

**BOROUGH OF OGDENSBURG
LAND USE BOARD
APPLICATION INSTRUCTIONS**

The Land Use Board meets on the fourth Tuesday of each month unless otherwise posted. Applications, maps, fees, MUST be in the Borough offices twenty-one (21) days before the date of the next meeting, not counting the day of the meeting, in order to allow ample time for the review process.

The application and the checklist must be completed as part of the submission process. You have a right to seek a waiver of checklist items. To do so, check the appropriate waiver column on the checklist. Each waiver item should accompany a written statement as to why the item should be waived or is not applicable. That waiver request statement should be submitted with the application and checklist.

If you are a corporation, you are required to be represented by an attorney. If you are an individual, you have the right to represent yourself, however, the application process can be complex. While it is not required, it is suggested that you consult a professional, either a planner, an engineer or an attorney to determine whether you need professional assistance to guide you through this process.

Completeness -

The first meeting of the application will be reviewed by the Land Use Board for a determination of "completeness." This is a technical requirement outlined in the Municipal Land Use Law (N.J.S.A. 40:55D). If your application is deemed "incomplete," you will be provided the items that need to be satisfied by way of a written document. A hearing before the Land Use Board cannot be scheduled until the requested items are provided to the Land Use Board.

If the application is deemed "complete," the hearing will be scheduled at the next available meeting of the Land Use Board.

Prior to the Public hearing-

Certain applications require public notice to be published in the New Jersey Herald and sent by certified mail, return receipt requested, to all property owners and public utilities within 200 feet of the subject property at least ten (10) days in advance of the hearing, not including the date of the hearing.

A template for the public notice is included with this packet along with a template for letters to the adjacent owners. The public notice should include the following information: (a) Name of Applicant; (b) Name of Property Owner (if different than the Applicant) (c) the street address, lot and block of the property, (c) a summary of the application and relief being sought, (d) the date, time and location of the hearing, (e) the contact information for the land use board secretary, (f) advising the public that they have the opportunity to review the application at the municipal building during regular business hours, and (g) stating the public has the right to appear and make comments concerning the application at the public hearing.

A certified list of the property owners within 200 feet can be obtained from the Ogdensburg Borough Tax Assessor on Tuesdays, from 12:00 p.m. to 4:00 p.m. The Tax Assessor can also be reached at (973) 827-3444 or by email at taxassessor@ogdensburgnj.gov. The fee for such list is \$10.00.

The New Jersey Herald is located at 2 Spring Street, Newton, New Jersey 07860, (973) 383-1500. You can submit the public notice to the New Jersey Herald by email at

ganlegpubnotices7@gannett.com or through the online portal at <https://www.njherald.com/public-notices>. It is the Applicant's responsibility to check with the newspaper regarding legal notice deadlines.

Following the mailing and publication of the public notice, an affidavit of service providing proof of service and proof of publication must be submitted to the Land Use Board Secretary prior to the hearing with ample time to review the affidavit. A template for the affidavit of service is included with this packet.

After the Public hearing-

Once the application has been heard by the Land Use Board, a written resolution will be prepared memorializing the decision of the Land Use Board. Copies of the resolution will be sent to either you or your attorney so that the resolution can be reviewed for accuracy. If you or your attorney have any concerns about the resolution, your questions and concerns should be directed to the Land Use Board secretary.

Once the resolution is in final form, the Land Use Board will conduct a meeting memorializing the resolution. Your appearance at this meeting is not required.



**BOROUGH OF OGDENSBURG
LAND USE APPLICATION**

Sixteen (16) fully collated copies of the application, documents and maps must be filed with the Secretary of the Board twenty-one (21) days prior to the regular meeting of the Land Use Board.

