

LAND USE

55 Attachment 4

**APPENDIX C
DEVELOPMENT APPLICATION**

**PLANNING BOARD, ZONING BOARD AND SITE PLAN
SUBCOMMITTEE APPLICATION FORMS FOR USE IN
THE TOWNSHIP OF BARNEGAT**

The following Planning Board, Zoning Board and Site Plan Subcommittee Application Forms, attached hereto and made a part hereof, shall be used for all development applications submitted to the Township of Barnegat:

- App. C-1, Change of Use Application
 - App. C-2, Site Plan Waiver Instructions
 - App. C-3, Bulk Variance and Waiver Application
 - App. C-4, Land Use and Development Application
 - App. C-5, Developers Escrow Agreement
 - App. C-6, List of Professionals and Consultants
- (Ord. No. 1996-02)

LAND USE

APPENDIX C-1

TOWNSHIP OF BARNEGAT
900 WEST BAY AVENUE
BARNEGAT, NEW JERSEY 08005-1298
(609) 698-0080 EXT. 155

CHANGE OF USE APPLICATION

WAIVER OR EXEMPTION OF SITE PLAN

TO BE COMPLETED BY TOWNSHIP STAFF ONLY

Date Filed _____ Docket No. _____

Application Fees _____ Escrow Deposit _____

REQUEST FOR: WAIVER OF SITE PLAN _____ EXEMPTION OF SITE PLAN _____

TO BE COMPLETED BY APPLICANT

1. APPLICANT:

Name _____

Address _____

Telephone Number: Home: _____ Local: _____

Work: _____ Fax: _____

Applicant is a Corporation _____ Partnership _____ Individual _____

Other (Please Specify) _____

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CHANGE OF USE APPLICATION—Cont.

2. SUBJECT PROPERTY:

Location: _____

Tax Map: Block(s) _____ Lot (5) _____

Zoning District _____

3. OWNERSHIP:

If Owner(s) is other than the applicant, provide the following information on the Owner(s) **SEE ALSO ITEM #9:**

Owner's Name _____

Address _____

Telephone Number Home: _____ Work: _____ Local: _____

Relationship of the applicant to the property in question:

Owner: ___ Lessee ___ Purchaser Under Contract ___ Other ___

4. PURPOSE OF APPLICATION: _____

Present use of the premises: _____

ENCLOSURES: Plot Plan or Survey map of existing and proposed structures/use; parking spaces, ingress, egress, signs, additions, etc.

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CHANGE OF USE APPLICATION—Cont.

5. CERTIFICATION:

I certify that the foregoing statements and the materials submitted are true.

DATE

SIGNATURE OF APPLICANT

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

To the approving Board or Subcommittee of the Township of Barnegat:

_____ is hereby

(name of designee)

authorized to make the within application.

DATE

SIGNATURE OF OWNER

GENERAL INFORMATION

The Site Plan Subcommittee was established in early 1995 by ordinances amending the Land Use Code of the Township of Barnegat (Chapters 55A & 55B, Sections 101 & 176) to facilitate the change of commercial use or occupancy where no extensive construction or improvements are proposed. It is made up of three members of the Planning Board appointed by the Board's Chair and, the Community Development Director as an "ad hoc" member. When reviewing applications in the Historic District, the Chair of the Historic Preservation Commission is also an "ad hoc" member of this body.

The review procedure is conducted in a casual meeting with the applicant. It is not a public hearing. The subcommittee makes the determination of what applications require site plan review and approval. However, it may recommend to the full board that they

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vote to waive the requirement for site plan. Under specific criteria listed in the ordinance, the subcommittee may exempt this requirement entirely.

SEE INSTRUCTIONS SPECIFIC TO SITE PLAN WAIVER
ACTION BY PLANNING BOARD

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SITE PLAN WAIVER INSTRUCTIONS

INSTRUCTIONS SPECIFIC TO REFERRAL FOR FORMAL PLANNING BOARD ACTION:

If the Site Plan Review Subcommittee has determined that your application qualifies for Waiver of Site Plan and is making their recommendations to the entire Planning Board, you will be notified of a meeting date and time when your application will be placed on the Agenda. An application that goes to the Board requires public notice as explained below. Some additional submissions are also required. The Board Secretary or Administrative Officer can provide you with all these forms in an easy "fill in the blanks" format.

