

JOINT LAND USE BOARD APPLICATION PROCEDURES

STEP I: APPLICATION SUBMISSION REQUIREMENTS

- A. Complete Land Development Application and return **3 COPIES** of the Application plus any attachments to the Board Secretary.
- B. Signed Escrow Agreement.
- C. All required Fees & Escrow payments (\$10 for list of neighbors within 200' of your property, \$75 application fee, escrow payment (to be determined). Three (3) separate checks made out to the Borough of Audubon should be submitted for applicable fees and escrows.
- D. Signed W-9
- E. Completed Audubon Borough Land Development Checklist and Required Submission Materials as denoted in the Checklist. All Items denoted with an 'X' are required for that type of application. If an item on the Checklist is not applicable or inappropriate, a submission waiver may be requested along with justification for such a waiver.
- F. Board Secretary will notify you when the property owners within 200' list is completed.
- G. A search for municipal tax liens will show whether there are any outstanding taxes or liens on the subject property. This documentation of taxes paid and current must be provided before any application will be scheduled for a Joint Land Use Board hearing.

STEP II: COMPLETENESS REVIEW (within 45 Days of submission)

- A. The application will be transmitted to all necessary Township professionals for review.
- B. Staff and professionals will review the documentation submitted and check to ensure that all items required for submission in the Land Development Checklist have been submitted.
- C. All required documentation should be provided or waivers may be requested from various checklist submission requirements. If necessary items have not been submitted, a completeness review will be sent to the applicant (within 45 days of submission) indicating which items are outstanding. The required outstanding items must be addressed via submission or waiver requests prior to being scheduled for a hearing.

STEP III: PUBLIC NOTIFICATION (a minimum of 10 days prior to hearing)

Notice must be provided (pursuant to N.J.S.A. 40:55D-12) in the official newspaper (The Courier Post or The Retrospect) and to property owners within 200 feet of the subject parcel (utilize list provided by the Department of Community Development). Please review the following instructions regarding proper notice procedures:

A. Do not provide notice until you have been formally scheduled for a hearing before the Joint Land Use Board hearing.

B. Notice must be provided a minimum of ten (10) days prior to the hearing (not including the date of the meeting) or the application will be rescheduled to a later date, which will require new notice.

C. Complete a NOTICE OF HEARING:

1. The address along with the block and lot of the property at issue must be included in the notice along with a specific description of the relief sought and any and all variances and/or approvals sought.

2. Copies of the notice must be distributed to all persons/entities listed on the Property Owners List either by Certified Mail or Hand Delivery in accordance with N.J.S.A. 40:55D-12.

3. A copy of the Notice of Hearing must also be provided to all utility companies listed on the supplemental sheet attached to the Property Owners List, including the Commissioner of Transportation when a property is adjacent to a State Highway. In the event the property that is the subject of the application is within two hundred feet (200') of another municipality, the Applicant must request a list of property owners from such municipality, notify any property owners on such list via certified mail as well as notifying the clerk of such municipality via certified mail.

D. Provide a copy of the public notice along with original certified mail receipts to the Board Secretary.

E. Ensure that the Notice of Hearing is published in either the Courier Post or The Retrospect at least ten (10) days in advance of the public hearing.

F. The newspaper will send you an affidavit of proof of publication, which must be submitted to the Joint Land Use Board Secretary prior to your scheduled hearing date.

STEP IV: PREPARE THE PRESENTATION

The presentation to the Joint Land Use Board should present all relevant facts and address the requested variances. Photographs, sketches, witnesses, and/or any other pertinent information may be presented. The burden of proof is on the applicant since she or he is asking for an exception of the ordinance. The Joint Land Use Board is required to consider certain tests in evaluating your application, as specified in the Municipal Land Use Law (M.L.U.L.).

The Joint Land Use Board Engineer will prepare a review of each application, which should be addressed at the hearing.

All applicants or property owners that are incorporated must be represented by an attorney.

Provide the Board Secretary with 15 COPIES of completed application (including any attachments) for distribution to the Board Members prior to the meeting.

