



# Borough of Brielle

PLANNING BOARD

601 UNION LANE • P.O. BOX 445 • BRIELLE, NEW JERSEY 08730

(732) 528-6600 or 528-6262 • FAX (732) 528-7186

## **INSTRUCTIONS FOR FILING A PLANNING BOARD APPLICATION**

1. Complete the application and submit 18 copies with 18 site plan/subdivision plats to the Planning Board Secretary. Don't forget to include 18 copies of the proper addendum (Zoning, Site Plan or Subdivision). Please submit in sets, not individual piles of pages. Please remember to **MEET WITH THE ASSESSOR** for proper Block and new Lot numbers, plans will be returned if the new lot numbers are incorrect.
2. Also include in each set a copy of a letter, obtained from the Zoning Officer Alan P. Hilla, Jr., certifying the variances that you are requesting, if any, as well as design waivers. Plans will not be accepted if this is not included.
3. The application fee, payable to "The Borough of Brielle", must accompany the application in accordance with the fee schedule attached. Two checks are needed, one is for your base fees & one is for the escrow fees.
4. All site plan, variance and subdivision applications require publication and notice to property owners within 200 feet of the subject property. Notice must be given at least 10 days (not counting the day of service or mailing) before the Public Hearing date, on the form provided. The official list of property owners to be served shall be obtained from the Tax Collector – the fee for this is \$10.00 and the application is enclosed in this package.
5. Where subject property is within 200 feet of properties in another municipality, a similar list shall be obtained from that municipality and official notice must be served on those property owners also.
6. Notice of Public Hearing shall be served in the following manner: (a) by personally serving the Notice to the homeowner or his agent or (b) by Certified Mail, Return Receipt. Public notice of the hearing shall also be published (once) in an official newspaper of Brielle (The Coast Star newspaper or the Asbury Park Press) at least 10 days prior to the hearing date (not counting date of publication) using the form provided.
7. The Affidavit of Service must be submitted to the Board after service is given, with signature notarized (form attached) along with an Affidavit of Publication from the newspaper. These forms must be submitted by the afternoon of the hearing.
8. All corporations **MUST** be represented by an attorney. An individual applicant may represent himself/herself if they so desire.

9. Please contact the Recording Secretary, Karen Brisben or Administrative Secretary Colleen Castronova if you need clarification or have any questions. Karen can be reached at 732-528-6600, ext. 114 & Colleen is ext.115.

**BOROUGH OF BRIELLE DEVELOPMENT APPLICATION**

Filing Fee Paid \_\_\_\_\_ Date Filed \_\_\_\_\_

1. Applicant's Name \_\_\_\_\_  
Address: \_\_\_\_\_  
Signature: \_\_\_\_\_ Phone \_\_\_\_\_

2. Present Owner (if other than applicant) \_\_\_\_\_  
Address: \_\_\_\_\_  
Signature: \_\_\_\_\_ Phone \_\_\_\_\_

3. Attorney Representing Applicant (NOTE: Corporations must be represented by a NJ Attorney): Name: \_\_\_\_\_  
Firm: \_\_\_\_\_  
Address: \_\_\_\_\_  
Phone: \_\_\_\_\_ Fax: \_\_\_\_\_

4. Licensed New Jersey Professional preparing plan:  
Name: \_\_\_\_\_  
Firm: \_\_\_\_\_  
Address: \_\_\_\_\_  
Phone: \_\_\_\_\_ Fax: \_\_\_\_\_

5. Interest of applicant (if other than owner): \_\_\_\_\_

6. Property Location \_\_\_\_\_  
Block \_\_\_\_\_ Lot \_\_\_\_\_ Zone \_\_\_\_\_  
Size of Property \_\_\_\_\_

7. Application for (Check as appropriate): Zoning Variance \_\_\_\_\_

SITE PLAN – Preliminary:	_____	Conditional Use	_____
Final:	_____	Section 89-9 "Q"	_____
Minor:	_____	Amended	_____

SUBDIVISION – Classification:

Minor: \_\_\_\_\_

Preliminary \_\_\_\_\_

Final (Major) \_\_\_\_\_

8. Existing Use: \_\_\_\_\_ Proposed Use: \_\_\_\_\_

9. Permission requested to: Erect \_\_\_\_\_ Alter \_\_\_\_\_  
Move \_\_\_\_\_ Use \_\_\_\_\_ Subdivide \_\_\_\_\_  
Other \_\_\_\_\_