1. **200-ft. PROPERTY LIST:** Obtain from the Assessor's Office a Certified List of all properties within two hundred feet of the subject property of the application.
2. **ATTACH A COPY OF THE PROPOSED NOTICE** to appear in the official newspaper of the municipality and to be mailed certified to the owners of all real property, as shown on the current tax duplicate, located within the State and within 200 feet in all directions of the property which is the subject of this application. The Notice must specify the sections of the Ordinance from which relief is sought, if applicable.

The publication and the service on the affected owners must be accomplished at least 10 days prior to the date scheduled by the Administrative Officer for the hearing. The white certified mail receipts with the date stamped by the Post Office are your proof of mailing. You do not need return receipts (green card) nor pay for them.

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SITE PLAN WAIVER AND INSTRUCTIONS—Cont.

An Affidavit of Service (blank forms available) on all property owners and a proof of publication must be filed before the hearing date. These items must be submitted in advance for an application to be placed on the agenda and the hearing to proceed.

3. Attach **CERTIFICATION FROM THE TAX COLLECTOR** that all taxes due on the subject property have been paid.
4. Attach executed **DEVELOPER'S ESCROW AGREEMENT AND AFFIDAVIT OF NON-COLLUSION** (blank forms available).

***NOTE: When a property is located west of the Garden State Parkway and is under the jurisdiction of The Pinelands Commission, the local board has no jurisdiction to hear this application until the applicant has obtained a Certificate of Filing from The Pinelands Commission.**

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APPENDIX C-3

TOWNSHIP OF BARNEGAT
900 WEST BAY AVENUE
BARNEGAT, NEW JERSEY 08005-1298
(609) 698-0080 EXT. 155

"BULK" VARIANCE & WAIVER APPLICATION

Planning Board _____ Zoning Board of Adjustment _____

TO BE COMPLETED BY TOWNSHIP STAFF ONLY

Date Filed _____ Docket No. _____

Application Fees _____ Escrow Deposit _____

Scheduled for: Review for Completeness _____ Hearing _____

*** IMPORTANT NOTICE ***

A non-corporate applicant may represent his/her own matter. Corporate applicants must be represented by an attorney-at-law admitted to practice in the State of New Jersey. No case on behalf of any applicant may be presented by an engineer or any other person not admitted to law practice in the State of New Jersey.

Applicants are cautioned that the burden of proof of showing justification for the requested development is upon the applicant under the Laws of the State of New Jersey. Applicants are further cautioned that particularly with applications involving requests for variances and conditional use permits, that there are specific legal requirements imposed by the Law of the State of New Jersey and applicants are, therefore, cautioned to consider seeking adequate legal advise.

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BULK VARIANCE AND WAIVER APPLICATION—Cont.
TO BE COMPLETED BY APPLICANT

1. APPLICANT:

Name _____

Address _____

Telephone Number: Home: _____ Local: _____

Work: _____ Fax: _____

Applicant is a Corporation _____ Partnership _____ Individual _____

Other (Please Specify) _____

2. SUBJECT PROPERTY: (Attach additional sheets if necessary.)

Location: _____

Tax Map: Block(s) _____ Lot (5) _____

Zoning District _____

3. VARIANCES:

Requested from Requirements - Chapter _____ Section(s) _____

	<u>MINIMUM REQUIREMENTS</u>	<u>PROPOSED</u>
LOT AREA	_____	_____
LOT WIDTH	_____	_____
LOT DEPTH	_____	_____
LOT FRONTAGE	_____	_____
SETBACKS:		
FRONT	_____	_____
SIDE	_____	_____

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BULK VARIANCE AND WAIVER APPLICATION—Cont.

