

**TOWNSHIP OF
ROBBINSVILLE**

**MINOR
SUBDIVISION
APPLICATION**

TOWNSHIP OF ROBBINSVILLE
MERCER COUNTY, NEW JERSEY

GENERAL INSTRUCTIONS

All Planning Board/Zoning Board of Adjustment Applications

I. GENERAL

The appropriate Planning/Zoning applications forms must be submitted to the Planning/Zoning office, together with the required fees and the specific forms, checklist and/or other materials that are required for each particular type of application. A corporation or partnership is required to be presented by an attorney.

The following types of applications shall be referred to the Zoning Board of Adjustment.

- a) Appeals from a Decision of the Zoning Officer;
- b) Land Use and Development Ordinance Interpretations;
- c) Bulk/Hardship Zoning (“C”) Variances not involving a Subdivision or Site Plan application;
- d) Use Variances whether or not a Subdivision or Site Plan is also involved.

When a Subdivision or Site Plan is involved, the applicant may submit it simultaneously with the Use Variance Application, or wait until the variance is granted.

The following types of applications shall be referred to the Planning Board.

- a) Conceptual Reviews of proposed Subdivisions and/or Site Plans;
- b) Conditional Use Permit Applications;
- c) Major and Minor Subdivision and Site Plan applications. When accompanied by a Use Variance, the applications shall be submitted to the Zoning Board of Adjustment unless a specific request for Subdivision or Site Plan review by the Planning Board is made by the applicant or unless the Zoning Board of Adjustment refers the same to the Planning Board for review.
- d) Hardship (“C”) Variances when submitted in connection with Subdivision or Site Plan application.

II. BOARD MEETING DATES

The Zoning Board of Adjustment has its regular meetings on the first Wednesday of each month at 7:30 p.m.

The Planning Board has its regular meetings on the third and fourth Wednesday of each month at 7:00 p.m.

The Technical Review Committee (TRC) meets the first Thursday of each month at 9:00 a.m.

III. APPLICATION DEADLINES

The Zoning Board of Adjustment and Planning Board will consider applications only if a completed application, all support documents and the appropriate fees are submitted to the Administrative Officer.

The Technical Review Committee and/or Administrative Officer shall review all Planning Board and Zoning Board of Adjustment applications for completeness. The Technical Review Committee and/or Administrative Officer shall review all applications for development prior to consideration by the Planning Board and/or Zoning Board of Adjustment. The Technical Review Committee and/or Administrative Officer will notify the applicant in writing of the status of the application after the TRC meeting. Applicants should attend Technical Review Committee meetings for discussion.

IV. SUBMISSION OF APPLICATIONS

1. Submission

All documents for Planning/Zoning Board review shall be submitted directly to the Planning/Zoning Board office for distribution to the various Township consultants for review. There shall be no review of documents submitted directly to Township consultants.

Revised documents shall be accompanied by a letter of transmittal identifying, in detail, all revisions made to the documents submitted, including revisions made which were not requested by Township representatives. This transmittal document shall also identify what the revised documents are to be reviewed for – Zoning Board, Planning Board, Technical Review Committee resubmission of revised documents declared incomplete.

Revised documents must be submitted at least twenty-one (21) days prior to a Planning/Zoning Board meeting.

Complete sets of all revised documents shall be submitted. When only portions of documents have been revised, the entire set of

documents shall be redated for resubmission and the entire set of documents shall be resubmitted. When documents are related (e.g. drainage calculations and grading, drainage and soil erosion plans) all accompanying documents shall be redated to bear a common date of revision and complete sets resubmitted.

2. **Copies of Applications**

The following must be supplied in order for an application to be Considered by the Technical Review Committee:

1. Twelve copies of the plans (folded)
2. Three copies of the application.
3. Three copies of the appropriate checklist.
4. Three copies of any protective covenants or deed restrictions.
5. Three copies of certification that no taxes or assessments are due to the property.
6. Three copies of storm drainage calculations (if applicable).
7. Eighteen copies of the Environmental Impact Assessment and/or the Community Impact Assessment.
8. The required application fee, escrow fee and fee computation form.
9. Three Corporate Disclosure Statement (if applicable).
10. Form W-9.

The Technical Review Committee shall advise the applicant of additional Submittals which may be required for Planning Board and Zoning Board review.

V. **NOTICE OF HEARING**

The applicant must give official written notice of the hearing on all applications to the Zoning Board of Adjustment, and on all Conditional Uses, all Major Subdivision and Site Plan Preliminary Approvals and all Hardship ("C") variances being considered by the Planning Board. A sample notice form is attached to the application package. Notice must be given (both to neighbors and by newspaper advertisement) at least 10 days before the day the Board considers the applications.

For Zoning Board of Adjustment, notice should not be given until the

Administrative Officer advises the applicant the application is being scheduled for consideration at a particular meeting of the Board. For Planning Board, notice should not be given until the application is scheduled for a public hearing on a specific Planning Board meeting.

A copy of the official hearing notice must be served on the owners of all property and utilities located within 200 feet of the property involved in the application, either by serving them personally or by Certified Mail, Return Receipt. Notices should be served on or sent to the persons who are shown as the property owners on the current tax records, at the addresses shown thereon. The Administrative Officer will prepare a list of the property owners to who notice must be sent when requested in writing, for an additional fee. If the property is located within 200 feet of another municipality, notice must also be given to the Clerk of that municipality and to the County Planning Board in which the adjacent municipality is located. If the property adjoins a county road or a proposed county road, or adjoins county property, notice must also be given to the County Planning Board. If the property is adjacent to a State adjoins a county road or a proposed county road, or adjoins county property, notice must also be given to the County Planning Board. If the property is adjacent to a State Highway, notice must be given to the State Commissioner of Transportation. If the application covers more than 150 acres or involves more than 500 dwelling units, notice must also be given to the Director of the Division of State and Regional Planning in the State Department of Community Affairs.

It is the applicant's responsibility to publish notice of the hearing in the Trenton Times at least 10 days before the meeting date.

VI. APPROVALS BY OTHER AGENCIES

The applicant shall be solely responsible for securing all approvals from any and all other Federal, State or County agencies. When known, the Planning/Zoning Board may require, as a condition of approval or prerequisite for approval, the applicant to secure approvals from various agencies. Approvals of all applications for Site Plan or Subdivision approval will be required from the Mercer County Planning Board.

VII. CONSULTANTS APPROVAL FOR SIGNATURE

One (1) complete set of all revised documentation, meeting all conditions of the resolution of approval, shall be submitted directly to the appropriate consultants. All documents shall be accompanied by a letter of transmittal identifying, in detail, all revisions made to the documents submitted, including revisions made which were not requested by Township representatives. A copy of the letter of transmittal to the consultants shall be submitted directly to the Planning Board/Zoning Board Administrator.

Upon review, the Boards consultants shall make a written report to the Board recommending approvals or identifying additional required revisions. No plans

will be signed by the Planning Board until unconditional recommendations of approvals have been received from the Board consultants and until all conditions identified in the resolution of approval have been met in their entirety.

VIII. SUBMISSION FOR SIGNATURE

Site Plans

Three (3) complete sets of documents plus five (5) blue-line copies of the Site Plan shall be submitted for all plans recommended for signature to the Planning /Zoning Board. In addition, two (2) four mil mylar copies bearing original signatures shall be submitted for permanent record to the Planning Board Administrator. One (1) copy of all other documentation (e.g. hydraulic calculations, environmental impact reports, traffic study) which had been revised and recommended for signature shall be submitted.