10. Describe explanation of request:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

11. Has there been any previous application involving these premises? If so, state date of application, nature of application and disposition:  
\_\_\_\_\_

12. Have all real estate taxes applicable to premises been paid to date? Yes \_\_\_ No \_\_\_

13. Attach and circle the following addenda (as appropriate):

ZONING VARIANCE

SITE PLAN

SUBDIVISION

14. Will the subdivision, if approved, be filed by deed or by map? \_\_\_\_\_

CERTIFICATION

Certification is hereby made by \_\_\_\_\_ that the plans included in this package agree with the Letter of Denial given by the Zoning Officer, also included in this application package, and they have not been revised in any manner.

I realize that if they have been revised, a new Letter of Denial must be applied for so all documents match with the variances requested. The Planning/Zoning Board will only hear applications that are in complete agreement with the Zoning Officer's findings.

\_\_\_\_\_  
Applicant

\_\_\_\_\_  
Applicant

Date: \_\_\_\_\_

**BOROUGH OF BRIELLE, NEW JERSEY**  
**ADDENDUM FOR SITE PLAN APPROVAL**

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Complete 1 through 5 only for Preliminary Site Plan & Minor Site Plan.

- 1. Have you read all of the site plan requirements? Yes \_\_\_\_\_ No \_\_\_\_\_
- 2. Have you been given a checklist? Yes \_\_\_\_\_ No \_\_\_\_\_
- 3. Have you complied with all the requirements? Yes \_\_\_\_\_ No \_\_\_\_\_
- 4. If not, where does it differ and state reasons why you cannot comply? \_\_\_\_\_

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5. Estimated cost of improvement? \_\_\_\_\_

If a minor site plan application, the plan may be prepared by someone other than a licensed professional, and the applicant may request waivers from the site plan requirements if agreed to by Municipal Agency. Please list waivers requested and state reasons on a separate sheet.

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Complete 6 and 7 only for Final Site Plan or amended site plan.

- 6. Does this differ in any way from Preliminary approval? Yes \_\_\_\_\_ No \_\_\_\_\_
- 7. If it does differ, please indicate where it differs and state the reasons therefore: \_\_\_\_\_

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NAME \_\_\_\_\_

ATTACH TO DEVELOPMENT APPLICATION NUMBER \_\_\_\_\_



# Borough of Brielle

PLANNING BOARD

601 UNION LANE • P.O. BOX 445 • BRIELLE, NEW JERSEY 08730

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## ADDENDUM FOR ZONING VARIANCE

1. Applicant (does) (does not) own adjoining property? \_\_\_\_\_
2. Size of Lot(s) \_\_\_\_\_ Depth of Lot(s) \_\_\_\_\_  
Width of Lot \_\_\_\_\_
3. Size of Proposed Structure(s) \_\_\_\_\_
4. Percentage of Lot Occupied by Building(s) \_\_\_\_\_
5. Height of Building \_\_\_\_\_ Stories \_\_\_\_\_ Feet \_\_\_\_\_
6. Setback or proposed setback from front property line? \_\_\_\_\_  
Rear property line? \_\_\_\_\_  
Side lines? Left \_\_\_\_\_, Right \_\_\_\_\_
7. Has there been any previous appeal involving these premises? \_\_\_\_\_  
If so, state character of appeal and date of disposition:  
\_\_\_\_\_  
\_\_\_\_\_

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8. the proposed building or use thereof is contrary to the Zoning Ordinance in the following particulars: See attached Zoning Officer's Report.

9. State reasons why this Zoning Variance should be granted:

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**BOROUGH OF BRIELLE PLANNING BOARD**

Take notice that on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, at 7:30 P.M., a hearing will be held before the Brielle Planning board on the application of the undersigned so as to permit

\_\_\_\_\_  
\_\_\_\_\_  
On premises located at \_\_\_\_\_  
And designated as Block \_\_\_\_\_ Lot(s) \_\_\_\_\_ on the Borough of Brielle Tax  
Map and located in the \_\_\_\_\_ Zone.

Variances requested are as follows: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

The maps and documents pertaining to this application are on file in the office of the Planning Board and are available for inspection during normal business hours.

Any interested party may appear at this hearing and participate in accordance with the rules of the Planning Board.