COMBINED _____
REAR _____
HEIGHT _____
LOT COVERAGE _____% _____%

- 4. **WAIVERS:** (Describe in detail)
Requested from Requirements - Chapter _____ Section(s) _____
CURBS _____
SIDEWALKS _____
FENCES _____
PARKING SPACES _____ SIZE _____
TREES _____
LANDSCAPE _____
BUFFER _____
PAVING _____

5. DISCLOSURE STATEMENT:

Pursuant to N.J.S.A. 40:55D-48.1, the names and address of all persons owning 10% of the stock in a corporate applicant or 10% interest in any partnership applicant must be disclosed. In accordance with N.J.S.A. 40:55D-48.2 that disclosure requirement applies to any corporation or partnership which owns more than 10% interest in the applicant followed up the chain of ownership until the names and addresses of the non-corporate stockholders and partners exceeding the 10% ownership criterion have been disclosed (Attach pages as necessary to fully comply.)

Name _____ Address _____ Interest _____
Name _____ Address _____ Interest _____
Name _____ Address _____ Interest _____

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BULK VARIANCE AND WAIVER APPLICATION—Cont.

Name _____ Address _____ Interest _____

Name _____ Address _____ Interest _____

6. OWNERSHIP:

If Owner(s) is other than the applicant, provide the following information on the Owner(s) **SEE ALSO ITEM #13:**

Owner's Name _____

Address _____

Telephone Number Home: _____ Work: _____ Local: _____

Relationship of the applicant to the property in question:

Owner: _____ Lessee _____ Purchaser Under Contract _____ Other _____

7. PURPOSE OF APPLICATION: _____

Present use of the premises: _____

8. **ATTACH A COPY OF THE PROPOSED NOTICE** to appear in the official newspaper of the municipality and to be mailed to the owners of all real property, as shown on the current tax duplicate, located within the State and within 200 feet in all directions of the property which is the subject of this application. The Notice must specify the sections of the Ordinance from which relief is sought, if applicable. **ALL APPLICATIONS** (except Informals) **REQUIRE NOTICE.**

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BULK VARIANCE AND WAIVER APPLICATION—Cont.

The publication and the service on the affected owners must be accomplished at least 10 days prior to the date scheduled by the Administrative Officer for the hearing. **THE APPLICANT IS NOT TO GIVE PUBLIC NOTICE UNTIL SUCH TIME AS THE APPLICATION IS DEEMED COMPLETE BY THE ADMINISTRATIVE OFFICER AND THE BOARD ENGINEER.**

An affidavit of service on all property owners and a proof of publication must be filed before the hearing date. These items must be submitted in advance for an application to be placed on the agenda and the hearing to proceed.

9. Attach CERTIFICATION FROM THE TAX COLLECTOR that all taxes due on the subject property have been paid.
10. Attach executed DEVELOPER'S ESCROW AGREEMENT AND AFFIDAVIT OF NON-COLLUSION.

***NOTE: When a property is located west of the Garden State Parkway and is under the jurisdiction of The Pinelands Commission, the local board has no jurisdiction to hear this application until the applicant has obtained a Certificate of Filing from The Pinelands Commission.**

12. CERTIFICATION:

I certify that the foregoing statements and the materials submitted are true, and waive all applicable time limits until the first public hearing of this application. I further certify that I am the individual applicant or that I am an Officer of the Corporate applicant and that I am authorized to sign the application for the Corporation or that I am a general partner of the partnership applicant. If the applicant is a corporation this must be signed by an authorized corporate officer. If the applicant is a partnership, this must be signed by a general partner.] The applicant (or agent) hereby further certifies and allows that agents of the Township and affiliated agencies to enter onto the property which is the subject of this application.

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APPENDIX C-4

TOWNSHIP OF BARNEGAT
900 WEST BAY AVENUE
BARNEGAT, NEW JERSEY 08005-1298
(609) 698-0080 EXT. 155

LAND USE & DEVELOPMENT APPLICATION

Planning Board _____ Zoning Board of Adjustment _____

TO BE COMPLETED BY TOWNSHIP STAFF ONLY

Date Filed _____ Docket No. _____

Application Fees _____ Escrow Deposit _____

Scheduled for: Review for Completeness _____ Hearing _____

*** IMPORTANT NOTICE ***

A non-corporate applicant may represent his/her own matter. Corporate applicants must be represented by an attorney-at-law admitted to practice in the State of New Jersey. No case on behalf of any applicant may be presented by an engineer or any other person not admitted to law practice in the State of New Jersey.

