APP. NO. _____ DATE FILED: _____

APP. NAME: _____ FEE PAID: _____

Action by the _____
Recommended _____ **Granted**_____ **Denied**_____
Date: _____

TOWNSHIP OF COLTS NECK
Monmouth County, New Jersey
VARIANCE APPLICATION

1. I, _____, the applicant herein, whose post office address is _____ _____ am the _____
(owner, lessee, prospective purchaser , etc.)

of property located at or on _____ _____ and designated as Block _____, Lot(s) _____ on the Tax Map of the Township of Colts Neck.

Home Phone: _____ Work Phone: _____

2. Said property is in a _____ Zone, is _____ _____ and has the following structures: (give dimensions and area)

_____
(indicate type of structure and use thereof)

_____

_____

3. Request is hereby made for permission to _____

_____
(State in detail the proposed construction and use)

_____

_____

_____

_____

4. The proposed building or use thereof is contrary to Article: _____ Sections: _____ of the Zoning Ordinance _____
(Other Ordinance)
of the Township of Colts Neck in the following particulars:

5. The conditions obtaining and the reasons for this request are as follows:

6. The names, addresses, lot and block numbers as they appear on the latest Tax Duplicate and Tax Map of the Township of Colts Neck, and of adjoining municipalities, of all owners of property within 200 feet of the boundaries of the property affected by this application are:

NAME	ADDRESS	BLOCK	LOT

(Attach Rider if Space is Insufficient)

7. Does applicant propose to use the entire tract of land? ____

8. Has the property been separated from a larger tract of land? _____ If so, when? _____ Has the Planning Board approved the Subdivision? _____ When? _____.

9. Has there been any previous appeal involving these premises? _____ If so, state date of filing: _____; character of appeal _____; disposition of same _____

10. By filing a second application do applicant and owner, if other than applicant, waive any and all rights gained in the first application? _____

11. Attached hereto and made a part hereof are the following:

    a. Two sets of drawings, drawn to scale, and containing all necessary measurements and all features involved in this application.
    b. Duplicate plot plans, drawn to scale, showing dimensions and area of property in question and all properties within 200 feet of the boundaries of said property.
    c. Check or money in the sum of $_____ in payment of the filing fee. Make checks payable to the "Township of Colts Neck".

I, the undersigned, being duly sworn according to law upon my oath do depose and say that all of the statements contained herein are based on my own knowledge and are true and correct.

Dated: _____ Signature of Applicant _____

Sworn and Subscribed to
before me this _____ day
of _____ 20 __

_____

If applicant is not the owner of property herein, owner must sign the following consent:

The foregoing application is hereby consented to this _____ day of _____ 20 _____.

_____
Signature of Owner

_____
Post Office Address

Form **W-9**
(Rev. August 2013)
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 (as shown on your income tax return)

Business name/disregarded entity name, if different from above

Check appropriate box for federal tax classification:
☐ Individual/sole proprietor ☐ C Corporation ☐ S Corporation ☐ Partnership ☐ Trust/estate

☐ Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=partnership) ▶

☐ Other (see instructions) ▶

Exemptions (see instructions):
Exempt payee code (if any)
Exemption from FATCA reporting code (if any)

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

Requester's name and address (optional)

City, state, and ZIP code

List account number(s) here (optional)

Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on 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.

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
☐☐☐ – ☐☐ – ☐☐☐☐

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), and
4. The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

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 3.

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

General Instructions

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

Future developments. The IRS has created a page on IRS.gov for information about Form W-9, at *www.irs.gov/w9*. Information about any future developments affecting Form W-9 (such as legislation enacted after we release it) will be posted on that page.

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, payments made to you in settlement of payment card and third party network transactions, 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, and
4. Certify that FATCA code(s) entered on this form (if any) indicating that you are exempt from the FATCA reporting, is correct.

Note. If you are a U.S. person and 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 under section 1446 on any foreign partners' share of effectively connected taxable income from such business. Further, in certain cases where a Form W-9 has not been received, the rules under section 1446 require a partnership to presume that a partner is a foreign person, and pay the section 1446 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 section 1446 withholding on your share of partnership income.

