of application fees and inspection fees.**

Do Not Write Below This Line

REVIEW FEE PAID      Amount \_\_\_\_\_ Date Received \_\_\_\_\_

Received By \_\_\_\_\_

# MONMOUTH COUNTY PLANNING BOARD

HALL OF RECORDS ANNEX  
ONE EAST MAIN STREET  
FREEHOLD, NEW JERSEY 07728-1255  
Phone, 732.431.7460 Fax, 732.409.7540  
Web Site: www.visitmonmouth.com



FILE NUMBER \_\_\_\_\_

## SUBDIVISION APPLICATION FORM

Municipality \_\_\_\_\_

Project Name \_\_\_\_\_

Applicant \_\_\_\_\_

Name of Person and \_\_\_\_\_

Address \_\_\_\_\_

Firm Preparing Plan \_\_\_\_\_

\_\_\_\_\_

Address \_\_\_\_\_

Telephone \_\_\_\_\_

\_\_\_\_\_

Owner \_\_\_\_\_  
(if other than applicant)

Telephone \_\_\_\_\_

Address \_\_\_\_\_

Attorney \_\_\_\_\_

\_\_\_\_\_

Address \_\_\_\_\_

\_\_\_\_\_

Telephone \_\_\_\_\_

Indicate which Municipal Agency that plans have been filed with:

Planning Board

Board of Adjustment

Tax Map: Block(s) \_\_\_\_\_ Lot(s) \_\_\_\_\_

Location: (Road, intersecting roads, between what roads?) \_\_\_\_\_

Site Street Address: \_\_\_\_\_

Zone \_\_\_\_\_ Proposed Use \_\_\_\_\_

Number of Proposed Lots \_\_\_\_\_ Gross density \_\_\_\_\_

Number of Proposed Dwelling Units \_\_\_\_\_  Sell Vacant Lots

Average Lot Size \_\_\_\_\_ Linear Feet of New Roads \_\_\_\_\_

Area of Entire Tract \_\_\_\_\_ Area Being Subdivided \_\_\_\_\_

Impervious Area: Existing \_\_\_\_\_ Proposed \_\_\_\_\_ Total \_\_\_\_\_

Signature of Applicant or Agent \_\_\_\_\_ Date \_\_\_\_\_

**The review period will not commence until the proper fee, three (3) sets of sealed plans (two [2] if not on county road) and a completed Monmouth County Development Review Checklist for applications on county roads, are received.**

**Checks or Money Orders shall be made payable to the County of Monmouth. Cash will not be accepted.**

**State, county and municipal governments and quasi-governmental entities are exempt from the payment of application fees and inspection fees.**

Do Not Write Below This Line

REVIEW FEE PAID Amount \_\_\_\_\_ Date Received \_\_\_\_\_

Received By \_\_\_\_\_

# MONMOUTH COUNTY PLANNING BOARD

## MONMOUTH COUNTY DEVELOPMENT REGULATIONS

### SCHEDULE A: FEES

EFFECTIVE January 14, 2013

#### SUBDIVISIONS

A subdivision that contains three (3) lots or less which does not abut a county road or a county drainage facility,	\$100.00
A subdivision which contains three (3) lots or less which abuts a county road or county drainage facility.	\$300.00
A subdivision which contains more than (3) lots and/or new streets.	\$500.00 + \$25.00 per new lot

#### SITE PLANS

A site plan which does not abut a county road or county drainage facility which contains less than one (1) acre of impervious surfaces.	\$100.00
A site plan which does not abut a county road or county drainage facility which contains one (1) or more acres of impervious surfaces.	
Nonresidential:	\$500.00 + \$6.00 per new parking space
Multi-family Residential: (excluding 2-family homes)	\$500.00 + \$6.00 per new dwelling unit
A site plan which abuts a county road or county drainage facility.	
Nonresidential:	\$500.00 + \$6.00 per new parking space
Multi-family Residential: (excluding 2-family homes)	\$500.00 + \$6.00 per new dwelling unit
A site plan for industrial use or warehousing which contains one (1) or more acres of impervious surfaces.	\$500.00 + \$6.00 per 1,000 square feet of gross floor area or \$6.00 per parking space, whichever is greater

#### PLAN REVISIONS

Revised plans for a major subdivision or site plan which involves county requirements.	\$300.00
A revised plan for a minor subdivision which requires county requirements.	\$150.00
Revised plans for a minor subdivision, major subdivision or site plan which does not involve county requirements.	\$75.00

#### FINAL MAJOR SUBDIVISION PLATS

A final major subdivision plat which involves county requirements.	\$300.00
A major subdivision plat which does not involve county requirements.	\$100.00

#### INSPECTIONS OF COUNTY IMPROVEMENTS FOR RELEASE OF PERFORMANCE GUARANTEE

\$50.00 for guarantees up to \$2,500.00;  
2% of guarantee amount for guarantees exceeding \$2,500.00;  
Also, \$50.00 per visit if more than 2 inspections required, regardless of initial fee.

#### PREPARATION OF DEVELOPER AGREEMENTS

\$500.00

#### PREPARATION OF HOLD HARMLESS/INDEMNIFICATION AGREEMENTS

\$500.00

- Check or money orders (**no cash will be accepted**) should be made out to: Treasurer, Monmouth County.
- State, county and municipal governments and quasi-governmental entities are exempt from the payment of application fees and inspection fees.
- The review period will not commence until the proper fee, three (3) sets of sealed plans and a completed Monmouth County Development Review Checklist are received.
- Fees will not be refunded if the application is withdrawn or the scope of the project is reduced.

**MONMOUTH COUNTY PLANNING BOARD**

**DEVELOPMENT REVIEW CHECKLIST**

Project Name \_\_\_\_\_ MCPB File # \_\_\_\_\_

Municipality \_\_\_\_\_ County Road Name: \_\_\_\_\_

County Route # \_\_\_\_\_ County Bridge # \_\_\_\_\_

***For Official Use Only***

<b>Drainage</b>	<b>Provided</b>	<b>Not Applicable</b>	<b>Waiver Requested</b>	<b>Required for Review</b>	<b>Revision Required</b>
Grading of right-of-way (ROW) @ 2% (Top soil & seed)					
Grading outside ROW @ 2:1 Max.					
Existing and proposed contour lines (2' intervals within ROW and within 50' of ROW)					
Gutter grades (existing)					
Gutter grades (proposed)					
Road cross slope @ 2%-3%					
Road gutter slope @ 0.5% or more					
Road cross sections a 50' intervals					
Road crown, existing and proposed gutter and top of curb profiles					
Size, material, class and percent slope of existing and proposed storm sewer pipes and other drainage structures					
Storm sewer inlets (depressed 2" with 10" head unless in traveled way) on county road at min. 350' spacing w/ stations and off-set dimensions					
Campbell foundry or equivalent storm sewer inlets(bicycle safe grates) and manholes					
Inlet details ("B", "E", "MH", modified "B")					
Flared end section or headwall detail					
Storm sewer profiles w/ inverts, pipe lengths, grate / rim elevations, utility location					
Stream profiles 300' upstream and downstream of county drainage system / structure					
Pre and post development drainage area maps					

**DEVELOPMENT REVIEW CHECKLIST**

***For Official Use Only***

<b>Drainage</b> (continued)	<b>Provided</b>	<b>Not Applicable</b>	<b>Waiver Requested</b>	<b>Required for Review</b>	<b>Revision Required</b>
Storm Water Management Report / drainage calculations					
Drainage area map showing total drainage area upland of county structure and total site area upland of county drainage structure					
Existing drainage easements					
Proposed drainage easements					
Easement for county drainage structure (@ 1" = 50' min.) w/ bearings and distances					
Drainage easement for outfall					
Deed of easement for county drainage structure or system					
Soil borings / soil logs					
Percolation / permeability tests					
Plans for reconstruction of county drainage structure					
Special drainage treatment due to scenic road designation					

**Road Design**

Survey baseline with stations, and off-set dimensions at inlets, manholes, P.T.s, P.C.s, angle points, beginning and end of improvements, etc.					
Existing and proposed edge of pavement - new edge of pavement at least 20' off painted centerline					
Existing driveways and roads along county road opposite the development and within 200'					
Pavement tapers as required (50' long @ beginning of widening / 15:1 @ end of widening) if curb - 2' off edge of pavement					
Areas of pavement to be milled and resurfaced and/or reconstructed (is road covered by 5-year moratorium?)					
Existing and proposed traffic line striping and pavement marking (including passing and no-passing zones, shoulder lines, cross-walks, reflective pavement markers, etc.) -					