Type of Application

☐ Lot Line Adjustment
☐ Pre-application/concept plan
☐ Minor Subdivision
☐ Major Subdivision/ preliminary
☐ Major Subdivision/final
☐ Minor Site Plan
☐ Major Site Plan/Preliminary
☐ General Development Plan
☐ Bulk Variance
☐ Use Variance
☐ Condition Use
☐ Extension of Time
☐ Appeal of Administrative Office
☐ Interpretations
☐ Amended Site Plan
☐ Other (explain) _____

Application No. _____

☐ Approved
☐ Conditionally Approved
☐ Denied
☐ Withdrawn

Date Received _____

Date of Action _____

Resolution Adopted _____

Block _____ Lot _____ Zone _____

Property Location _____

Size of Property _____

Official use only

1. Name of Applicant _____
Address of Applicant _____
Telephone _____

2. Name of Project _____

3. Name of Representative _____

Address _____

4. Plans Prepared by:
Engineer _____

Address: _____

Architect _____

Address: _____

Landscaper _____

Address: _____

Present Use: ☐ Residential ☐ Non- Residential Proposed Use: ☐ Residential ☐ Non-Residential
Describe Proposed Development/Request (Continue on separate sheet if necessary):

5. Has this property been the subject to any previous applications? Yes ☐ No ☐
If yes, what was the nature of the application and its disposition:

6. Description of Proposal
Subdivision: Location _____

Site Plan, Proposed Use _____

Planned Development _____

Proposed Improvements: ☐ on site ☐ off side ☐ on tract ☐ off tract
☐ Roads ☐ Drainage ☐ Other

7. If any variances are being requested, please identify: _____
8. Was an application made to the zoning officer? Yes ☐ No ☐ If yes, what was his decision. Provide a copy of that decision. _____.
9. What are the Exception conditions of property preventing applicant from complying with the zoning ordinance?
10. How will granting this variance benefit the applicant while minimizing any negative impacts on the surrounding neighborhood and over all zoning objectives?

State of New Jersey:

County of _____:

_____, being duly sworn according to law hereby certify the information presented in this application to be true and accurate.

Applicant signature

Sworn and subscribed to before

Me this _____ day of _____, 20____

Notary signature

STATUS OF TAXES

Contact the Tax Collector, prior to the date of submission of the application to the Land Use Office; submit the certification of taxes paid along with the application.

SITE INSPECTION AUTHORIZATION FORM

I hereby give permission for the Borough of Ogdensburg agencies and their agents to come upon and inspect these premises with respect to this application for _____ on Block __ Lot __.

Applicant's Signature _____ Date: _____

AFFIDAVIT OF OWNERSHIP

STATE OF NEW JERSEY

COUNTY OF _____

_____ of full age, being duly sworn according to law on oath deposes and says, that I reside at _____ in the municipality of _____ in the County of _____ and State of _____, and that I/we _____ are the owner in fee of the lands and premises which are the subject of this application to the Land Use Board and the property is described in that application as:

Sworn to and subscribed before me

This ____ day of _____, 20____. Signature of Owner (s) _____ Print name _____

Notary Signature _____ Signature of Owner (s) _____ Print name _____

AUTHORIZATION

Owner must sign in this place in addition to the above affidavit:

To the Land Use Board:

_____ is hereby authorized to make the within application.

Owner _____ Date _____

AFFIDAVIT OF CORPORATE OWNERSHIP

I/We, the undersigned, hereby indicate that we are the corporate:

Owners of _____
(Name of Corporation)

Located at _____
(Address of Corporation)

Listed below are the names and addresses of all owners of 10% or more of the stock/interest* in the undersigned applicant corporation/partnership.

Name	Address	% of Interest
------	---------	---------------

*Where corporations/partnerships own 10% or more of the stock/interest in the undersigned or in another corporation/partnership so reported, this requirement shall be followed until the names and address of the noncorporate stockholders/individual partners exceeding the 10% ownership criteria have been listed.

Signature of Officer/Partner

Name of Applicant Corporation/Partnership

Date

**Sample Notice to property owners
And other persons entitled to service**

Please take notice the undersigned _____ have made an application to the Ogdensburg Land Use Board of the Borough of Ogdensburg for the property identified as Block _____ Lot _____ on the current tax map of the Borough of Ogdensburg. The property is located at _____.