\_\_\_\_\_  
Applicant

Publication date: \_\_\_\_\_

**Note:** If a variance is required, also include the information contained in the Zoning Officer's report, stating the Statute(s) and explanations of Statute(s). Your notice will not be valid if this information is not in the newspaper.

This notice **MUST** be in an official newspaper of the Planning Board at least 10 days before the hearing date, as well as to property owners within 200 feet.

**BOROUGH OF BRIELLE, NEW JERSEY**  
**ADDENDUM FOR SUBDIVISION APPROVAL**

1. Area of entire tract: \_\_\_\_\_ (sq. ft.) \_\_\_\_\_ (Acres)  
 Number of proposed lots: \_\_\_\_\_
2. Are all lots conforming? Yes \_\_\_\_\_ No \_\_\_\_\_
3. If not, please indicate how many and their sizes: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_
4. Indicate intention to sell lots only; construct houses for sale;  
 or specify other development plans: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_
5. Location of nearest sanitary sewer: \_\_\_\_\_
6. Location of nearest public water supply: \_\_\_\_\_
7. Type of existing surface of street: \_\_\_\_\_
8. Does subdivision abut or affect any County, State or Federal  
 highways, properties or facilities? If yes, describe: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_
9. Are any new streets, extension or municipal facilities or utilities involved in this subdivision?  
 \_\_\_\_\_
10. Are any other variances involved in this subdivision? \_\_\_\_\_  
 \_\_\_\_\_
11. Are any easements or special covenants by deed involved in this subdivision?  
 Yes \_\_\_\_\_ No \_\_\_\_\_ If yes, attach copy.
12. Are any drainage ditches, streams, or other water courses involved in this subdivision? \_\_\_\_\_  
 \_\_\_\_\_
13. Name, address, and lot and block numbers (as disclosed by most recent tax records) of all property owners  
 within 200 feet of the tract to be subdivided must be shown on the plat.
14. Have all real estate taxes, direct and indirect assessments on  
 the property to be subdivided, been paid as of this date? \_\_\_\_\_
15. Classified \_\_\_\_\_ Date \_\_\_\_\_  
 (If classified as a minor, this becomes a minor subdivision application.)
16. If Minor Subdivision application, and you request the Board waive any requirements, please list on separate  
 sheet and state reasons

**MINOR SUBDIVISION PLAT DETAILS  
BOROUGH OF BRIELLE**

**CHECKLIST**

DATE TO BE SUBMITTED OR SHOWN ON PLAT	INFORMATION NOT PROVIDED	N/A	COMMENTS
1. <del>Eleven (11)</del> <sup>Fifteen (15)</sup> copies of application forms, subdivision plat and required fee.			
2. Title block showing name of subdivision, owners name and address, block and lot number, and tax sheet number.			
3. Engineer's scale in feet, north arrow, key map at a scale of 1" = 100", acreage of tract to 10th of acre, schedule of zoning requirements and zoning district.			
4. Names, signatures, addresses, seal and license number of engineer or surveyor. Names of all adjoining property owners and those directly across the street per recent tax records.			
5. Certification blocks for signature of Chairman, Secretary and Board Engineer.			
6. Proof of payment of real estate taxes signed by Borough Tax Collector.			
7. All existing and proposed property lines with lot dimensions in feet, lot areas in square feet, existing and proposed structures with setbacks and existing and proposed water, sewer and drainage utilities.			
8. First floor elevations of proposed structures, spot elevations and all topographical data per Article VII of Land Subdivision Ordinance.			
9. All existing streets, water courses, flood plains, rights-of-way, easements, drainage structures, utility lines, wooded areas within 500 feet.			
10. The proposed system of drainage showing the size and direction of flow of any ponds, streams, swales, culverts, pipes on-site and within 500 feet.			
11. Proof of submission to the Freehold Soil Conservation District and County Planning Board, if required.			
12. Legal notice, proof of service, certified list of property owners within 200' and affidavit of ownership, if variances are required.			

**NOTE:** This is a checklist and not a detailed list of requirements. All minor subdivision plats must be submitted in compliance with Article VII, Minor Subdivision, Plat Details of the Borough of Brielle, Land Subdivision Ordinance.

