

TOWNSHIP OF MILLBURN
PLANNING BOARD APPLICATION
SUBMISSION CHECKLIST

MAJOR SUBDIVISION	PRELIMINARY _____	APPLICATION NO. _____
	FINAL _____	(Assigned by Millburn Township)
MAJOR SITE PLAN	PRELIMINARY _____	
	FINAL _____	BLOCK _____
MINOR SUBDIVISION	_____	LOT (S) _____
MINOR SITE PLAN	_____	_____
CONDITIONAL USE	_____	SITE STREET ADDRESS _____
BULK VARIANCE	_____	

APPLICANT _____
 ADDRESS _____
 PHONE/FAX _____

ITEM	APPLICANT USE			TOWNSHIP USE
	YES	N/A	WAIVER REQUESTED	OK (DATE)
APPLICATION & FEE FORM SUBMITTED (21 COPIES)				
APPLICATION FEE PAID				
CONSENT OF OWNER SUBMITTED				
TAX & ASSESSMENT FORM SUBMITTED				
PROOF OF SERVICE SUBMITTED				
NEWSPAPER ADVERTISEMENT SUBMITTED				
PLAT/PLANS SUBMITTED (21 COPIES)				
EIS OR REQUEST FOR WAIVER				
FACT SHEET				
FOR CORPORATIONS & PARTNERSHIPS, NAMES & ADDRESSES OF ALL STOCKHOLDERS OWNING AT LEAST 10% OF ITS STOCK				
EXISTING PROTECTIVE COVENANTS, DEED RESTRICTIONS, EASEMENTS				
SUSTAINABLE CHECKLIST				

APPLICATION ACCEPTED AS COMPLETE

BY: _____

DATE: _____

MILLBURN PLANNING BOARD PLAN CHECK LIST FOR

Minor Site Plan, Subdivision/Major Site plan, Subdivision

ITEM	APPLICANT			TOWNSHIP OK (DATE)
	Yes	N/A	Waiver Requested	
PLAT- Survey Drawing by Land Surveyor				
- Improvements – Designed by Professional Engineer				
- Scale: 1"=10', 1"=20', 1"=30', 1"=40', 1"=50'				
- Size: 8 ½ x 13, 15 x 21, 24 x 36, 30 x 42				
- Required Information				
- Lot lines, Metes & Bounds Description				
- North Arrow				
- Graphic Scale				
- Zoning District & Data				
- Date of Original Drawing & Revisions				
- Existing & Proposed Streets & Street Names				
- Contours-2ft. intervals-Existing & Proposed on & within 100' of site				
- Title Block – Lot & Block Number				
- Location & Description of Existing & Proposed Monuments				
- Area – To 1 Square Foot				
- Streams & Ponds				
- Parking Spaces				
- Loading Areas				
- Setback Dimensions & Dimensions of All Improvement				
- Key Map of General Area, includes Properties & Owners within 200ft				
- Signatures of Planning Board Chairman, Secretary and Engineer				
- Existing Structures to be Removed or Altered				
- Name, Phone Number, Address of Applicant				
- Name, Phone Number, Address & Signature of Owner				
CIRCULATION PLANS				
- Street Names & R.O.W. Lines				
- Curbs, Driveways, Structures & Signs within 100' of site				
- Acceleration / Deceleration Lanes				
- Aisles & Lanes				
- Sidewalks & Bikeways				
- Sight Triangles				
-Easements				
- Parking				
- Loading Areas				
- Pavement Arrows & Striping				
- Light Standards, Fixture Types, Height, Intensity, Angle & Direction				
- Cross Sections				
- Profiles				
- Traffic Regulation Signs				

**MILLBURN PLANNING BOARD PLAN CHECK LIST FOR
Minor Site Plan, Subdivision/Major Site plan, Subdivision**

ITEM	APPLICANT			TOWNSHIP
	Yes	N/A	Waiver Requested	OK (DATE)
BUILDING PLANS				
- Floor Plans – including Square Footage by Use Category				
- Elevations (architectural) with Materials, Dimensions & Signage				
- Number of Dwellings – Apartment and Townhouse Projects				
LANDSCAPE PLANS				
- Existing & Proposed Wooded Areas				
- Individual Trees outside wooded area greater than 6" diameter				
- Buffer Areas				
- Shrubbery				
- Lawn Areas				
- Ground Cover				
- Retaining Walls				
- Species & Caliper of Trees				
- Signs (Existing & Proposed)				
- Fencing				
FACILITIES PLAN				
- Drainage Calculations				
- Draining Structures				
- Existing & Proposed Runoff				
- Open Space				
- Common Property				
- Gas Lines				
- Electric Lines				
- Telephone Lines				
- Sewer Lines				
- Domestic Water Lines				
- Fire Protection Water Lines				
- Solid Waste Disposal Methods				
- Handling of Recyclable Materials				
- Easements, Required & Documentation				
- Construction Details				
- Soil Erosion & Sediment Control Plan				
- Floodway & Flood Hazard Area Limits				
- Wetlands: Mapping & Letter of Interpretation or Exemption from NJDEP				