DEVELOPER'S ESCROW AGREEMENT

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

Article 4 Section 411

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

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

1. Charges for reviews by professional consultants and/or professional personnel of applications, plans and accompanying documents;

2. Issuance of reports by professional consultants and/or professional personnel to the municipal agency setting forth recommendations resulting from the review of any documents submitted by the applicant;

3. Charges for any telephone conference or meeting requested or initiated by the applicant, his attorney or any of his experts or representatives;

4. Review of additional documents submitted by the applicant and issuance of reports relating thereto;

5. Review of proposed or prior easements, developers agreements, deeds, resolutions or the like;

6. Preparation for and attendance at all meetings by Professionals such as Planning Consultant, Traffic Engineer or other experts as required; and

7. The cost of expert advice or testimony obtained by the municipal agency for the purpose of corroborating testimony of applicant's experts.

8. The use of a court reporter or transcriber is at the discretion of the applicant. The applicant bears the responsibility of retaining a court reporter or transcriber if the applicant deems such services to be necessary. If a transcript of any proceedings made, the applicant shall provide a copy of the same to the Township free of charge.

CERTIFICATION

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

The Applicant and Owner agree that if no payment is made within thirty (30) days of receipt of the request for same, the Township may bring a legal action against the Applicant and Owner for the collection of same. The Applicant and Owner will be responsible for all of the Township's fees including legal fees at the regular hourly rate charged by the Township's Attorney and costs in connection therewith in addition to all pre-judgment and post-judgement interest. Any legal action commenced by the Township shall be in addition to, and not an alternative to, any other rights or remedies Colts Neck may have under this escrow agreement, the ordinances of the Township or the laws of the State of New Jersey.

The Owner hereby agrees that if and in the event the amounts required under this agreement are not paid, same shall be deemed to be a lien on the above described property and shall be collectible as in the case of taxes by the adoption of a resolution of the Township Governing Body upon receipt of a certification that the amounts are due and owing in contravention of this agreement.

IN WITNESS WHEREOF, the parties hereto have set their hands and seals on the date first above written.

WITNESS:

_____ _____

(Applicant)

WITNESS:

_____ _____

(Owner)

STATE OF NEW JERSEY)
SS:
COUNTY OF MONMOUTH)

BE IT REMEMBERED, that on the day of 20
before me, the subscriber, a Notary Public of the State of New Jersey, personally appeared,
who acknowledged under oath, to my satisfaction, that he/she:

(a) is named in and personally signed this document; and
(b) signed, sealed and delivered this document as his/her act and deed.

_____

HOLD HARMLESS

Date: _____

Gentlemen:

The undersigned will at all times hold harmless the Township of Colts Neck and its Officers and its Engineer from any loss due to damage resulting from the grading, drainage, or development of the lands designed as Block _____, Lot _____ on the Tax Map of Colts Neck Township commonly known as _____, Colts Neck, New Jersey, sustained or incurred by reason or in consequence of development and site improvements in accordance or conditionally approved as the same appears on file in the office of the Planning Board of the Township of Colts Neck, Application No. _____.

The assurances herein contained are intended to fully comply with the requirements of Section 102-36A2 of the Colts Neck Development Regulations Ordinance.

WITNESS our hand and seal this _____ day of _____, 20___.

_____
Applicant's Signature

Sworn to and subscribed before me this _____ day of _____, 20___

_____
Notary

ATTACHMENT B

TAX COLLECTOR'S CERTIFICATION

APPLICATION NUMBER _____ DATE _____

APPLICANT NAME _____ RECEIVED BY _____

DATE RECEIVED _____

I, _____, Tax Collector for the Township of Colts Neck do hereby certify and affirm that no taxes are due or delinquent on Block(s) _____, Lot(s) _____ as shown on the Tax Map of the Township of Colts Neck.