Applicants are cautioned that the burden of proof of showing justification for the requested development is upon the applicant under the Laws of the State of New Jersey. Applicants are further cautioned that particularly with applications involving requests for variances and conditional use permits, that there are specific legal requirements imposed by the Law of the State of New Jersey and applicants are, therefore, cautioned to consider seeking adequate legal advise.

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**LAND USE AND DEVELOPMENT APPLICATION—Cont.
TO BE COMPLETED BY APPLICANT**

1. APPLICANT:

Name _____
 Address _____
 Telephone Number: Home: _____ Local: _____
 Work: _____ Fax: _____
 Applicant is a Corporation ____ Partnership ____ Individual ____
 Other (Please Specify) _____

2. SUBJECT PROPERTY: (Attach additional sheets if necessary.)

Location: _____
 Tax Map Page _____ Block _____ Lot (s) _____
 Page _____ Block _____ Lot (s) _____
 Total Area _____ Zoning District _____

<u>Lot Size</u>	<u>Width</u>	<u>Frontage</u>	<u>Depth</u>	<u>Square Feet</u>
Required	_____	_____	_____	_____
Existing	_____	_____	_____	_____
Proposed	_____	_____	_____	_____

Principal Building

<u>Setbacks</u>	<u>Front</u>	<u>Rear</u>	<u>One Side</u>	<u>Both Sides/Total</u>
Required	_____	_____	_____	_____
Existing	_____	_____	_____	_____
Proposed	_____	_____	_____	_____

Principal Building Height

Permitted _____
 Existing _____
 Proposed _____

% Building (lot) Coverage

_____ %
 _____ %
 _____ %

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LAND USE AND DEVELOPMENT APPLICATION—Cont.

Accessory Building

Setbacks	Front	Rear	One Side	Both Sides/Total
Required	_____	_____	_____	_____
Existing	_____	_____	_____	_____
Proposed	_____	_____	_____	_____

Accessory Building Height

% Building (lot) Coverage

Permitted	_____	_____ %
Existing	_____	_____ %
Proposed	_____	_____ %

3. DISCLOSURE STATEMENT:

Pursuant to N.J.S.A. 40:55D-48.1, the names and address of all persons owning 10% of the stock in a corporate applicant or 10% interest in any partnership applicant must be disclosed. In accordance with N.J.S.A. 40:55D-48.2 that disclosure requirement applies to any corporation or partnership which owns more than 10% interest in the applicant followed up the chain of ownership until the names and addresses of the non-corporate stockholders and partners exceeding the 10% ownership criterion have been disclosed (**Attach pages as necessary to fully comply.**)

Name _____ Address _____ Interest _____

Name _____ Address _____ Interest _____

Name _____ Address _____ Interest _____

Name _____ Address _____ Interest _____

Name _____ Address _____ Interest _____

4. OWNERSHIP:

If Owner(s) is other than the applicant, provide the following information on the Owner(s) SEE ALSO ITEM #18:

Owner's Name _____

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LAND USE AND DEVELOPMENT APPLICATION—Cont.

Address _____

Telephone Number Home: _____ Work: _____ Local: _____

Relationship of the applicant to the property in question:

Owner: _____ Lessee _____ Purchaser Under Contract _____ Other _____

5. PROPERTY INFORMATION:

Deed restrictions, covenants, easements, rights of way, association bylaws or other dedication existing or proposed on the property:

Yes (Attach copies) _____ No _____ Proposed _____

Note: All deed restrictions covenants, easements, rights of way association by-laws, or other dedications existing and proposed must be submitted for review.

Site plan, and/or conditional use applicants:

Proposal for: New structure _____ Expanded area _____ Alteration _____

Expansion of structure _____ Change of Use _____ Sign _____

Other (please specify) _____

Has this property been the subject of any prior application(s) to the Planning Board or Zoning Board of Adjustment? Yes _____ No _____

If so, please attach a copy of the resolution(s).

Type of Application/Relief sought _____

Date(s) _____ Disposition _____

Is the subject property located on:

A County road: Yes _____ No _____ ; A State road: Yes _____ No _____
within 200 feet of a municipal boundary: Yes _____ No _____

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LAND USE AND DEVELOPMENT APPLICATION—Cont.