FOR TOWNSHIP USE:

CHECKLIST COMPLETE

BY: _____

DATE: _____

3. Interest of Applicant (if other than owner) _____

4. Ownership Disclosure. Pursuant to N.J.S.A. 40:55D-48.1, the names and addresses of all persons owning 10% or more 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, the 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 or partners exceeding the 10% ownership criterion have been disclosed.

****ATTACH LIST IF ADDITIONAL SPACE IS NEEDED TO COMPLETE DISCLOSURE REQUIRED****

Name _____ Address _____ % Interest _____

Name _____ Address _____ % Interest _____

Name _____ Address _____ % Interest _____

5. Applicant's attorney, if any.

Name _____ Phone # _____

Address _____ Fax # _____

6. Applicant's Engineer, Architect or Surveyor preparing plan.

Name/License # _____ Phone # _____

Address _____ Fax # _____

Name/License # _____ Phone # _____

Address _____ Fax # _____

7. Other experts who will submit a report or testify for the Applicant:

Name/Profession _____ Phone # _____

Address _____ Fax # _____

Name/Profession _____ Phone # _____

Address _____ Fax # _____

8. Description of present use of the premises. _____

9. Purpose of Application and detailed description of proposed improvements, development, change in use, etc. Attach Rider if additional space is necessary.

10. Specific sections of the zoning regulations for which appeal or variance relief is sought, and the nature and extent of the specific variances.

11. Describe the characteristics of the property, dwelling and/or other improvements on the property that make it peculiar or unique when compared to other properties in the neighborhood and the specific hardships resulting from these conditions which necessitate variance relief.

12. If application seeks use variance relief, state the "special reasons" as that term is defined under the Municipal Land Use Law, to justify the granting of use variance relief pursuant to N.J.S.A. 40:55D-70d.

13. State whether the applicant owns or has under contract for purchase, an adjoining property. If so, set forth the block and lot number and street address of the property.

14. State what efforts have been made to obtain the result you wish to accomplish without violating the Zoning Ordinance (i.e., relocation of planned construction, purchase of additional land, etc.).

15. State the specific facts that show the relief sought may be granted without substantial detriment to the public good (impact on the surrounding properties, the streetscape and neighborhood) and without substantially impairing the intent and purpose of the Township zone plan and zoning ordinance regulations.

16. Outline of any other factual reasons or legal basis upon which your claim for relief is based.

17. If the application involves a setback or other bulk variance(s) in connection with residential use, attach building footprint and elevation drawings of any proposed residence or addition, colored photographs of the property and, if appropriate, the adjacent properties.

18. List any waivers being requested (Specify applicable Ordinance provisions).

19. Has there been any previous appeal, request or application made to this or any other Township Board or the Construction Official regarding this property? If yes, state the date, nature and disposition of the appeal, request or application and attach copies of any and all resolutions or other documents pertaining to same.

20. Attach a copy of the Notice which is 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 200 feet in all directions of the property which is subject of this application. **THE NOTICE MUST SPECIFY THE NATURE OF THE PROPOSED CONSTRUCTION OR IMPROVEMENT, AND THE SPECIFIC VARIANCES AND/OR WAIVERS BEING REQUESTED, AS WELL AS 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 BEFORE THE BOARD FOR THE HEARING. AN AFFIDAVIT OF SERVICE ON ALL PROPERTY OWNERS AND A PROOF OF PUBLICATION MUST BE FILED 10 DAYS BEFORE THE APPLICATION WILL BE COMPLETE AND THE HEARING CAN PROCEED.**

21. I certify that the foregoing statement and the materials submitted are true. I further certify that I am (a) the individual applicant, or (b) that I am an Officer of the Corporate applicant and that I am authorized to sign the application for the Corporation or (c) 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 applicant is a partnership, this must be signed by a general partner.)

