# LAND USE BOARD BOROUGH OF NEPTUNE CITY MONMOUTH COUNTY, NEW JERSEY 07753 TELEPHONE 732-776-7224

#### **INSTRUCTIONS FOR ALL APPLICATIONS**

The following information is given to assist you in the process of applying for development approval and are not all inclusive. Please consult the Municipal Land Use Law and/or the Municipal Ordinances for further information.

- 1. Obtain the following forms from Board Secretary
  - a) Development Application
  - b) "Completeness Checklist" for site plan/subdivision
  - c) Development Application Fee Schedule
  - d) IRS W-9 Form
  - e) Notice served on owners within 200 feet
  - f) Notice to be published in official newspaper
  - g) Affidavit of Service
  - h) Zoning Permit Application
- 2. Submit the following required documents:
  - a) Eighteen (18) copies of the "Development Application" completely filled out, signed, dated, and notarized
  - b) Three (3) copies of recent survey of property drawn to scale prepared by a New Jersey licensed land surveyor containing all measurements of the lot and buildings.
  - c) Three (3) copies of signed and sealed plans for site plan, subdivision, or variance plans
  - d) Three (3) copies of "Completeness Checklist" completed, signed, and sealed by the licensed professional
  - e) Separate checks payable to "Borough of Neptune City" for administration fee and escrow-professional fee
  - f) Eighteen (18) copies of Zoning Application and Determination from the Zoning Officer for Bulk Variances and Approval
  - g) Other information and documents such as photographs, architectural drawings, etc., which would be helpful to the Board in their decision on the night of the meeting.
  - h) Completed IRS w-9 Form

- 3. Your application, fees and supporting documents will be reviewed by the Administrative Officer and you will be notified of deficiencies, if any.
  - a) After the application is deemed complete by the Administrative Officer, you will be notified in writing of the public hearing date and you will be required to submit additional fifteen (15) copies of signed and sealed site plan, subdivision or variance plans.
  - b) The timing for Administrative Officer's review will depend on the completeness and accuracy of the application and supporting documents.
- 4. Obtain a certified list of the names and addresses of all property owners within 200 feet of the property including property owners in adjoining municipalities.

The certified list of property owners in the Borough may be obtained from the Municipal Clerk upon written notice for a fee of \$10.00 or \$0.25 per name whichever is greater. The certified list of property owners in adjoining municipalities may be obtained from the designated officials in the adjoining municipalities.

5. Complete the Notice of Hearing

The Notice of Hearing must state the specific relief requested including a listing of all variances. It shall also state the lot and block of the property and the street address. If subdivision or site plan approval is being requested, it shall be include in the Notice of Hearing.

The Notice of Hearing must also state the date, time and place of hearing.

- 6. A notice of hearing must be given to the following no less than ten (10) days prior to the assigned hearing date:
  - a) All property owners within 200 feet including property owners in adjoining municipalities.
  - b) NEPTUNE CITY Borough Clerk
  - c) NEPTUNE CITY Code Enforcement Officer
  - d) Municipal Clerk of any municipality within 200 feet
  - e) All utility companies included in the certified list
  - f) Monmouth County Planning Board
  - g) State of New Jersey, Commissioner of Transportation
- 7. The Notice of Hearing shall be given by:
  - a) Serving a copy thereof on the property owner or his agent in charge of the property; or
  - b) Mailing a copy thereof by certified mail, return receipt requested, to the property owner at his address as shown on the certified list.
- 8. A copy of the Notice of Hearing shall be published in the Asbury Park Press, and/or Coaster by Applicant at least ten (10) days prior to the hearing. Ask the newspaper for the Affidavit of Publication.