## **REQUIREMENTS FOR SUBMISSION OF PRELIMINARY SITE PLAN**

1. Give title, key map location of development and the name and address of record owner and/or development applicant, and site planner preparing the site development plan.
2. Indicate proposed use or uses of the land and buildings.
3. Site plans should be presented at a scale no smaller than 1" = 50', nor larger than 1" = 20'; size of sheets should not exceed 36" x 24".
4. Scale and graphic scale.
5. North arrow, in same direction on all sheets.
6. Submit survey of the property prepared by a licensed surveyor of New Jersey, showing boundaries of properties, line of all existing streets and roads, easements, rights-of-way and areas dedicated to public use within two-hundred (200) feet of the development. Also indicate on this sheet the north arrow, scale feet and graphic scale, name and address and professional license number and seal of the person who prepared the survey.
7. Give names of all owners of record of all adjacent properties with lot and block numbers, parcel number, and tax map number within two hundred (200) feet of the property.
8. Show existing and proposed buildings with dimensions showing, with first floor elevation, present and finished grade elevations at all corners and entrances. Present buildings and structures to be removed are to be indicated.
9. Submit topographic map to delineate existing contours at two (2) foot intervals, up to ten (10) feet beyond property lines, as well as proposed grading and contours, wooded areas, trees (where six (6) inches or greater in diameter for the area to be disturbed), flood plains, ponds, streams and drainage ditches, etc.
10. Indicate the location of all existing and proposed structures, i.e., walls, fences, culverts, bridges, roadways, etc., with grade elevations for each structure.
11. Indicate existing zones of the development site and of any different zones within two hundred (200) feet of the property.
12. The distance of the property line (measured along the centerline of existing streets abutting the property) to the nearest intersection.
13. Show the boundaries of the property, building and setback lines, lines of existing streets, lots, reservations, easements and areas dedicated to public use.
14. Indicate locations of all utility structures and lines, existing and proposed storm water drainage on-site and on-tract and from buildings and structures, as well as telephone, power and light, water, hydrant locations, sewer, gas, etc., whether privately or publicly owned, with manholes, inlets, pipe sizes, grades, inverts and directions of flow.
15. Show location, size and nature of the entire lot or lots in question; of contiguous lots owned by the applicant or owner of record, or in which the applicant has a direct interest even though only a portion of the entire property is involved in site plan development. Provide on a key map, if necessary.
16. Show all proposed easements and public and community areas.
17. Indicate all means of vehicular ingress and egress to and from the site onto public streets, showing the size and location of driveways, curb cuts and curbing, sight lines, and radii.
18. Show location and design of off-street parking areas, showing their size, and the locations of internal circulation, traffic patterns, parking space, aisles, driveways, curbing, barriers, and wearing surface finishes and construction.
19. Show location, arrangement and dimensions of truck loading and unloading platforms and docks.
20. Indicate provisions for refuse and garbage disposal. Insure that areas are not exposed to view, are unpolluting, covered from weather and are secure from vandalism.
21. Show provisions for screening storage of equipment, attached or separate from buildings.

22. Indicate all existing or proposed exterior lighting (free-standing and/or on building) for size, nature of construction, lumens, heights, area and direction of illumination, foot candles produced, as well as time controls proposed for outdoor lighting and display.
23. Note all existing and proposed signs and their sizes; nature of construction and location, height and orientation, including all identification signs, traffic directional signs and arrows, free-standing and facade signs and time control for sign lighting, if any.
24. Indicate locations, dimensions and construction of off-site sidewalks, on-site exits, walks and sidewalks. Provision should be made for pedestrian safety, access ways and, where necessary, a bicycle system and racking.
25. Show proposed screening, green areas, landscaping and fencing, including a planting plan and schedule (sizes, types, number).
26. Show improvements to adjoining streets and roads, and traffic control devices necessary in streets or highways. Acceleration and deceleration lanes, paving, land dedication or acquisition for roads should be shown.
27. Copies of any covenants and deed restrictions intended to cover any of the development site should be submitted.
28. Submit elevations, sketches, renderings, or pictures of any new buildings or structures.
29. Preliminary architectural floor plans and elevations should be submitted, with the name, address, professional number and seal of the architect.
30. Supply appropriate places for signatures and date approval of the chairman and secretary for the Municipal Agency.
31. In fire prevention, consideration must be shown for service lines, hydrants, siamese connections, automatic sprinkler systems, fire zones, "no parking" fire zones and pavement and wall signs.
32. Show dimensions of all of the above on the site plan so that scaling will not be necessary.

### **FINAL SITE PLAN DETAILS**

Final site plan details are primarily a refinement of the preliminary details by providing final engineering and architectural information which will be classified as site plan construction details. The final data shall be accurate.