Signature of Applicant

Print Name of Applicant

Sworn and subscribed to before me this

_____ day of _____, 20_____.

Notary Public (Affix Stamp and Seal)

22. I certify that I am the Owner of the property which is the subject of this application, that I have authorized the applicant to make this application and that I agree to be bound by the application, the representations made and the decision in the same manner as if I were the applicant. (If the owner is a corporation this must be signed by authorized corporate officer. If the owner is a partnership, this must be signed by a general partner.)

Signature of Property Owner

Print Name of Property Owner

Sworn and subscribed to before me this

_____ day of _____, 20_____.

Notary Public (Affix Stamp and Seal)

23. PERMISSION TO INSPECT PROPERTY. I (We) hereby authorize and permit Members of the Millburn Township Planning Board/Board of Adjustment/Township Officials and Consultants to make on-site inspections of the subject property in connection with this application.

Date: _____

Signature of Property Owner

Print Name of Property Owner

Date

Planning Board Secretary
Township of Millburn Planning Board
375 Millburn Avenue
Millburn, NJ 07041

Re: _____

Block _____, Lot _____

Dear Members of the Planning Board:

It is respectfully requested that your requirement for an Environmental Impact Statement be waived, as the contemplated Minor Subdivision/Site Plan will engender no change to the character of the existing building.

Applicant:

Attachment B

**Township of Millburn – Planning Board
TAX AND ASSESSMENT PAYMENT REPORT**

Calendar # _____ Date _____

Under provisions of New Jersey Statutes, N.J.S.A. 40:55D-39C and N.J.S.A. 4:55D-65h, an applicant for development of land must submit proof that no taxes or assessments for local improvements or local taxes are due or delinquent on the property stated below.

Applicant will complete Section I of this form in duplicate and submit them with his application for development. The Administrative Officer will forward two (2) copies to the Tax Collector for verification that no delinquent taxes or assessments are due. One (1) signed copy of this form will be retained by the Tax Collector and one (1) copy placed in the Applicant's file.

Section I (completed by applicant)

I, _____ of _____
(name) (address)

am making an application to the Planning Board for the _____
of Lot(s) _____

Block _____, located at _____
(address)

Whose owner of record is _____
(name)

(address)

I, therefore, request the Tax Collector to determine whether there are any delinquent taxes and/or assessments due.

Date: _____ Applicant's Signature _____

Section II - Completed by Tax Collector

I, Donna Ruggiero, Tax Collector of the Township of Millburn, find that Lot(s) _____

Block _____, better known as (address) _____

- () All taxes have been paid
- () All assessments due have been paid
- () The following are delinquent and due _____

Date Donna Ruggiero, Tax Collector

Planning Board – Millburn, New Jersey
SAMPLE REQUEST FOR LIST OF PROPERTY OWNERS WITHIN 200 FEET
AND OTHERS ENTITLED TO NOTICE OF AN APPLICATION

Date: _____

The Administrative Officer
The Township of Millburn Planning Board
Millburn Hall
375 Millburn Avenue
Millburn, NJ 07041

Gentlemen:

In accordance with C.40:55D-12(c), written request is hereby made for a certified list of property owners from the current tax duplicates of names and addresses of owners of property within 200 feet of block _____ Lot(s) _____ also known as address _____ whom I am required to give notice under C.40:55-12(b) and Township Ordinance.

Enclosed please find a sum not to exceed \$.25 per name, or \$10.00, whichever is greater, to cover the cost of the certified list.

Sincerely,

By: _____

Address: _____

Interest: _____

Date Received: _____

Amount Paid: _____

By: _____

[SAMPLE NOTICE TO BE PUBLISHED IN OFFICIAL NEWSPAPER]

NOTICE OF HEARING

Planning Board of the Township of Millburn, New Jersey

TAKE NOTICE that _____ has made an application to the Millburn Township Planning Board in connection with the (construction)(alteration)(maintenance)(conversion) of a _____ on Property in Millburn Township, located at _____, Block _____, Lot _____, which requires the following (bulk variance)(use variance) relief, (minor)(preliminary)(final)(site plan)(subdivision)(waivers) [cross out inapplicable sections]:

[DESCRIBE THE NATURE OF THE VARIANCES OR APPROVALS SOUGHT IN PLAIN LANGUAGE AND INCLUDE THE RELEVANT SECTIONS OF THE TOWNSHIP ZONING ORDINANCE]

The Applicant may also seek other variances and waivers as the need may arise during the course of the hearing on this Application. The application is now App. # _____ on the Secretary's calendar, which is scheduled for a hearing on _____, 20____ at 7:30 P.M. in Town Hall, 375 Millburn Avenue, Millburn, New Jersey. All documents relating to this application are on file in the office of the Secretary of the Planning Board daily between the hours of 8:30 A.M – 4:30 P.M, Monday through Friday. Any interested party may appear at said hearing and participate therein in accordance with the rules of the Planning Board.

