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Borough Of Montvale

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

Planning Board
Major Subdivision Application

Date: _____

Please note: 20 sets of the completed application form must be submitted to the Board Secretary ALSO NOTE: UNFOLDED PLANS WILL NOT BE ACCEPTED

Please indicate the purpose of this application:

- ☐ Major Subdivision Classification/Sketch Plat Review
- ☐ Preliminary Subdivision Plat Approval
- ☐ Final Subdivision Plat Approval
- ☐ Amendment to Approved Final Subdivision Plat

Part 1

1a. Name of Applicant: _____

1b. Street: _____

1c. Town /State/Zipcode: _____ New Jersey _____ - _____

1d. Phone: _____

1e. Email: _____

2. Is the above listed applicant:

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

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

4. If applicant is represented by a NJ Attorney:

4a. Name of Attorney:
4b. Firm:
4c. Street:
4d. Town /State/Zipcode: New Jersey -
4e. Phone:
4f. Email:

5. To whom should correspondence and notices be sent?

5a. Name:
5b. Street:
5c. Town /State/Zipcode: New Jersey -
5d. Phone:
5e. Email:

6. Montvale Tax Assessment Map description of land proposed to be subdivided:

6a. Block: 6b. Lot:
6c. P.O. Street Address:
6d. Nearest Cross Streets:
6e. Zone District:

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

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

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

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

- ○ Yes
- ○ No

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

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

- ◯ Yes
- ◯ No

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

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

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

◯ Yes	◯ No	Certification of Applicant
◯ Yes	◯ No	Affidavit of Consent of Record Owner
◯ Yes	◯ No	Certification of Payment of Taxes (attach copy of certification of tax collector as to status of real property taxes related to subject property)
◯ Yes	◯ No	Completed Subdivision Checklist
◯ Yes	◯ No	Proof of Ownership or Property Interest (set forth and attach copy of deed or other instrument by which sufficient interest in property is claimed to justify application and hearing)
◯ Yes	◯ No	W-9 Form

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

Part 2

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

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

If checked no, state why:

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

Part 3 - Application for Zoning Variance Relief

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

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

B. The nature of the Zoning Variance relief requested:

C. In what manner, in this particular case, the literal enforcement of the provisions of said sections is impractable and will exact undue hardship because of peculiar conditions pertaining to the premises which are the subject of this application::

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

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

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

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

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

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

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

Application prepared by: _____
Name

_____
Address

Signature: _____

Date: _____

Part 5 - Certification of Applicant

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

Signature of Applicant _____

Signature of Applicant _____

Subscribed and sworn to before me this _____day of _____

_____

Notary Public

Part 6 - Affidavit of Consent of Record Owner

State of _____)

SS:

County of _____)

_____ , of full age,

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

he resides at _____

in the _____ of _____

in the County of _____

in the State of _____

that he is the owner in fee of all that certain lot, piece or parcel of land situated, lying and being in the Borough of Montvale aforesaid, and known and designated as

Block(s) _____, Lot(s) _____, and that he hereby consents and authorizes the applicant to make the within application.

_____

Signature of Record Owner

Subscribed and sworn to before me this _____day of _____

_____

Notary Public

Part 7 - Certification of Payment of Taxes

Date: _____

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

_____
Signature of Tax Collector

BOROUGH OF MONTVALE
SUBDIVISION PLAN SUBMISSION CHECKLIST

Applicant Name:	Type of Application		
Applicant Address:	Subdivision		
Owner Name:	Minor	Major Prelim.	Major Final
Owner Address:			
Project Name:			
Block: Lot(s):			
Street Address:			
Checklist Prepared By:			