Subdivisions

Three (3) complete sets of documents plus five (5) blue-line copies of the subdivision shall be submitted for all plans recommended for signature to the Planning/Zoning Board. Two (2) four mil mylar copies and one (1) cloth print bearing original signatures shall be submitted for all maps, plans or plats which are to be filed with the Mercer County Clerk's Office. All documents submitted shall be clearly and legibly drawn and, where required, endorsed and presented either as an original drawing in black ink on translucent cloth or its equivalent reproduction on translucent cloth and shall be accompanied by a cloth print duplicate as required by the "Map Filing Law".

All plans submitted for signature shall be signed by all other agencies prior to signature by either Board.

The following signature blocks shall be provided:

- A. Township of Robbinsville Planning Board or Zoning Board, (whichever is applicable) Chairperson and Secretary.
- B. Mercer County Planning Board Chairperson and Secretary, (for subdivision only).
- C. Township of Robbinsville Engineer.
- D. Township of Robbinsville Clerk (if applicable).

BLOCK _____
LOT _____

TOWNSHIP OF ROBBINSVILLE
GENERAL LAND USE APPLICATION

1. Name of Applicant _____
Address: _____

Telephone: _____

I have reviewed this application and accompanying documentation and consent to filing of the same with the Township of Robbinsville Planning Board/Zoning Board.

Applicant's Signature Date

2. Name of Attorney _____
Address: _____

Telephone: _____

3.	<u>Application Type</u>	<u>Application Fee</u>	<u>Escrow Fee</u>
_____	Appeal	\$ _____	\$ _____
_____	Request for Zoning Interpretation	_____	_____
_____	Hardship/Bulk Zoning Variances**	_____	_____
_____	Use Variances**	_____	_____
_____	Conditional Use Permit	_____	_____
_____	Conceptual Review	_____	_____
_____	Minor Subdivision (Total No. of Lots _____)	_____	_____
_____	Preliminary Site Plan (_____ S.F. Improvements)	_____	_____

_____	Preliminary Major Subdivision (Total No. of Lots _____)	_____	_____
_____	Final Site Plan (_____ S.F. Improvements)	_____	_____
_____	Home Occupation Permit	_____	_____
_____	Final Major Subdivision (Total No. of Lots _____)	_____	_____
_____	Waiver of Site Plan Review	_____	_____
_____	Design Waiver**	_____	_____
_____	Resubmittal	_____	_____
	Total Amount Paid	\$ _____	\$ _____

* Check all items applicable and submit appropriate forms for each application type.

** Provide detailed explanation of need for deficiency on waiver/variance request form.

4. Is the property served by public sewer system? _____
5. Is the property served by public water system? _____
6. Present use of property _____

7. Provide a brief description of the proposed project or development _____

8. Name of Development: _____
 Address of Property: _____
 Tax Map: Page _____ Block _____ Lot _____
9. Zoning District: _____

10. Name of Property Owner : _____

Address: _____
(Street)

(City) (State) (Zip)

Telephone: _____

I have reviewed the general instructions to applicants, the application and accompanying documentation and consent to filing of the same with the Township of Robbinsville Planning Board/Zoning Board.

Owner's Signature

Date

I do hereby accept the responsibilities as agent for this application.

Agent's Signature

Date

TOWNSHIP USE ONLY BELOW THIS LINE

Application No: _____

Fees Paid: _____

Date Received: _____

Receipt No. _____

Time Received: _____

Referred To: _____
Planning Board/Zoning Board

LAND USE
Schedule D
[Amended 8-14-2008 by Ord. No. 2008-26]

Application No.: _____
Date/Time Submitted: _____
Received By: _____

**TOWNSHIP OF ROBBINSVILLE
MINOR SUBDIVISION CHECKLIST**

Applicant's Name: _____
Interest in the Application: _____
Applicant's Address: _____
Telephone Number: _____ Fax Number _____

Property Owner's Name: _____
Address: _____
Telephone Number: _____ Fax Number _____

Applicant's Attorney: _____
Address: _____
Telephone Number: _____ Fax Number _____
Block _____ Lot(s) _____
Block _____ Lot(s) _____

Street Address of property: _____
Zone District: _____

Description of the property: _____
Description of the proposed development: _____

Total Number of Proposed Lots (Including Lands Remaining): _____
Specific relief requested: _____

Person Preparing Checklist:
Name _____ Date _____

Signature _____

INSTRUCTIONS:

1. This checklist shall be completed by the applicant or its authorized representative and submitted with the application. This checklist shall be used in determining completeness or incompleteness of the application pursuant to Robbinsville Township's Land Use and Development Ordinance. The applicant is advised that failure to provide all data required on this checklist or failure to apply for the appropriate waivers will render the application incomplete.
2. Applicant to complete column on right side of checklist items with an "X" in the appropriate column. Any waivers requested should be explained in detail on the Design Waiver/Variance Request Form.

ROBBINSVILLE CODE

3. The Technical Review Committee or its representatives will determine if any item designated as not applicable or where a waiver is requested shall be required to be provided and the application shall be considered incomplete if not provided.
4. All references to chapters, sections, subsections, etc. refer to the Revised General Ordinances of the Township of Robbinsville, latest revision, unless otherwise noted. For submission purposes, where a conflict in references occurs, the most restrictive shall apply.
5. The applicant will be notified when the application is deemed complete and will be scheduled to be heard by the appropriate board. At such time, 12 complete sets of reduced size plans (11" x 17") shall be submitted.

I.	Administrative	N/A	Waiver	Submitted
1.	Complete Application Forms, signed (3)			
2.	Completed Minor Subdivision Checklist (3)			
3.	Payment of Required Fees			
4.	Completed Form W-9, US Treasury, IRS (3)			
5.	Consent to Entry (3)			
6.	Corporate Disclosure Statement (3)			
7.	Completed Escrow Agreement (3)			
8.	Receipt of taxes paid for current tax quarter (3)			
9.	Design Waiver/Variance Request form (3)			
10.	Affidavit of ownership, signed and notarized (3)			
11.	Protective covenants or deed restrictions that are intended to cover all or any part of the tract (3)			
12.	Complete set (36"x42") of minor subdivision plan signed, and sealed by a licensed professional at a scale not less than 1 inch equals 100 feet and shall conform to N.J.S.A.46:23-9.9 et seq. (12)			

II.	Health	N/A	Waiver	Submitted
1.	Submission of groundwater quality test report for all remaining on-site wells or potable water supplies. Application will be deemed incomplete should failing or unsatisfactory conditions be noted, certified, or found to exist. (3)			
2.	Location of all existing sewage disposal systems on the site in question and within 200 feet of the total tract boundary of the site plan.			
3.	Certification by a New Jersey Licensed Professional Engineer regarding adequacy of any remaining on-site sewage disposal systems. Application will be deemed incomplete should failing or unsatisfactory conditions be noted, certified, or found to exist. Potential reserve areas for modification of remaining systems shall be shown on the plan. (3)			
4.	The location and results of all complete, incomplete, unacceptable and unwitnessed profile			

LAND USE

	pits, permeability tests, basin floods and percolation tests. All results shall be shown on a separate plan(s) entitled "Sewage Disposal and Water Supply Plan". All dimensioned to all proposed and existing: lot lines, structures, watercourses, easements, wetland limits, sewage disposal and water supply systems within 200 feet of the tests.			
5.	Submission of individual soil test reports by soil log or test number for each test location in numerical ascending order shall be provided for primary and reserve septic areas. Each report shall be signed and sealed by a NJPE and coordinated with each lot number shown on the plan. (4)			
6.	Submission of Treatment works or NJPDES permits for sewage systems not in compliance with NJDEPE 7:9A.			