Applicant

NOTE: This Notice shall be given by publication in the official newspaper of the municipality, if there be one, or in a newspaper of general circulation in the municipality at least 10 days prior to the date of the hearing, and Proof of Publication shall be given to the Secretary/Clerk of the Planning Board at least one (1) day before the day of the hearing.

[SAMPLE NOTICE TO BE SERVED ON
PROPERTY OWNERS WITHIN 200 FEET AND OTHERS ENTITLED TO NOTICE]

NOTICE OF HEARING
Planning Board of the Township of Millburn, New Jersey

TAKE NOTICE that _____ has made an application to the
Millburn Township Planning Board in connection with the
[construction](alteration)(maintenance)(conversion) of a _____
on Property in Millburn Township, located at _____
Block _____, Lot _____, which requires the following (bulk variance)(use variance)
relief, (minor)(preliminary)(final)(site plan)(subdivision)(waivers)[cross out inapplicable sections]:

[DESCRIBE THE NATURE OF THE VARIANCES OR APPROVALS SOUGHT IN PLAIN LANGUAGE
AND INCLUDE THE RELEVANT SECTIONS OF THE TOWNSHIP ZONING ORDINANCE]

The Applicant may also seek other variances and waivers as the need may arise during the course
of the hearing on this Application. The application is now App.# _____ on the
Secretary's calendar, which is scheduled for a hearing on _____,
20____ at _____ p.m. in Town Hall, 375 Millburn Avenue, Millburn, New Jersey. All documents
relating to this application are on file in the office of the Secretary of the Planning Board daily
between the hours of 8:30 a.m. - 4:30 p.m., Monday through Friday. Any interested party may
appear at said hearing and participate therein in accordance with the rules of the Planning Board.

Applicant

This notice is to be personally served or sent by certified mail to all persons entitled to notice at
least 10 days before the hearing date. The Affidavit of Proof of Service with copies of the Notice
sent by the applicant and the list of persons who were served must be submitted to the Board
Secretary at least two days before the hearing date.

Planning Board – Millburn, New Jersey

AFFIDAVIT OF PROOF OF SERVICE

Application No. _____

_____ of full age, being duly sworn according to law, disposes and says, that he/she resides at _____, in the County of _____, and State of _____;

that he/she is the applicant in a proceeding before the Millburn Township Planning Board scheduled for the _____, 20____ meeting, and which has the Calendar No._____. and relates to Property located at _____, Block _____, Lot _____;

that he/she gave written notice of this proceeding in the required form to all of the persons entitled to notice as required by law as set forth on the attached list and in the manner stated on _____,20____. A true copy of the Notice and the names and addresses of those so notified are attached to this affidavit.

Applicant's Signature

Sworn to before me, this ___ day
of
_____, 20____

(Notary Public)

STATUTORY REQUIREMENTS CONCERNING PUBLIC NOTICE

Statutory requirements concerning public notice are set forth in Sections 7,7.1, and 7.3 (N.J.S.A. 40:55D-II, 12,14) of the Municipal Land Use Law (Chapter 29), Laws of N.J. 1975). These requirements are also listed on the Notice Procedures form given to the applicant when he receives his list of property owners within 200 feet.

NOTICE IS A JURISDICTIONAL REQUIREMENT. PROOF OF SERVICE OF NOTICE REQUIRED BY LAW MUST BE FILED WITH THE BOARD AT LEAST TWO DAYS PRIOR TO THE HEARING DATE OR THE CASE WILL NOT BE HEARD.

- The U.S. grantor or other owner of a grantor trust and not the trust, and
- The U.S. trust (other than a grantor trust) and not the beneficiaries of the trust.

Foreign person. If you are a foreign person, do not use Form W-9. Instead, use the appropriate Form W-8 (see Publication 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 to Form W-9 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.