<sup>\*</sup> Special Note: The Coaster publishes only once per week

- 9. At least seven(7) days prior to the hearing date, the Applicant must submit an Affidavit of Proof of service and the newspaper's Affidavit of Publication to the Secretary of the Board for review. Please note that proper service is necessary for the Board's jurisdiction. If these documents are incomplete, the Board may not be able to proceed with the hearing.
  - After serving the Notice of Hearing, complete the Affidavit of Proof of Service. Attach a copy of the Notice of Hearing and a copy of the certified list. The Affidavit must set forth the names and addresses of the persons served, the date they were and whether they were served personally or by Certified Mail. Please list persons served in the order their names appear on the certified list. For those parties served by certified mail, attach all white slips postmarked by the post office and as many signed green cards as are returned. The person who made service in the presence of a Notary Public or Attorney at Law who will complete the Affidavit by signing the jurat.
- 10. All real estate taxes must be paid through the date of the hearing.
- 11. Requests for adjournment of the hearing date must be made in writing to and received by the Secretary of the Board at least two (2) days prior to the hearing.
- 12. The Applicant or an attorney at law must attend the hearing. Corporations must be represented by an attorney at law. It is the Applicant's burden to prove its right to the relief requested.
- 13. Once the Board makes its decision, a Resolution may be prepared and memorialized at subsequent Board meeting. Ten (10) calendar days after the memorialization of the Resolution, certified copy of the Resolution may be made available to you by either pick up from the Board office or by mail.
- 14. If the application is approved, the Construction Department will not issue any building permits until all conditions of the Resolution are satisfied, maps are signed, and record where required in accordance with the law.
- 15. The Board Secretary shall cause to be published a notice in the newspaper of the Board's decision on your application, whether approved or denied. Please also be aware that anyone may appeal the Board's decision within 45 days after the notice of decision is published in the newspaper. In the meantime, if the Construction Department issues a permit for construction, you build at your own risk!!!
- 16. The administration fees are not refundable, whether your application is approved or denied.

### BOROUGH OF NEPTUNE CITY MONMOUTH COUNTY NJ LAND USE BOARD DEVELOPMENT APPLICATION

Phone
Email
Phone
Email
Phone
Email
aring Maps:
Phone
Phone Email
Email
*Site Plan
*Site Plan*Subdivision
*Site Plan*Subdivision
*Site Plan*Subdivision Minor Preliminary Major
*Site Plan*Subdivision Minor Preliminary Major
*Site Plan*Subdivision Minor Preliminary Major
*Site Plan*Subdivision  Minor Preliminary Major Final Plat*  * Site Plan Exemption
*Site Plan*Subdivision Minor Preliminary Major Final Plat* * Site Plan Exemption

3.	LOT DIMENSIONS:						
	Existing			Zoning	Requirement	S	
	Frontage		ft.			ft.	
	Front Yard Width		ft.			ft.	
	Depth						
	Area					sq. ft.	
				·			
).	SUBJECT BUILDING						
	F . C . I	Existing	0	Propose		Zoning Requirem	
	Front Setback						
	Side Yard Setback			***************************************			
	Rear Yard Setback						
	Height					4	
	Bldg. Coverage Lot Coverage						
0.	Accessory Uses:	7.0		Propose	ed	Zoning Requirem	ents
	Describe Use						
	Rear Yard Setback						
	Side Yard Setback						
	Story & Height		ft.		ft.		ft
1.	Existing Use:						
	Proposed Use:						
	Standard Industrial Cla						
2.	Permission Requested t	o: Frect		Alter	Convey	Move	
۷.	Use D						
	Descriptive Explanation						
	·	THE STATE OF THE S					
13.	List Variances or Interp	retation Reque	sts (inclu	de zoning ordinai	nce section nu	ımbers and brief desci	ription
	of each Variance (reque	sts):					
1.4	Cub divisions and Cita I	llana (indicata	tha annlia	abla): Sita Araa			
14.	Subdivisions and Site F Number of Lots						
	Number of Nonresiden						
	Nonresidential Building						
	Montestachnar Dangin	ś					