III.	Engineering Plans shall include the following:	N/A	Waiver	Submitted
1.	Title of plat.			
2.	A key map showing the site and its relation to surrounding area. Map shall be at a scale of not less than one inch equals 1,000 feet. Names of all streets and Township boundaries within 500 feet shall be shown.			
3.	Existing or proposed "Master Plan" features or facilities on the site or within 500 feet of total tract.			
4.	Name, signature and seal of licensed professionals preparing the map.			
5.	Names and address of owner and applicant with owner's certification.			
6.	Names of all owners of record of all parcels within 200 feet from the parcel(s), and the block and lot numbers of all property owners shown on plans.			
7.	Zoning data for each zone with all proposed data and deficiencies listed.			
8.	The tract name, tax map sheet, block and lot number, original date of preparation and date of each revision, reference meridian, and written and graphical scale.			
9.	A boundary and topographic survey of the total tract signed and sealed by the preparing N.J. Licensed Land Surveyor within the last year in accordance with N.J.S.A. 13:40-5. Topography within 200 feet from the subdivision boundary shall be shown. All topography shall be based on NGVD 1929 datum with two bench marks established within 500 feet of the subdivision boundary and shown with appropriate references. Topography shall be 5 foot intervals for slopes			

ROBBINSVILLE CODE

	10% or greater, 2 foot intervals for 3% to 10% and 1 foot intervals for less than 3% slopes.			
10.	Acreage of tract to be subdivided to the nearest hundredth acre.			
11.	Proposed and remaining lot lines to be dimensioned.			
12.	Gross lot areas and net buildable lot areas.			
13.	A summary to nearest one tenth of an acre of all lots with critical areas, wetlands, easements, soil types and different zoning classifications.			
14.	Setback dimensions of all remaining and proposed structures from each lot line.			
15.	Existing and proposed streets, sidewalks, storm drains, radii, curbs, bridges and culverts.			
16.	Physical features including wooded areas, rock formations, watercourses, stream corridors, culverts or bridges.			
17.	A current letter of interpretation from the New Jersey Department of Environmental Protection.			
18.	Existing easements.			
19.	Elevations at corners of proposed structures and lot corners shall be shown			
20.	Locations of soil borings and seasonal high water table shall be shown for each lot.			
21.	Existing and proposed utilities plan.			

Application reviewed by: _____ Date: _____

Recommendation: _____

Items not provided: _____

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Schedule A-1

[Added 3-18-2008 by Ord. No. 2008-13]

Application No.: _____

Date/Time Submitted: _____

Received By: _____

TOWNSHIP OF ROBBINSVILLE
LANDSCAPE ARCHITECTURE PLAN CHECKLIST (§ 142-48)

Applicant's Name: _____

Address: _____

Development Name: _____

Robbinsville Township Tax Block(s): _____, Lot(s): _____

Signature and Name of
Person Preparing Checklist: _____

Name

Signature

Date

_____ Scale of map

_____ Property boundary

_____ Aerial extent of forest and tree cover, which includes the outside perimeter of individual trees and with a depiction of trees to remain, be removed, or relocated

_____ Intermittent and perennial streams, lakes, and other water bodies

_____ One-hundred-year floodplain, if mapped

_____ Wetlands and transition areas with legend

_____ Stream buffers (minimum 50 feet on either side of stream)

_____ Cultural features, historic sites, and critical view sheds, as mapped by the Township

_____ Existing and proposed topography, screened

_____ Surveyed location of all trees located within 25 feet of the limit of disturbance

LAND USE

- ___ Proposed development plan (site plan or subdivision)
- ___ Proposed trees, shrubs, groundcovers, and vegetative plants with key
- Chart showing the following:**
- ___ Proposed plant names, both common and scientific
- ___ Proposed plant sizes in caliper, height and/or width at the time of installation
- ___ Type of nursery stock, i.e., balled and burlapped or container and size of container
- ___ Proposed plant spacing and other comments
- ___ Planting notes, including a specification that the plants must conform to the American Standard for Nursery Stock, latest edition
- ___ Delineation showing which areas are to be irrigated
- ___ Maintenance specifications
- ___ Planting details conforming to current horticultural practices
- ___ Pedestrian and bicycle circulation systems, including width proposed and materials
- ___ Outdoor pedestrian spaces with landscape architectural elements labeled
- ___ Construction details for pedestrian and bicycle circulation systems, outdoor spaces, and site furnishings

LAND USE

Example:

For 50% base line canopy, the minimum allowable canopy after development would be the greater of Column A ($.85 \times 50\% = 42.5\%$ canopy) or Column B (36% canopy). In this case, the minimum allowable canopy after development would be 42.5%

Retention standards shall be applied to retain stands of trees and undisturbed woodlands in priority over individual specimen trees that will be incorporated into the development. No more than 10% of the canopy retention standard may be met by individual trees not included within designated woodlands.

[Source: California Department of Forestry and Fire Protection, Urban Forestry Program, Guidelines for Developing and Evaluating Tree Ordinances, Sacramento, Calif., April 1991,53.]

TOWNSHIP OF ROBBINSVILLE
DESIGN WAIVER/VARIANCE REQUEST FORM

Applicant's Name: _____

Address: _____

Development Name: _____

Township of Robbinsville Tax Block(s): _____, Lot(s): _____

This form is an integral part of any development checklist submitted to the Township of Robbinsville wherein waivers from design standards, waivers from application checklist items or variances are requested. This form must be completed for all required waivers/variances and submitted with the application in order for the application to be considered complete. It is the applicant's or its professionals' responsibility to complete this form in order for proper consideration to be given to the request. Adequate documentation and support data shall be provided with the request in order for the Township to determine the appropriateness of the request. Where technical references or support data are given, the request form shall be signed and sealed by the appropriate professional.

DESIGN WAIVER/VARIANCE REQUEST FORM (CONTINUED)

**Ordinance/Checklist
Reference**

**Explanation and
Support Data
For Waiver Request**

**Township
Approved (A)
Denied (D)**

PLANNING/ZONING BOARDS

Affidavit of Ownership

STATE OF NEW JERSEY, COUNTY OF MERCER, SS.:

_____ of full age, being duly sworn according to law on oath
deposes and says that the deponent resides at _____ in
the Township of _____ in the County of _____ and State
of _____ that _____ is the owner in fee of all
that certain lot, piece or parcel of land situated, lying and being in the Township of Washington, New Jersey,
and known and designated as Block _____, Lot _____.

Sworn and subscribed before me this _____ day of _____ 20____.

(Notary)

(Owner to sign here)

AUTHORIZATION

(If anyone other than above owner is making this application, the following authorization must be executed.)

To the Planning/Zoning Board:

_____ is hereby authorized to make this application.

Date _____, 20____.