Example. Article 20 of the U.S.-China income tax treaty allows an exemption from tax for scholarship income received by a Chinese student temporarily present in the United States. Under U.S. law, this student will become a resident alien for tax purposes if his or her stay in the United States exceeds 5 calendar years. However, paragraph 2 of the first Protocol to the U.S.-China treaty (dated April 30, 1984) allows the provisions of Article 20 to continue to apply even after the Chinese student becomes a resident alien of the United States. A Chinese student who qualifies for this exception (under paragraph 2 of the first protocol) and is relying on this exception to claim an exemption from tax on his or her scholarship or fellowship income would attach to Form W-9 a statement that includes the information described above to support that exemption.

If you are a nonresident alien or a foreign entity not subject to backup withholding, give the requester the appropriate completed Form W-8.

What is backup withholding? Persons making certain payments to you must under certain conditions withhold and pay to the IRS 28% of such payments (after December 31, 2002). This is called "backup withholding." Payments that may be subject to backup withholding include interest, dividends, broker and barter exchange transactions, rents, royalties, nonemployee pay, and certain payments from fishing boat operators. Real estate transactions are not subject to backup withholding.

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

Payments you receive will be subject to backup withholding if:

1. You do not furnish your TIN to the requester,
2. You do not certify your TIN when required (see the Part II instructions on page 4 for details),

3. The IRS tells the requester that you furnished an incorrect TIN,

4. The IRS tells you that you are subject to backup withholding because you did not report all your interest and dividends on your tax return (for reportable interest and dividends only), or

5. You do not certify to the requester that you are not subject to backup withholding under 4 above (for reportable interest and dividend accounts opened after 1983 only).

Certain payees and payments are exempt from backup withholding. See the instructions below and the separate Instructions for the Requester of Form W-9.

Also see *Special rules regarding partnerships* on page 1.

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

Criminal penalty for falsifying information. Willfully falsifying certifications or affirmations may subject you to criminal penalties including fines and/or imprisonment.

Misuse of TINs. If the requester discloses or uses TINs in violation of federal law, the requester may be subject to civil and criminal penalties.

Specific Instructions

Name

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

If the account is in joint names, list first, and then circle, the name of the person or entity whose number you entered in Part I of the form.

Sole proprietor. Enter your individual name as shown on your income tax return on the "Name" line. You may enter your business, trade, or "doing business as (DBA)" name on the "Business name" line.

Limited liability company (LLC). If you are a single-member LLC (including a foreign LLC with a domestic owner) that is disregarded as an entity separate from its owner under Treasury regulations section 301.7701-3, enter the owner's name on the "Name" line. Enter the LLC's name on the "Business name" line. Check the appropriate box for your filing status (sole proprietor, corporation, etc.), then check the box for "Other" and enter "LLC" in the space provided.

Other entities. Enter your business name as shown on required federal tax documents on the "Name" line. This name should match the name shown on the charter or other legal document creating the entity. You may enter any business, trade, or DBA name on the "Business name" line.

Note. You are requested to check the appropriate box for your status (individual/sole proprietor, corporation, etc.).

Exempt From Backup Withholding

If you are exempt, enter your name as described above and check the appropriate box for your status, then check the "Exempt from backup withholding" box in the line following the business name, sign and date the form.

Generally, individuals (including sole proprietors) are not exempt from backup withholding. Corporations are exempt from backup withholding for certain payments, such as interest and dividends.

Note. If you are exempt from backup withholding, you should still complete this form to avoid possible erroneous backup withholding.

Exempt payees. Backup withholding is not required on any payments made to the following payees:

1. An organization exempt from tax under section 501(a), any IRA, or a custodial account under section 403(b)(7) if the account satisfies the requirements of section 401(f)(2),

2. The United States or any of its agencies or instrumentalities,

3. A state, the District of Columbia, a possession of the United States, or any of their political subdivisions or instrumentalities,

4. A foreign government or any of its political subdivisions, agencies, or instrumentalities, or

5. An international organization or any of its agencies or instrumentalities.

Other payees that may be exempt from backup withholding include:

6. A corporation,

7. A foreign central bank of issue,

8. A dealer in securities or commodities required to register in the United States, the District of Columbia, or a possession of the United States,

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 custodian, or

15. A trust exempt from tax under section 664 or described in section 4947.

The chart below shows types of payments that may be exempt from backup withholding. The chart applies to the exempt recipients listed above, 1 through 15.

IF the payment is for . . .	THEN the payment is exempt for . . .
Interest and dividend payments	All exempt recipients except for 9
Broker transactions	Exempt recipients 1 through 13. Also, a person registered under the Investment Advisers Act of 1940 who regularly acts as a broker
Barter exchange transactions and patronage dividends	Exempt recipients 1 through 5
Payments over \$600 required to be reported and direct sales over \$5,000 ¹	Generally, exempt recipients 1 through 7

¹See Form 1099-MISC, Miscellaneous Income, and its instructions.