15.	DISCLOSURE STATEMENT				
	Applicant is a CorporationPartnershipIndividualPursuant to N.J.S. 40:55D-48.1, the names and addresses of all persons owning 10% of the stock in a corporate applicant or 10% interest in any partnership applicant must be disclosed. In accordance with N.J.S. 40:55D-48.2 that disclosure requirement applies to any corporation or partnership which owns more Than 10% interest in the applicant followed up in the chain of ownership until the names and addresses of the non-corporate stockholders and partners exceeding the 10% ownership criterion have been disclosed. (Attached pages as necessary to fully comply.)				
	Name Address Interest				
	Name Address Interest				
16.	PROPERTY INFORMATION:				
	Restrictions, covenants, easements, association by-laws existing or proposed on the property:  Yes (attach copies) No Proposed  Note: All deed restrictions, covenants, easements, association by-laws, existing and proposed must be				
	submitted for review and must be written in easily understandable English in order to be approved and must be written in easily understandable English in order to be approved.				
17.	I certify that the foregoing statements and the materials submitted are true. I further certify that I am the individual applicant or that I am an officer of the corporate applicant and that I am authorized to sign the application for the corporation or that I am a general partner of the partnership applicant. (If the applicant is a corporation this must be signed by an authorized corporate officer. (If the applicant is a partnership, the must be signed by a general partner.)				
	Sworn to and subscribed before me thisday, 20				
	NOTARY PUBLIC				
	SIGNATURE OF APPLICANT				
18.	I certify that I am the Owner of the property, which is the subject of this application, that I have authorized the applicant to make this application and that I agree to be bound by the application, the representations made and the decision in the same manner as if I were the applicant. (If the owner is a corporation this must be signed by an authorized officer. If the owner is a partnership, this must be signed by a general partner).				
	Sworn to and subscribed before me thisday, 20				
	NOTARY PUBLIC				
	SIGNATURE OF OWNER				
19.	STATEMENT OF TAX COLLECTOR				
	Status of Municipal Taxes Paid through				
	Status of Assessments for Local Improvements				

15.

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# SITE PLAN/SUBDIVISION COMPLETENESS CHECKLIST

This checklist is provided to applicants to assist in the determination of whether the application is complete, as required by N.J.S.A. 40:55-D10.3 of the Municipal Land Use Law. The applicant must complete this checklist and submit it at the time of the initial application.

APPL	ICANT NAME				-
BLOCK NO		To be Check Appli	ked by		
			Yes	No	Not Applicable
1.	Name, Address & Title of	Person Preparing Plan	100	110	rotrippiodole
	Name, Address of	the Owner & Applicant	( )	( )	( )
2.		ature of the Land Use Board			
1000	Chairman, Secreta		( )	( )	( )
3.	Date, scale & North Arrow		( )	( )	( )
4.		ich the site is located, any contigu			
		es, all lot lines & property owner ock numbers within 200' radius		( )	
5.		al features including streams,	( )	( )	( )
5.		amps, tree lines, etc.	( )	( )	( )
6.		ng all intersections & roads	( )	( )	
0.	Within 500 feet of		( )	( )	( )
7.	All existing & proposed in		( )	()	( )
8.		loor plans & at least two elevation		. ,	~ /
		osed exterior finish materials		( )	( )
9.	Boring logs & soil data		( )	()	( )
10.	Existing & proposed spot	elevations with arrows indicating			
		flow. Contours at 2 foot interval			
	shall be indicated	where existing	( )	( )	( )
11.	Traffic Report		( )	( )	( )
12.	Environmental Impact Rep		( )	( )	( )
13.	Soil Erosion & Sediment (		( )	( )	( )
14.	Any easement or deed rest		( )	( )	( )
15.		ans, including the location of ree masses indicating the type of	diameters		
		4'-6" above grade.		()	
16.	Drainage calculations	4-0 above grade.	( )	( )	( )
17.		s from any of the above requirem		( )	( )
	must be attached t		( )	( )	( )
18.	Proper fees & completed a		( )	()	( )
19.	A current Boundary & Site	Survey prepared by a Licensed		( )	( )
		show all metes & bounds, all exis			
	footprints, all utili	ties serving the site & all paved a	areas ()	( )	( )
	complete and sufficient for	ne general requirements for inform for review by the Board. For function of these requirements will result in	rther information, refer	to appl	icable Chapters of the Borough
<u>AFFI</u>	DAVIT OF COMPLETENI	ESS			
	Municipal Land Use Law	rtify that this application fully of N.J.S.A. 40:55D-1 et. esq. and I/we further certify that all info	amendments thereto a	and the c	urrent Zoning Ordinance of the
	Applicant/Owner	Name (Print or Type)	Professional's	Name (	Print or Type)
	Signature	Date	Signature/Sea	1 & Lice	nse No. Date

