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Borough Of Montvale

12 Mercedes Drive
Montvale, NJ 07645
(201) 391-5700

Planning Board
Site Plan Review & Variance Application

Date: _____

Please note: 17 sets of the completed application form must be submitted to the Board Secretary
Also note: Unfolded plans will not be accepted

Please indicate the purpose of this application:

- ☐ Presubmission Conference or Informal Site Plan Review
  (Complete Parts 1, 3, 4, 5, 6, 7 & 8)
- ☐ Application for Formal Site Development Plan Review
  (Complete all Parts)
- ☐ Informal Review of an Amendment or change to previously Approved Site Development Plan
  (Complete Parts 1, 3, 4, 5, 6, 7 & 8)
- ☐ Formal Review of an Amendment or change to previously Approved Site Development Plan
  (Complete all Parts)

Part 1

1a. Name of Applicant: _____
1b. Street: _____
1c. Town /State/Zipcode: _____ New Jersey _____ - _____
1d. Phone: _____
1e. Email: _____

2. Is the above listed applicant:

- ☐ an individual
- ☐ a partnership
- ☐ a corporation
- ☐ or other _____

3. If partnership or corporation, state the names and addresses of all stockholders or individual partners owning at least 10% of its stock of any class, or at least 10% of the interest in the partnership, as the case may be:

4. If applicant is represented by a NJ Attorney:

4a. Name of Attorney: _____

4b. Firm: _____

4c. Street: _____

4d. Town /State/Zipcode: _____ New Jersey _____ - _____

4e. Phone: _____

4f. Email: _____

5. To whom should correspondence and notices be sent?

5a. Name: _____

5b. Street: _____

5c. Town /State/Zipcode: _____ New Jersey _____ - _____

5d. Phone: _____

5e. Email: _____

6. Montvale Tax Assessment Map description of land involved:

6a. Block: _____ 6b. Lot: _____

6c. P.O. Street Address: _____

6d. Nearest Cross Streets: _____

_____

6e. Zone District: _____

7. If applicant is not the record owner of the land described in number 6 above, state applicant's legal interest:

- ☐ Contract purchaser
- ☐ Contract tenant
- ☐ Attorney for record owner
- ☐ Other: Describe: _____

8. Purpose of application: (Give a detailed description of the use of the property, present and proposed, including the number of new building lots to be created):

9. Has there been any previous proceedings before the Montvale Planning Board or the Zoning Board of Adjustment regarding the lands described above?

- ○ Yes
- ○ No

If yes, give the dates, details and disposition of the previous proceedings:

10. Has an application been submitted to the Bergen County Planning Board?

Yes

No

If yes, give the dates, details and status of the application:

If no, state the reason why an application has not been submitted to the Bergen County Planning Board:

11. Are the following documents attached and made a part of this application:

Yes	No	Certification of Applicant
Yes	No	Affidavit of Consent of Record Owner
Yes	No	Certification of Payment of Taxes (attach copy of certification of tax collector as to status of real property taxes related to subject property) **Application will be deemed incomplete if taxes aren't paid up-to-date.**
Yes	No	Completed Site Plan Checklist
Yes	No	Proof of Ownership or Property Interest (set forth and attach copy of deed or other instrument by which sufficient interest in property is claimed to justify application and hearing)
Yes	No	W-9 Form-Request for Taxpayer ID #

If any of the above items are checked no, state why:

Part 2

1. Is the following document attached and made a part of this application:

   ◯ Yes ◯ No Proof of Notification to Property Owners
   (attach copy of notice and proof that at least 10 days prior to date set for hearing, property owners within 200' of the subject property have been notified in accordance with the Municipal Land Use Act)

   If checked no, state why:

2. Provide below the names and addresses of the property owners notified:

Part 3 - Application for Zoning Variance Relief

In connection with your application for subdivision zoning variance relief from the terms of the comprehensive Revised Montvale Zoning Ordinance, as amended and supplemented, please set forth:

A. The Section(s) of the applicable Ordinance(s) of the Borough of Montvale from which deviation relief is requested:

B. The nature of the Zoning Variance relief requested:

C. In what manner, in this particular case, the strict application of the foregoing Zoning Regulations will result in practical difficulties or undue hardship upon the applicant inconsistent with the general purpose and intent of said regulations:

D. In what manner in this particular case, there exists exceptional circumstances or conditions applicable to the premises which are the subject of this application, which do not apply generally to other premises located in the same zone district or neighborhood:

E. In what manner, in this particular case, the purpose of Zoning would be advanced by a deviation from the Zoning Ordinance requirements and the benefits of the deviation would substantially outweigh any detriment:

F. In what manner, in this particular case, the granting of the variance relief requested will not be substantially detrimental to the public welfare or injurious to the premises in the area in which the premises which are a subject of this application are located:

Part 4 - Application for Modification or Waiver of Site Plan Details

In connection with your application for modification or waiver of site plan details, please set forth:

A. List the Section(s) of the Site Plan Ordinance requiring Site Plan Details which are purposely omitted from your Site Plan:

B. Set forth the peculiar conditions applicable to the premises which are the subject of this application or applicable to the proposed construction thereon, which render the omitted details unnecessary to properly evaluate the Plan or Plat:

Application prepared by: _____
Name

_____
Address

Signature: _____

Date: _____

Part 5 - Certification of Applicant

I, (We,) the undersigned applicant(s), being duly sworn, upon my (our) oath(s) depose and say that the statement contained herein are true to the best of my (our) knowledge, information and belief.