## DEVELOPMENT REVIEW CHECKLIST

Page 3

Road Design (continued)	<i>For Official Use Only</i>				
	Provided	Not Applicable	Waiver Requested	Required for Review	Revision Required
12" wide lanes/ 8' shoulder (typ.) / 24" stop bar					
Note advising contractor that proposed traffic line striping mark-out must be approved by county traffic engineer prior to final striping					
Color, width and material (extruded thermoplastic)					
Traffic lines to be removed by grinding method					
Reflective pavement markers (RPM) to be removed, method of pavement repair					
Existing and proposed traffic signs (existing signs to be relocated)					
Proposed traffic sign & post details (12' long, 3lbs/ft., green)					
Existing and prop. utility poles and equipment (new poles 6' off or >) with pole references along frontage, within 300' of site and on opposite side of road and ROW / easement lines at relocated poles					
Letter from utility company(ies) approving location of relocated poles and equipment					
Existing speed limit					
Typical county road section including pavement specifications, sidewalk, grading within right-of-way & outside ROW, curb.					
Existing and proposed curb					
County curb detail (6"X 8" X 20" concrete curb w/ 8" reveal)					
Vertical curb taper & detail					
Curb Radii (15' min. site plan – 35' min. major subdivision – Designed to accommodate turning radius of all types of vehicles that will use the site)					
Driveway width/ road width & lane widths					
Percent slope of driveway and road approach to county road (max. 7%)					
Emergency access detail					

## DEVELOPMENT REVIEW CHECKLIST

Page 4

Road Design (continued)	<i>For Official Use Only</i>				
	Provided	Not Applicable	Waiver Requested	Required for Review	Revision Required
Driveway depressed curb with dimension & apron w/5' flares each side or corner radii					
Depressed curb & apron detail					
Concrete traffic island (full face or mountable as directed)					
Handicap ramps per ADA					
Pavement repair detail w/ saw cut					
Guiderail plan & details (B.C.T. or S. R.T. or E.T. 2000 end treatment as applicable) with Length of need calculations					
Sight distance (7 seconds from proposed intersection)					
Fences or other encroachments within right-of-way or sight triangle to be removed					
Sight line profiles (10 X speed limit)					
Right-of-way centerline with dimensions to existing right-of-way line					
Existing sight triangle, access and utility easements					
Proposed right-of-way line with dimensions (bearings and distances)					
Proposed sight triangle easements with dimensions (bearings and distances)					
Right-of-way radii (25')					
Deed for additional right-of-way					
Deed for sight triangle easements					
Left turn lane or two-way left turn lane					
By-pass area (26 or > peak hour left turns in)					
Lane transitions (dimensions)					
Traffic impact analysis or statement					
Traffic signing and striping plan @ 1" = 20'					
Municipal ordinance for access restriction					
Special road treatment due to scenic road designation					

**DEVELOPMENT REVIEW CHECKLIST**

Page 5

***For Official Use Only***

<b>Landscaping/Landscape plan</b>	<b>Provided</b>	<b>Not Applicable</b>	<b>Waiver Requested</b>	<b>Required for Review</b>	<b>Revision Required</b>
Scenic county road					
Existing shade trees shown within ROW and within 50' (size, genus, species and common name)					
Identification of trees and shrubs to be saved					
Limits of existing and proposed wooded area					
Method for protecting trees to be saved					
Identification of proposed trees shrubs and ground cover by size, genus, species and common name (shade trees 40'-50' on center on property side of right-of-way at least 15' from overhead utility lines)					
Sight triangles					
Existing and proposed contours					
Existing and proposed utilities including overhead lines, sewer and water pipes and manholes					
Sidewalks and/or pathways					
Landscape easements					

**Comments/Justification for waiver request:**

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**Prepared by:** \_\_\_\_\_

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

**BOROUGH OF WEST LONG BRANCH**  
**PLANNING BOARD/ZONING BOARD OF ADJUSTMENT**  
**NOTICE TO APPLICANTS FOR SUBDIVISION OF LAND**  
**AND/OR FOR SITE PLAN APPROVAL**

Chapter 251, of the Laws of 1975, requires that for certain subdivision plans and site plans, you must have a Soil Conservation Plan prepared, submitted to and approved by the Freehold Soil Conservation District, 20 Court Street, Freehold, New Jersey.

If five thousand square feet (5,000 sq. ft.), or more, of surface area of land of your project will be affected by the clearing, excavating, storing, grading, filling or transporting of soil, or any other activity which causes soil to be exposed to the danger of erosion, you must apply to the Freehold Soil Conservation District for approval of your Soil Conservation Plan. A Soil Conservation Plan includes engineering plans and a narrative which indicates land treatment measures, including a schedule of the timing of their installation, to minimize soil erosion and sedimentation.

Certification of your plan should be secured from the Freehold Soil Conservation District prior to the Planning Board taking action on the tentative plan of a major subdivision, the plan of a minor subdivision or the final plan of a site plan.

The Law further requires that a Certificate of Occupancy cannot be issued for any structure or use on the affected land unless there has been compliance with the provisions of a certified plan for permanent measures to control soil erosion and sedimentation.

Please note that it is **your responsibility** to have the plan prepared, to submit it to the Freehold Soil Conservation District, and to obtain the required approvals. Should you have any questions regarding these matters, contact the Freehold Soil Conservation District Office.

Freehold Soil Conservation District  
 4000 Kozloski Road / PO Box 5033  
 Freehold, NJ 07728-5033  
 732-683-8500 phone  
 732-683-9140 fax  
[www.freeholdscd.org](http://www.freeholdscd.org)  
[info@freeholdscd.org](mailto:info@freeholdscd.org)



For District Use Only

Application #
Disposition

### APPLICATION FOR SOIL EROSION AND SEDIMENT CONTROL PLAN CERTIFICATION

The enclosed soil erosion and sediment control plan and supporting information are submitted for certification pursuant to the Soil Erosion and Sediment Control Act, Chapter 251, P.L. 1975 as amended (NJSA 4:24-39 et. seq.). An application for certification of a soil erosion and sediment control plan shall include the items listed on the reverse side of this form.

Name of Project		Project Location: Municipality	
Project Street Address		Block	Lot
Project Owner(s) Name		Phone #	Fax #
Project Owner(s) Address (PO Box)		City	State / Zip
Project Owner(s) E-mail address			
Total Area of Project (Acres)	Total Area to be Disturbed (Acres)	# Dwelling / Units	Fee \$
Plans Prepared by*		Phone #	Fax #
Street Address		City	State / Zip
*(Engineering related items of the Soil Erosion and Sediment Control Plan <b>MUST</b> be prepared by or under the direction of and be sealed by a Professional Engineer or Architect licensed in the State of New Jersey, in accordance with NJAC 13:27-6.1 et. Seq.)			
Agent Responsible During Construction			
Street Address			
City	State	Zip	Phone # Fax #

The applicant hereby certifies that all soil erosion and sediment control measures are designed in accordance with current **Standards for Soil Erosion and Sediment Control in New Jersey** and will be installed in accordance with those Standards and the plans as approved by the Soil Conservation District and agrees as follows:

- To notify the District in writing at least 72 hours in advance of any land disturbance activity. Failure to provide such notification may result in additional inspection fees.
- To notify the District upon completion of the Project (Note: No certificate of occupancy can be granted until a report of compliance is issued by the District).
- To maintain a copy of the certified plan on the project site during construction.
- To allow District agents to go upon project lands for inspection.
- That any conveyance of this project or portion thereof prior to its completion will transfer full responsibility for compliance with the certified plan to any subsequent owners.
- To comply with all terms and conditions of this application and certified plan including payment of all fees prescribed by the district fee schedule hereby incorporated by reference.

The applicant hereby acknowledges that structural measures contained in the Soil Erosion and Sediment Control Plan are reviewed for adequacy to reduce offsite soil erosion and sedimentation and not for adequacy of structural design. The applicant shall retain full responsibility for any damages which may result from any construction activity notwithstanding district certification of the subject soil erosion and sediment control plan. It is understood that approval of the plan submitted with this application shall be valid only for the duration of the initial project approval granted by the municipality. All municipal renewals of this project will require submission and approval by the district. In no case shall the approval extend beyond three and one half years at which time resubmission and certification will be required. Soil Erosion and Sediment Control Plan certification is limited to the controls specified in the plan. It is not authorization to engage in the proposed land use unless such use has been previously approved by the municipality or other controlling agency.