#### ORDINANCE 2022-01

# AN ORDINANCE AMENDING CERTAIN SECTIONS OF CHAPTER 15 ENTITLED "LAND USE PROCEDURES" OF THE CODE OF THE BOROUGH OF NEPTUNE CITY

BE IT ORDAINED by the Mayor and Council of the Borough of Neptune City, in the County of Monmouth and State of New Jersey, as follows:

Section 1. Chapter 15 entitled "Land Use Procedures" of the code of Borough of Neptune City, is hereby amended as follows:

#### DEVELOPMENT APPLICATION FEE SCHEDULE

TYPE OF APPLICATION	ADMINISTRATION FEE	ESCROW -PROFESSIONAL FEE
1. Bulk Variance	\$250.00 per variance	\$600.00 for first variance
		\$200.00 for each additional variance
2. Appeals and Interpretation	\$250.00	\$750.00
3. Use Variance & Conditional use variance	\$1,000.00	\$2,000.00
4. Subdivision:		
a. Minor	\$750.00	\$2,500.00
b. Preliminary major	\$1,000.00 plus \$50.00 per lot	\$5,000.00 plus \$200.00 per dwelling unit
c. Final major	\$750.00	50% of preliminary
5. Site Plan:		
a. Residential	\$1,000.00 plus \$20.00 per dwelling unit	\$5,000.00 plus \$200.00 per dwelling unit
b. Nonresidential	\$1,000.00 plus \$.06 per sq. ft.	\$5000.00 plus \$.25 per sq. ft.
	proposed building or addition	proposed building or addition
<ul> <li>c. Final Residential or non-residential when applied separately</li> </ul>	\$750.00	50% preliminary
d. Waiver or exemption request	\$750.00	\$1,500.00
6. Certified list	\$10.00 or	No fee
	\$.25 per name, whichever is greater	
7. Special meeting	\$1,500.00	No fee
8. Zone change request	\$500.00	\$2,000.00
9. Time extension	\$250.00	\$1,000.00
10. Pré-existing use certificate	<i>\$100.00</i> per use	No fee
11. Tax map revision fee	\$175.00 plus \$25.00 per lot	No fee

Section 2. All portions of prior Ordinances not inconsistent herewith shall continue in full force and effect.

Section 3. This Ordinance shall become effective when passed and published as required by law.

AccuTrack Account holder: please fill in this top section before giving to your client for completion. AccuTrack Account Number: \_ Master Account Name: . Client Account Number:\_\_ **Request for Taxpayer** Give this form to the requester. Do (Rev. April 1990) **Identification Number and Certification** NOT send to IRS. Department of the Treasury Name (If joint names, list first and circle the name of the person or entity whose number you enter in Part I below. See Instructions under "Name" if your name has changed.) print or Address (number and street) List account number(s) here (optional) City, state, and ZIP code For Payees Exempt From Part II Part I Taxpayer Identification Number (TIN) Backup Withholding (See Enter your taxpayer identification number in Instructions) Social security number the appropriate box. For individuals and sole proprietors, this is your social security number. For other entities, it is your employer identification number. If you do not have a number, see *How To Obtain a TIN*, below. OR Requester's name and address (optional) Employer identification number Note: If the account is in more than one name. see the chart on page 2 for guidelines on whose number to enter. 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. Certification instructions. —You must cross out item (2) above if you have been notified by IRS that you are currently subject to backup withholding because of underreporting interest or dividends on your tax return. For real estate transactions, item (2) does not apply. For mortgage interest paid, the acquisition or abandonment of secured property, 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. (Also see Signing the Certification under Specific Instructions, on page 2.) Sign Date ▶ Signature ▶ Here requester. For reportable interest or dividend (2) IRS notifies the requester that you Instructions furnished an incorrect TIN, or (Section references are to the Internal Revenue Code.) (3) You are notified by IRS that you are