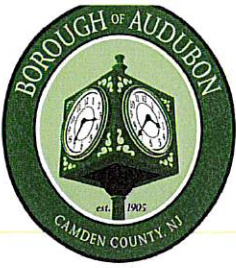
STEP V: ATTEND THE HEARING

STEP VI: AFTER THE HEARING

A. The Resolution will be presented and memorialized by the Joint Land Use Board following the decision. A copy of the resolution will be mailed to the applicant.

B. Notice of Decision. A Notice of Decision must be submitted to the newspaper for publication following the Board's adoption of the Resolution.

C. Time Period for Appeal. Any party interested in appealing the decision of the Joint Land Use Board, must do so within forty-five (45) days of the publication of the Notice of Decision.



LAND DEVELOPMENT APPLICATION
AUDUBON BOROUGH, CAMDEN COUNTY, NEW JERSEY

Please complete all sections of the application form and submit all items required by the Land Development Checklist for your application. If you are requesting a waiver for any item, the request must be in writing and include written documentation in support of your waiver request(s). Any application that does not have all items submitted, or a waiver requested, will be deemed incomplete.

DO NOT PUBLISH PUBLIC NOTICE OR MAIL NOTICE TO THE OWNERS OF PROPERTY WITHIN 200 FEET UNTIL YOU HAVE RECEIVED THE DATE ASSIGNED FOR THE PUBLIC HEARING FROM THE BOARD SECRETARY.

This section to be completed by Borough staff:

Date Filed: Application Number:
Application/Escrow Fees:
Date Deemed Incomplete: Date of Public Hearing:
Date Deemed Complete: Resolution Number:

This section to be completed by applicant

Check all applicable:

- Checkboxes for: New Application, Re-submission, Minor Subdivision, Major Subdivision, Minor Site Plan, Major Site Plan, Preliminary Approval, Final Approval, Amended, Other, Residential, Commercial, Industrial.

1. Subject Property

Block(s): Lot(s): Zone Designation: Tax Map page:

Property Location:

Dimensions: Frontage Depth Total Area

Property within 200 feet of another municipality? No Yes, Name of municipality

2. Applicant's Name:

Company Name:

Address:

Applicant's Signature:

Applicant's Signature:

(if the property is owned by more than one individual, each owner must sign)

Phone Number: _____
Email address: _____

Fax Number: _____

Applicant is a: Corporation Partnership Individual

If applicant is a corporation or partnership, attach a list of the names and addresses of persons having 10% interest or more in the corporation or partnership.

Nature of Applicant's equitable/possessory interest in the land: _____

3. Property Owner's Name: _____
(if different from applicant)

Company Name: _____

Address: _____

Property Owner's Signature: _____

Property Owner's Signature: _____

Phone Number: _____ Fax Number: _____

***All titled owners of the property must sign the application evidencing their consent to the application.
Attach a separate sheet for signatures, if necessary, and provide a copy of the current deed of ownership.**

4. Attorney's Name: _____

Firm: _____

Address: _____

Phone Number: _____ Fax #: _____ Email: _____

5. Engineer's Name: _____

Firm: _____

Address: _____

Phone Number: _____ Fax #: _____ Email: _____

6. Planner's Name: _____

Firm: _____

Address: _____

Phone Number: _____ Fax #: _____ Email: _____

7. List any other Expert who will submit a report or who will testify for the Applicant. (Attach additional sheets if necessary)

Name: _____
Field of expertise: _____
Address: _____
Phone Number: _____ Fax Number: _____

8. List all other witnesses who will testify at the public hearing on behalf of the Applicant. (Attach additional sheets if necessary)

a. Name: _____
Nature of testimony: _____
b. Name: _____
Nature of testimony: _____

9. General information about Application

Subdivision: Number of lots created (include remainder lot): _____
Number of proposed dwellings: _____

Site Plan: Area to be disturbed (acres or square feet) _____
Total number of proposed dwelling units: _____
Commercial square footage: _____

Change of Use: Prior Use: _____
Proposed Use: _____

Site Plan Waiver: Reason for request: _____

Does the application require any variances? Yes No
Does the application include any conditional uses? Yes No

Variance: Request is hereby made for permission to erect, alter, convert, or use, a parcel contrary to the requirements of the Borough Ordinances or for other relief as follows:
(specify which ordinance sections are violated):

Please attach a separate sheet with a complete description any requested variances requested and the reasons for relief. For conditional uses, please attach a statement as to the ways in which your project satisfies the requirements of the conditional uses. Your statements should cite the applicable Ordinance(s). Include the appropriate fees in your application and escrow fees.