Subdivision Plan				ALL APPLICATIONS AND SUPPORTING MATERIALS MUST BE SUBMITTED TO THE BOARD SECRETARY AT LEAST 21 DAYS PRIOR TO THE REGULARLY SCHEDULED BOARD MEETING.	TO BE COMPLETED BY THE APPLICANT			TO BE COMPLETED BY THE BOROUGH		
Minor	Major Preliminary	Major Final	Number	✓ REQUIRED DOCUMENTS TO BE SUBMITTED WITH APPLICATION	Provided	N/A	Waiver Requested	Provided Y/N	Waiver Requested	Waiver Granted
✓	✓	✓	1.	Name and address of the applicant.						
	✓		2.	If the owner of the premises is other than an individual, the name and address of the partners or officers of the entity making the submission.						
✓	✓	✓	3.	Name of subdivision,or title of development.						
✓	✓	✓	4.	Name of record owner, if other than applicant.						
	✓		5.	Certification of owner, if other than the applicant, authorizing submission.						
✓	✓	✓	6.	Lot and block designation of the property.						
✓	✓	✓	7.	Address of property.						
✓	✓		8.	Name, address, license number, and seal of the person, firm, or organization preparing the plat or subdivision.						
✓	✓		9.	North arrow.						
✓	✓	✓	10.	Written and graphic scales.						
✓	✓		11.	Date prepared with all subsequent revisions noted on the plat.						
✓	✓		12.	Appropriate signature blocks for the required approving authority's signature.						
✓	✓		13.	Key map as required by ordinance.						
✓	✓		14.	Aerial photograph with tract boundaries.						
	✓		15.	All distances shall be in feet and decimals of a foot and all bearings shall be given to the nearest 10 seconds						
	✓		16.	The names, as shown on current tax records, of all owners within 200 feet of the subdivision, together with lot and block numbers of said property.						
✓	✓		17.	Tract boundaries identified by heavy solid line. Subdivision line(s) clearly identified and labeled.						

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✓	✓		18.	Lot area of existing lot(s) of entire tract calculated in acres. Lot area of proposed lots calculated in square feet and acres. Include total number of lots proposed.						
✓	✓		19.	Zoned district in which property is located.						
✓	✓		20.	Tabulation of all applicable zone district bulk requirements as per ordinance.						
✓	✓		21.	List of all variances and waivers/exceptions being sought.						
✓	✓	✓	22.	Location and lot and block numbers of all proposed lots verified by the Borough Tax Accessor.						
	✓		23.	Survey data showing boundaries of the property, building, or setback lines and lines of existing and proposed streets, lots, reservations, easements, and areas dedicated to the public use, including grants, restrictions, and rights-of-way. The area of all						
	✓		24.	Reference to any existing or proposed covenants, deed restrictions, or exceptions covering all or part of any parcel. A copy of such covenants, deed restrictions, or exceptions shall be submitted with the application.						
	✓		25.	Distances, measured along the right-of-way lines of existing streets abutting the property, to the nearest intersections with other public streets.						
	✓		26.	Location of all existing and proposed buildings and all other structures, as detailed in the ordinance.						
	✓		27.	Location of all existing and proposed storm drainage structures and utility lines, as detailed in the ordinance.						
	✓		28.	Grading plan illustrating existing and proposed contours with a contour interval of no less than two feet. Existing contours are to be indicated by dash lines; and proposed contours are to be indicated by solid bold lines, as detailed in the ordinance.						
	✓		29.	Location of existing rock outcrops, high points, watercourses, depressions, lakes and ponds, marshes, wooded areas, and other significant existing environmentally sensitive or natural features within the entire tract and within 100 feet thereof.						
✓			30.	Location of all existing structures, wooded areas, existing watercourses, rock outcrops, depressions, lakes and ponds, etc., as per the ordinance.						
✓	✓		31.	Location of existing wells, septic systems on site, and within 100 feet of the tract.						
✓	✓		32.	Location of all trees exhibiting a diameter of four or more inches, measured at 12 inches above the ground, as detailed in the ordinance.						
✓	✓		33.	A delineation of all trees having a diameter of four or more inches proposed to be removed from the new lot being created, measured at 12 inches above the ground, as detailed in the ordinance.						
	✓		34.	All proposed streets and street names, with profiles, indicating the grading; and cross sections showing width of roadway, location and width of sidewalks and location and size of utility lines conforming to the Borough standards and specifications, as detailed in the ordinance.						
✓			35.	Metes and bounds of all property lines of the entire tract and the new lot(s) being created.						
✓			36.	Location of all existing railroad bridges, culverts, drainage pipes, underground storage tanks, rights-of-way, fences and buildings.						