The application _____ is for a _____. The applicant may also apply for such variance relief, exceptions, waivers, permits, approvals or licenses that are deemed necessary or appropriate by the applicant or the Board, and which may arise during the hearing process.

This application is now on the calendar for the Ogdensburg Land Use Board meeting for a public hearing for application _____ to be held on _____, 20__ at 7:00pm in the Ogdensburg Municipal Building, 14 Highland Ave., Ogdensburg, NJ 07439. The application, maps and plans for which the approval is being sought are available for public inspections, 10 days prior to the hearing date, during normal business hours in the office of the secretary. At the time of the said hearing, you may appear in person, or by attorney and present testimony which you may have with respect to the subject matter of this hearing. This notice is sent to you by the applicant by order of the Ogdensburg Land Use Board.

Applicant
(Name of applicant)

**BOROUGH OF OGDENSBURG LAND USE BOARD GENERAL SUBMISSION
CHECKLIST**

Application is to be submitted **21 days before date of hearing**

Notices in newspaper **10 days before date of hearing**

Please provide a W for waiver with a separate explanation and a check by complete or incomplete

Complete	Incomplete	Waiver	Item
_____	_____	_____	1. One (1) original and 16 signed copies of the application.
_____	_____	_____	2. A written request itemizing all waivers which the Applicant request the Board to waive.
_____	_____	_____	3. Check for application fees.
_____	_____	_____	4. Check for deposit for review fees.
_____	_____	_____	5. Seventeen (17) copies of plot plan, site plan, subdivision Plan or other appropriate sketches in conformance with the applicable specific requirements enumerated below.
_____	_____	_____	6. Certificate that taxes are paid in full (Available from the Tax Collector (\$10.00 fee)
_____	_____	_____	7. Receipt indicating that fees are paid (ALL)
_____	_____	_____	8. Affidavit of ownership. If applicant is not owner, applicants' interest in land; e.g. tenant, contract / purchaser, lienholder, etc.
_____	_____	_____	9. Owner's consent to the application.
_____	_____	_____	10. Affidavit disclosing all stockholders of corporate owner of the property.
_____	_____	_____	11. Affidavit disclosing all stockholders of corporate applicant.
_____	_____	_____	12. Proof of submission to Sussex County Planning Board.
_____	_____	_____	13. Proof of publication and affidavit of Publication.
_____	_____	_____	14. Affidavit for service of notice on adjacent property Holders.
_____	_____	_____	15. List of property holders served.
_____	_____	_____	16. Postal receipts for service of notice.
_____	_____	_____	17. Soil erosion plan.

- | | | | |
|-------|-------|-------|--|
| _____ | _____ | _____ | 18. Proof of application to New Jersey Department of Transportation. |
| _____ | _____ | _____ | 19. Road opening permit. |
| _____ | _____ | _____ | 20. Environmental impact statement complying according to Ogdensburg Ordinances. |
| _____ | _____ | _____ | 21. Number of witnesses and their expertise, if any. |
| _____ | _____ | _____ | 22. A copy of all proposed deed descriptions. |
| _____ | _____ | _____ | 23. A schedule on the plats listing all applicable zone requirements For the area to be subdivided. |
| _____ | _____ | _____ | 24. Seventeen (17) copies of a separate map showing the utilities according with Ogdensburg Borough Ordinances. |
| _____ | _____ | _____ | 25. A copy of all deed restrictions or covenants according with Ogdensburg Borough Ordinances. |
| _____ | _____ | _____ | 26. W-9 request for Taxpayer Identification number and certification. |
| _____ | _____ | _____ | 27. One digital copy of the complete Application for Development with attachments forwarded to the Land Use Board Secretary. |

Notice Subject to its authority the Land Use Board may grant a waiver from any section, provided that a waiver is specifically being requested and a narrative paragraph explaining why the applicant is entitled to such a waiver is submitted.