10. Site Information

Does the site front on a county road? Yes No Route # _____

Does the site front on a state road? Yes No Route # _____

Is the Site within 200 feet of another municipality? Yes No Name: _____

Restrictions, covenants, easements, association by-laws, existing or proposed on the property:

Yes (attach copies) _____ No _____ Proposed _____

***Note: Copies of All deed restrictions, covenants, easements, association by-laws, existing and proposed must be submitted for review (a Title Search or Easements and Restrictions Search)**

Present use of the premises: _____

Proposed use: _____

Explain in detail the exact nature of the application and the changes to be made at the premises, including the proposed use of premises (attach additional pages as needed):

Said property has dimensions of _____ and area of _____ and is improved with the following structures: _____

(If known, so indicate; or indicate whether dwelling or building; stating use thereof)

If less than the entire lot is to be utilized for the purpose hereinafter set forth, the area and dimensions of the portion of the lot to be utilized: _____

For Site Plans:

Commercial Industrial Residential Other

Land to be developed _____ acres

Building size: _____ # of parking spaces _____

Proposed use: _____

For Residential:

Area of entire tract _____ acres

Portion to be subdivided _____

of lots created: _____ # of units proposed _____

Proposed use: _____

For all Applications

Size of proposed building: _____ Square footage of Building footprint: _____

Total Square footage: _____

Feet wide: _____

Height: _____

Stories: _____

Floor Area Ratio: _____

Setbacks of building (corner properties have 2 fronts):

Front: _____ Rear: _____

Side: _____ Side: _____

% Building Coverage: _____

% Impervious Coverage: _____

11. Date property acquired by current owner: _____

Current Zoning: _____ (consult zoning map if unknown)

12. Has there been any previous appeal, request, or application to this or any other Borough Boards or the Construction Official involving these premises? _____ Yes _____ No

If YES, state the nature, date and the disposition of said matter and attach copies of all prior resolutions of this or any other Land Development Board.

13. For a variance - What are the EXCEPTIONAL conditions of property preventing the applicant from complying with the Zoning Ordinance(s) (i.e. the positive and negative criteria)?

14. For variances - Submit a statement of facts showing why relief can be granted without substantial detriment to the public good and will not substantially impair the intent and purpose of the zone plan and zoning ordinance.

15. All applicants must submit a copy of the Land Development Checklist and provide all of the information required in accordance with checklist. If waivers are sought, the applicant should list the requested waivers below and provide an explanation of the request.

16. Waivers requested of Development Standards and/or Submission Requirements (attach additional pages as needed):

_____	_____
_____	_____
_____	_____

For New Development or Redevelopment:

17. Is a public water line available? Y N

18. Is public sanitary sewer available? Y N

19. Is there a well and/or septic system on the property? Y N

20. Type of construction (frame, stone, brick, cement, etc.) _____

21. Present use of existing building(s) and premises: _____

22. Total proposed dwelling units: _____

23. Total proposed professional offices: _____

24. Total proposed floor area: _____

25. Total proposed parking spaces: _____

26. Are there any off-tract improvements required or proposed? _____

27. What form of security does the applicant propose to provide as performance and maintenance guarantees?

28. Other approvals which may be required and date plans submitted:

	Yes	No	Date Application Submitted
County Planning Board Approval	_____	_____	_____
County Health Department	_____	_____	_____
County Soil Conservation District	_____	_____	_____
Audubon Department of Public Works	_____	_____	_____
NJ Department of Transportation	_____	_____	_____
NJ Department of Environmental Protection	_____	_____	_____
Stream Encroachment Permit	_____	_____	_____
Waterfront Development Permit	_____	_____	_____
Wetlands Permit	_____	_____	_____
Sewer or Water Extension	_____	_____	_____
LOI (letter of Interpretation)	_____	_____	_____
Other _____	_____	_____	_____
Other _____	_____	_____	_____

I hereby consent to the filing of this application and consent to allowing Borough representatives to perform on site visits. (Both signatures are required.)