Signature of Applicant _____

Signature of Applicant _____

Subscribed and sworn to before me this _____day of _____

_____
Notary Public

Part 6 - Affidavit of Consent of Record Owner

State of _____)

SS:

County of _____)

_____ , of full age,

having duly sworn, according to law on his oath, deposes and says that

he resides at _____

in the _____ of _____

in the County of _____

in the State of _____

that he is the owner in fee of all that certain lot, piece or parcel of land situated, lying and being in the Borough of Montvale aforesaid, and known and designated as Block(s) _____, Lot(s) _____, and that he hereby consents and authorizes the applicant to make the within application.

_____

Signature of Record Owner

Subscribed and sworn to before me this _____day of _____

_____

Notary Public

Part 7 - Certification of Payment of Taxes

Date: _____

I, _____Tax Collector of the Borough of Montvale, hereby certify that the property taxes on the property known as Block(s) _____, Lot(s) _____, as shown on the Borough Tax Assessment Maps, have been paid through the _____quarter and that the taxes on the aforementioned property are not past due nor are there any penalties, assessments, or interest due or outstanding as of this date.

_____

Signature of Tax Collector

Part 8 - Checklist for Informal Site Plan Review

Date Submitted: _____ (30 days before) for

Meeting on:_____

Latest acceptance date: _____(within 45 days from submission)

Fees

Section 128:8-6

SEE ATTACHED FEE SCHEDULE

Escrow Deposit-Must fill out and submit Attached W-9 Form

Section 128:8-6

SEE ATTACHED FEE SCHEDULE

Application Procedure

Section 128:8-7

- ☐ Fully completed application in duplicate
- ☐ Attach all required certifications, affidavits, notices and proofs in duplicate
- ☐ Attach 17 copies of sketch plat

Sketch Plat Details

- ☐ Block(s) and lot(s) numbers
- ☐ The location, names and existing widths of the adjacent streets, right of ways, and curb lines
- ☐ The location and owners of record of adjoining lands

Part 9 - Checklist for Formal Site Plan

Date of Presubmission Conference: _____

(10 days must past before formal application is filed)

Date of submission: _____ (21 days before) for

Meeting on:_____

Latest acceptance date: _____(within 45 days from submission)

Plans prepared by:

Professional Engineer: _____

NJ License #: _____

Land Surveyor: _____

NJ License #: _____

Architect: _____

NJ License #: _____

Fees

SEE ATTACHED FEE SCHEDULE

Escrow Deposit-Must fill out and submit Attached W-9 Form

Section 128:8-6.2

SEE ATTACHED FEE SCHEDULE

Application Procedure

Section 128:8-7

- ☐ Fully completed application in duplicate
- ☐ Attach all required certifications, affidavits, notices, and proofs in duplicate
- ☐ Attach 17 “seal stamped” copies of the site plan
- ☐ Attach 17 copies of 11”x17” copies of the plan

Scale and Dimensions

- ☐ At least 16” x 26”, but not more than 24” x 36”-17 COPIES
- ☐ Scale 1”=10’, 1”=20’, 1”=30”, 1”=40’, 1”=50’
- ☐ Reduce size 11 x 17 of plans

Description Data

- ☐ Block and lot designation of the property
- ☐ Name and address of the record owner of the property
- ☐ Name and address of the person, firm or organization preparing the map, and for whom the map has been prepared
- ☐ Date, north point and written graphic scale
- ☐ Sufficient description or information to define precisely the boundaries of the property on bearings, which begin to the nearest 10 seconds or closer, the error closure shall not exceed on in 10 thousand
- ☐ The location, names, and existing widths or adjacent streets, right of way and curb lines
- ☐ The owners of record of all adjoining lands
- ☐ Location, width and purpose of all existing and proposed easements, setbacks, reservations, and areas dedicated to the public use within or adjoining the property
- ☐ A complete outline of existing deed restrictions or covenants applying to the property
- ☐ Existing zoning of the property and all adjacent lands