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✓			37.	Drawings of all existing and proposed drainage and utility layouts.						
✓	✓		38.	Location of the required building envelopes with front, rear, and side yard setback dimensions on each proposed lot.						
✓	✓		39.	Location of any wetland areas and associated wetland transition areas as detailed in the ordinance.						
✓	✓		40.	Location of any flood hazard areas with delineation and elevation of the 100-year flood boundary.						
✓			41.	Existing topography shown at five-foot intervals interpolated for US Coast and Geodetic Survey map for the entire tract. All lands with a topographic slope of 15% or greater in its natural state shall be separately designated on the topographic map of the tract as well as any other area of the tract identified as steep slopes in the Ordinance.						
			42.	Plans illustrating all proposed streets with the following information:						
✓			43.	Street centerline plan and profiles.						
✓			44.	Street centerline curve data including central angle, tangent distance, radius, arc length, chord distance, and chord bearing.						
✓			45.	Right-of-way dedication and improvement, if applicable.						
✓			46.	Sight triangle easements, if applicable.						
✓			47.	Location and width of all existing and proposed easements, including utilities, drainage, and access. The area of all proposed easeements shall be proved in square feet.						
✓	✓		48.	Landscape plan as detailed in the ordinance.						
✓	✓		49.	Soil erosion and sediment control plan.						
✓			50.	Stormwater management plan.						
✓	✓		51.	Environmental Impact Statement.						
✓			52.	Plans meeting the requirements of the Map Filing law, if a map rather than deeds are to be filed with the Bergen County Clerk's office.						
	✓		53.	The location of all existing and proposed water lines, valves and hydrants, and all sewer lines. The location of all existing and proposed inverts for the sewer lines.						
	✓		54.	Existing and proposed stormwater drainage systems as detailed in the ordinance.						
	✓		55.	Any lands subject to the Farmlands Assessment Act of 1964 shall be duly noted as to the valuation, assessment, and taxation.						
	✓		56.	A chart showing the designation of all lines, symbols, and characters as demonstrated on the plan.						
	✓	✓	57.	Appropriate details to Borough, County, and State standards including, but not limited to, sidewalks, curbs, paving, street signs, drainage, etc.						
	✓		58.	Locations, size, and details of all existing and proposed signs.						
	✓		59.	Lighting plans, including location, type, wattage, height, and isolux lines.						
	✓		60.	Details of traffic control devices with direction of traffic flow.						

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	✓		61.	Location of fire lanes and other parking restrictions.						
	✓		62.	Location of solid waste storage and screening means.						
	✓		63.	Location of any area(s) proposed to be used for snow removal equipment staging and/or the temporary storage of snow.						
	✓	✓	64.	Such other information or data as may be required by the approving authority or the County Planning Board for determination that the details of the subdivision are in accordance with the standards of all applicable laws, ordinances or resolutions.						
	✓		65.	Name, phone number, email address, license number of the Architect, Landscape Architect, Planner, and Traffic Engineer, if applicable.						
	✓		66.	A statement accompanying the preliminary major subdivision plan detailing the type of structures to be constructed, approximate start and completion date of construction, and if the development is proposed in phases, a phasing plan shall be submitted.						
		✓	67.	The final plat shall be drawn at a scale of not less than one inch equals 50 feet and in compliance with all the provisions of the Map Filing Law.						
		✓	68.	Information sufficient to demonstrate that all conditions of preliminary approval and additional details at the time of preliminary approval, if previously granted, have been satisfied.						
		✓	69.	The tract boundary lines, right-of-way lines of streets, street names, easements and other rights-of-way, land to be reserved or dedicated to public use, all lot lines and other site lines; the accurate dimensions, bearings and deflection angles and radii arcs and central angles of all curves; the area of each lot.						
		✓	70.	The names, exact locations and widths of all existing and recorded streets intersecting or parallel to the plot boundaries within a distance of 200 feet.						
		✓	71.	The purpose of any easement or land reserved or dedicated to public use shall be designated, and the proposed use of sites, other than residential, shall be noted.						
		✓	72.	The proposed lot, block and street numbers on the tract, including lot and block numbers of abutting properties.						
		✓	73.	The location and description of all monuments.						
		✓	74.	The names of owners of adjoining unsubdivided lands.						
		✓	75.	When approval of a plat is required by any other officer or body of any municipality, county, or state, such approval shall be certified on the plat or evidence shall be submitted that application has been made for such approval.						
		✓	76.	Certification by a licensed engineer or land surveyor as to the accuracy of the details of the plat.						
		✓	77.	Certification and will serve letters from water, sewer, electric, and gas utilities.						
		✓	78.	Four copies and one PDF of all deeds with metes and bounds description for proposed easement dedications including dedication of additional road right-of-way.						
		✓	79.	A certification that the Applicant is the agent or owner of the land or that the owner has given consent.						
		✓	80.	A certificate from the Tax Collector that all taxes and municipal assessments are paid as of the date of application.						