PLAT SPECIFICATIONS:

Complete Incomplete Waiver

- | | | | |
|-------|-------|-------|--|
| _____ | _____ | _____ | 1. Sheet size either 15x21, 24x36, or 30x42 |
| _____ | _____ | _____ | 2. 16 plans shall be prepared by an architect, planner, engineer, land surveyor, except in the case of single- or two-family owner-occupied residences, however, provided that surveys are presented with the plans and are indicated graphically. |

GENERAL INFORMATION:

Complete Incomplete Waiver

- | | | | |
|-------|-------|-------|--|
| _____ | _____ | _____ | 3. Plat prepared to scale not smaller than one-inch equals one hundred feet based on deed, deed description, tax map, or similarly reasonable accurate data for the purpose of review and discussion by the land development board |
| _____ | _____ | _____ | 4. Metes and bounds description of parcel in question based upon current land survey information. |
| _____ | _____ | _____ | 5. Property lines shown in degree, minutes and seconds. |
| _____ | _____ | _____ | 6. Key map showing location of tract to be considered in relationship to surrounding area. |
| _____ | _____ | _____ | 7. Title block containing name of applicant, preparer, block and lot numbers, date of last amendment and zoning district. |
| _____ | _____ | _____ | 8. Each block and lot numbered in conformity with the municipal tax map as determined by the municipal tax assessor. |
| _____ | _____ | _____ | 9. Scale of Map, both written and graphic. |
| _____ | _____ | _____ | 10. North arrow giving reference meridian. |
| _____ | _____ | _____ | 11. Space for signatures of Chairman and Secretary of the Land Use Board. |
| _____ | _____ | _____ | 12. Names of all property owners within 200 feet of subject property. |
| _____ | _____ | _____ | 13. Location of existing and proposed property lines with dimensions in feet to the nearest two decimal places. |
| _____ | _____ | _____ | 14. Zone requirements per Ordinance and per application. |
| _____ | _____ | _____ | 15. Acreage of affected parcel to the nearest hundredth of an acre. |
| _____ | _____ | _____ | 16. Provide a photograph of the premises in question taken from the opposite side of the street. |

MAN MADE FEATURES ON SITE AND WITHIN 200 FEET THEREOF:

Complete Incomplete Waiver

- | | | | |
|-------|-------|-------|---|
| _____ | _____ | _____ | 17. Location of existing structures and their setback from existing and proposed lines. |
| _____ | _____ | _____ | 18. Location and types of existing easements or rights of way including power lines. |
| _____ | _____ | _____ | 19. Location of existing railroads, bridges, culverts, drain pipes, |

water and sewer mains and other man-made installments affecting the tract.

20. Location of existing wells and septic systems.

21. When applicant intends to use a conventional septic disposal system, location of test holes, test results, and approximate location of the intended disposal field.

22. Plans and profiles of proposed utility layouts, such as sewers, storm drains, water gas and electric showing feasible connections to existing or proposed utility systems.

23. Location and description of monuments whether set or to be set.

STREETS:

Complete Incomplete Waiver

24. Plans profiles and cross sections of all proposed new streets and /or access to proposed streets.

25. Location, names, and widths for all existing and proposed streets on the property and within 200 feet of the tract.

MISCELLANEOUS:

Complete Incomplete Waiver

26. Proposed site easements where required.

27. Proposed drainage easements where required.

28. Landscaping plan including the types, quantity, size and location of all proposed vegetation. The common and scientific names shall be indicated.

29. Soil erosion in and sediment control plan consistent with the requirements of the local Soil Conservation District.

30. Design calculations showing proposed drainage facilities to be in accordance with the appropriate drainage run off requirements.

31. The purposed of any proposed easement of land reserved or dedicated to public or common use shall be designated and the proposed use of sites other than residential shall be noted.

32. Designation of all flood hazard zones, wetlands and buffers on the property being sub-Divided.

AFFIDAVIT OF SERVICE
This Form must be completed by typing or printing in ink

NOTICE:

All blanks in the Affidavit and Form of Notice must be completed and this form must be notarized and attached to the list of property owners within 200 feet of the extreme limits of the property described in application to the Land Use board. This affidavit, list of property owners and proof of service must be provided to the Board Secretary prior to the meeting for review.