1. All the data required on the preliminary site plan with complete accuracy.
2. If any changes from the preliminary site plan have been made, submit an approved preliminary site plan showing those changes marked in red.



**SUBJECT: CERTIFICATION OF TAXES PAID FOR MEETING OF \_\_\_\_\_**

DATE:

Applicant's name \_\_\_\_\_

Owner's name \_\_\_\_\_

Address \_\_\_\_\_

Property known as:

Block(s) \_\_\_\_\_

Lot(s) \_\_\_\_\_

Taxes \$ \_\_\_\_\_ Paid through \_\_\_\_\_

Account # \_\_\_\_\_

Remarks: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

I hereby certify that the above is correct to the best of my knowledge.

\_\_\_\_\_

Date

\_\_\_\_\_

Tax Collector, Borough of Brielle

**APPLICATION FOR CERTIFIED LIST  
VARIANCE/SITE PLAN/PRELIMINARY MAJOR SUBDIVISION**

To: Tax ~~Assessor~~ <sup>COLLECTOR</sup>,

Date: \_\_\_\_\_

Property description on which hearing is requested:

Block(s) \_\_\_\_\_ Lot(s) \_\_\_\_\_

Street \_\_\_\_\_

Presently assessed to: \_\_\_\_\_

Person to receive list \_\_\_\_\_

Address \_\_\_\_\_

Phone Number \_\_\_\_\_

Mail ( )

Call ( )

Hearing date \_\_\_\_\_

\_\_\_\_\_  
Signature of applicant or agent

Fee of \$10.00 submitted on \_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Clerk

**ORDINANCE NO. 1011**

**AN ORDINANCE TO AMEND CHAPTER  
TWENTY, SECTION SIX, SUB-SECTION  
SEVEN (20-6.7) OF THE CODE OF THE  
BOROUGH OF BRIELLE ENTITLED "LAND  
USE FEES"**

**BE IT ORDAINED**, by the Governing Body of the Borough of Brielle as follows:

That Section 20-6.7 entitled "Fees" as currently included in the Municipal Code under the overall heading of "Land Use" be amended to incorporate the following new fee schedule:

20-6.7 Fees.

The Municipal Agency shall charge fees for administration of its functions, powers and duties as follows:

- a. Base Fees. The following non-refundable fees shall be payable in connection with the following schedule of land use development applications to the Planning Board. The base fees provided for herein have been established to cover the cost of the administrative scheduling and coordination in conjunction with normal applications. Applicants will be required to post escrow fees, as provided for under subsection 20-6.7e, to cover all billings submitted by Board Professionals associated with services rendered in conjunction with individual applications.

<b>1. Site Plans</b>	
Minor Site Plan	\$300.00
Preliminary Major Site Plan	\$500.00
Final Major Site Plan	\$250.00
<b>2. Subdivisions</b>	
Minor Subdivision	\$300.00
Major Subdivision Sketch Plat	\$500.00
Preliminary Major Subdivision	\$1,000.00
Final Major Subdivision	\$350.00
<b>3. Variance and Design Waiver Applications</b>	
Bulk Variance	\$100.00
Use Variance	\$500.00
Special Permit Permit to construct on a Mapped street or public Drainage way, flood Control basin or public area reserved as described in N.J.S.A. 40:550-76	\$500.00
Appeals (Pursuant to 40:55D-70(a))	\$300.00
Design Waivers (1)	\$300.00
Design Waiver – Each Additional	\$100.00
<b>4. Special Meetings (requested by Applicant)</b>	<b>\$1,200.00</b>

5. Pre-application Review for Subdivisions or Site Plans	\$500.00
6. Re-Zone application	\$1,000.00
7. Abridged Site Plan	\$500.00
8. Informal Review of Concept Plan for Development pursuant to N.J.S.A. 40:55D-10.1 and sub-section 20-7.15	\$300.00 towards fee for review of an application for development, if any.