Present use of the premises: _____

6. APPLICATION REPRESENTS A REQUEST FOR THE FOLLOWING:

SUBDIVISION:

____ Minor Subdivision Approval
____ Subdivision Approval (Preliminary) [Phases (if applicable) ____]
____ Subdivision Approval (Final) [Phases (if applicable) _____]
____ Amendment or Revision to an Approved Subdivision Plan
Number of lots to be created _____
Number of proposed dwelling units (if applicable) _____
Area and dimensions of each proposed lot _____

SITE PLAN:

____ Minor Site Plan Approval
____ Preliminary Site Plan Approval [Phases (if applicable) _____]
____ Final Site Plan Approval [Phases (if applicable) _____]
____ Amendment or Revision to an Approved Site Plan
Area to be disturbed (square feet) _____
Total number of proposed dwelling units (if applicable) _____
____ Conditional Use Approval [N.J.S.A. 40:55D-67]

APPEALS, VARIANCES & OTHER:

____ Appeal decision of an Administrative Officer [N.J.S.A. 40:55D-70a]
____ Map or Ordinance Interpretation/Special Question [N.J.S.A. 40:55D-70b]
____ Variance Relief (hardship) [N.J.S.A. 40:55D-70c(1)]

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LAND USE AND DEVELOPMENT APPLICATION—Cont.

- _____ Variance Relief (substantial benefit) [N.J.S.A. 40:55D-70c(2)]
- _____ Variance Relief (use) [N.J.S.A. 40:55D-70d]
- _____ Direct issuance of a permit for a structure in bed of a mapped street, public drainage way, or flood control basin [N.J.S.A. 40:55D-34]
- _____ Direct issuance of a permit for a lot lacking street frontage [N.J.S.A. 40: 55D-35]

7. Section(s) of Ordinance from which a variance is requested:

8. WAIVERS Requested of Development Standards and/or Submission Requirements: [attach additional pages as needed]

9. ATTACH A COPY OF THE PROPOSED NOTICE to appear in the official newspaper of the municipality and to be mailed to the owners of all real property as shown on the current tax duplicate, located within the State and within 200 feet in all directions of the property which is the subject of this application. The Notice must specify the sections of the Ordinance from which relief is sought, if applicable. **ALL APPLICATIONS** (except Informals) **REQUIRE NOTICE.**

The publication and the service on the affected owners must be accomplished at least 10 days prior to the date scheduled by

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LAND USE AND DEVELOPMENT APPLICATION—Cont.

the Administrative Officer for the hearing. THE APPLICANT IS NOT TO GIVE PUBLIC NOTICE UNTIL SUCH TIME AS THE APPLICATION IS DEEMED COMPLETE BY THE ADMINISTRATIVE OFFICER AND THE BOARD ENGINEER.

An affidavit of service on all property owners and a proof of publication must be filed before the hearing date. These items must be submitted in advance for an application to be placed on the agenda and the hearing to proceed.

10. EXPLAIN IN DETAIL THE EXACT NATURE OF THE APPLICATION and the changes to be made at the premises, including the proposed use of the premises: [attach pages as needed] _____

11. Is a **PUBLIC WATER** line available? _____
12. Is public **SANITARY SEWER** available? _____
13. Are any **OFF-TRACT IMPROVEMENTS** required or proposed? _____
14. Is the **SUBDIVISION** to be filed **BY DEED OR PLAT**? _____

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LAND USE AND DEVELOPMENT APPLICATION—Cont.

- 15. Attach **CERTIFICATION FROM THE TAX COLLECTOR** that all taxes due on the subject property have been paid. _____
- 16. Attach executed **DEVELOPER'S ESCROW AGREEMENT**.
- 17. Attach **LIST OF PROFESSIONALS & CONSULTANTS** (if applicable).

***NOTE: When a property is located west of the Garden State Parkway and is under the jurisdiction of The Pinelands Commission, the local board has no jurisdiction to hear this application until the applicant has obtained a Certificate of Filing from The Pinelands Commission.**

- 16. List of Maps, Reports and other materials accompanying the application (attach additional pages as required for complete listing) . The documentation must be received the Board Secretary at least five [5] weeks prior to the meeting at which the application is to be considered, per Sec. 55A-46 of the Barnegat Land Use Code.