Applicant's Signature: _____ **Date:** _____

Owner's Signature: _____ **Date:** _____

_____ **Date:** _____

Sworn to and Subscribed
before me this _____ day
of _____ 20 .

Notary Public

Audubon Borough Land Development Checklist
 Last revised by ordinance 2010-_____ (section ___ of the Land Use and Development Code)
 X : denotes required for submission

Name of Applicant: _____ Application #: _____

	Site Plan			Subdivision			Variance (w/o site plan)	General Development Plan	Applicant Check	Official Verification
	Minor	Preliminary Major	Final Major	Minor	Preliminary Major	Final Major				
1. Completed signed Application form, checklist, and escrow agreement (16 copies)	X	X	X	X	X	X	X	X		
2. Sixteen (16) sets of plans and exhibits folded with title block showing	X	X	X	X	X	X	X	X		
3. Application Fee and Escrow Deposit Paid	X	X	X	X	X	X	X	X		
4. Affidavit of Ownership; if the applicant is not the owner, applicant's interest in the land, e.g., tenant, contract purchaser, lien holder, etc., and a copy of the document creating that interest (price may be deleted), Consent of owner.	X	X	X	X	X	X	X	X		
5. If a corporation or partnership, list the names and addresses of all stockholders or individual partners owning at least ten (10%) of its stock of any class as required by N.J.S.A. 40:55d-48.1	X	X	X	X	X	X	X	X		
6. The names and addresses of witnesses and their expertise, if any (attach to app).	X	X	X	X	X	X	X	X		
7. List of outside agency approvals required and copies of applications to/approvals from outside agencies with jurisdiction (Camden County Planning Board, Camden County Health Dept., NJDEP (wetlands, stream encroachment, NJPDES), NJDOT, Soil Conservation	X	X	X	X	X	X	X (if no approvals are necessary, request waiver)	X		

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X : denotes required for submission

	Site Plan				Subdivision			Variance (w/o site plan)	General Development Plan	Applicant Check	Official Verification
	Minor	Preliminary Major	Final Major	Minor	Preliminary Major	Final Major					
8.	X	X	X	X	X	X	X	X	X		
9.	X	X	X	X	X	X	X	X (request waiver if appropriate)	X		
10.	X	X	X	X	X	X	X	X (request waiver if appropriate)	X		

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X : denotes required for submission

	Site Plan				Subdivision			Variance (w/o site plan)	General Development Plan	Applicant Check	Official Verification
	Minor	Preliminary Major	Final Major	Minor	Preliminary Major	Final Major					
	showing all existing structures and features.										
11.	Certification and monumentation required by Map Filing law.	X	X	X	X	X					
12.	Metes and bounds bearings and dimensions, curve data, length of tangents, radii, arcs, chords and central angles for all lots, center lines and rights-of-way, utility easements and centerline curves on streets and drive aisles, with design vehicles identified.	X	X	X	X	X					
13.	Certification from the Tax Collector that all taxes are paid to date.	X	X	X	X	X	X	X	X		
14.	Narrative statement providing an overview of the proposed uses of the land and improvements, alterations, or additions (page 4 of application)	X	X	X	X	X	X	X	X		
15.	A list of each item for which a waiver is sought, together with a statement of reasons why waivers should be granted.	X	X	X	X	X	X	X	X		
16.	A list of variances sought, and a statement of the reasons why the variances should be granted (pg 3 and 5 of application).	X	X	X	X	X	X	X	X		
17.	Location key map showing the entire tract, location of existing and proposed property/street lines, entire subdivision/site plan and its relation to surrounding area and all features shown on the Official Map & located within 200 feet of the limits of the subject tract.	X	X	X	X	X	X	X	X		
18.	A key map, at an appropriate	X	X	X	X	X	X	X	X		

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	Site Plan				Subdivision			Variance (w/o site plan)	General Development Plan	Applicant Check	Official Verification
	Minor	Preliminary Major	Final Major	Minor	Preliminary Major	Final Major					
29.	X	X	X	X	X	X	X				
20.	X	X	X	X	X	X	X		X		
21.	X	X	X	X	X	X	X		X		
22.	X	X	X	X	X	X	X		X		
23.				X	X						
24.	X (not needed if no variances)	X	X	X	X	X	X		X		
25.	X	X	X	X	X	X	X		X		
26.	X	X	X	X	X	X	X		X		
27.		X	X		X	X	X		X		