1. Applicant Certification*	
Signature	Date
Applicant Name (Print)	
2. Receipt of fee, plan, supporting documents is hereby acknowledged:	
Signature of District Official	Date

3. Plan determined complete:	
Signature of District Official	Date
4. Plan certified, denied, or other actions noted. Special Remarks	
Signature of District Official	Date

\*If other than project owner, written authorization of owner must be attached.

An application for certification of a soil erosion and sediment control plan shall include the following items.

- 1 One copy of the complete subdivision, site plan or construction permit application, including key map as submitted to the municipality (Architectural drawings and building plans and specifications not required) which includes the following:
  - a. Location of present and proposed drains and culverts with their discharge capacities and velocities and support computations and identification of conditions below outlets.
  - b. Delineation of any area subject to flooding from the 100-year storm in compliance with the Flood Plains Act (NJSA 58:16A) or applicable municipal zoning.
  - c. Delineating of streams, wetlands, pursuant to NJSA 13:9B and other significant natural features within the project area.
  - d. Soils and other natural resource information used (Delineation of the project site on soil map is desirable).
  - e. Land cover and use of area adjacent to the land disturbance.
  - f. All hydraulic and hydrologic data, describing existing and proposed watershed conditions and HEC1, HEC2, WSP2, and TR20 and other electronic input files, if used, of existing and proposed conditions and a completed copy of the Hydraulic and Hyrdologic Data Basin Summary Form, SSCC 251 HDF1.
  
- 2 Three copies of the soil erosion and sediment control plan at the same scale\* as the site plan submitted to the municipality or other land use approval agency to include the following: (This information shall be detailed on the plan)
  - a. Proposed sequence of development including duration of each phase in the sequence.
  - b. Site grading plan showing delineation of land areas to be disturbed including proposed cut and fill areas together with existing and proposed profiles of these areas.
  - c. Contours at a two\* foot interval, showing present and proposed ground elevation.
  - d. Locations of all streams and existing and proposed drains and culverts.
  - e. Stability analysis of areas below all points of stormwater discharge which demonstrates a stable condition will exist or there will be no degradation of the existing condition.
  - f. Location and detail of all proposed erosion and sediment control structures including profiles, cross sections, appropriate notes, and supporting computations.
  - g. Location and detail of all proposed nonstructural methods of soil stabilization including types and rates of lime, fertilizer, seed, and mulch to be applied.
  - h. Control measures for non-growing season stabilization of exposed areas where the establishment of vegetation is planned as the final control measures.
  - i. For residential development - control measures to apply to dwelling construction on individual lots and notation that such control measures shall apply to subsequent owners if title is conveyed. This notation shall be shown on the final plan.
  - j. Plans with a notation for maintenance of permanent soil erosion and sediment control measures and facilities during and after construction, also indicating who shall have responsibility for such maintenance.
  
- 3 Appropriate fees. (As adopted by the individual district)
- 4 Additional items as may be required.

\*Individual districts may require modifications in the above list.

**FREEHOLD SOIL CONSERVATION DISTRICT  
ADDENDUM TO APPLICATION**

**APPLICATION BY CORPORATION OR PARTNERSHIP**

**OWNERSHIP DISCLOSURE AFFIDAVIT**

The Freehold Soil Conservation District requests that all applicants submit a complete list of ownership for purposes of determining conflicts of interest between the applicant and the Board of Supervisors or their professionals.

Attach Rider if necessary.

**Disclosure of owners of organization and property subject to application.** Any organization making an application for development under this act shall list the names and addresses of all members, stockholders, or individual partners (collectively, "interest holders"), including any other organization holding at least a 10% ownership interest in the organization, and shall also identify the owner of the property subject to the application, including any organization holding at least a 10% ownership interest in the property

**Listing of names and addresses of interest holders of applicant and owner organization.** If an organization owns an interest equivalent to 10% or more of another organization, subject to the disclosure requirements hereinabove described, that organization shall list the names and addresses of its interest holders holding 10% or greater interest in the organization.

**Disclosure of all officers and trustees of a non-profit organization.** A non-profit organization filing an application of development under this act shall list the names and addresses of all officers and trustees of the non-profit organization.

This disclosure requirement is continuing during the Certification period and transfer of ownership of more than 10% must be disclosed.

**Organization or non-profit organization failing to disclose: fine.** Any organization or non-profit organization failing to disclose in accordance with this act shall be subject to a fine of \$1,000 to \$10,000, which shall be recoverable in the name of the District in any court of record in the State in a summary manner pursuant to the "Penalty Enforcement Law" (N.J.S.A. 2A:58-1 et seq.)

Name and Address of Applicant:

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(If Corporation, Name and Address of Registered Agent and Officers):

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Stockholders / Members / Partners:

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\_\_\_\_\_  
Print Name of Authorized Signatory & Title

\_\_\_\_\_  
Date

\_\_\_\_\_  
Authorized Signature

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

\_\_\_\_\_  
Notary Public of New Jersey

## FREEHOLD SOIL CONSERVATION DISTRICT

### RESIDENTIAL

<u>Number of Buildings</u>	<u>Review and Certification</u>	<u>Inspection and Enforcement</u> <u>Fee per Building</u>
Single Lot	500	475
2 to 3	1,000	400
4 to 10	1,530	240
11 to 25	3,300	190
26 to 50	4,600	135
51 to 100	6,700	95
101 + Over	10,460	65

### MULTI UNIT RESIDENTIAL

<u>Number of Buildings</u>	<u>Review and Certification</u>	<u>Inspection and Enforcement</u> <u>Fee per Building</u>
Single Building	800	700
2 to 3	1,200	440
4 to 10	3,050	330
11 to 25	3,900	260
26 to 50	7,830	145
51 to 100	10,200	100
101 + Over	13,600	75

### COMMERCIAL

Industrial, Commercial, Demolition, Parking Lots, Public Facilities, Clearing and Grading,  
Apartments, Utilities, Roadways

<u>Area</u>	<u>Review and Certification</u> <u>Fee</u>	<u>Inspection and Enforcement</u> <u>Fee</u>
5,000 sq. ft. to .5 acre	740	600
.51 to 1 acre	880	680

  

<u>Area</u>	<u>Review and Certification</u> <u>Fee</u>	<u>Inspection and Enforcement</u> <u>Fee per Acre</u>
1.01 to 10 acres	3,030	510
11 to 25 acres	5,300	275
Greater than 25 acres	5,300	275 (up to 50 acres)

\*Additional \$275 for 5 acre increments above 50 acres

### MINING, QUARRYING, LANDFILL & STORAGE

<u>Area</u>	<u>Review and Certification</u> <u>Fee</u>	<u>Inspection and</u> <u>Enforcement Fee</u>	<u>Total</u>
5000 sq. ft. to 25 acres	520	360	880
26 to 50 acres	900	725	1,625
51 to 100 acres	1,700	1,450	3,150
101 acres +	2,320	2,200	4,520

#### **BIANNUAL RENEWAL FEE** (includes review, clerical, inspection and enforcement time)

5000 sq. ft. to 25 ac.	660
26 to 50 acres	1,165
51 to 100 acres	2,530
101 acres +	3,800

**\*Note:** For projects greater than one (1) acre, partial acres are to be **rounded up** to the nearest whole acre.  
For new golf course construction, halve the per acre inspection and enforcement fees.