²However, the following payments made to a corporation (including gross proceeds paid to an attorney under section 6045(f), even if the attorney is a corporation) and reportable on Form 1099-MISC are not exempt from backup withholding: medical and health care payments, attorneys' fees; and payments for services paid by a federal executive agency.

Part I. Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. If you are a resident alien and you do not have and are not eligible to get an SSN, your TIN is your IRS individual taxpayer identification number (ITIN). Enter it in the social security number box. If you do not have an ITIN, see *How to get a TIN* below.

If you are a sole proprietor and you have an EIN, you may enter either your SSN or EIN. However, the IRS prefers that you use your SSN.

If you are a single-owner LLC that is disregarded as an entity separate from its owner (see *Limited liability company (LLC)* on page 2), enter your SSN (or EIN, if you have one). If the LLC is a corporation, partnership, etc., enter the entity's EIN.

Note. See the chart on page 4 for further clarification of name and TIN combinations.

How to get a TIN. If you do not have a TIN, apply for one immediately. To apply for an SSN, get Form SS-5, Application for a Social Security Card, from your local Social Security Administration office or get this form online at www.socialsecurity.gov. You may also get this form by calling 1-800-772-1213. Use Form W-7, Application for IRS Individual Taxpayer Identification Number, to apply for an ITIN, or Form SS-4, Application for Employer Identification Number, to apply for an EIN. You can apply for an EIN online by accessing the IRS website at www.irs.gov/businesses and clicking on Employer ID Numbers under Related Topics. You can get Forms W-7 and SS-4 from the IRS by visiting www.irs.gov or by calling 1-800-TAX-FORM (1-800-829-3676).

If you are asked to complete Form W-9 but do not have a TIN, write "Applied For" in the space for the TIN, sign and date the form, and give it to the requester. For interest and dividend payments, and certain payments made with respect to readily tradable instruments, generally you will have 60 days to get a TIN and give it to the requester before you are subject to backup withholding on payments. The 60-day rule does not apply to other types of payments. You will be subject to backup withholding on all such payments until you provide your TIN to the requester.

Note. Writing "Applied For" means that you have already applied for a TIN or that you intend to apply for one soon.

Caution: A disregarded domestic entity that has a foreign owner must use the appropriate Form W-8.

Part II. Certification

To establish to the withholding agent that you are a U.S. person, or resident alien, sign Form W-9. You may be requested to sign by the withholding agent even if items 1, 4, and 5 below indicate otherwise.

For a joint account, only the person whose TIN is shown in Part I should sign (when required). Exempt recipients, see *Exempt From Backup Withholding* on page 2.

Signature requirements. Complete the certification as indicated in 1 through 5 below.

1. Interest, dividend, and barter exchange accounts opened before 1984 and broker accounts considered active during 1983. You must give your correct TIN, but you do not have to sign the certification.

2. Interest, dividend, broker, and barter exchange accounts opened after 1983 and broker accounts 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.

4. Other payments. You must give your correct TIN, but you do not have to sign the certification unless you have been notified that you have previously given 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 (including payments to corporations), payments to a nonemployee for services, payments to certain fishing boat crew members and fishermen, and gross proceeds paid to attorneys (including payments to corporations).

5. Mortgage interest paid by you, acquisition or abandonment of secured property, cancellation of debt, qualified tuition program payments (under section 529), IRA, Coverdell ESA, Archer MSA or HSA contributions or distributions, and pension distributions. You must give your correct TIN, but you do not have to sign the certification.

What Name and Number To Give the Requester

For this type of account:	Give name and SSN 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 or single-owner LLC	The owner ³
For this type of account:	Give name and EIN of:
6. Sole proprietorship or single-owner LLC	The owner ³
7. A valid trust, estate, or pension trust	Legal entity ⁴
8. Corporate or LLC electing corporate status on Form 8832	The corporation
9. Association, club, religious, charitable, educational, or other tax-exempt organization	The organization
10. Partnership or multi-member LLC	The partnership
11. A broker or registered nominee	The broker or nominee
12. 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. If only one person on a joint account has an SSN, that person's number must be furnished.

² Circle the minor's name and furnish the minor's SSN.

³ You must show your individual name and you may also enter your business or "DBA" name on the second name line. You may use either your SSN or EIN (if you have one). If you are a sole proprietor, IRS encourages you to use your SSN.