Audubon Borough Land Development Checklist

Last revised by ordinance 2010-_____ (section ___ of the Land Use and Development Code)
 X : denotes required for submission

	Site Plan				Subdivision			Variance (w/o site plan)	General Development Plan	Applicant Check	Official Verification
	Minor	Preliminary Major	Final Major	Minor	Preliminary Major	Final Major					
	construction schedule for entire project.										
28.	For a General Development Plan, all items listed in NJSA 40:55D-45.1 and 45.2							X			
30.	An environmental impact statement. In accordance with §208-132	X	X	X		X		X			
31.	A Phase I Environmental Assessment report conforming to current ASTM standards including soil testing results if required.		X			X					
32.	Traffic impact study addressing the impact of the proposed development on existing roadways. [See §208-133]		X	X		X		X			
34.	The names and widths of all abutting streets and driveways, including the right-of-way and cartway (pavement width).	X	X	X	X	X		X			
35.	Copy of any protective covenants or deed restrictions that apply to the subject parcel	X	X	X	X	X		X			
36.	Drafts of proposed protective covenants, deed restrictions, HOA documents or easements for review by the Land Use Board and its professional staff	X		X	X	X					
37.	Photographs of the site taken from the opposite side of the street, and to show any notable physical aspects of the site that may be instructive.	X	X		X	X		X			
38.	All proposed lot lines with metes and bounds, lot lines to be eliminated, area of proposed and	X	X	X	X	X					

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	Site Plan				Subdivision			Variance (w/o site plan)	General Development Plan	Applicant Check	Official Verification
	Minor	Preliminary Major	Final Major	Minor	Preliminary Major	Final Major					
	existing lots in square feet										
39.	The location, design and dimensions of each proposed and existing structure and wooded area on the property and within 200 feet.	X (within 50 feet for minor)	X	X (within 50 feet for minor)	X	X	X	X			
41.	A description of the method by which sanitary sewerage will be disposed.	X	X	X	X	X	X	X			
42.	The existing and proposed use of all buildings and structures including bridges, culverts, paving, lighting, signs and grade elevations for each structure.	X	X	X	X	X	X	X			
43.	Vehicle Circulation. The location, dimensions and arrangement of existing and proposed streets, vehicular access ways and driveways, curb openings, turn radii, off-street parking areas, location, dimensions and arrangement of loading and unloading areas	X	X	X	X	X	X	X			
44.	Calculation of required number of parking spaces and total number of parking spaces provided.	X	X	X	X	X	X	X			
45.	Existing or proposed rights-of-way, road widening and easements with dimensions; and all land to be dedicated to the municipality or reserved for specific uses.		X	X	X	X	X	X			
46	Landscape Buffers in accordance with the Design Standards in §208-XX	X	X	X	X	X	X	X			
47.	Landscape plan and buffering plan as required, including what	X	X	X	X	X	X	X			

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	Site Plan				Subdivision			Variance (w/o site plan)	General Development Plan	Applicant Check	Official Verification
	Minor	Preliminary Major	Final Major	Minor	Preliminary Major	Final Major					
vegetation will remain and what will be planted (common and botanical name), quantities, size at time of planting, dimensions, method of planting, and corner sight distance triangles											
48. Distance along rights-of-way lines of existing streets to the nearest intersection with other streets	X	X	X	X	X	X					
50. The location, design and dimensions of open space areas, conservation areas, buffer areas, pedestrian walkways and any recreation areas and facilities proposed.		X	X		X	X		X			
51. Method by which common/public open space or commonly held building or structure is to be owned and maintained.		X			X			X			
52. Any structures of historic significance on or within two hundred (200) feet of the tract, and if applicable a statement of the impact of the development on the historic structure.	X	X		X	X		X	X			
53. Contours at 5 foot intervals for the entire tract and within 100 feet (USGS Topographic maps are sufficient) and conformance with the grading plan requirements prior to the issuance of any building permits.	X	X	X	X	X	X	X	X			