Taxes paid through _____Quarter on _____

_____
Name

_____
Signature

_____
Applicant Signature

Colts Neck Township . 124 Cedar Drive . Colts Neck, NJ 07722
Tel: 732.462.5470 . Fax: 732.431.3173
www.coltsneck.org

TOWNSHIP OF COLTS NECK
124 CEDAR DRIVE, COLTS NECK, NJ 07722
TEL (732) 4625470; FAX (732) 431-3173

ARCHITECTURAL REVIEW COMMITTEE

Application No.: _____

Applicant's Name: _____

Project Street Address: _____

Project: Block No: _____ Lot No: _____

Project Zone: _____ Lot Size: _____

Project Summary: _____

_____

Date Reviewed: _____

PROJECT'S EXTERIOR MATERIALS - COMMITTEE'S CRITIQUE TO FOLLOW

Roof: Material _____ Color _____

Siding:
Front Elev: Material _____ Color _____

Right Side Elev: Material _____ Color _____

Left Side Elev: Material _____ Color _____

Rear Elev: Material _____ Color _____

Exposed Found'n: Material _____ Color _____

Exposed Chimney: Material _____ Color _____

Windows: Material _____ Color _____

Terrace/Deck: Material _____ Color _____

Other Exterior Elements And Their Colors:

_____

_____

_____

Application # ZB_____

TOWNSHIP OF COLTS NECK
MONMOUTH COUNTY
NEW JERSEY

NOTICE

TO: _____
_____
_____

PLEASE TAKE NOTICE that the undersigned has appealed to the Board of Adjustment of the Township of Colts Neck for a variance from the provisions of Section _____ of the Zoning Ordinance so as to permit:

_____
_____
_____
_____
_____
_____
_____
_____

on premises located at _____
known as Block _____, Lot (s) _____ on the Tax Map, which is within 200 feet of property owned by you. This appeal is now on the Secretary's Calendar and a public hearing has been ordered for Thursday evening _____ at 7:00 p.m. prevailing time, in the Municipal Building, 124 Cedar Drive, Colts Neck, New Jersey at which time you may appear in person, by agent or attorney and present any objection which you may have to the granting of this appeal. The Applicant reserves the right to amend this application at the time of hearing to include any and all other variances, waivers or other relief which may be deemed necessary or appropriate by the Board of Adjustment. All plans, maps and papers regarding this appeal are on file in the Planning Department and are available for inspection during normal business hours.

This notice is served upon you by order of the Board of Adjustment.

Respectfully,

_____
Applicant

_____
Date

Application No.: _____ **FORM #3**

BOARD OF ADJUSTMENT
ZONING ORDINANCE
TOWNSHIP OF COLTS NECK
MONMOUTH COUNTY
NEW JERSEY

In the Matter of the Application
of) Proof of Service
)

STATE OF NEW JERSEY
COUNTY OF MONMOUTH) SS.

I, _____, being duly sworn on my oath, depose and say: that I am the applicant, owner agent of

applicant _____;
(Strike out inapplicable word)

that at the date hereinafter stated I served a notice of which the annexed is a true copy, upon the following property owners each of whose property is within two hundred feet of the property of appellant to be affected in this matter, in the manner following, that is to say;

(a) Personally, by handling such true copy to said property owners as follows:

(b) By leaving such true copy with the owner's agent in charge of the property, as follows:

(c) By mailing, by certified mail, such true copy to the last known address of the property owners as shown by the most recent tax list of said Township, as follows:

(Please complete attached list)

METHOD OF SERVICE A, B. OR C	NAME	ADDRESS	DATE OF SERVICE

CERTIFICATION

I HEREBY CERTIFY that the foregoing statements made by me are true. I am aware that if any such statements made by me are willfully false, I am subject to punishment.

_____
Deponent

Subscribed and sworn to before me this

_____day of _____20 __

_____
Appellant

CHECKLIST NO. 6
TOWNSHIP OF COLTS NECK
VARIANCE APPLICATION

Application No.: _____ Date Received By Board: _____

Project Name: _____

Applicant's Name: _____

Block (s): _____ Lot(s): _____

Latest Issue Date of Plat Cover Sheet: _____

NOTICE

THIS FORM MUST BE COMPLETED AND RETURNED TO THE ADMINISTRATIVE OFFICER WITH THE VARIANCE APPLICATION WHEN FILED. FAILURE TO INCLUDE *ALL* ITEMS REQUIRED ON SUBMITTED PLANS OR ATTACHMENTS MAY RESULT IN THE APPLICATION BEING CONSIDERED INCOMPLETE FROM A SUBMISSION STANDPOINT AND CERTIFICATION AS A COMPLETE APPLICATION DENIED. TO BE CONSIDERED AT A REGULAR BOARD MEETING, ALL INFORMATION AND DOCUMENTS MUST BE RECEIVED BY THE BOARD A MINIMUM OF TEN (10) DAYS PRIOR TO THE MEETING.