Purpose of Form.—A person who is required to file an information return with IRS must obtain your correct taxpayer identification number (TIN) to report income paid to you, real estate transactions, mortgage interest you paid, the acquisition or abandonment of secured property, or contributions you made to an individual retirement arrangement (IRA). Use Form W-9 to furnish your correct TIN to the requester (the person asking you to furnish your TIN), and, when applicable, (1) to certify that the TIN you are furnishing is correct (or that you are waiting for a number to be issued), (2) to certify that you are not subject to backup withholding, and (3) to claim exemption from backup withholding if you are an exempt payee. Furnishing your correct TIN and making the appropriate certifications will prevent certain payments from being subject to the 20% backup withholding.

Note: If a requester gives you a form other than a W-9 to request your TIN, you must use the requester's form.

How To Obtain a TIN.—If you do not have a TIN, apply for one immediately. To apply, get Form SS-5, Application for a Social Security Number Card (for individuals), from your local office of the Social Security Administration, or Form SS-4, Application for Employer Identification Number (for businesses and all other entitles), from your local Internal Revenue Service office.

To complete Form W-9 if you do not have a TIN, write "Applied For" in the space for the TIN in Part I, sign and date the form, and give it to the requester. Generally, you will then have 60 days to obtain a TIN and furnish it to the requester. If the requester does not receive your TIN within 60 days, backup withholding, if applicable, will begin and continue until you furnish your TIN to the

requester. For reportable interest or dividend payments, the payer must exercise one of the following options concerning backup withholding during this 60-day period. Under option (1), a payer must backup withhold on any withdrawals you make from your account after 7 business days after the requester receives this form back from you. Under option (2), the payer must backup withhold on any reportable interest or dividend payments made to your account, regardless of whether you make any withdrawals. The backup withholding under option (2) must begin no later than 7 business days after the requester receives this form back. Under option (2), the payer is required to refund the amounts withheld if your certified TIN is received within the 60-day period and you were not subject to backup withholding during that period.

Note: Writing "Applied For" on the form means that you have already applied for a TIN OR that you intend to apply for one in the near future.

As soon as you receive your TIN, complete another Form W-9, include your TIN, sign and date the form, and give it to the requester.

What Is Backup WithholdIng?—Persons making certain payments to you are required to withhold and pay to IRS 20% of such payments under certain conditions. This is called "backup withholding." Payments that could be subject to backup withholding include interest, dividends, broker and barter exchange transactions, rents, royalties, nonemployee compensation, and certain payments from fishing boat operators, but do not include real estate transactions.

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

(1) You do not furnish your TIN to the requester, or

- (3) You are notified by IRS that you are subject to backup withholding because you failed to report all your interest and dividends on your tax return (for reportable interest and dividends only), or
- (4) You fail to certify to the requester that you are not subject to backup withholding under (3) above (for reportable interest and dividend accounts opened after 1983 only), or
- (5) You fail to certify your TIN. This applies only to reportable interest, dividend, broker, or barter exchange accounts opened after 1983, or broker accounts considered inactive in 1983.

Except as explained in (5) above, other reportable payments are subject to backup withholding only if (1) or (2) above applies.