- b. Fees for Revisions Submitted After Initial Meeting. In the event applicant submits a revision subsequent to the initial meeting in which an application shall be heard, the applicant shall tender an additional fee of one-half (1/2) of the application fee set forth above for each such revision.
- c. Consultation with Planning Board Professional Staff, Reimbursement of Costs. The applicant is hereby advised that he may consult with any member of the Brielle Planning Board Professional Staff prior to any meeting with the provision that the applicant submit a letter indicating that he will reimburse the Board for any costs incurred by the Board due to such consultation.
- d. Costs of Multiple Forms of Relief. In the event an applicant is seeking multiple forms of relief, such applicant shall pay the fee for each such form of relief. For example, in the event the applicant is seeking a preliminary and final site plan approval of a project, including a single variance, the applicant shall pay:

\$500.00	-Preliminary Site Plan
\$250.00	-Final Site Plan
<u>\$100.00</u>	-Variance
\$850.00	-Total Base Fee

- e. Refundable Escrow Fees. These fees, in the amounts listed below, are to be known as Refundable Escrow Account, to be maintained by the Borough Treasurer. Such amounts shall be paid, at the request of the Board, in cash, certified check or money order and no further action will be taken until such fee is received.

All costs, expenses and fees incurred by the board, for the services of a planner, engineer, attorney or other professional consultant or expert during the application review process shall be paid by the board from the escrow funds. When the escrow balance has become depleted, to twenty (20%) percent of the original amount, the Board may require the deposit of such additional amounts as are deemed necessary.

Unit charges of experts, consultants and other professionals, shall be in accordance with rates normally charged the municipality or board for similar work.


Upon final action with regard to the application (including withdrawal or dismissal), the Borough Treasurer shall provide the applicant with an accounting of the escrow funds, itemizing each individual disbursement. Where the escrow balance exceeds the aggregate of additional costs associated with the application, the difference, along with interest, if required by N.J.S.A. 40:55D-53.1, will be refunded. In the event that the additional costs exceed the escrow balance, the applicant shall be required to satisfy such deficiency before any plats will be signed or permits issued.

<b>1. Site Plans</b>	
Minor Site Plan	\$1,000.00
Preliminary Major Site Plan	\$2,500.00
Final Major Site Plan	\$1,500.00
<b>2. Subdivisions</b>	
Minor Subdivision	\$1,500.00
Major Subdivision Sketch Plat	\$1,000.00
Preliminary Major Subdivision	\$2,500.00
Final Major Subdivision	\$1,500.00
<b>3. Variance Applications</b>	
Variance	\$300.00
Interpretation of the Land	
Use Ordinance or map	\$500.00
Special Permit:	
Permit to construct on a	
Mapped street or public	
Drainage way, flood	
Control basin or public	
Area reserved as described	
In N.J.S.A. 40:550-76	\$1,000.00
Appeals (Pursuant to	
40:55D-70(a))	\$500.00
Design Waivers	\$100.00 (each)
<b>4. Preapplication Review</b>	
for Subdivision or Site	
Plans	\$500.00
<b>5. Re-Zone Application</b>	
	\$1,000.00

**BE IT ORDAINED**, that all Ordinances, or parts of Ordinances inconsistent with the foregoing are hereby repealed, but only to the extent of the inconsistency.

**BE IT FURTHER ORDAINED**, that this Ordinance shall take effect immediately upon passage and publication according to law.

Attest: *Thomas F. Nolan*  
Thomas F. Nolan  
Municipal Clerk

  
Thomas B. Nicol  
Mayor

Introduced: June 13<sup>th</sup>, 2011  
Adopted: June 27<sup>th</sup>, 2011

## 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/disregarded entity name, if different from above	
	Check appropriate box for federal tax classification (required): <input type="checkbox"/> Individual/sole proprietor <input type="checkbox"/> C Corporation <input type="checkbox"/> S Corporation <input type="checkbox"/> Partnership <input type="checkbox"/> Trust/estate	
	<input type="checkbox"/> Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=partnership) ▶	
	<input type="checkbox"/> Other (see instructions) ▶	
Address (number, street, and apt. or suite no.)		Requester's name and address (optional)
City, state, and ZIP code		Borough of Brielle 601 Union Lane Brielle, NJ 08730
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 the "Name" line 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.

Social security number									

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

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.

<b>Sign Here</b>	Signature of U.S. person ▶	Date ▶
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### 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,
- 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 payee 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 a percentage of such payments. This is called "backup withholding." Payments that may be subject to backup withholding include interest, tax-exempt 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 I instructions on page 3 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 for partnerships* on page 1.

### Updating Your Information

You must provide updated information to any person to whom you claimed to be an exempt payee if you are no longer an exempt payee and anticipate receiving reportable payments in the future from this person. For example, you may need to provide updated information if you are a C corporation that elects to be an S corporation, or if you no longer are tax exempt. In addition, you must furnish a new Form W-9 if the name or TIN changes for the account, for example, if the grantor of a grantor trust dies.