Natural Features

- ☐ Contours at 6” intervals for land with less than a 2% slope, 1’ intervals between 2% and 5%, and 5’ intervals for lands with grades of 5% contours shall be related to a datum acceptable to the Borough Engineer
- ☐ The location of any existing water courses, marshes, wooded areas, and isolated trees with a diameter of 6” or more when measured 4’ above the ground
- ☐ Approximate boundaries of any areas subject to flooding or storm water overflow
- ☐ Size of the site in square feet

Existing Structures and Utilities

- ☐ Location of all uses and outlines of the structures drawn to scale on and within 100’ of the property
- ☐ Paved streets, sidewalks, and vehicular access between the site and public streets
- ☐ Location, dimension, grades, and flow direction of existing streets, culverts, water lines, as well as other underground above ground utilities within and adjacent to the property
- ☐ Other existing development including fences and existing landscaping

Proposed Development

- ☐ The applicant shall set forth in detail the exact use to be made of the property and the building and structures thereon
- ☐ The location of the proposed buildings or structure improvements
- ☐ The location of all uses not requiring structures
- ☐ The location and plans for any outdoor signs
- ☐ The location, direction, power and time of use for any proposed outdoor lighting
- ☐ The location and arrangement of proposed sidewalks, driveways, loading areas, off street parking areas, or other paved areas
- ☐ Any proposed grading, screening and other landscaping including types and locations of proposed structures
- ☐ All electric and phone lines must be underground
- ☐ An outline of any proposed deed restrictions
- ☐ Any contemplated public improvements on or adjoining the property as indicated by the Borough Engineer
- ☐ If the site development plan indicates only a first stage, a supplementary plan shall indicate ultimate development
- ☐ Preliminary plans illustrating the aesthetics of the building and further illustrating the floor plan layout and all elevation views

Application deemed complete by : _____

Municipal Engineer

Date: _____

ESCROW AGREEMENT

THIS AGREEMENT made this _____ day of _____, 20___, between _____ _____ hereinafter referred to as "Applicant", and the Planning Board of the Borough of Montvale, hereinafter referred to as "Board", and the Council of the Borough of Montvale, hereinafter referred to as "Borough".

WHEREAS, the Applicant is proceeding under the Zoning Ordinance/Land Development Ordinance for approval of a _____; 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 cited above; and

WHEREAS, both parties feel that it is appropriate to reduce this understanding to written form.

WITNESSETH: **IT IS** mutually agreed between the parties that:

Section 1. *Purposes*

The Board authorizes its professional staff to review, inspect, report and study all plans, documents, statements, improvements, and provisions made by the Applicant in conforming to the requirements of the Ordinance cited and referred to above. The Board directs its professional staff to make all oral and/ or written reports to the Board of its conclusions and findings derived from the review, study, and investigation and like or similar duties performed as elsewhere authorized. The Applicant agrees to pay all reasonable professional fees incurred by the Board for the performance of the duties outlined above.

Section 2. *Escrow Established*

Applicant, Borough, in accordance with the provisions of this agreement, hereby create an escrow to be established with the Treasurer of the Borough of Montvale and to be maintained in a banking institution or savings and loan association in this State insured by an agency of the federal government, or in any other fund or depository approved for such deposits by the State, in an account bearing interest at the minimum rate currently paid by the institution or depository on time or savings deposits.

Section 3. *Escrow Funded*

Applicant by execution of this agreement shall pay to the Borough, to be deposited in the depository referred to in Section 2, such sums as are required by the Zoning Ordinance/Land Development Ordinance. The applicant shall be notified by the Borough in writing of the name and address of the institution or depository in which the deposit is made and the amount of the deposit. Execution of this agreement by the Borough acknowledges receipt of the sums referred to under this paragraph.

Section 4. *Increase in Escrow Fund*

If during the existence of this agreement the funds held by the Borough shall be insufficient to cover any voucher or bills submitted by the professional staff and reviewed and approved by the Board, Applicant shall within fourteen (14) days from the date of receipt of written notice deposit additional sums with the Borough to cover the amount of the deficit referred to above. During this period the professional staff shall cease all review activities. The written notice shall be sent by the Treasurer setting forth the amount of the deficit and the member or members of the professional staff to whom the additional sums are due. Unless otherwise shown, receipt shall be presumed to have occurred within three (3) days after mailing.

Section 5. *Submission of Vouchers by Professional Staff*

The professionals referred to in this agreement, upon the completion of their services or periodically during the performance of their services, shall submit vouchers conforming to the requirements established by the Borough for vouchers of the type and kind referred to under this paragraph. Said vouchers shall include the total of all fees and costs incurred as a result of the services set forth under Section 1 of this agreement and shall contain a brief description of the services including the Block and Lot, and name of application, which have been rendered by the professional concerning the applicant's application.