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		✓	81.	Written proof that the lands set aside or shown for easement, public use or streets are free and clear of all liens and encumbrances.						
		✓	82.	Copies of completed and submitted applications to the Bergen County Planning Board and Bergen County Soil Conservation District, if applicable.						

Form **W-9**
(Rev. January 2003)
Department of the Treasury
Internal Revenue Service

Request for Taxpayer Identification Number and Certification

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

Print or type See **Specific Instructions** on page 2.

Name

Business name, if different from above

Check appropriate box: ☐ Individual/ Sole proprietor ☐ Corporation ☐ Partnership ☐ Other ► ---------- ☐ Exempt from backup withholding

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. 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. person (including a U.S. resident alien).

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

Sign Here **Signature of U.S. person ►** **Date ►**

Purpose of Form

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

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

1. Certify that the TIN you are giving is correct (or you are waiting for a number to be issued),

2. Certify that you are not subject to backup withholding, or

3. Claim exemption from backup withholding if you are a U.S. exempt payee.

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

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

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

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

1. The treaty country. Generally, this must be the same treaty under which you claimed exemption from tax as a nonresident alien.

2. The treaty article addressing the income.

3. The article number (or location) in the tax treaty that contains the saving clause and its exceptions.

4. The type and amount of income that qualifies for the exemption from tax.

5. Sufficient facts to justify the exemption from tax under the terms of the treaty article.

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 30% of such payments (29% **after** December 31, 2003; 28% **after** December 31, 2005). 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, or

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

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

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.**

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 social security card. 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 social security card 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.

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** [2]

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

[2] However, 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 on-line at **www.ssa.gov/online/ss5.html**. 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 get Forms W-7 and SS-4 from the IRS by calling 1-800-TAX-FORM (1-800-829-3676) or from the IRS Web Site at **www.irs.gov**.

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, 3, 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 or Archer MSA 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,** but you may also enter your business or "DBA" name. You may use either your SSN or EIN (if you have one).

[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.)

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. 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, and the District of Columbia to carry out their tax laws. We may also disclose this information to other countries under a tax treaty, or to Federal and state agencies to enforce Federal nontax criminal laws and to combat terrorism.

You must provide your TIN whether or not you are required to file a tax return. Payers must generally withhold 30% 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.

ESCROW AGREEMENT

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

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

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

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

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

Section 1. *Purposes*

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

Section 2. *Escrow Established*

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

Section 3. *Escrow Funded*

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

Section 4. *Increase in Escrow Fund*

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

Section 5. *Submission of Vouchers by Professional Staff*

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

Section 6. *Board Review*

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

Section 7. *Applicant's Objection*

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

Section 8. *Interest Allocations*

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

Section 9. *Refund*

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

Section 10. *Failure to Maintain Escrow Fund*

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

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

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

Section 11. *Performance Escrow – Inspections*

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

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

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

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

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

Address of Applicant:

_____
NAME

_____
ADDRESS

_____
MUNICIPALITY STATE ZIP CODE

_____
TELEPHONE NUMBER

above.