### 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/disregarded entity name" line.

**Partnership, C Corporation, or S Corporation.** Enter the entity's name on the "Name" line and any business, trade, or "doing business as (DBA) name" on the "Business name/disregarded entity name" line.

**Disregarded entity.** Enter the owner's name on the "Name" line. The name of the entity entered on the "Name" line should never be a disregarded entity. The name on the "Name" line must be the name shown on the income tax return on which the income will be reported. For example, if a foreign LLC that is treated as a disregarded entity for U.S. federal tax purposes has a domestic owner, the domestic owner's name is required to be provided on the "Name" line. If the direct owner of the entity is also a disregarded entity, enter the first owner that is not disregarded for federal tax purposes. Enter the disregarded entity's name on the "Business name/disregarded entity name" line. If the owner of the disregarded entity is a foreign person, you must complete an appropriate Form W-8.

**Note.** Check the appropriate box for the federal tax classification of the person whose name is entered on the "Name" line (Individual/sole proprietor, Partnership, C Corporation, S Corporation, Trust/estate).

**Limited Liability Company (LLC).** If the person identified on the "Name" line is an LLC, check the "Limited liability company" box only and enter the appropriate code for the tax classification in the space provided. If you are an LLC that is treated as a partnership for federal tax purposes, enter "P" for partnership. If you are an LLC that has filed a Form 8832 or a Form 2553 to be taxed as a corporation, enter "C" for C corporation or "S" for S corporation. If you are an LLC that is disregarded as an entity separate from its owner under Regulation section 301.7701-3 (except for employment and excise tax), do not check the LLC box unless the owner of the LLC (required to be identified on the "Name" line) is another LLC that is not disregarded for federal tax purposes. If the LLC is disregarded as an entity separate from its owner, enter the appropriate tax classification of the owner identified on the "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/disregarded entity name" line.

**Exempt Payee**

If you are exempt from backup withholding, enter your name as described above and check the appropriate box for your status, then check the "Exempt payee" box in the line following the "Business name/disregarded entity 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.

The following payees are exempt from backup withholding:

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

IF the payment is for . . .	THEN the payment is exempt for . . .
Interest and dividend payments	All exempt payees except for 9
Broker transactions	Exempt payees 1 through 5 and 7 through 13. Also, C corporations.
Barter exchange transactions and patronage dividends	Exempt payees 1 through 5
Payments over \$600 required to be reported and direct sales over \$5,000 <sup>1</sup>	Generally, exempt payees 1 through 7 <sup>2</sup>

<sup>1</sup> See Form 1099-MISC, Miscellaneous Income, and its instructions.

<sup>2</sup> However, the following payments made to a corporation and reportable on Form 1099-MISC are not exempt from backup withholding: medical and health care payments, attorneys' fees, gross proceeds paid to an attorney, 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-member LLC that is disregarded as an entity separate from its owner (see *Limited Liability Company (LLC)* on page 2), enter the owner's SSN (or EIN, if the owner has one). Do not enter the disregarded entity's EIN. If the LLC is classified as a corporation or partnership, 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.ssa.gov](http://www.ssa.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](http://www.irs.gov/businesses) and clicking on Employer Identification Number (EIN) under Starting a Business. You can get Forms W-7 and SS-4 from the IRS by visiting [IRS.gov](http://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.** Entering "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 item 1, below, and items 4 and 5 on page 4 indicate otherwise.

For a joint account, only the person whose TIN is shown in Part I should sign (when required). In the case of a disregarded entity, the person identified on the "Name" line must sign. Exempt payees, see *Exempt Payee* on page 3.

**Signature requirements.** Complete the certification as indicated in items 1 through 3, below, and items 4 and 5 on page 4.

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.

**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.

**Secure Your Tax Records from Identity Theft**

Identity theft occurs when someone uses your personal information such as your name, social security number (SSN), or other identifying information, without your permission, to commit fraud or other crimes. An identity thief may use your SSN to get a job or may file a tax return using your SSN to receive a refund:

To reduce your risk:

- Protect your SSN,
- Ensure your employer is protecting your SSN, and
- Be careful when choosing a tax preparer.

If your tax records are affected by identity theft and you receive a notice from the IRS, respond right away to the name and phone number printed on the IRS notice or letter.