Quantity	Description
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

17. CERTIFICATION:

I certify that the foregoing statements and the materials submitted are true, and waive all applicable time limits until the first public hearing of this application. I further certify that I am the individual applicant or that I am an Officer of the Corporate applicant and that I am authorized to sign the application for the Corporation or that I am a general partner

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APPENDIX C-5

TOWNSHIP OF BARNEGAT

DEVELOPER'S ESCROW AGREEMENT

PLEASE READ THE FOLLOWING INFORMATION AND SUBMIT A SIGNED ORIGINAL ACKNOWLEDGING YOUR CONSENT, AS PART OF YOUR APPLICATION

Chapter 55, Sec. 40.1:

"Escrow Account Deposits" are minimums required, promulgated on the basis of the applicant submitting a complete application and plans. The applicant shall be responsible and pay the Township of Barnegat upon notification, for any additional costs for professional services involved with the review, reports, expert advice or testimony, or other information required in the process of an application before a municipal agency.

The "Escrow Account Deposits" are required to pay the costs of professional services including engineering, planning, legal and other expenses connected with the review of submitted materials, including any traffic engineering review of the submitted materials, or any special analysis related to the Planning Board or Zoning Board of Adjustment's review of the submitted materials, or any necessary studies regarding "off-tract" improvements. An applicant is responsible to reimburse the Township of Barnegat for all expenses of professional personnel incurred and paid by the Township for the review process of an application for development and/or appeal before a municipal agency, such as, but not limited to:

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DEVELOPER'S ESCROW AGREEMENT—Cont.

1. Charges for reviews by professional consultants and/or professional personnel of applications, plans and accompanying documents;
2. Issuance of reports by professional consultants and/or professional personnel to the municipal agency setting forth recommendations resulting from the review of any documents submitted by the applicant;
3. Charges for any telephone conference or meeting requested or initiated by the applicant, his attorney or any of his experts or representatives;
4. Review of additional documents submitted by the applicant and issuance of reports relating thereto;
5. Review of proposed or prior easements, developer's agreements, deeds, resolutions or the like;
6. Preparation for and attendance at all meetings by Professionals such as Planning Consultant, Traffic Engineer or other experts as required; and
7. The cost of expert advice or testimony obtained by the municipal agency for the purpose of corroborating testimony of applicant's experts.
8. The use of a court reporter or transcriber is at the discretion of the applicant. The applicant bears the responsibility of retaining a court reporter or transcriber if the applicant deems such services to be necessary. If a transcript of any proceeding is made, the applicant shall provide a copy of the same to the Township free of charge.

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DEVELOPER'S ESCROW AGREEMENT—Cont.

CERTIFICATION

I, _____ the Developer/Applicant understand that a sum, to be determined by the Administrative Officer, will be deposited in an Escrow Account, in accordance with the Ordinances of the Township of Barnegat. I further understand that the escrow account is established to cover the cost of professional services including engineering, planning, legal and/or other expenses associated with the review of submitted materials. Sums not utilized in the review process shall be returned. If additional sums are deemed necessary, I understand that I will be notified of the required additional amount and shall add that sum to the escrow account within fifteen (15) days. I, the Developer/Applicant, as signed below, acknowledge familiarity with the procedures set forth in the Barnegat Township Land Use Code (Chapter 55) for submittals and required action and agree to be bound by it.

DATE

SIGNATURE OF OWNER OR APPLICANT

Social Security Number/Federal ID Number _____

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APPENDIX C-6

LIST OF PROFESSIONALS & CONSULTANTS

APPLICANT'S NAME: _____

Address _____

Telephone Number _____ Fax Number _____

1. **Attorney** _____

Address _____

Telephone Number _____ Fax Number _____

2. **Engineer** _____

Address _____

Telephone Number _____ Fax Number _____

3. **Planning Consultant** _____

Address _____

Telephone Number _____ Fax Number _____

4. **Architect** _____

Address _____

Telephone Number _____ Fax Number _____

5. List any other Expert(s) who will submit a report or who will testify for the Applicant: (Attach additional sheets as may be necessary)

Name _____

Field of Expertise _____

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LIST OF PROFESSIONALS & CONSULTANTS—Cont.

Address _____

Telephone Number _____ Fax Number _____