Certain payees and payments are exempt from backup withholding and information reporting. See Payees and Payments Exempt From Backup Withholding, below, and Exempt Payees and Payments under Specific Instructions, on page 2, if you are an exempt payee.

Payees and Payments Exempt From Backup Withholding.—The following is a list of payees exempt from backup withholding and for which no information reporting is required. For interest and dividends, all listed payees are exempt except item (9). For broker transactions, payees listed in (1) through (13) and a person registered under the Investment Advisers Act of 1940 who regularly acts as a broker are exempt. Payments subject to reporting under sections 6041 and 6041A are generally exempt from backup withholding only if made to payees described in items (1) through (7), except that a corporation that provides medical and health care services or bills and collects payments for such services is

## NOTICE SERVED ON OWNERS WITHIN 200 FEET BOROUGH OF NEPTUNE CITY LAND USE BOARD

### NOTICE OF HEARING ON APPEAL OR APPLICATION

TO:	
TO: OWNER OF PREMISES:	_
PLEASE TAKE NOTICE:	
That the undersigned has filed an appeal or application for development with the Land Use Board of the Borough of Neptune City for a Variance from the requirements of the Zoning Ordinance so as to permit	
on t	he
premises at and designated as Lot Block on the Borough Tax Map, and this notice is sent to you as an owner of property the immediate vicinity.	y in
A public hearing has been set for, 20, at The Municipal Building, 106 W. Sylvania Avenue, Neptune City, NJ, and when the case is you may appear either in person, or by agent or attorney, and present any objections which may have to the granting of the relief sought in the petition.	o.m., in called 1 you
The survey and other related maps and papers are on file in the office of the Municipal Cleare available for inspection.	erk and
This notice is sent to you by the applicant, by order of the Land Use Board.	
Respectfully,	
(Applicant)	<u>, , , , , , , , , , , , , , , , , , , </u>

# AFFIDAVIT OF SERVICE

State of New Jersey )	.SS:
State of New Jersey ) County of )	.33.
	of full age, being duly sworn according to in the  County of, and  that he did on, 20, at a gate, give personal notice that all property owners within 200
law, on his oath deposes and sa	s that he resides at in the
(municipality) of	County of, and
State of	, that he did on, 20, at
feet of the property located at _	ng date, give personal notice that all property owners within 200
Said notice was give either by l by certified mail. Copies of the	anding a copy to the property owner, or by sending said notice registered receipts are attached hereto.
Notice were also served	upon:
(Check if applicable)	
<ul><li>( ) 2. County Plannin</li><li>( ) 3. The Director of</li><li>( ) 4. The Department</li></ul>	the Division of the State and Regional Planning
A copy of said notices	re attached hereto and marked "Exhibit A."
Notice was also published in the	e official newspaper of the municipality as required by law.
of the affected property who we same appear on the municipal	arked "Exhibit B" is a list of owners of property within 200 feet ere served, showing the lot and block numbers of each property as map, and also a copy of the certified list of such owners f the Municipality, which is marked "Exhibit C."
There is also attached a copy of municipality, which is marked	the proof of publication of notice in the official newspaper of the Exhibit D."
	(Signature of Applicant)
Sworn and subscribed to before this day of	e , 20

## NOTICE TO BE PUBLISHED IN OFFICIAL NEWSPAPER BOROUGH OF NEPTUNE CITY LAND USE BOARD

TAKE NOTICE that on the	day of	20, at
TAKE NOTICE that on the o'clock p.m., a hear	ing will be held before the	ne Neptune City Land Use
Board at the Municipal Building, 106 W. Sylv	vania Avenue, Neptune (	City, New Jersey on the
appeal or application of the undersigned for a	variance or other relief	so as to permit
		on on
the premises located at on the Borough T		and designated as
Block Lot on the Borough T	ax Map.	
The survey and other related maps and papers are available for inspection.  Any interested party may appear at said hearingles of the Land Use Board.		
Publication Date:	(Name of Applic	ant)