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X : denotes required for submission

	Site Plan				Subdivision			Variance (w/o site plan)	General Development Plan	Applicant Check	Official Verification
	Minor	Preliminary Major	Final Major	Minor (request waiver if no construction or grading is proposed - will be a condition)	Preliminary Major	Final Major	Final Major				
54.	X	X	X	X	X	X	X				
55.	X	X	X	X	X	X	X				
56.	X	X	X	X	X	X	X				
57.	X	X	X	X	X	X	X				
58.		X	X		X	X	X				
59.	X	X	X	X	X	X	X				
60.		X	X		X	X	X				

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	Site Plan				Subdivision			Variance (w/o site plan)	General Development Plan	Applicant Check	Official Verification
	Minor	Preliminary Major	Final Major	Minor	Preliminary Major	Final Major					
	profiles of all existing or proposed streets or water courses with dimensions at 50 foot intervals.										
61.	Storm water Control Plan in accordance with XX-XX, All existing and proposed drainage structures and design data	X	X	X		X					
62.	Preliminary plans and profiles of proposed utility layouts and connections to existing or proposed utility systems and water and sewer facilities.		X	X		X					
63.	Floor plan and front elevation of all proposed principal buildings and contemplated accessory buildings and structures, and any side or rear elevations in public view consistent with the design standards for the zone.	X	X	X		X					
64.	Gross floor area per building, floor area ratio (FAR) and square footage allocation of uses per building.	X	X	X		X			X		
65.	Lighting plan showing the location, height, light distribution, design and distance from intersections of for all freestanding lights, street lights, building mounted lights, sign lighting and ground lighting in accordance with Borough standards.	X	X	X		X					
66.	Location, size and materials of containers and enclosures for solid waste and recycling, and a detail of same.	X	X	X		X					
67.	If lots proposed for subdivision or	X	X	X	X	X					

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	Site Plan				Subdivision			Variance (w/o site plan)	General Development Plan	Applicant Check	Official Verification
	Minor	Preliminary Major	Final Major	Minor	Preliminary Major	Final Major					
	development have frontage on or require access to a State Highway, submit copies of any permits issued by NJDOT pursuant to NJAC 16:47-1 et. seq.										
68.	Metes and bounds monumentation of wetlands line and wetlands buffer line.	X	X	X	X	X					
69.	A letter of interpretation from the New Jersey Department of Environmental Protection either verifying the locations of the freshwater wetlands boundary and transition areas on the subject property, or determining and certifying that the proposal is exempt from the provisions of the Fresh Water Wetlands Protection Act, or confirming the absence of freshwater wetlands or freshwater wetlands transition areas on the subject property. Wetlands line and buffer must be shown on plans.	X	X	X	X	X	X	X			
70.	Lots consisting of both wetlands and uplands are to show the total lot area and the area of the uplands exclusive of the wetland buffers.	X	X		X	X					
71.	Utilities. Preliminary plans and profiles of proposed scale of not more than one (1) inch equals fifty (50) feet horizontally and one(1) inch equals five (5) feet vertically showing connections to existing and proposed utility systems including water, sewer, electric, gas and cable. Include design calculations.	X	X	X		X					

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	Site Plan				Subdivision			Variance (w/o site plan)	General Development Plan	Applicant Check	Official Verification
	Minor	Preliminary Major	Final Major	Minor	Preliminary Major	Final Major					
72.	X	X	X			X	X (if applicable)				
73.		X	X		X	X		X			
74.		X	X			X			X		
75.	X	X	X		X	X					
76.	X	X	X		X	X					
77.		X	X		X	X					
78.			X			X					

ESCROW AGREEMENT

THIS AGREEMENT is made this ____ day of _____, 20__.
_____(Name) hereinafter referred to as the "Applicant", the Joint Land Use Board of the Borough of Audubon is hereinafter referred to as "Board", and the Borough of Audubon in the County of Camden is hereinafter referred to as "Borough".