(Owner to sign here)

**TOWNSHIP OF ROBBINSVILLE
PLANNING BOARD/ZONING BOARD ESCROW AGREEMENT**

This agreement made this _____ day of _____ 20 ____ between:

NAME: _____

ADDRESS: _____

TYPE OF APPLICATION: _____ BLOCK _____ LOT _____

Hereinafter called "Applicant"

and:

The Township of Robbinsville, in the County of Mercer,
a municipal corporation of the State of New Jersey
Hereinafter called "Township"

WITNESSETH:

THAT the Applicant has submitted a development application to the Township's Planning Board/Zoning Board for consideration in accordance with the New Jersey Municipal Land Use Law and the Township of Robbinsville Land Use and Development Ordinance and Applicant hereby covenants and agrees as follows:

1. Applicant agrees to pay all costs related to the Township's review and administration of the proposed application with said costs including but not limited to:
 - A. Conceptual review by the Technical Review Committee (TRC), Planning Board Work session, which entails professional Consultant services as may be required by the Township;
 - B. Full application professional review by the Township's TRC and Planning Board/Zoning Board, which entails professional consultant costs for: Planner, Engineering, Legal and other extraordinary consultant services as may be required by the Township;
 - C. In house application review of the application by the Township's Department of Health and any other extraordinary review by any other department, office or municipal employee as may be required by the Township.
 - D. Administration and handling of the application by the Township's Planning Office/Zoning Office and/or Office of the Township Clerk with said costs including but not limited to: secretarial and clerical administrative handling, escrow account bookkeeping, accounts receivable and payable, TRC and Board meeting secretarial/recording services.

- E. All tax map plotting services required to reflect approved conditions on the official Tax Maps of Washington.
- 2. Applicant understands and agrees to pay all costs as set forth above from the date of initial application submission through the Township's signature of approved plans which shall include any costs for extensions and revalidations.
- 3. Applicant understands and agrees to deposit with the Township's Planning Office/Zoning Office an initial application filing fee in accordance with fees and permits section of the Ordinance upon submission of the application.
- 4. Applicant understands and agrees that the Township will draw down from said deposit to cover costs as set forth in Section 1 above.
- 5. Applicant understands and agrees to pay WITHIN TEN BUSINESS DAYS of receipt of the Township's statement/billing all additional costs as may be incurred and billed to the applicant by the township relative to the review and administration of the application even if the costs of said review and administration exceed the initial filing fee deposit
- 6. Applicant understands and agrees that in the event Applicant fails to pay A billed amount the Township may discontinue Planning Board/Zoning Board review and consideration on said application or if Planning Board/ Zoning Board approval has been previously given Township may deny issuance of a construction permit and/or certificate of occupancy or if permit has been previously issued Township may initiate a Stop Work Order.
- 7. Township agrees to refund to applicant any sum deposited with Township for review and administration of the application not spent nor needed by Township. Said refund will be issued by the Township in accordance with its bi-annual refund schedule and following completion of the Township's review and administration of said application.
- 8. **APPLICANT AGREES AND UNDERSTANDS THAT IT IS INCUMBENT ON APPLICANT TO PERIODICALLY MONITOR THE STATUS OF SAID ESCROW ACCOUNT. APPLICANT AGREES AND UNDERSTANDS THAT RESPONSIBILITY TO PAY ALL ESCROW CHARGES IS THE APPLICANTS EVEN IS APPLICANT SELLS OR CONVEYS SAID PROPERTY CITED ABOVE TO ANOTHER PARTY.**

Applicant's Name (Printed)

Applicant Signature

(Date)

Land Use Coordinator

(Date)

APPLICANT MUST FILL OUT THE FOLLOWING:

All correspondence concerning escrow account shall be directed to the Township of Robbinsville Finance Department. If there is any change in the name and address, please notify the Township of Robbinsville Finance Department.

Name: _____

Address: _____

Phone: _____

Fax: _____

Signature of Applicant

not exempt from backup withholding or information reporting. Only payees described in items (2) through (6) are exempt from backup withholding for barter exchange transactions, patronage dividends, and payments by certain fishing boat operators.

- (1) A corporation.
- (2) An organization exempt from tax under section 501(a), or an individual retirement plan (IRA), or a custodial account under 403(b)(7).
- (3) The United States or any of its agencies or instrumentalities.
- (4) A state, the District of Columbia, a possession of the United States, or any of their political subdivisions or instrumentalities.
- (5) A foreign government or any of its political subdivisions, agencies, or instrumentalities.
- (6) An international organization or any of its agencies or instrumentalities.
- (7) A foreign central bank of issue.
- (8) A dealer in securities or commodities required to register in the U.S. or a possession of the U.S.
- (9) A futures commission merchant registered with the Commodity Futures Trading Commission.
- (10) A real estate investment trust.
- (11) An entity registered at all times during the tax year under the Investment Company Act of 1940.
- (12) A common trust fund operated by a bank under section 584(a).
- (13) A financial institution.
- (14) A middleman known in the investment community as a nominee or listed in the most recent publication of the American Society of Corporate Secretaries, Inc., Nominee List.
- (15) A trust exempt from tax under section 664 or described in section 4947.

Payments of dividends and patronage dividends generally not subject to backup withholding also include the following:

- Payments to nonresident aliens subject to withholding under section 1441.
- Payments to partnerships not engaged in a trade or business in the U.S. and that have at least one nonresident partner.
- Payments of patronage dividends not paid in money.
- Payments made by certain foreign organizations.

Payments of interest generally not subject to backup withholding include the following:

- Payments of interest on obligations issued by individuals. *Note: You may be subject to backup withholding if this interest is \$600 or more and is paid in the course of the payer's trade or business and you have not provided your correct TIN to the payer.*
- Payments of tax-exempt interest (including exempt-interest dividends under section 852).
- Payments described in section 6049(b)(5) to nonresident aliens.
- Payments on tax-free covenant bonds under section 1451.
- Payments made by certain foreign organizations.
- Mortgage interest paid by you.

Payments that are not subject to information reporting are also not subject to backup withholding. For details, see sections 6041, 6041A(a), 6042, 6044, 6045, 6049, 6050A, and 6050N, and the regulations under those sections.

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 imposition of backup withholding, you are subject to a penalty of \$500.

Criminal Penalty for Falsifying Information.—Willfully falsifying certifications or affirmations may subject you to criminal penalties including fines and/or imprisonment.

Specific Instructions

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

Signing the Certification.—

(1) **Interest, Dividend, and Barter Exchange Accounts Opened Before 1984 and Broker Accounts That Were Considered Active During 1983.**—You are not required to sign the certification; however, you may do so. You are required to provide your correct TIN.

(2) **Interest, Dividend, Broker and Barter Exchange Accounts Opened After 1983 and Broker Accounts That Were 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 if you wish.

(4) **Other Payments.**—You are required to furnish your correct TIN, but you are not required to sign the certification unless you have been notified of 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, payments to a nonemployee for services (including attorney and accounting fees), and payments to certain fishing boat crew members.

(5) **Mortgage Interest Paid by You, Acquisition or Abandonment of Secured Property, or IRA Contributions.**—You are required to furnish your correct TIN, but you are not required to sign the certification.

(6) **Exempt Payees and Payments.**—If you are exempt from backup withholding, you should complete this form to avoid possible erroneous backup withholding. Enter your correct TIN in Part I, write "EXEMPT" in the block in Part II, sign and date the form. If you are a nonresident alien or foreign entity not subject to backup withholding, give the requester a completed Form W-8, Certificate of Foreign Status.

(7) **TIN "Applied For."**—Follow the instructions under *How To Obtain a TIN*, on page 1, sign and date this form.

Signature.—For a joint account, only the person whose TIN is shown in Part I should sign the form.

Privacy Act Notice.—Section 6109 requires you to furnish your correct taxpayer identification number (TIN) to persons who must file information returns with IRS to report interest, dividends, and certain other income paid to you, mortgage interest you paid, the acquisition or abandonment of secured property, or contributions you made to an individual retirement arrangement (IRA). IRS uses the numbers for identification purposes and to help verify the accuracy of your tax return. You must provide your TIN whether or not you are required to file a tax return. Payers must generally withhold 20% of taxable interest, dividend, and certain other payments to a payee who does not furnish a TIN to a payer. Certain penalties may also apply.