⁴ List first and circle the name of the legal trust, estate, or pension trust. (Do not furnish the TIN of the personal representative or trustee unless the legal entity itself is not designated in the account title.) Also see *Special rules regarding partnerships* on page 1.

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

Privacy Act Notice

Section 6109 of the Internal Revenue Code requires you to provide your correct TIN to persons who must file information returns with the IRS to report interest, dividends, and certain other income paid to you, mortgage interest you paid, the acquisition or abandonment of secured property, cancellation of debt, or contributions you made to an IRA, or Archer MSA or HSA. The IRS uses the numbers for identification purposes and to help verify the accuracy of your tax return. The IRS may also provide this information to the Department of Justice for civil and criminal litigation, and to cities, states, the District of Columbia, and U.S. possessions to carry out their tax laws. We may also disclose this information to other countries under a tax treaty, to federal and state agencies to enforce federal nontax criminal laws, or to federal law enforcement and intelligence agencies to combat terrorism.

You must provide your TIN whether or not you are required to file a tax return. Payers must generally withhold 28% of taxable interest, dividend, and certain other payments to a payee who does not give a TIN to a payer. Certain penalties may also apply.

**TOWNSHIP OF MILLBURN
ORDINANCE NO. 2359-10**

**AN ORDINANCE TO AMEND AND SUPPLEMENT
THE “DEVELOPMENT REGULATIONS AND ZONING ORDINANCE”
OF THE TOWNSHIP OF MILLBURN IN ORDER TO ADOPT SUSTAINABLE BUILDING
STANDARDS FOR CONSTRUCTION IN THE TOWNSHIP**

WHEREAS, the Township of Millburn finds that the public welfare will be served by assuring that further commercial and civic development is consistent with the Township’s desire to create a more sustainable community; and

WHEREAS, on March 17, 2009, the Township Committee adopted Resolution No. 09-64, which adopted a policy of “sustainability,” which, at the municipal level of government, means a policy in which decision making about municipal purchasing and operations incorporates the “triple bottom line” of environmental stewardship, economic growth, and social equity, so that the needs to the present generation do not compromise the needs of future generations; and

WHEREAS, the Township Committee finds that the green building measures applied to the design, construction, and maintenance of building would achieve the following goals:

1. To encourage resource conservation;
2. To reduce the waste generated by construction projects;
3. To increase energy efficiency; and
4. To promote the health and productivity of residents, workers, and visitors to the Township; and

WHEREAS, the Township Committee finds that:

1. Green building practices referenced herein are designed to encourage resource conservation, to reduce the waste generated by construction projects, to increase energy efficiency, and to promote the health and productivity of residents, workers, and visitors to the Township;
2. Green design and construction decisions made by the Township in the construction and remodeling of Township buildings can result in significant cost savings to the Township over the life of the buildings;
3. In recent years, green building design, construction, and operational techniques have become increasingly widespread. Many homeowners, businesses, and building

professionals have voluntarily sought to incorporate green building techniques into their projects;

4. At the national level, the U.S. Green Building Council (USGBC), developer of the Leadership in Energy and Environmental Design (LEED) Green Building Rating System, has become a leader in promoting and developing green building practices;
5. The USGBC LEED Rating System has been used to design buildings in New Jersey;
6. Adopting regulations within the Township's jurisdictional power will further the development of green building practices in the private sector.

NOW, THEREFORE BE IT ORDAINED by the Township Committee of the Township of Millburn as follows:

SECTION I. The Development Regulations and Zoning Ordinance of the Township of Millburn will be and is hereby amended by enacting the following section.

531 SUSTAINABLE BUILDING AND DESIGN STANDARDS

531.1 Adoption of Codes by Reference

The "Leadership in Energy & Environmental Design Rating System," Version 3 (LEED 2009), adopted April 2009, which includes rating systems for LEED for New Construction and Major Renovation promulgated by the US Green Building Council ("USGBC") are hereby adopted by reference and incorporated into this chapter.

531.2 Township Funded Building Projects

- a. The Township supports *the* use of green building practices and adopts the use of USGBC's Leadership in Energy Design ("LEED") Rating System for the design and construction of new buildings and major renovations and additions to Township-owned buildings.
- b. The Township shall incorporate life-cycle and total cost accounting in the design, construction, and maintenance of all Township owned and financed buildings.
- c. Township funded capital improvement projects shall meet a minimum LEED "Silver" rating.