Section 6. *Board Review*

The Treasurer shall review all vouchers to determine whether they have been submitted in the appropriate form. If the Treasurer determines that the vouchers are in the appropriate form then the vouchers shall be submitted to the Land Use Administrator for review to determine whether the services have been performed in the manner and to a degree required by this agreement. The Treasurer 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. Following the determination by the board that services have been performed properly, the Treasurer shall mail a copy of each approved voucher to the Applicant. At the conclusion of this processing the amounts specified in said vouchers shall be deducted by the Borough from the escrow established pursuant to the agreement.

Section 7. *Applicant's Objection*

It is expressly agreed to by the Applicant that the right to object to the payment of any voucher is hereby expressly waived unless written notice is received by the Land Use Administrator by certified mail no later than three (3) days prior to the next regularly scheduled Board meeting following the meeting in which the contested voucher of vouchers had been approved. The writing notice shall have accompanying it a copy of each voucher being objected to. The standard of review to be utilized by the Land Use Administrator and Planning Board Chairman in determining whether the payment of any voucher is proper is whether the fees incurred are reasonable and whether the work has been performed properly. It is furthermore understood that the Applicant shall have the right to make periodic inspections of the records maintained by the Borough during normal office hours to determine the status of the escrow account.

Section 8. *Interest Allocations*

Except as otherwise set forth hereinafter all interest earned on money deposited pursuant to this agreement which shall be held in escrow shall become the property of the Borough as compensation for administrative services rendered in connection with this agreement. An Applicant shall be entitled to payment of interest whenever the Applicant shall have deposited an amount of money in excess of $5,000.00 and the amount of interest paid on that money shall exceed $100.00 for the year. If the amount of interest exceeds $100.00, that entire amount shall belong to the Applicant and shall be refunded by the Borough annually or at the time the deposit is repaid or applied to the purposes for which it was deposited, as the case may be, i.e., for professional services rendered to review applications for development, for municipal inspection fees pursuant to N.J.S.A. 40:55D-53 or to satisfy the guarantee requirements of 40:55D-53.a., however at that time the Borough shall deduct 33 1/3% of the interest for administrative and custodial expenses incurred by the Borough in fulfilling its obligations pursuant to this agreement.

Section 9. *Refund*

In the event that the escrow sums posted are more than those required, or in the event that the Applicant shall abandon the application, excess funds shall be returned to the Applicant within ONE HUNDRED AND TWENTY(120) days of the issuance of the final certificate of occupancy for the project which is the subject of the application or receipt of written notice of the abandonment of the application. Prior to the issuance of the final certificate of occupancy for any project for which Board approval has been received or upon receipt of written notice of abandonment of an application, the Treasurer shall determine from the professional staff whether there are any additional sums required to be paid from the escrow fund. In the event that there are, monies will be held by the Treasurer until notice is received by the professionals, Environmental Commission, Land Use Administrator and Construction Code Official that work has been completed.

Section 10. *Failure to Maintain Escrow Fund*

In the event that notice has been sent to the Applicant and the Applicant has failed to pay the increased amount into the escrow fund within the time period set forth in Section 4 then the Board shall cease further consideration of the application or of any other then pending application of the Applicant until the additional sum is given to the Treasurer for deposit into the escrow fund. The Applicant hereby expressly consents to a continuance of the statutorily mandated period for completion of Board review pursuant to the Municipal Land Use Law for a period of forty-five (45) days from the date of the notice from the Land Use Administrator and hereby expressly consents to an automatic rejection of Applicant's application without prejudice and without any further action by the Board if within said period the additional sum has not been given to the Treasurer.

Furthermore, in the event that notice has been sent to the Applicant and the Applicant has failed to pay the increased amount into the escrow fund within the time period set forth in Section 4 and Board review of the application has been completed, the Applicant is hereby placed on notice that the Borough

will not cause certificates of occupancy to be issued and may take such further action including, but not limited to, refusing to perform any and all further inspection, issuance of stop work orders and other relief as may be necessary, including a lien on the subject property.

Section 11. *Performance Escrow – Inspections*

The provisions of this agreement shall apply to the performance escrow for inspection to be paid to the Borough. The performance escrow shall be posted prior to construction of an onsite, offsite, on-tract or off-tract improvement. The amount of the escrow shall be 10% of the cost of improvements as calculated by the Board's Engineer.

The Applicant hereby agrees that the Board Engineer will be notified in writing forty-eight (48) hours prior to the start of any construction. Failure of the Applicant to provide such notice may result in additional inspection costs.

Section 12. *Addresses to which Notices are to be Sent*

All notices required by this agreement in writing shall be sent to the following addresses:

Borough of Montvale
Treasurer and Land Use
Administrator
12 Mercedes Drive
Montvale, NJ 07645
201-391-5700

Address of Applicant:

_____
NAME

_____
ADDRESS

_____
MUNICIPALITY STATE ZIP CODE

_____
TELEPHONE NUMBER

above.