What Name and Number To Give the Requester

For this type of account:	Give the name and SOCIAL SECURITY number 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 ¹
3. Custodian account of a minor (Uniform Gift to Minors Act)	The minor ²
4. a. The usual revocable savings trust (grantor is also trustee)	The grantor-trustee ¹
b. So-called trust account that is not a legal or valid trust under state law	The actual owner ¹
5. Sole proprietorship	The owner ³

For this type of account:	Give the name and EMPLOYER IDENTIFICATION number of:
6. A valid trust, estate, or pension trust	Legal entity (Do not furnish the identification number of the personal representative or trustee unless the legal entity itself is not designated in the account title.) ⁴
7. Corporate	The corporation
8. Association, club, religious, charitable, educational, or other tax-exempt organization	The organization
9. Partnership	The partnership
10. A broker or registered nominee	The broker or nominee
11. 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

¹ List first and circle the name of the person whose number you furnish.

² Circle the minor's name and furnish the minor's social security number.

³ Show the individual's name.

⁴ List first and circle the name of the legal trust, estate, or pension trust.

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

FEE COMPUTATIONS

SUBDIVISION _____
Block _____ Lot _____
Residential _____ Commercial _____

DATE _____
Computed by _____
Number of lots _____

APPLICATION FEES

ESCROW PLUS

Minor _____
Informal (w/Professional Review) _____
Final _____
Cluster _____
Resubmittal _____
Amendment _____

Subtotal = \$ _____

SITE PLAN _____
Block _____ Lot _____
Lot Area = _____ Acres = _____ S.F.
Total Gross Floor Area = _____ S.F.

DATE _____
Computed by _____
Parking Spaces = _____

APPLICATION FEES

ESCROW PLUS

Minor _____
Informal (w/Professional Review) _____
Preliminary _____
Final _____
Resubmittal _____
Amendment _____
Signs _____

Subtotal = \$ _____

\$ _____

PLANNED DEVELOPMENT
Units = _____ Acres = _____
Village _____ Commercial _____
Total Gross Floor Areas = _____ S.F.

APPLICATION FEES

ESCROW PLUS

Informal (w/Professional Review) _____
Preliminary (Residential) _____
Preliminary (Nonresidential) _____
Final _____

Subtotal \$ _____

\$ _____

VARIANCES
Appeals _____
Interpretation _____
Hardship/Bulk _____
Use _____
Permit _____

Subtotal \$ _____

\$ _____

~~To~~ TOTAL OF ABOVE = \$ _____

\$ _____

FOR YOUR APPLICATION, PLEASE SUBMIT TWO (2) CHECKS PAYABLE TO THE TOWNSHIP OF ROBBINSVILLE, ONE FOR THE APPLICATION FEE AND ONE FOR ESCROW, ACCOMPANIED BY THE ABOVE CALCULATIONS.

NAME _____
ADDRESS _____
DATE _____
APPLICATION # _____

Elide M. Post
Planning Board Secretary/Land Use Coordinator
Township of Robbinsville
1 Washington Blvd, Suite 14
Robbinsville, N.J. 08691

Dear Ms. Post:

I have recently submitted an application for a _____
before the Township of Robbinsville Planning/Zoning Board. I am requesting a certified tax list of
property owner's within 200 feet for the property known as Block _____, Lot _____, on page
_____ of the Township of Robbinsville Tax map from your office.

Enclosed is a check to cover the fee for this request (\$.25 per name or \$10.00 whichever is greater).

Thank you for your assistance and co-operation.

Sincerely,

Applicant

Please check one:

_____ I will pick up the tax list
one week from the above
date on _____.

_____ Please mail the list to me in
the self-addressed pre-stamped
envelope which is enclosed.

TOWNSHIP OF ROBBINSVILLE ENVIRONMENTAL COMMISSION

Mercer County
One Washington Boulevard, Suite #14
Robbinsville, New Jersey 08691
609-918-0002

CONSENT TO ENTRY

The undersigned hereby consents to the entry onto the property known as Lot _____, Block _____ on the Tax Map of the Township of Robbinsville by the members of the Township of Robbinsville Environmental Commission and Township of Robbinsville Planning Board or Zoning Board to perform an inspection of the subject property in connection with the land use application which is submitted herewith for approval by the appropriate Township Land Use Board.

APPLICANT

By _____

Date _____

SUGGESTED WORDING FOR NOTICES

NEWSPAPER

Take notice that(applicant)..... has applied to the ... (Board of Adjustment or Planning Board)..... of the Township of Robbinsville for approval of a ...(type of application)... for ...(describe application briefly)... located on Block, Lot, ...(address)

A hearing on said application will be held by the ...(Board of Adjustment or Planning Board) ... on ... (date) ... at ... (time) ... in the Township of Robbinsville Senior Center, 1117 U.S. Highway 130, Robbinsville, N.J., at which time any interested person may be heard concerning said application.

A copy of the proposed plans are on file in the office of the above Board for public inspection during business hours.

Date:

PLANNING/ZONING BOARDS

Recommended Notice to Property Owners

To Whom It May Concern:

Notice is hereby given that on day of
a.m.
20, atp.m., at the Township of Robbinsville Municipal Senior Center,
1117 U.S. Highway 130, the of said Township
(Planning Board or Board of Adjustment)

will hold a hearing on the appeal or application of the undersigned, at which time
and place all interested persons will be given an opportunity to be heard.

Nature of appeal or application: (Give detailed information.)

.....
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The maps and documents supporting this application are available for public
inspection in the Administrative Officer's office at the Township of Robbinsville
Municipal Building, 1 Washington Blvd., Suite 14, Robbinsville, NJ 08691 during regular
business hours.

Location of Premises:
.....

Block No. Lot No.

.....
(Signature of Appellant or Applicant)

PLANNING/ZONING BOARDS

Affidavit of Proof of Service

STATE OF NEW JERSEY

ss.

COUNTY OF MERCER

_____, being duly sworn according to law, upon oath
deposes and says:

1. I served a notice, of which the attached is a true copy, upon each of the persons hereinafter listed (they being all the owners of property within two hundred (200) feet of the subject property) on the dates and in the manner hereinafter indicated:

<u>Name & Address</u>	<u>Date Served</u>	<u>Personal Service</u>	<u>Left at Place of Abode</u>	<u>Certified Mail</u>
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Sworn and subscribed to before me this ____ day of _____, 20____

Notary Public of New Jersey

Signature of Applicant

APPLICATION TO HAVE NEW JERSEY MOTOR VEHICLE
STATUTES MADE APPLICABLE ON PRIVATE PROPERTY

From:

Date:

To: Township of Robbinsville
1 Washington Blvd., Suite 14
Robbinsville, NJ 08691

Subject: Application to have motor vehicle statutes made applicable to:

By authority of N.J.S.A. 39:5A-1, application is hereby made by _____

Requesting that the provisions of Subtitle 1, Title 39, of the Revised Statutes shall be made applicable to the semipublic roadways, driveways, parking areas and other areas used for vehicular traffic on the property shown on the enclosed map or site plan and known as

c: Chief of Police

**RESOLUTION REGARDING POLICY ON AFFORDABLE HOUSING
COMMITTEE'S ROLE IN ENSURING COMPLIANCE WITH OBLIGATIONS
PROMULGATED BY THE COUNCIL ON AFFORDABLE HOUSING**