If your tax records are not currently affected by identity theft but you think you are at risk due to a lost or stolen purse or wallet, questionable credit card activity or credit report, contact the IRS Identity Theft Hotline at 1-800-908-4490 or submit Form 14039.

For more information, see Publication 4535, Identity Theft Prevention and Victim Assistance.

Victims of identity theft who are experiencing economic harm or a system problem, or are seeking help in resolving tax problems that have not been resolved through normal channels, may be eligible for Taxpayer Advocate Service (TAS) assistance. You can reach TAS by calling the TAS toll-free case intake line at 1-877-777-4778 or TTY/TDD 1-800-829-4059.

**Protect yourself from suspicious emails or phishing schemes.** Phishing is the creation and use of email and websites designed to mimic legitimate business emails and websites. The most common act is sending an email to a user falsely claiming to be an established legitimate enterprise in an attempt to scam the user into surrendering private information that will be used for identity theft.

The IRS does not initiate contacts with taxpayers via emails. Also, the IRS does not request personal detailed information through email or ask taxpayers for the PIN numbers, passwords, or similar secret access information for their credit card, bank, or other financial accounts.

If you receive an unsolicited email claiming to be from the IRS, forward this message to [phishing@irs.gov](mailto:phishing@irs.gov). You may also report misuse of the IRS name, logo, or other IRS property to the Treasury Inspector General for Tax Administration at 1-800-366-4484. You can forward suspicious emails to the Federal Trade Commission at: [spam@uce.gov](mailto:spam@uce.gov) or contact them at [www.ftc.gov/idtheft](http://www.ftc.gov/idtheft) or 1-877-IDTHEFT (1-877-438-4338).

Visit [IRS.gov](http://IRS.gov) to learn more about identity theft and how to reduce your risk.

**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 <sup>1</sup>
3. Custodian account of a minor (Uniform Gift to Minors Act)	The minor <sup>2</sup>
4. a. The usual revocable savings trust (grantor is also trustee)	The grantor-trustee <sup>3</sup>
b. So-called trust account that is not a legal or valid trust under state law	The actual owner <sup>3</sup>
5. Sole proprietorship or disregarded entity owned by an individual	The owner <sup>3</sup>
6. Grantor trust filing under Optional Form 1099 Filing Method 1 (see Regulation section 1.671-4(b)(2)(i)(A))	The grantor <sup>3</sup>
For this type of account:	Give name and EIN of:
7. Disregarded entity not owned by an individual	The owner
8. A valid trust, estate, or pension trust	Legal entity <sup>4</sup>
9. Corporation or LLC electing corporate status on Form 8832 or Form 2553	The corporation
10. Association, club, religious, charitable, educational, or other tax-exempt organization	The organization
11. Partnership or multi-member LLC	The partnership
12. A broker or registered nominee	The broker or nominee
13. 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
14. Grantor trust filing under the Form 1041 Filing Method or the Optional Form 1099 Filing Method 2 (see Regulation section 1.671-4(b)(2)(i)(B))	The trust

<sup>1</sup> 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.

<sup>2</sup> Circle the minor's name and furnish the minor's SSN.

<sup>3</sup> You must show your individual name and you may also enter your business or "DBA" name on the "Business name/disregarded entity" name line. You may use either your SSN or EIN (if you have one), but the IRS encourages you to use your SSN.

<sup>4</sup> List first and circle the name of the 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 for partnerships* on page 1.

\*Note. Grantor also must provide a Form W-9 to trustee of trust.

**Privacy Act Notice**

Section 6109 of the Internal Revenue Code requires you to provide your correct TIN to persons (including federal agencies) who are required to file information returns with the IRS to report interest, dividends, or certain other income paid to you; mortgage interest you paid; the acquisition or abandonment of secured property; the cancellation of debt; or contributions you made to an IRA, Archer MSA, or HSA. The person collecting this form uses the information on the form to file information returns with the IRS, reporting the above information. Routine uses of this information include giving it to the Department of Justice for civil and criminal litigation and to cities, states, the District of Columbia, and U.S. possessions for use in administering their laws. The information also may be disclosed to other countries under a treaty, to federal and state agencies to enforce civil and 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. Under section 3406, payers must generally withhold a percentage of taxable interest, dividend, and certain other payments to a payee who does not give a TIN to the payer. Certain penalties may also apply for providing false or fraudulent information.