Effective 1/1/2014

## **ADDITIONAL FEES:**

1. **Reinspection / Non-Compliance Fees:** A fee of \$ 175.00 may be charged when a requested inspection for the issuance of a Report of Partial Compliance is performed, and the site is not stabilized in accordance with the NJ Standards for Soil Erosion and Sediment Control. Projects which have not provided the District with written advance notice (72 hours) of their intent to start construction may be charged the \$175.00 fee. Also, general non-compliance with the certified plan requiring additional inspection may result in the issuance of non-compliance fees. No Report of Partial Compliance will be issued until all fees are paid in full.
2. **Minor Revisions:** Minor revisions are defined as simple changes to the certified plans requiring minimal examination of the submittal. Minor revisions do not challenge the integrity of the previously certified erosion controls, but reflect a change in the appearance of the site work. (For example, minor revisions might include changes to parking lot spacing, slight modifications to the limit of disturbance, grading changes without disruption of drainage patterns). A Minor Revision fee of \$350 will be charged for such revisions.
3. **Major Revisions:** Are defined as modifications to certified plans which require that the District re-evaluate the adequacy of erosion controls previously established for the site. Major revisions necessitate a comparison of the plan to the State Standards for Soil Erosion and Sediment Control in New Jersey and often the submittal of new drainage calculations. (Some examples of major revisions might include the addition or deletion of stormwater piping, significant changes to the limit of disturbance or the creation or removal of grassed waterways, detention basins, sediment basins, conduit outlet protection, etc.). A Major Revision fee is based on one half of the review and certification fee, not to exceed \$850.00.
4. **Certification / Extension:** All applicants desiring to maintain their certification on an active site after three and one half years will be subject to an audit of the original application. Fees for the recertification will be calculated based on the per acre or other unit fees for the incomplete portion of the project minus any credit remaining from the first certification period. Incomplete shall mean number of units left without a Report of Partial Compliance for residential projects and number of remaining unstabilized acres for commercial disturbances.
5. **Resubmission of Denied Plans:** Unused fees would have been refunded at time of denial. Therefore, the complete review and certification fee as well as inspection and enforcement fee will be charged for the submittal of Soil Erosion and Sediment Control Plans previously denied by the District.
6. **Stop Construction Order Cost Reimbursement:** In the event a Stop Construction Order is issued by the District in order to obtain compliance with the provisions of a sediment control plan and / or NJ Soil Erosion and Sediment Control Act Chapter 251, P.L. 1975, the applicant shall bear all District costs (including legal counsel) incurred as a result of the enforcement action. All such costs shall be documented and formally presented to the applicant.
7. **Soil Erosion and Sediment Control Plan Withdrawal / Cancellation:** If written request to withdraw a plan is received prior to certification, unused fees may be refunded to the applicant. If the request is made after the certification has been granted, it is considered a cancellation and again the unused fees will be refunded upon written request.
8. **Fees for Extraordinary Expenses:** These fees include excessive revisions, meetings, enforcement actions, or slow construction due to scheduling. In accordance with policy established by the State Soil Conservation Committee (SSCC) and the current District fee schedule, audits of projects may be conducted by the District periodically to determine if the original fee was adequate to cover the District's cost for review and inspection. If the original fee has been expended, the applicant will be assessed in the amount of \$ 110.00 per hour until the project is complete.
9. **Returned Check Charges:** A fee of \$ 25.00 will be assessed for any check which fails to properly clear through the bank. The application will immediately be placed on hold and work will not resume until the application fee and charges are properly settled.
10. **Exemption Applications:** Chapter 251 exemption application requests will be processed by the District within five business days. An exemption application is available from our website or from the office. There is no charge for the exemption review.
11. **State Soil Conservation Committee (SSCC) Administrative Fee:** A fee of \$25 has been assessed to each application. This represents a uniform statewide per application surcharge established by the SSCC to be used to support program administration through the New Jersey Department of Agriculture.
12. **Subsequent Lot Owners:** Individuals who have purchased lots within developments with a certified Soil Erosion and Sediment Control plan must submit a separate application for their lot. If the original application is exhausted, an individual lot owner fee will be assessed to cover inspection and enforcement time for the lot. The fee will be equivalent of the inspection and enforcement fee for one lot or the amount of lots that the owner has purchased.

# Request for Taxpayer Identification Number and Certification

**Give Form to the  
requester. Do not  
send to the IRS.**

<b>Print or type See Specific Instructions on page 2.</b>	Name (as shown on your income tax return)	
	Business name/disregarded entity name, if different from above	
	Check appropriate box for federal tax classification: <input type="checkbox"/> Individual/sole proprietor <input type="checkbox"/> C Corporation <input type="checkbox"/> S Corporation <input type="checkbox"/> Partnership <input type="checkbox"/> Trust/estate  <input type="checkbox"/> Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=partnership) ▶ _____  <input type="checkbox"/> Other (see instructions) ▶ _____	Exemptions (see instructions):  Exempt payee code (if any) _____ Exemption from FATCA reporting code (if any) _____
	Address (number, street, and apt. or suite no.)	Requester's name and address (optional)
	City, state, and ZIP code	
List account number(s) here (optional)		

## Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on the "Name" line to avoid backup withholding. For individuals, this is your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the Part I instructions on page 3. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN* on page 3.

Social security number									
				-			-		

**Note.** If the account is in more than one name, see the chart on page 4 for guidelines on whose number to enter.

Employer identification number									
				-					

## Part II Certification

Under penalties of perjury, I certify that:

1. The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me), and
2. I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding, and
3. I am a U.S. citizen or other U.S. person (defined below), and
4. The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

**Certification instructions.** You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions on page 3.

<b>Sign Here</b>	Signature of U.S. person ▶	Date ▶
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## General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.  
**Future developments.** The IRS has created a page on IRS.gov for information about Form W-9, at [www.irs.gov/w9](http://www.irs.gov/w9). Information about any future developments affecting Form W-9 (such as legislation enacted after we release it) will be posted on that page.

### Purpose of Form

A person who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) to report, for example, income paid to you, payments made to you in settlement of payment card and third party network transactions, real estate transactions, mortgage interest you paid, acquisition or abandonment of secured property, cancellation of debt, or contributions you made to an IRA.

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN to the person requesting it (the requester) and, when applicable, to:

1. Certify that the TIN you are giving is correct (or you are waiting for a number to be issued),
2. Certify that you are not subject to backup withholding, or
3. Claim exemption from backup withholding if you are a U.S. exempt payee. If applicable, you are also certifying that as a U.S. person, your allocable share of any partnership income from a U.S. trade or business is not subject to the

withholding tax on foreign partners' share of effectively connected income, and

4. Certify that FATCA code(s) entered on this form (if any) indicating that you are exempt from the FATCA reporting, is correct.

**Note.** If you are a U.S. person and a requester gives you a form other than Form W-9 to request your TIN, you must use the requester's form if it is substantially similar to this Form W-9.

**Definition of a U.S. person.** For federal tax purposes, you are considered a U.S. person if you are:

- An individual who is a U.S. citizen or U.S. resident alien,
- A partnership, corporation, company, or association created or organized in the United States or under the laws of the United States,
- An estate (other than a foreign estate), or
- A domestic trust (as defined in Regulations section 301.7701-7).

**Special rules for partnerships.** Partnerships that conduct a trade or business in the United States are generally required to pay a withholding tax under section 1446 on any foreign partners' share of effectively connected taxable income from such business. Further, in certain cases where a Form W-9 has not been received, the rules under section 1446 require a partnership to presume that a partner is a foreign person, and pay the section 1446 withholding tax. Therefore, if you are a U.S. person that is a partner in a partnership conducting a trade or business in the United States, provide Form W-9 to the partnership to establish your U.S. status and avoid section 1446 withholding on your share of partnership income.

In the cases below, the following person must give Form W-9 to the partnership for purposes of establishing its U.S. status and avoiding withholding on its allocable share of net income from the partnership conducting a trade or business in the United States:

- In the case of a disregarded entity with a U.S. owner, the U.S. owner of the disregarded entity and not the entity,
- In the case of a grantor trust with a U.S. grantor or other U.S. owner, generally, the U.S. grantor or other U.S. owner of the grantor trust and not the trust, and
- In the case of a U.S. trust (other than a grantor trust), the U.S. trust (other than a grantor trust) and not the beneficiaries of the trust.

**Foreign person.** If you are a foreign person or the U.S. branch of a foreign bank that has elected to be treated as a U.S. person, do not use Form W-9. Instead, use the appropriate Form W-8 or Form 8233 (see Publication 515, Withholding of Tax on Nonresident Aliens and Foreign Entities).

**Nonresident alien who becomes a resident alien.** Generally, only a nonresident alien individual may use the terms of a tax treaty to reduce or eliminate U.S. tax on certain types of income. However, most tax treaties contain a provision known as a "saving clause." Exceptions specified in the saving clause may permit an exemption from tax to continue for certain types of income even after the payee has otherwise become a U.S. resident alien for tax purposes.

If you are a U.S. resident alien who is relying on an exception contained in the saving clause of a tax treaty to claim an exemption from U.S. tax on certain types of income, you must attach a statement to Form W-9 that specifies the following five items:

1. The treaty country. Generally, this must be the same treaty under which you claimed exemption from tax as a nonresident alien.
2. The treaty article addressing the income.
3. The article number (or location) in the tax treaty that contains the saving clause and its exceptions.
4. The type and amount of income that qualifies for the exemption from tax.
5. Sufficient facts to justify the exemption from tax under the terms of the treaty article.