WHEREAS, the New Jersey Council on Affordable Housing has made significant changes in rules and regulations regarding a municipality's obligations to provide affordable housing, and

WHEREAS, Washington Township has specific requirements it must meet on an ongoing basis due to those rule changes, and

WHEREAS, Washington Township has a strong record of complying with both the letter and the spirit of New Jersey's laws governing affordable housing, and

WHEREAS, any failure to meet the terms of new rules promulgated regarding affordable housing could result in Washington Township being subject to builder's remedy, and

WHEREAS, any failure to actively manage the number and type of units being planned for Washington Township could result in an inadequate number or type of units to meet COAH obligations, and

WHEREAS, it is in the interest of Washington Township, any builder seeking to construct housing in Washington Township, and those seeking affordable housing that any and all obligations of builders be well-understood and incorporated into the earliest stages of the planning process, and

WHEREAS, the Affordable Housing Committee of the Township of Washington is an appropriate entity to evaluate and track progress on meeting COAH obligations,

NOW, THEREFORE BE IT RESOLVED that anyone seeking to build residential units in Washington Township be required to present a plan for meeting COAH requirements to the Affordable Housing Committee, either in person or by correspondence, and

BE IT FURTHER RESOLVED that it is the policy of the Township of Washington that residential housing projects not be deemed complete until a plan to meet COAH obligations has been presented to and evaluated by the Affordable Housing Committee, and

BE IT FURTHER RESOLVED that it is the policy of the Township of Washington that any current residential housing projects that have received preliminary approval but not final approval be required to submit a plan to meet COAH obligations, either in person or by correspondence, to the Affordable Housing Committee prior to be scheduled for a hearing for final approval with the Planning Board.

I certify the above to be a true copy of a Resolution adopted by the Township Council of the Township of Washington at a meeting held on October 12, 2006.



Michele Auletta, Municipal Clerk

ARTICLE IX Fees, Guarantees, Inspections and Off-Tract Improvements

§ 142-88. Fees. [Amended by Ord. No. 81-2; Ord. No. 81-7; Ord. No. 86-14; Ord. No. 88-15; Ord. No. 88-18; Ord. No. 89-14; Ord. No. 90-2; Ord. No. 90-8; Ord. No. 91-23; 5-27-1999 by Ord. No. 99-8; 10-23-2006 by Ord. No. 2006-31]

- A. Every application for development shall be accompanied by a check payable to the Township of Robbinsville in accordance with the following schedule: [Amended 5-10-2007 by Ord. No. 2007-27]

Type	Application Charge	Escrow Plus Account
Subdivisions		
Minor	\$500.00 plus \$75.00 per lot	\$575.00 per lot
Preliminary plat	\$500.00 plus \$100.00 per lot	\$200.00 per lot (minimum \$1,500.00)
Final plat	\$500.00 plus \$100.00 per lot	\$100.00 per lot (minimum \$900.00)
Cluster review	\$300.00 plus preliminary subdivision fee	\$30.00 per lot (minimum \$1,000.00)
Resubmittal of preliminary or final subdivision plat	\$400.00	\$60.00 per lot (minimum \$1,000.00)
Amendment to preliminary or final subdivision plat	\$400.00	\$60.00 per lot (minimum \$1,000.00)
Informal concept with professional review	\$500.00	\$1,000.00

Type	Application Charge	Escrow Plus Account
Site plans		
Administrative site plan review	\$250.00	\$750.00
Informal concept (with professional review)	\$500.00	\$1,000.00
Preliminary plan	\$300.00 per acre or \$20.00 per each 1,000 square feet of gross floor area proposed, whichever is greater (minimum \$800.00)	\$200.00 per acre or \$200.00 per each 1,000 square feet of gross floor area proposed, whichever is greater (minimum \$2,500.00)
Final plan	\$150.00 per acre or \$20.00 per each 1,000 square feet of gross floor area proposed, whichever is greater (minimum \$800.00)	\$100.00 per acre or \$100.00 per each 1,000 square feet of gross floor area proposed, whichever is greater (minimum \$1,500.00)
Resubmittal of preliminary or final plat	\$400.00 per acre or \$20.00 per each 1,000 square feet of gross floor area proposed, whichever is greater (minimum \$800.00)	\$100.00 per acre or \$100.00 per each 1,000 square feet of gross floor area proposed, whichever is greater (minimum \$1,500.00)
Amendment of preliminary or final site plan	\$60.00 per acre or \$10.00 per each 1,000 square feet of gross floor area proposed, whichever is greater (minimum \$700.00)	\$90.00 per acre or \$90.00 per each 1,000 square feet of gross floor area proposed, whichever is greater (minimum \$1,500.00)

Signage	\$50.00	\$200.00
Home occupation	\$50.00	
Design waiver	\$200.00	\$500.00
Waiver of site plan review	\$400.00	\$750.00
Minor site plan review	\$500.00	\$1,000.00

Type	Application Charge	Escrow Plus Account
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Planned development or GDP

(Planned village and planned commercial developments)

Informal concept plan (with professional review)	\$500.00	\$1,000.00
Preliminary plat/plan residential	\$250.00 for 1st 10 units and \$12.50 per unit for each unit thereafter, up to 100 units, and \$5.00 per each unit thereafter (minimum \$800.00)	\$250.00 for 1st 10 units and \$35.00 per unit for each unit thereafter, up to 100 units, and \$20.00 per unit for each unit thereafter (minimum \$6,000.00)
Nonresidential	\$150.00 per acre for lots to be occupied by a building or \$25.00 per 1,000 square feet of gross floor area of all proposed buildings, whichever is greater, plus \$5.00 per acre of common property, land to be offered to the Township, flood hazard areas or open spaces (minimum \$1,000.00)	\$150.00 per acre for lots to be occupied by a building or \$50.00 per 1,000 square feet of gross floor area of all proposed buildings, whichever is greater, plus \$5.00 per acre of common property, lands to be offered to the Township, flood hazard areas or open spaces (minimum \$6,000.00)
Final plat/plan Amended	1/2 preliminary plat/plan fee \$500.00	1/2 escrow for preliminary plat/plan \$1,000.00

Type	Application Charge	Escrow Plus Account
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Variances

Appeals	\$200.00	\$1,500.00
Interpretation	\$200.00	\$1,500.00
Bulk/Hardship commercial	\$400.00	\$600.00
Bulk/Hardship residential	\$50.00	\$200.00
Use	\$600.00	\$2,000.00
Conditional use permit	\$300.00	\$600.00

Type	Application Charge	Escrow Plus Account
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Other

Publication fee \$25.00

B. The application charge is a flat fee to cover direct administrative expenses and is nonrefundable.

- (1) The escrow account is established to cover the costs of professional services, including engineering, legal, planning, professional personnel on salary and consultants retained to evaluate material submitted with the application, and other expenses connected with the review of the submitted materials. Sums not utilized in the review process shall be returned to the

applicant. If additional sums are deemed necessary, the applicant shall be notified of the required additional amount and shall add such sum to the escrow.