STATE OF NEW JERSEY:

COUNTY OF _____

I _____ of full age, being duly sworn according to law, deposes and says, that I reside at _____ in the municipality of _____ County of _____ and state of _____ that _____ is an appellant in a proceeding before the Land Use board of the Borough of Ogdensburg, for an _____, and which has the Application Number and relates to premises _____:

that on _____, 20__, I gave written notice of the hearing on this application to all property owners within 200 feet affected by said application, in the form hereinafter set forth, and according to the attached lists, and in the manner indicated thereon.

Signature

Date

Print name

Sworn and subscribed to be before me

This _____ day of _____, 20__

A Notary Public of the State of New Jersey

LIST OF PROPERTY OWNERS SERVED – OGDENSBURG LAND USE BOARD

Application # _____ FILED _____

NOTICE: The list of the names and addresses of property owners with 200 feet shall be obtained from the tax assessor plus the utilities listed on the certified list. This form shall be printed, and shall indicate at the right-hand column the type of service made on each person served, i.e.: P.S.- Personal Service, or C.M.S – Certified Mail Service.

<u>NAME AND ADDRESS</u>	<u>TYPE OF SERVICE</u>
1. _____	_____
2. _____	_____
3. _____	_____
4. _____	_____
5. _____	_____
6. _____	_____
7. _____	_____
8. _____	_____
9. _____	_____
10. _____	_____
11. _____	_____
12. _____	_____
13. _____	_____
14. _____	_____

Request for Taxpayer Identification Number and Certification

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

Print or type
See Specific Instructions on page 2.

Name (as shown on your income tax return)

Business name, if different from above

Check appropriate box: ☐ Individual/Sole proprietor ☐ Corporation ☐ Partnership
☐ Limited liability company. Enter the tax classification (D=disregarded entity, C=corporation, P=partnership) ▶
☐ Other (see instructions) ▶

☐ Exempt
payee

Address (number, street, and apt. or suite no.)

Requester's name and address (optional)

City, state, and ZIP code

List account number(s) here (optional)

Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on Line 1 to avoid backup withholding. For individuals, this is your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the Part I instructions on page 3. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN* on page 3.

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

Social security number

or

Employer identification number

Part II Certification

Under penalties of perjury, I certify that:

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

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

Sign
Here

Signature of
U.S. person ▶

Date ▶

General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

Purpose of Form

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

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

1. Certify that the TIN you are giving is correct (or you are waiting for a number to be issued),
2. Certify that you are not subject to backup withholding, or
3. Claim exemption from backup withholding if you are a U.S. exempt payee. If applicable, you are also certifying that as a U.S. person, your allocable share of any partnership income from a U.S. trade or business is not subject to the withholding tax on foreign partners' share of effectively connected income.

Note. If a requester gives you a form other than Form W-9 to request your TIN, you must use the requester's form if it is substantially similar to this Form W-9.

Definition of a U.S. person. For federal tax purposes, you are considered a U.S. person if you are:

- An individual who is a U.S. citizen or U.S. resident alien,
- A partnership, corporation, company, or association created or organized in the United States or under the laws of the United States,
- An estate (other than a foreign estate), or
- A domestic trust (as defined in Regulations section 301.7701-7).

Special rules for partnerships. Partnerships that conduct a trade or business in the United States are generally required to pay a withholding tax on any foreign partners' share of income from such business. Further, in certain cases where a Form W-9 has not been received, a partnership is required to presume that a partner is a foreign person, and pay the withholding tax. Therefore, if you are a U.S. person that is a partner in a partnership conducting a trade or business in the United States, provide Form W-9 to the partnership to establish your U.S. status and avoid withholding on your share of partnership income.

The person who gives Form W-9 to the partnership for purposes of establishing its U.S. status and avoiding withholding on its allocable share of net income from the partnership conducting a trade or business in the United States is in the following cases:

- The U.S. owner of a disregarded entity and not the entity,