**Example.** Article 20 of the U.S.-China income tax treaty allows an exemption from tax for scholarship income received by a Chinese student temporarily present in the United States. Under U.S. law, this student will become a resident alien for tax purposes if his or her stay in the United States exceeds 5 calendar years. However, paragraph 2 of the first Protocol to the U.S.-China treaty (dated April 30, 1984) allows the provisions of Article 20 to continue to apply even after the Chinese student becomes a resident alien of the United States. A Chinese student who qualifies for this exception (under paragraph 2 of the first protocol) and is relying on this exception to claim an exemption from tax on his or her scholarship or fellowship income would attach to Form W-9 a statement that includes the information described above to support that exemption.

If you are a nonresident alien or a foreign entity, give the requester the appropriate completed Form W-8 or Form 8233.

**What is backup withholding?** Persons making certain payments to you must under certain conditions withhold and pay to the IRS a percentage of such payments. This is called "backup withholding." Payments that may be subject to backup withholding include interest, tax-exempt interest, dividends, broker and barter exchange transactions, rents, royalties, nonemployee pay, payments made in settlement of payment card and third party network transactions, and certain payments from fishing boat operators. Real estate transactions are not subject to backup withholding.

You will not be subject to backup withholding on payments you receive if you give the requester your correct TIN, make the proper certifications, and report all your taxable interest and dividends on your tax return.

### Payments you receive will be subject to backup withholding if:

1. You do not furnish your TIN to the requester,
2. You do not certify your TIN when required (see the Part II instructions on page 3 for details),
3. The IRS tells the requester that you furnished an incorrect TIN,
4. The IRS tells you that you are subject to backup withholding because you did not report all your interest and dividends on your tax return (for reportable interest and dividends only), or
5. You do not certify to the requester that you are not subject to backup withholding under 4 above (for reportable interest and dividend accounts opened after 1983 only).

Certain payees and payments are exempt from backup withholding. See *Exempt payee code* on page 3 and the separate Instructions for the Requester of Form W-9 for more information.

Also see *Special rules for partnerships* on page 1.

**What is FATCA reporting?** The Foreign Account Tax Compliance Act (FATCA) requires a participating foreign financial institution to report all United States account holders that are specified United States persons. Certain payees are exempt from FATCA reporting. See *Exemption from FATCA reporting code* on page 3 and the Instructions for the Requester of Form W-9 for more information.

## Updating Your Information

You must provide updated information to any person to whom you claimed to be an exempt payee if you are no longer an exempt payee and anticipate receiving reportable payments in the future from this person. For example, you may need to provide updated information if you are a C corporation that elects to be an S corporation, or if you no longer are tax exempt. In addition, you must furnish a new Form W-9 if the name or TIN changes for the account, for example, if the grantor of a grantor trust dies.

## Penalties

**Failure to furnish TIN.** If you fail to furnish your correct TIN to a requester, you are subject to a penalty of \$50 for each such failure unless your failure is due to reasonable cause and not to willful neglect.

**Civil penalty for false information with respect to withholding.** If you make a false statement with no reasonable basis that results in no backup withholding, you are subject to a \$500 penalty.

**Criminal penalty for falsifying information.** Willfully falsifying certifications or affirmations may subject you to criminal penalties including fines and/or imprisonment.

**Misuse of TINs.** If the requester discloses or uses TINs in violation of federal law, the requester may be subject to civil and criminal penalties.

## Specific Instructions

### Name

If you are an individual, you must generally enter the name shown on your income tax return. However, if you have changed your last name, for instance, due to marriage without informing the Social Security Administration of the name change, enter your first name, the last name shown on your social security card, and your new last name.

If the account is in joint names, list first, and then circle, the name of the person or entity whose number you entered in Part I of the form.

**Sole proprietor.** Enter your individual name as shown on your income tax return on the "Name" line. You may enter your business, trade, or "doing business as (DBA)" name on the "Business name/disregarded entity name" line.

**Partnership, C Corporation, or S Corporation.** Enter the entity's name on the "Name" line and any business, trade, or "doing business as (DBA) name" on the "Business name/disregarded entity name" line.

**Disregarded entity.** For U.S. federal tax purposes, an entity that is disregarded as an entity separate from its owner is treated as a "disregarded entity." See Regulation section 301.7701-2(c)(2)(iii). Enter the owner's name on the "Name" line. The name of the entity entered on the "Name" line should never be a disregarded entity. The name on the "Name" line must be the name shown on the income tax return on which the income should be reported. For example, if a foreign LLC that is treated as a disregarded entity for U.S. federal tax purposes has a single owner that is a U.S. person, the U.S. owner's name is required to be provided on the "Name" line. If the direct owner of the entity is also a disregarded entity, enter the first owner that is not disregarded for federal tax purposes. Enter the disregarded entity's name on the "Business name/disregarded entity name" line. If the owner of the disregarded entity is a foreign person, the owner must complete an appropriate Form W-8 instead of a Form W-9. This is the case even if the foreign person has a U.S. TIN.

**Note.** Check the appropriate box for the U.S. federal tax classification of the person whose name is entered on the "Name" line (Individual/sole proprietor, Partnership, C Corporation, S Corporation, Trust/estate).

**Limited Liability Company (LLC).** If the person identified on the "Name" line is an LLC, check the "Limited liability company" box only and enter the appropriate code for the U.S. federal tax classification in the space provided. If you are an LLC that is treated as a partnership for U.S. federal tax purposes, enter "P" for partnership. If you are an LLC that has filed a Form 8832 or a Form 2553 to be taxed as a corporation, enter "C" for C corporation or "S" for S corporation, as appropriate. If you are an LLC that is disregarded as an entity separate from its owner under Regulation section 301.7701-3 (except for employment and excise tax), do not check the LLC box unless the owner of the LLC (required to be identified on the "Name" line) is another LLC that is not disregarded for U.S. federal tax purposes. If the LLC is disregarded as an entity separate from its owner, enter the appropriate tax classification of the owner identified on the "Name" line.

**Other entities.** Enter your business name as shown on required U.S. federal tax documents on the "Name" line. This name should match the name shown on the charter or other legal document creating the entity. You may enter any business, trade, or DBA name on the "Business name/disregarded entity name" line.

## Exemptions

If you are exempt from backup withholding and/or FATCA reporting, enter in the *Exemptions* box, any code(s) that may apply to you. See *Exempt payee code* and *Exemption from FATCA reporting code* on page 3.

**Exempt payee code.** Generally, individuals (including sole proprietors) are not exempt from backup withholding. Corporations are exempt from backup withholding for certain payments, such as interest and dividends. Corporations are not exempt from backup withholding for payments made in settlement of payment card or third party network transactions.

**Note.** If you are exempt from backup withholding, you should still complete this form to avoid possible erroneous backup withholding.

The following codes identify payees that are exempt from backup withholding:

- 1—An organization exempt from tax under section 501(a), any IRA, or a custodial account under section 403(b)(7) if the account satisfies the requirements of section 401(f)(2)
- 2—The United States or any of its agencies or instrumentalities
- 3—A state, the District of Columbia, a possession of the United States, or any of their political subdivisions or instrumentalities
- 4—A foreign government or any of its political subdivisions, agencies, or instrumentalities
- 5—A corporation
- 6—A dealer in securities or commodities required to register in the United States, the District of Columbia, or a possession of the United States
- 7—A futures commission merchant registered with the Commodity Futures Trading Commission
- 8—A real estate investment trust
- 9—An entity registered at all times during the tax year under the Investment Company Act of 1940
- 10—A common trust fund operated by a bank under section 584(a)
- 11—A financial institution
- 12—A middleman known in the investment community as a nominee or custodian
- 13—A trust exempt from tax under section 664 or described in section 4947

The following chart shows types of payments that may be exempt from backup withholding. The chart applies to the exempt payees listed above, 1 through 13.

IF the payment is for . . .	THEN the payment is exempt for . . .
Interest and dividend payments	All exempt payees except for 7
Broker transactions	Exempt payees 1 through 4 and 6 through 11 and all C corporations. S corporations must not enter an exempt payee code because they are exempt only for sales of noncovered securities acquired prior to 2012.
Barter exchange transactions and patronage dividends	Exempt payees 1 through 4
Payments over \$600 required to be reported and direct sales over \$5,000 <sup>1</sup>	Generally, exempt payees 1 through 5 <sup>2</sup>
Payments made in settlement of payment card or third party network transactions	Exempt payees 1 through 4

<sup>1</sup> See Form 1099-MISC, Miscellaneous Income, and its instructions.