- (2) The Township Treasurer shall monthly advise the Planning/Zoning Administrator of the balance of all escrow accounts and whether additional funds are required. In the event additional funds are required, it shall be the obligation of the Planning/Zoning Administrator to notify the applicant of the additional escrow amount required, and in the event there is a refusal or failure to make the payments required, the Planning/Zoning Administrator shall notify the approving Board and the Township Construction Office.
 - (3) The escrow associated with each application shall be replenished whenever the original escrow is reduced by charges against the account to 35% or less of the original amount. The Planning/Zoning Administrator shall notify the applicant of the requirement to replenish the escrow, and the applicant shall be requested to deposit an amount to bring the balance up to 100% of the original escrow amount. No building permits or certificates of occupancy shall be issued until the additional escrow has been paid. Any fees paid for informal concept without professional review shall be a credit toward fees for a subsequent application for development by the same applicant and for the same development.
 - (4) The amount of additional escrow monies shall be determined by the Technical Review Committee.
- C. Where one application for development includes several approval requests, the sum of the individual required fees shall be paid. The applicant shall provide a detailed breakdown of each calculation used in determining the fee pursuant to a form prescribed by the Planning/Zoning Administrator.
- D. Each applicant for subdivision or site plan approval shall agree, in writing, to pay all reasonable costs for professional review of the application, including costs incurred with any informal review of a concept plan which may have preceded the submission of a preliminary application. Additionally, each applicant shall agree, in writing, to pay all reasonable costs for the municipal inspection of the constructed improvements. All such costs for review and inspection must be paid before any construction permit is issued, and all remaining costs must be paid in full before any occupancy of the premises is permitted or certificate of occupancy is issued.
- E. If an applicant desires a court reporter, the cost of taking testimony and transcribing it and providing a copy of the transcript to the Township shall be at the expense of the applicant, who shall arrange for the reporter's attendance. This shall be mandatory for all use variance applications pursuant to § 142-74C(2).
- F. Notwithstanding the schedule of fees and charges contained in this section, any person(s) proposing any development within the Township of Robbinsville may request that the Planning Board provide it with an express informal concept review without the necessity for prior review by the Township's professionals. This review is optional and the developer may choose an informal concept review with such professional review or without such review. Any developer requesting an express informal concept review pursuant to this subsection shall comply with the following:
- (1) The submission of a fee of \$500 which shall be deemed to be a credit toward fees for review of any application subsequently filed by the applicant for development which is essentially the same to that which was the subject of the express informal concept review in accordance with N.J.S.A. 40:55D-10.1.
 - (2) The maximum time to be allotted for an express review shall not exceed 20 minutes and shall be scheduled at the discretion of the Technical Review Committee, unless the time is extended by the Board pursuant to good cause shown.
 - (3) If an additional appearance(s) is required, an additional charge of \$500 for each appearance shall be paid by the developer prior to each appearance. Said fees shall be deemed to be a credit toward fees for review of any application subsequently filed by the applicant for development which is essentially the same to that which was the subject of the express informal concept review in accordance with N.J.S.A. 40:55D-10.1. Thereafter, the Board may establish a

time frame within which the applicant shall file a formal development application(s) pursuant to applicable Township ordinances.

- G. In the event that an applicant requests informal concept review and (1) a revised Master Plan has been adopted but no implementing Zoning Ordinance has been adopted or (2) the applicant proposes development which is consistent with the Master Plan but does not comport with the Zoning Ordinance in use, floor area ratio or density or the applicant submits for review a draft of a proposed ordinance or of amendments to the Zoning Ordinance, the applicant shall deposit the sum of \$2,500 in escrow at the time of request for informal concept review, as funds to cover the costs of professional services, including engineering, legal and planning review. In the event said escrow is depleted in the course of the review, the applicant shall immediately deposit additional funds in the escrow account, in an amount specified by the Planning/Zoning Administrator, to cover any deficiency in said amount and to cover any additional anticipated costs of professional services, including engineering, legal and planning review.
- H. In the event a property owner or other interested party requests review of any ordinance or the Master Plan of the Township as it relates to a particular property, the property owner or other interested party shall deposit the sum of \$1,000 in escrow at the time the request for ordinance or Master Plan review is made, to cover the costs of professional services, including engineering, legal and planning review prior to the matter being referred to the appropriate professional(s) for review. In the event said escrow is depleted in the course of the review, the applicant shall immediately deposit additional funds in the escrow account, in an amount specified by the Planning/Zoning Administrator, to cover any deficiency in said amount and to cover any additional anticipated costs of professional services, including engineering, legal and planning review.

§ 142-89. Guarantees and inspections. [Amended by Ord. No. 80-7; Ord. No. 83-16; Ord. No. 84-3; Ord. No. 89-14; Ord. No. 97-16]

A. Performance guaranty estimate.

- (1) No final application for development shall be approved by the Board until the satisfactory completion and performance of all such required improvements have been certified to the Board by the Township Engineer, unless the owner shall have:
 - (a) Satisfactorily completed all required utility installations and their appurtenances, including water mains, culverts, storm sewers, sanitary sewers or dry sewers and drainage facilities;
 - (b) Satisfactorily completed all required grading and the construction of the base course surfacing of all streets;
 - (c) Satisfactorily completed the construction of all required curbs; or
 - (d) Filed with the municipality a performance guaranty sufficient in amount to cover the cost of all remaining specified improvements, as estimated by the Township Engineer, and assuring the installation of said improvements on or before an agreed date and as hereinafter provided.
- (2) In any case, the remaining specified improvements shall be at least 50% completed within one year from the date of final approval, at least 75% completed within 18 months from the date of final approval and entirely completed and accepted by the Township within two years from the date of final approval.
- (3) A performance guaranty estimate shall be prepared by the Township Engineer setting forth all requirements for improvements as fixed by the Board and their estimated cost. The governing body shall pass a resolution either approving or adjusting this performance guaranty.
- (4) In the case of planned village development in which the development is to be completed in sections, no building permits may be issued for the construction of units in any section subsequent to the first until the construction authorized in the previous section has been

substantially completed. "Substantially completed" shall mean that, as a minimum, all exterior finish, paving, fine grading, seeding and landscaping shall have been completed.

B. Approval by Board Attorney.

- (1) The subdivider shall present two copies of the performance guaranty in an amount equal to 120% of the approved performance guaranty estimate for approval as to form and execution by the Attorney for the Board.
- (2) The Attorney for the Board shall notify the Secretary of the Board prior to the meeting that the performance guaranty is properly executed and can be added to the agenda.

C. Bonding and cash requirements.

- (1) The performance guarantee shall be made payable and deposited to Robbinsville Township and shall be in the form of cash or a certified check, irrevocable standby letter of credit, or a performance bond in which the owner shall be principal, the bond to be provided by any acceptable surety company licensed to do business in the State of New Jersey. The Township shall issue its receipt for such deposits and shall cause the same to be deposited in a bank named by the Township in the name of the Township to be retained as security for completion of all requirements and to be returned to the owner on completion of all required work, or, in the event of default on the part of the owner, to be used by the Township to pay the cost and expense of obtaining completion of all requirements. Every bond, whether cash or surety, shall contain a clause to the effect that a determination by the Township Engineer that the principal has defaulted in the performance of his obligation shall be binding and conclusive upon the surety and the principal. If the applicant elects to post an irrevocable letter of credit, the same must be submitted to the Township Attorney for approval prior to acceptance by the governing body. Same must be in a form same or similar to that set forth herein.
- (2) Ten percent of the amount of the approved performance guaranty estimated shall be deposited by the owner in cash with the Township. The remaining 90% may be in cash, surety bonds, certified check or irrevocable standby letter of credit in the favor of the Township. In the event of default, the 10% fund herein mentioned shall be first applied to the completion of the requirements, and the cash, surety bond, certified check or irrevocable standby letter of credit shall thereafter be resorted to, if necessary, for the completion of the requirements. The cash or surety bond may recite the foregoing provisions.