531.3 Development Applications

- a. To encourage development projects to incorporate sustainable building and design measures, the Township of Millburn has established a Sustainability checklist as part of the Millburn submission checklist for minor site plan, subdivision/ major site plan, subdivision applications. Applicants are required to fill out the Sustainability checklist form as a completeness item.
- b. The Sustainability checklist form incorporates proposed green energy and water conservation measures including:
 1. The name of any LEED Accredited Professionals working on the project.

2. A list of appliances, fixtures and construction techniques which meet U.S. EPA's Energy Star and WaterSense standards.
 3. A list of green and recycled building materials used in construction, renovation, and maintenance.
 4. A Waste Management Plan for recycling and/or reusing 60 percent of all construction and demolition waste generated in projects larger than \$25,000 outlining where waste will be sent for recycling, reuse, reprocessing, or disposal, together with a letter from each of the recipient facilities.
 5. Use of any water efficient landscaping.
 6. Use of any on-site renewable energy systems such as:
 - i. Solar
 - ii. Wind
 - iii. Geothermal
 7. Details of roofing materials designed to reduce the urban heat island effect such as:
 - i. Construction of roof top gardens to reduce solar gain in summer and insulate in winter
 - ii. Use of roofing materials that are no darker than a light gray or demonstrate how alternate roofing materials reduce the urban heat island effect
 8. Details of any sustainable stormwater systems employed such as:
 - i. Bioswales/ raingardens
 - ii. Permeable surfaces
 - iii. Grey water systems
 - iv. Retention and detention facilities
 - v. Continuous trenching
 9. A list of native and well adapted species used in landscaping to eliminate the need for fertilization and pesticides.
- c. For each of the sustainable building/design items listed on the Sustainability checklist form applicants must indicate the extent to which they are incorporating such a measure in the project; or, alternatively indicate the reason(s) why the measure is not being incorporated in the project.

SECTION II. Three copies of the Leadership in Energy & Environmental Design Rating System (LEED 2009) for New Construction and Major Renovation adopted April 2009, promulgated by the US Green Building Council shall be maintained on file in the Office of the Municipal Clerk.

SECTION III. All ordinances or parts of ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

SECTION IV. If any portion of this ordinance shall be determined to be invalid; such determination shall not affect the validity of the remaining portions of said ordinance.

SECTION V. This ordinance shall take effect upon final passage and publication in accordance with law.

ATTEST:

MILLBURN TOWNSHIP

Joanne M. Monarque,
Township Clerk

By: _____
Thomas C. McDermott
Mayor

Introduced: 7/20/10
Adopted: 8/17/10
Effective: 8/26/10

CERTIFICATION

I, JOANNE M. MONARQUE, Clerk of the Township of Millburn, in the County of Essex, New Jersey, do hereby certify that the foregoing is a true and correct copy of an ordinance duly adopted by the Township Committee of said Township at a regular meeting held on the day of

IN WITNESS WHEREOF I have hereunto set my hand and affixed the seal of said Township
this day of

Joanne M. Monarque
Township Clerk

SUSTAINABILITY CHECKLIST FORM

	APPLICANT	TOWNSHIP
		OK (Date)
<u>SUSTAINABLE BUILDING AND DESIGN STANDARDS</u>		
Name of LEED Accredited Professional working on project		
List of Energy Star and WaterSense appliances, fixtures and construction techniques		
List of green and recycled building materials in new construction, renovation, and maintenance		
Waste Management Plan for recycling and/or reuse of 60 percent of all construction and demolition of waste generated in projects larger than \$25,000		
Use of any water efficient landscaping		
Use of any on-site renewable energy systems such as: Solar Wind Geothermal		
Details of roofing materials designed to reduce the urban heat island effect such as: Construction of roof top gardens to reduce solar gain in summer and insulate in winter Use of roofing materials that are no darker than a light gray or demonstrate how alternate roofing materials reduce the urban heat island effect		
Details of any sustainable stormwater systems employed such as: Bioswales/ raingardens Permeable surfaces Grey water systems Retention and detention facilities Continuous trenching		
A list of native and well adapted species used in landscaping to eliminate the need for fertilization and pesticides		
Details of energy efficient HVAC equipment		
Details of building envelope efficiency such as insulation beyond code requirements, air sealing and advanced framing techniques		

Note: Please indicate for each of the sustainable building/design items listed, the extent to which the measure is being incorporated in the project; or, alternatively, indicate the reason(s) why it is not being incorporated in the project.