<sup>2</sup> However, the following payments made to a corporation and reportable on Form 1099-MISC are not exempt from backup withholding: medical and health care payments, attorneys' fees, gross proceeds paid to an attorney, and payments for services paid by a federal executive agency.

**Exemption from FATCA reporting code.** The following codes identify payees that are exempt from reporting under FATCA. These codes apply to persons submitting this form for accounts maintained outside of the United States by certain foreign financial institutions. Therefore, if you are only submitting this form for an account you hold in the United States, you may leave this field blank. Consult with the person requesting this form if you are uncertain if the financial institution is subject to these requirements.

- A—An organization exempt from tax under section 501(a) or any individual retirement plan as defined in section 7701(a)(37)
- B—The United States or any of its agencies or instrumentalities
- C—A state, the District of Columbia, a possession of the United States, or any of their political subdivisions or instrumentalities
- D—A corporation the stock of which is regularly traded on one or more established securities markets, as described in Reg. section 1.1472-1(c)(1)(i)
- E—A corporation that is a member of the same expanded affiliated group as a corporation described in Reg. section 1.1472-1(c)(1)(i)
- F—A dealer in securities, commodities, or derivative financial instruments (including notional principal contracts, futures, forwards, and options) that is registered as such under the laws of the United States or any state

- G—A real estate investment trust
- H—A regulated investment company as defined in section 851 or an entity registered at all times during the tax year under the Investment Company Act of 1940
- I—A common trust fund as defined in section 584(a)
- J—A bank as defined in section 581
- K—A broker
- L—A trust exempt from tax under section 664 or described in section 4947(a)(1)
- M—A tax exempt trust under a section 403(b) plan or section 457(g) plan

**Part I. Taxpayer Identification Number (TIN)**

**Enter your TIN in the appropriate box.** If you are a resident alien and you do not have and are not eligible to get an SSN, your TIN is your IRS individual taxpayer identification number (ITIN). Enter it in the social security number box. If you do not have an ITIN, see *How to get a TIN* below.

If you are a sole proprietor and you have an EIN, you may enter either your SSN or EIN. However, the IRS prefers that you use your SSN.

If you are a single-member LLC that is disregarded as an entity separate from its owner (see *Limited Liability Company (LLC)* on page 2), enter the owner's SSN (or EIN, if the owner has one). Do not enter the disregarded entity's EIN. If the LLC is classified as a corporation or partnership, enter the entity's EIN.

**Note.** See the chart on page 4 for further clarification of name and TIN combinations.

**How to get a TIN.** If you do not have a TIN, apply for one immediately. To apply for an SSN, get Form SS-5, Application for a Social Security Card, from your local Social Security Administration office or get this form online at [www.ssa.gov](http://www.ssa.gov). You may also get this form by calling 1-800-772-1213. Use Form W-7, Application for IRS Individual Taxpayer Identification Number, to apply for an ITIN, or Form SS-4, Application for Employer Identification Number, to apply for an EIN. You can apply for an EIN online by accessing the IRS website at [www.irs.gov/businesses](http://www.irs.gov/businesses) and clicking on Employer Identification Number (EIN) under Starting a Business. You can get Forms W-7 and SS-4 from the IRS by visiting [IRS.gov](http://IRS.gov) or by calling 1-800-TAX-FORM (1-800-829-3676).

If you are asked to complete Form W-9 but do not have a TIN, apply for a TIN and write "Applied For" in the space for the TIN, sign and date the form, and give it to the requester. For interest and dividend payments, and certain payments made with respect to readily tradable instruments, generally you will have 60 days to get a TIN and give it to the requester before you are subject to backup withholding on payments. The 60-day rule does not apply to other types of payments. You will be subject to backup withholding on all such payments until you provide your TIN to the requester.

**Note.** Entering "Applied For" means that you have already applied for a TIN or that you intend to apply for one soon.

**Caution:** A disregarded U.S. entity that has a foreign owner must use the appropriate Form W-8.

**Part II. Certification**

To establish to the withholding agent that you are a U.S. person, or resident alien, sign Form W-9. You may be requested to sign by the withholding agent even if items 1, 4, or 5 below indicate otherwise.

For a joint account, only the person whose TIN is shown in Part I should sign (when required). In the case of a disregarded entity, the person identified on the "Name" line must sign. Exempt payees, see *Exempt payee code* earlier.

**Signature requirements.** Complete the certification as indicated in items 1 through 5 below.

**1. Interest, dividend, and barter exchange accounts opened before 1984 and broker accounts considered active during 1983.** You must give your correct TIN, but you do not have to sign the certification.

**2. Interest, dividend, broker, and barter exchange accounts opened after 1983 and broker accounts considered inactive during 1983.** You must sign the certification or backup withholding will apply. If you are subject to backup withholding and you are merely providing your correct TIN to the requester, you must cross out item 2 in the certification before signing the form.

**3. Real estate transactions.** You must sign the certification. You may cross out item 2 of the certification.

**4. Other payments.** You must give your correct TIN, but you do not have to sign the certification unless you have been notified that you have previously given an incorrect TIN. "Other payments" include payments made in the course of the requester's trade or business for rents, royalties, goods (other than bills for merchandise), medical and health care services (including payments to corporations), payments to a nonemployee for services, payments made in settlement of payment card and third party network transactions, payments to certain fishing boat crew members and fishermen, and gross proceeds paid to attorneys (including payments to corporations).

**5. Mortgage interest paid by you, acquisition or abandonment of secured property, cancellation of debt, qualified tuition program payments (under section 529), IRA, Coverdell ESA, Archer MSA or HSA contributions or distributions, and pension distributions.** You must give your correct TIN, but you do not have to sign the certification.

**What Name and Number To Give the Requester**

For this type of account:	Give name and SSN of:
1. Individual	The individual
2. Two or more individuals (joint account)	The actual owner of the account or, if combined funds, the first individual on the account <sup>1</sup>
3. Custodian account of a minor (Uniform Gift to Minors Act)	The minor <sup>2</sup>
4. a. The usual revocable savings trust (grantor is also trustee)	The grantor-trustee <sup>1</sup>
b. So-called trust account that is not a legal or valid trust under state law	The actual owner <sup>1</sup>
5. Sole proprietorship or disregarded entity owned by an individual	The owner <sup>3</sup>
6. Grantor trust filing under Optional Form 1099 Filing Method 1 (see Regulation section 1.671-4(b)(2)(i)(A))	The grantor*
For this type of account:	Give name and EIN of:
7. Disregarded entity not owned by an individual	The owner
8. A valid trust, estate, or pension trust	Legal entity <sup>4</sup>
9. Corporation or LLC electing corporate status on Form 8832 or Form 2553	The corporation
10. Association, club, religious, charitable, educational, or other tax-exempt organization	The organization
11. Partnership or multi-member LLC	The partnership
12. A broker or registered nominee	The broker or nominee
13. Account with the Department of Agriculture in the name of a public entity (such as a state or local government, school district, or prison) that receives agricultural program payments	The public entity
14. Grantor trust filing under the Form 1041 Filing Method or the Optional Form 1099 Filing Method 2 (see Regulation section 1.671-4(b)(2)(i)(B))	The trust

<sup>1</sup> List first and circle the name of the person whose number you furnish. If only one person on a joint account has an SSN, that person's number must be furnished.

<sup>2</sup> Circle the minor's name and furnish the minor's SSN.

<sup>3</sup> You must show your individual name and you may also enter your business or "DBA" name on the "Business name/disregarded entity" name line. You may use either your SSN or EIN (if you have one), but the IRS encourages you to use your SSN.

<sup>4</sup> List first and circle the name of the trust, estate, or pension trust. (Do not furnish the TIN of the personal representative or trustee unless the legal entity itself is not designated in the account title.) Also see *Special rules for partnerships* on page 1.

\*Note. Grantor also must provide a Form W-9 to trustee of trust.

**Note.** If no name is circled when more than one name is listed, the number will be considered to be that of the first name listed.

**Secure Your Tax Records from Identity Theft**

Identity theft occurs when someone uses your personal information such as your name, social security number (SSN), or other identifying information, without your permission, to commit fraud or other crimes. An identity thief may use your SSN to get a job or may file a tax return using your SSN to receive a refund.