IRREVOCABLE STANDBY LETTER OF CREDIT

LETTER OF CREDIT NUMBER:

DATE:

BENEFICIARY: Township of Robbinsville, Mercer County, N.J. (from now on referred to as Township)

AMOUNT: \$

INITIAL EXPIRATION DATE:

DEVELOPER:

(from now on referred as "Developer")

ISSUING FINANCIAL INSTITUTION AND ADDRESS:

(from now on referred as "Bank")

The Bank submits to the Township this Irrevocable Standby Letter of Credit (from now on referred to as "Letter of Credit") in the amount of \$ _____, representing the cash performance guaranty required under the provisions of the Land Use Ordinances of the Township of Robbinsville, to guarantee installation and completion of the improvements required by the Township Planning Board of Zoning Board of Adjustment (from now on referred to in either case as the "Board") in connection with the following development:

The improvements required to be completed are set forth in the Township Engineer's estimates dated _____, _____ attached to this Letter of Credit and incorporated herein.

The Bank hereby agrees with respect to this Letter of Credit as follows:

1. If:

- a) The improvements required by the Board have not been installed in accordance with the development approval and the attached Engineer's estimates, and
- b) The improvements have not been accepted by the Township by a duly adopted Resolution releasing this Letter of Credit, or
- c) The Developer has failed to perform as required by the Developer's Agreement entered into between the developer and the Township which Agreement shall be deemed incorporated herein and a part of this Letter of Credit:

Then, the Bank shall release funds under this Letter of Credit to the Township, pursuant to Paragraph 3 hereafter, for:

- a) All costs of having the improvements installed, and upon receipt of the proceeds under this Letter of Credit, the Township shall install or have such improvements installed as may be required, and/or
- b) All costs and/or damages resulting from the Developer not having complied with the Developer's Agreement, and/or
- c) All Township costs, (including reasonable attorney's fees and expert witness' fees) of any litigation brought as a result of the Developer's failure to have the improvements installed and approved as a result of Developer having failed to perform pursuant to the Developer's Agreement.

It is expressly understood that the liability of the Bank is limited to the draw requirements as explained in the Letter of Credit hereafter.

2. This Letter of Credit shall be valid for a period of length of time commencing on the date set forth above, and expiring on the initial expiration date set forth above, except as that initial expiration date may be extended as explained hereafter. If the required improvements have not been completed, approved and accepted at least 60 days before the initial expiration date set forth above, then the Township shall have the right to draw any amount which is then due up to the full amount of this Letter of Credit. This Letter of Credit shall be automatically extended, without amendment, for periods of one year each from the initial, of any future expiration date, unless 60 days prior to the expiration date, the Bank notifies the Municipal Clerk and the Township Attorney by certified mail, return receipt requested, that the Bank elects not to extend. Upon receipt of such notice, the Township may draw under this Letter of Credit by stating in writing that the Letter has not been renewed or extended and by the Township complying with the provisions of Paragraph 3 hereafter. The Developer, until a replacement Irrevocable Standby Letter of Credit in this form has been deposited with the Township, will cease and desist any and all work on the development, unless the required improvements under the approval, this Letter of Credit and the Developer's Agreement have been completed and approved by the Township Engineer and governing body. In the event any occupancy is taking place in any improvements in the development, such occupancy shall then be deemed illegal, shall cease and desist. The provisions of this paragraph apply only to the Developer.
3. In all circumstances, the release of money to the Township under this Letter of Credit (sometimes referred to as a "draw" or "draw down") shall be accomplished by a written demand setting forth the Developer's failure to perform and signed by one of the following:

- a) Municipal Clerk
- b) Mayor
- c) Official authorized by written Resolution, duly adopted by the governing body, to act in the place of the Municipal Clerk or Mayor.

In addition to the written demand, the Township shall present:

- a) This original Letter of Credit if demand is made for the full amount, or a copy of this Letter of Credit if the demand is for less than the full amount, and
- b) A certified true copy of the appointing Resolution if the demand is executed by a Township official other than the Municipal Clerk or Mayor.

The written demand and any required accompanying documents shall be served on the Bank by either of the following two methods:

- a) Certified Mail, Return Receipt Requested, to the Bank at the address indicated on this Letter of Credit by depositing the documents in the United States mail, postage prepaid, no later than three days before the expiration date, either initial or as extended, of this Letter of Credit; or
 - b) Personal presentation of the documents by any Township representative at the Bank at the address indicated on this Letter of Credit on or before the expiration date, either initial or as extended.
4. The Bank and Developer hereby irrevocably bind themselves, their heirs, successors, assigns and representatives to the full and faithful performance of the obligations contained in this Letter of Credit until all conditions for release as provided in this Letter of Credit are complied with. It is expressly understood that the obligation of the Bank shall terminate upon full release of this Letter of Credit by the Township.
5. The use, i.e. draw down, of all or part of this Letter of Credit shall in no way be deemed to constitute a waiver of any other right the Township may have under law or other documents delivered to the Township by the undersigned Developer. It is expressly understood that the provisions of this paragraph shall not apply to the Bank.

ATTEST: (Affix Seal)

DEVELOPER:

TYPE OR PRINT SECRETARY

TYPE OR PRINT PRESIDENT NAME

SIGNATURE SECRETARY

SIGNATURE PRESIDENT

DATED:

DATED:

ATTEST: (Affix Seal)

FINANCIAL INSTITUTION:

TYPE OR PRINT SECRETARY

TYPE OF PRINT PRESIDENT NAME

SIGNATURE SECRETARY

SIGNATURE PRESIDENT

DATED:

DATED:

STATE OF NEW JERSEY:

COUNTY OF: SS

I certify that on this _____ day of _____, _____ personally came before me and this person acknowledged under oath, to my satisfaction, that:

- (a) This person is the secretary of the financial institution in the attached documents;
- (b) This person is the attesting witness to the signing of this document by the proper corporate officer who is _____ the President of the financial institution;
- (c) This document was signed and delivered by the corporation as its voluntary act duly authorized by a proper Resolution of its Board of Directors;
- (d) This person knows the proper seal of the corporation which was affixed to the document; and
- (e) This person signed this proof to attest to the truth of these facts.

Secretary

Sworn and Subscribed to before me this _____ day of _____, _____

NOTARY PUBLIC OF NEW JERSEY

My Commission Expires on _____

(Impress Seal)

IF CORPORATE DEVELOPER

STATE OF NEW JERSEY, COUNTY OF: SS

I certify that on _____, _____, _____ personally came before me and this person acknowledged under oath, to my satisfaction, that:

- (a) This person is the secretary of the Developer named in the attached document;
- (b) This person is the attesting witness to the signing of this document by the proper corporate officer who is _____, the President of the Developer;
- (c) This document was signed and delivered by the corporation as its voluntary act duly authorized by a proper resolution of its Board of Directors;
- (d) This person knows the proper seal of the corporation which was affixed to this document; and
- (e) This person signed this proof to attest to the truth of these facts.

_____, Secretary

Sworn and Subscribed to before me this _____ day of _____, _____.

NOTARY PUBLIC OF NEW JERSEY

My Commission Expires on _____

(Impress Seal)

IF INDIVIDUAL DEVELOPER

STATE OF NEW JERSEY: SS

COUNTY OF: _____

I certify that on the _____ day of _____, _____, _____ personally came before me and this person acknowledged under oath, to my satisfaction, that:

- (a) This person is named in and personally signed this document; and
- (b) This person signed, sealed and delivered this document as his act and deed.

Sworn and Subscribed to before me this _____ day of _____, _____.

NOTARY PUBLIC OF NEW JERSEY

My Commission Expires on _____

(Impress Seal)