WHEREAS, the Applicant is proceeding under the applicable land development ordinance (hereinafter "Ordinance"), for approval of _____; and

WHEREAS, the Ordinance requires the Applicant to establish an escrow whereby work required to be performed by professionals employed by the Board will be paid for by the Applicant as required under the provisions of the Ordinance;

NOW, THEREFORE,

SECTION 1. PURPOSES

The Applicant agrees to pay all reasonable professional fees incurred by the Board for the performance of its duties.

SECTION 2. ESCROW ESTABLISHED

The Applicant hereby creates an escrow to be established within the _____.

SECTION 3. ESCROW FUNDED

The Applicant, upon execution of this agreement, shall pay to the Borough such sums as are required by Ordinance to be deposited.

SECTION 4. INCREASE IN ESCROW FUND

If, during the existence of this Escrow Agreement, the funds held by the Borough shall be insufficient to cover any voucher or bill submitted by the professional staff, the Applicant shall, within fourteen (14) days of receipt of written notice, deposit additional sums with the Borough escrow to cover the amount of the deficit referred to above and such additional amount reasonably anticipated as needed to complete the application process. Additionally, until such funds are fully replenished, no further consideration, review, processing of any pending application shall be permitted by the Board, nor shall any further inspections be performed by or on behalf of the Borough until such additional escrow has been deposited. Failure to post sufficient escrow funds to cover costs incurred or anticipated shall toll the period for action by the approving authority, as required by N.J.S.A. 40:55D-1 et seq and particularly N.J.S.A. 40:55D-51 and N.J.S.A. 40:55D-73 thereby barring an applicant from seeking a default approval under N.J.S.A. 40:55D-10.4.

The written notice referred to in this paragraph shall be sent to:

Name: _____
Address: _____

Unless otherwise shown, receipt shall be presumed to have occurred three (3) days after mailing. After a period of forty five (45) days from the notice from the Borough, the applicant's failure to deposit the additional funds shall be grounds for denial of the application or for dismissal of the application without prejudice. In the event the Board approves the application, the obligation to pay for professional plan reviews fees by depositing the funds in escrow shall be a condition of the approval granted by the Board. If the escrow funds are depleted, after the application is filed or granted, the applicant shall pay additional funds upon demand within the aforementioned fourteen (14) day period. The failure to pay, the demanded funds

may also result in a voiding of any prior approvals upon due notice to the applicant by the Board. In addition to the foregoing, the Applicant hereby agrees that in the event the reasonable and necessary amounts charged by the professionals for review of the application are not paid, the outstanding fees shall be deemed a lien on the above-described property and shall be collectable as in the case of taxes by the adoption of a resolution by the Borough governing body upon receipt of a certification that the amounts are due and owing pursuant to this agreement. Negative escrow balances shall incur interest at 1.5% per month.

In the event of the sale or transfer of property which is the subject of a development application or a change in the identity of the applicant, all funds on deposit pursuant to this agreement shall run with the development application affecting the property in questions and shall be considered to be the asset and/or obligation of any subsequent owner or applicant unless the initial owner or applicant provides written notice to the approving authority, and to the professionals providing review services, that the initial owner or applicant has specifically reserved ownership rights of the escrow account. In the event such a notice is received by the Borough officials and professionals, no further review shall be undertaken by relevant professionals until the new or subsequent owner or applicant has established an escrow account and signed an escrow agreement.

SECTION 5. TIME OF PAYMENT

The professionals referred to in this Agreement, upon the conclusion of their services or periodically during the performance of their services, shall submit vouchers. Said vouchers shall include the amounts of all fees and costs incurred as a result of the services set forth under Section 1 of this Agreement.

SECTION 6. PAYMENTS FROM ESCROW FUNDS

The Borough shall review the vouchers submitted by the professionals to determine whether the services have been performed in the manner and to the degree required by this Agreement. Upon making a determination that said services have been performed properly, the Borough shall process said vouchers in the same manner and under the same terms as are normally employed for vouchers submitted for work performed on behalf of the Borough. At the conclusion of this processing, the amounts specified in said vouchers shall be paid by the escrow holder from the escrow established pursuant to this agreement.