To reduce your risk:

- Protect your SSN,
- Ensure your employer is protecting your SSN, and
- Be careful when choosing a tax preparer.

If your tax records are affected by identity theft and you receive a notice from the IRS, respond right away to the name and phone number printed on the IRS notice or letter.

If your tax records are not currently affected by identity theft but you think you are at risk due to a lost or stolen purse or wallet, questionable credit card activity or credit report, contact the IRS Identity Theft Hotline at 1-800-908-4490 or submit Form 14039.

For more information, see Publication 4535, Identity Theft Prevention and Victim Assistance.

Victims of identity theft who are experiencing economic harm or a system problem, or are seeking help in resolving tax problems that have not been resolved through normal channels, may be eligible for Taxpayer Advocate Service (TAS) assistance. You can reach TAS by calling the TAS toll-free case intake line at 1-877-777-4778 or TTY/TDD 1-800-829-4059.

**Protect yourself from suspicious emails or phishing schemes.** Phishing is the creation and use of email and websites designed to mimic legitimate business emails and websites. The most common act is sending an email to a user falsely claiming to be an established legitimate enterprise in an attempt to scam the user into surrendering private information that will be used for identity theft.

The IRS does not initiate contacts with taxpayers via emails. Also, the IRS does not request personal detailed information through email or ask taxpayers for the PIN numbers, passwords, or similar secret access information for their credit card, bank, or other financial accounts.

If you receive an unsolicited email claiming to be from the IRS, forward this message to [phishing@irs.gov](mailto:phishing@irs.gov). You may also report misuse of the IRS name, logo, or other IRS property to the Treasury Inspector General for Tax Administration at 1-800-366-4484. You can forward suspicious emails to the Federal Trade Commission at: [spam@uce.gov](mailto:spam@uce.gov) or contact them at [www.ftc.gov/idtheft](http://www.ftc.gov/idtheft) or 1-877-IDTHEFT (1-877-438-4338).

Visit [IRS.gov](http://IRS.gov) to learn more about identity theft and how to reduce your risk.

**Privacy Act Notice**

Section 6109 of the Internal Revenue Code requires you to provide your correct TIN to persons (including federal agencies) who are required to file information returns with the IRS to report interest, dividends, or certain other income paid to you; mortgage interest you paid; the acquisition or abandonment of secured property; the cancellation of debt; or contributions you made to an IRA, Archer MSA, or HSA. The person collecting this form uses the information on the form to file information returns with the IRS, reporting the above information. Routine uses of this information include giving it to the Department of Justice for civil and criminal litigation and to cities, states, the District of Columbia, and U.S. commonwealths and possessions for use in administering their laws. The information also may be disclosed to other countries under a treaty, to federal and state agencies to enforce civil and criminal laws, or to federal law enforcement and intelligence agencies to combat terrorism. You must provide your TIN whether or not you are required to file a tax return. Under section 3406, payers must generally withhold a percentage of taxable interest, dividend, and certain other payments to a payee who does not give a TIN to the payer. Certain penalties may also apply for providing false or fraudulent information.

# **ORDINANCE FEE SCHEDULE**

**18-14 FEES, DEPOSITS AND OTHER CHARGES.**

**18-14.1 Application Fees.**

The amount of fees to be paid to the Borough in connection with an application under this Chapter shall be governed by the following schedule:

a. *Subdivision Approval.*

1. Minor Subdivision Applications (Three (3) or Less Lots with No Improvements):

- (a) Each informal (concept plan) review \$100.00
- (b) Application fee \$ 25.00
- (c) Plan review fee (per lot) \$100.00

2. Major Subdivision Applications:

- (a) Each informal review \$300.00 plus  
\$50.00 per lot
- (b) Preliminary application fee \$500.00
- (c) Preliminary plat review fee (per lot) \$200.00
- (d) Final plat application fee \$400.00
- (e) Final plat review fee (per lot) \$100.00

b. *Site Plan Approval.*

- 1. Each informal review \$300.00
- 2. Preliminary application fee \$300.00
- 3. Preliminary approval fees:

(a) Residential:

- (1) For each new dwelling unit, add \$25.00
- (2) For each remodeled, reconstructed, refurbished or rehabilitated dwelling unit, add \$15.00
- (3) For each new or additional parking space:
  - (A) First one hundred (100) spaces, add \$25.00
  - (B) Over one hundred (100) spaces, add \$10.00
- (4) For each reconstructed, surfaced or improved existing paved parking space, add \$5.00

(b) Other uses. The sum of \$100.00 plus:

- 1. For each full one thousand (1,000) square feet of lot area \$20.00
- 2. For each full five hundred (500) square feet of proposed

- |    |                                                                                  |         |
|----|----------------------------------------------------------------------------------|---------|
|    | new gross floor area                                                             | \$20.00 |
| 3. | For each proposed new or additional parking space                                | \$25.00 |
| 4. | For each one thousand (1,000) square feet of remodeled existing gross floor area | \$10.00 |
| 5. | For each reconstructed, re-surfaced or improved existing paved parking space     | \$15.00 |
| 6. | For each proposed free-standing sign                                             | \$50.00 |
- (c) Final approval: Fifty (50%) percent of the fees for preliminary approval noted above.
- c. *Variances.*
- |    |                                                                                 |                                  |
|----|---------------------------------------------------------------------------------|----------------------------------|
| 1. | Appeals:                                                                        |                                  |
|    | (a) Single family residential uses                                              | \$35.00                          |
|    | (b) Other                                                                       | \$75.00                          |
| 2. | Interpretation of the zoning regulations or map                                 | \$50.00                          |
| 3. | Hardship or bulk variance (40:55D-70c or d) for single-family residential uses: |                                  |
|    | (a) Per variance                                                                | \$25.00                          |
|    | (b) Minimum                                                                     | \$75.00                          |
| 4. | Use Variance:                                                                   |                                  |
|    | (a) Proposed single-family residential uses                                     | \$100.00                         |
|    |                                                                                 | Plus site plan cost as required. |
|    | (b) Other                                                                       | \$500.00                         |
|    |                                                                                 | Plus site plan cost as required. |
| 5. | Conditional uses                                                                | \$250.00                         |
|    |                                                                                 | Plus site plan cost as required. |
- d. The above application fees and charges are nonrefundable and are for purposes of offsetting administrative and clerical costs, exclusive of the legal, planning, engineering and other professional fees, costs and expenses which may be incurred and which are provided for hereinafter.
- e. Any other application, including extensions of preexisting approvals: two hundred (\$200.00) dollars plus site plan costs as required.
- f. *Resubmission Fee.* The fee required will be one-half (1/2) of the original fee for such type of application, unless the work involved is minor. In that event, the Board can consider a reduction of the resubmission fee upon the recommendation of the Administrative Officer that the fee proposed for the resubmission is excessive in light of the work involved in reviewing the resubmission.

- g. *Tax Map Revision Fees.* A fee of fifty (\$50.00) dollars or ten (\$10.00) dollars per lot, whichever is greater, shall be charged for minor subdivisions and final plats of major subdivisions to the Borough Tax Map.
- h. *Stenographic Fee.* An initial fee of one hundred seventy-five (\$175.00) dollars per application shall be paid as reimbursement to the appropriate Board for stenographic services. In the event additional stenographic fees are incurred, the fees will be billed against the escrow deposit on an as-billed basis.  
(Ord. #513; Ord. #0-97-16, S 4; Ord. #O-04-19)