SECTION 7. APPLICANT NOTIFICATION TO DISPUTE CHARGES

Pursuant to N. J. S. A. 40:55D -53. et seq. applicants shall notify in writing the Board, and the professional whenever applicants disputes the charges made by a professional for service rendered to the Board in reviewing applications for development, review and preparation of documents, inspection of improvements, or other charges made. The Borough, or its designee, shall within a reasonable time period attempt to mediate any disputed charges. If the matter is not resolved to the satisfaction of the applicant, the applicant may appeal to the Camden County Construction Board of Appeals.

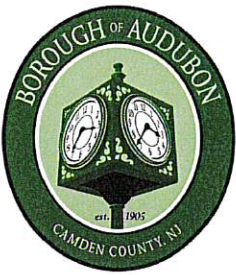
SECTION 8. RETURN OF UNUSED ESCROW FUNDS

Escrow funds cannot be refunded for at least one hundred twenty (120) days from the time of a final decision of the Planning or Zoning Board. After one hundred twenty (120) days, a request to refund unused escrow may be made by letter.

IN WITNESS WHEREOF, the parties hereto have set their hands and seals the date first written above.

Applicant

* If the applicant is a corporation, this signature must be attested to by an attorney.



SAMPLE PUBLIC NOTICE

PLEASE TAKE NOTICE that _____ (*Name of Applicant*) shall appear before the Borough of Audubon Joint Land Use Board on _____ (*Date of Hearing*) at 7:00 p.m. at the Borough of Audubon Municipal Complex, 606 W. Nicholson Road, Audubon, New Jersey 08106 for the purpose of presenting an application for _____ (*List Each of the Approvals Being Sought*) permitting _____ (*Describe the Proposed Improvements*) for the property known as **Block** _____, **Lot** _____ on the Tax Map of the Borough of Audubon and which is more commonly known as _____ (*Street Address*), Audubon, New Jersey. The applicant will also request any and all other approvals, variances and submission and design waivers that may be required. The application and all associated documents may be reviewed in the office of the Joint Land Use Board at the Borough Hall of the Borough of Audubon between regular business hours. The Joint Land Use Board may continue the application and you are advised to contact the Borough of Audubon Office of the Joint Land Use in order to confirm the date and time of the hearing.

All interested parties shall be provided with the opportunity to be heard at the public hearing to be held as set forth above.

(Provide Name & Signature

of Applicant or Representative)

Date: _____

- *Please ensure that public notice is provided to all property owners within two hundred feet (200') of the subject property as well as being published in the Retrospect or Courier Post. Both the mailing and the publication must be accomplished at least ten (10) days in advance of the public hearing.*

**Request for Taxpayer
 Identification Number and Certification**

Give form to the requester. Do not send to the IRS.

Print or type
See Specific Instructions on page 2

Name	
Business name, if different from above	
Check appropriate box: <input type="checkbox"/> Individual/ Sole proprietor	<input type="checkbox"/> Corporation <input type="checkbox"/> Partnership <input type="checkbox"/> Other ▶
Address (number, street, and apt. or suite no.)	Requester's name and address (optional)
City, state, and ZIP code	
List account number(s) here (optional)	
Exempt from backup withholding	

Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. For individuals, this is your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the Part I instructions on page 3. For other entities, it is your employer identification number (EIN). If you do not have a number, see How to get a TIN on page 3.

Social security number

or

Employer identification number

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

Part II Certification

Under penalties of perjury, I certify that:

1. The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me), and
2. I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding, and
3. I am a U.S. person (including a U.S. resident alien).

Certification instructions. You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the Certification, but you must provide your correct TIN. (See the Instructions on page 4.)

Sign Here

Signature of U.S. person ▶

Date ▶

Purpose of Form

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

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

1. Certify that the TIN you are giving is correct (or you are waiting for a number to be issued),
2. Certify that you are not subject to backup withholding, or
3. Claim exemption from backup withholding if you are a U.S. exempt payee.

Note: If a requester gives you a form other than Form W-9 to request your TIN, you should use the requester's form. However, this form must meet the acceptable specifications described in Pub. 1167, General Rules and Specifications for Substitute Tax Forms and Schedules.

Foreign person. If you are a foreign person, use the appropriate Form W-8 (see Pub. 515, Withholding of Tax on Nonresident Aliens and Foreign Entities).

Nonresident alien who becomes a resident alien.

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

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

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