**18-14.2 Escrow Fees and Deposits.**

In addition to the payment of the nonrefundable fees and charges, applications for site plan, use variance, bulk variance, requests for interpretations of the Zoning Ordinance, appeals from the Zoning Officer's decision or denial, concept plan or subdivision approval, which meet the criteria established herein, shall be accompanied by a deposit of escrow funds in accordance with the provisions of this subsection. The fees required by schedule set forth below shall be for the purpose of reimbursing the Borough for direct fees, costs, charges and expenses of professional consultants retained by or on behalf of the Borough, its boards, commissions or agencies in reviewing and testifying and/or assisting the Borough in the processing of applications pursuant to the zoning and land use ordinances and/or assisting the Borough in evaluation, planning and proper design of municipal services and facilities in order to meet the needs of the proposed project and for on-site inspections related thereto. The fees required by the schedule shall be deposited with the Borough at the time the initial development documents are submitted and shall remain in an interest bearing escrow fund. Whenever the amount of the fees paid to the Borough pursuant to the schedule with the Borough by the applicant/developer shall exceed five thousand (\$5,000.00) dollars, the Borough shall notify the applicant in writing of the name and address of the depository and the amount of the deposit. If the amount of interest earned on the cash deposit exceeds one hundred (\$100.00) dollars per annum, that entire amount shall belong to the applicant/developer and shall be refunded to him by the Borough annually or at the time the deposit is repaid or applied to the purposes for which it was originally deposited, as the case may be, except that the Borough may retain for administrative expenses not more than thirty-three and one-third (33 1/3%) percent of that entire interest amount. All costs, expenses, charges and fees incurred by the Planning Board, Board of Adjustment, Borough or other board, commission or agency of the Borough for the services of the Planner, Engineer, Attorney, other professional consultant, expert, employee or staff incurred as a direct result of the developer's project shall be charged to this escrow fund. Within forty-five (45) days after the filing of an application for development, the Planning Board and/or Board of Adjustment may, in conjunction with appropriate representatives of the staff of the Borough, review the application for development to determine whether the escrow amount set forth in the schedule is adequate. In conducting such review, the Board shall consider the following criteria:

- a. The presence or absence of public water and/or sewer servicing the site.
- b. Environmental considerations, including but not limited to geological, hydrological and ecological factors.
- c. Traffic and/or noise impact of the proposed development.
- d. Impact of the proposed development on existing aquifer and/or water quality.
- e. Nature and extent of required landscaping and other improvements.

If upon the review within the forty-five (45) day period the Board shall determine that the escrow amount set forth in the schedule is sufficient, excessive or insufficient, the Board shall determine the amount required to be posted in light of the criteria specified herein.

Prior to an application being determined complete, the applicant shall post the required escrow amount as set forth in the schedule, or, if the Reviewing Board has otherwise determined that a

different amount should be posted, the amount of escrow provided for the Board, with the Borough Treasurer in the form of cash, certified check or money order.

If during the pendency of an application, the amount of escrow has been depleted to twenty (20%) percent of the original escrow amount, the Borough Treasurer shall notify the appropriate board. The Board shall again evaluate the application, as provided for above, and notify the Borough Treasurer and the applicant/developer of any additional escrow deposit required. The applicant/developer shall immediately deposit the additional escrow amount with the Borough Treasurer and notify the appropriate board that the required deposit has been made. In the event that it is necessary for a board to take action on an application prior to the additional escrow deposit being made, any approval shall be conditioned upon the escrow deposit being made.

All bills, invoices or vouchers submitted by professionals or experts relating to an application shall specify the services performed for said application. All charges for employee and staff time shall specify the services performed and the amount of time related to an application in performing such services. The unit (i.e. per diem or hourly fee) of the professional, expert, employee or staff, shall be in accordance with the unit charges, contracted for by the appropriate board or with the Borough or as prescribed by the salary ordinance of the Borough of West Long Branch.

Upon request of an applicant/developer, the Borough Treasurer shall furnish the applicant with a statement of all disbursements made during the development review process.

All escrow funds not expended shall be refunded to the applicant within sixty (60) days after the appropriate board, agency or official has taken final action of the application, signed all required maps or after a withdrawal or dismissal of an application. (Ord. #513)

**18-14.3 Fee Schedule.**

The following schedule shall apply to all development applications, including variances, before the Planning Board or Zoning Board of Adjustment, and fix the escrows required to be posted for each type of application.

<b>Residential Development</b>	<b>Escrow to be Posted</b>	
Minor subdivision	\$500.00 + \$100.00 per lot	
Minor subdivision with variance	\$700.00 + \$100.00 per lot	
	<b>Preliminary</b>	<b>Final</b>
0-10 units or lots	\$500.00 + \$100.00 per lot or unit	\$200.00 + \$100.00 per lot or unit
11-100 units or lots	\$1,000.00 + \$75.00 per lot or unit	\$300.00 + \$86.00 per lot or unit
101 or more units or lots	\$5,000.00 + \$50.00 per lot or unit	\$1,000.00 + \$40.00 per lot or unit
Informal/Concept Plan	15% the amount required at application	

**Commercial/Industrial Development  
Application Not Involving Structures**

0 to 3	\$2,500.00
Over 3	\$5,000.00

**Commercial/Industrial  
Development Application Involving  
Structures**

**Escrow to be Posted**

**Total Floor Plan**

	<b>Preliminary</b>	<b>Final</b>
1,250 – 1,999 square feet	\$2,500.00	1/2 of preliminary amount
2,000 – 20,000 square feet	\$5,000.00	1/2 of preliminary amount
Over 20,000 square feet	\$7,500.00	1/2 of preliminary amount
Use variance	\$500.00	
Informal/Concept plan	25% of the amount required at application	

**Bulk Variances, Request for Interpretation of Zoning Ordinance and Appeals from Zoning Officer's Decision or Denial**

<b>Escrow to be Posted</b>
\$350.00
\$350.00

(Ord. #513; Ord. # O-04-19; Ord. #O-10-4)

**18-14.4 Payment.**

All fees shall be paid before an application is heard. In the case of applications involving staged development the fees may be prorated in accordance with the relative size the stage under construction bears to the development as a whole. (Ord. #513)

**18-14.5 Costs of Notice and Stenographer.**

Whenever a public hearing is required on an application by statute or by ordinance, the applicant shall pay the cost of such legal notices which are required to be given and the cost of the preparation of a stenographic record of any such hearing. (Ord. #513)

Borough of West Long Branch  
965 Broadway  
West Long Branch, New Jersey 07764

Telephone: (732) 229-1756  
Fax: (732) 571-9185

### **ESCROW REFUND PROCEDURES**

Applicants are required to request the return of any unused portion of the escrow funds in writing, upon completion of the project. In this instance, completion will be after all conditions of approval are met and maps, where applicable (subdivision/site plans), have been reproduced.

After the resolution is acted upon, all outstanding fees have been paid and receipt of letter requesting return of escrow funds, the Finance Department will review the pertinent documentation and decide whether or not it is appropriate for fund to be returned.

You will be advised, in writing, if it is determined funds cannot be returned at the time of your request. This letter will inform you of any items that are still outstanding.

If you have any questions regarding return of such funds, you can reach the Finance Department at (732) 229-1756. For questions regarding outstanding conditions and map reproduction, please call the Engineer's Office at (732) 671-6400.

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

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

Planning Board/Zoning Board of Adjustment  
Borough of West Long Branch  
965 Broadway  
West Long Branch, New Jersey 07764

**Re: RETURN OF ESCROW FEE**

**Application Name:** \_\_\_\_\_

**Application No. & Date:** \_\_\_\_\_

To Whom It May Concern:

The above application was  approved  denied and we have met the conditions of said approval. We respectfully request the return of the unused portion of the refundable escrow fee that was posted when the application was submitted.

Very truly yours,

\_\_\_\_\_ Applicant

# SUBDIVISION & SITE PLAN REVIEW TIME REQUIREMENTS

## Application Submissions

Completeness Determination (applications declared complete or incomplete) 45 days<sup>1</sup>

### Time Periods for Planning Board Action<sup>2, 3</sup>

Decision for Minor Subdivision, or Subdivision of 10 or fewer lots 45 days

Preliminary decision for Major Subdivision, or Subdivision of more than 10 lots 95 days

Final decision for Major Subdivision 45 days<sup>4</sup>

Decision for Minor Site Plan or Site Plan of 10 or fewer acres 45 days

Preliminary decision for Major Site Plan or Site Plan for more than 10 acres 95 days

Decision on bulk variance for a Subdivision, Site Plan or Conditional Use 120 days

Final decision major site plan 45 days<sup>4</sup>

### Time Periods for Zoning Board of Adjustment Action<sup>2, 3</sup>

Decision on use variance 120 days

Decision on a bulk variance that does not involve subdivision, site plan or conditional use 120 days

Appeal of Administrative Officer's Decision 120 days

<sup>1</sup> *If the municipal agency, authorized committee or designee fails to act within 45 days and the application includes all ordinance-required checklist items, the application is deemed complete and the MLUL applicable time period for action begins.*

<sup>2</sup> *If the board fails to act within the prescribed time period, the application is approved.*

<sup>3</sup> *All times may be extended with the consent of the applicant.*

<sup>4</sup> *After meeting the conditions of preliminary approval (does not apply if applicant seeks both preliminary and final approval at the same time).*