FOR BOARD USE ONLY		TO BE CHECKED BY APPLICANT	
		Yes	No
( ) 1.	For application under Section 102-8H1 (**), three copies of application and checklist and all required and submitted documents and prints plus required fee.	___	___
( ) 2.	For application under Section 102-8H2, four copies of completed application and checklist and all required and submitted documents and completed prints plus required fee.	___	___
( ) 3.	For application under Section 102-8F, four copies of variance application plus checklist, fees, number of copies of all documents required by this ordinance for the type of application(s) involved. (See Sections 102-38 or 102-39)	___	___

( ) 4. One copy of information and documents required in Section 102-24, Public Hearing Notice and Proof of Service must be provided at or prior to the Public Hearing. ___ ___

( ) 5. Certification that all Real Estate taxes are paid to date (obtain from Tax Collector). ___ ___

( ) 6. Three copies of identification of information missing and reasons for not providing required information at this time. ___ ___

* On a separate page list all items not provided, with appropriate ordinance reference, example: 102-71A or 102-93B1(6) and reasons for not providing required information at this time and when it will be provided.

** Reference in Colts Neck Township Development Regulations Ordinance.

CERTIFICATION BY APPLICANT AND PERSON
COMPLETING THIS FORM (Both must sign)

I (We) believe the above information is accurate, I (we) understand that "certification of the application as complete" determines the commending of the applicable time period for action by the approving authority and understand that certification of the application for time period purposes does not mean that all applicable ordinance requirements have been met or that all required information, data and/or documents required for approval of the application have been received or that any waivers have been granted.

Signed: _____ Date: _____
Applicant

_____ Date: _____
Person preparing this check list

§ 102-87. Schedule of limitations: residential and agricultural. [Amended 4-14-1999; 6-9-1999; 11-10-19. 9]

Schedule of Limitations: Residential and Agricultural

Type	A-1	A-2	A-3	A-4	A-5	AG
	District					
Minimum lot area (square feet)	88,000	40,000	30,000	§ 102-85	220,000	§ 102-86
Minimum lot frontage	300 ft.[1]	200 ft.[1]	150 ft.[1]	§ 102-85[1]	400 ft.	§ 102-86[1]
Minimum lot width	300 ft.	200 ft.	150 ft.	§ 102-85	400 ft.	§ 102-86
Minimum lot depth	200 ft.	175 ft.	150 ft.	§ 102-85	400 ft.	§ 102-86
Minimum yards						
Principal buildings (see definitions in § 102-4)						
Front yard	75 ft.[1]	75 ft.[1]	75 ft.[1]	§ 102-85	75 ft.	§ 102-86[1]
Side yard (each)	50 ft.[1]	40 ft.[1]	30 ft.[1]	§ 102-85	50 ft.	§ 102-86[1]
Rear yard	50 ft.[1]	25 ft.[1]	15 ft.[1]	§ 102-85	50 ft.	§ 102-86[1]
Accessory buildings						
Front yard	100 ft.	100 ft.	100 ft.	§ 102-85	100 ft.	§ 102-86
Side yard	50 ft./ 25 ft.[8 25]	25 ft.	15 ft.	§ 102-85	50 ft.	§ 102-86
Rear yard	50 ft./ 25 ft.[9 26]	25 ft.	15 ft.	§ 102-85	50 ft.	§ 102-86
To another building	20 ft.	20 ft.	20 ft.	§ 102-85	20 ft.	§ 102-86
For more specific requirements, see § 102-48.						
Maximum building coverage						
Principal buildings						
One-story	10%	10%	10%	§ 102-85	10%	§ 102-86
Two-story	6.6%	6.6%	6.6%	§ 102-85	6.6%	§ 102-86
Accessory buildings	5%	5%	5%	§ 102-85	5%	§ 102-86
Maximum lot coverage (see definitions)	20%	20%	30%	40%	20%	§ 102-86
Maximum building height						
Number of stories	2.5	2.5	2.5	§ 102-85	2.5	§ 102-86
Height	35 ft.	35 ft.	35 ft.	§ 102-85	35 ft.	§ 102-86

NOTES:

General notes applicable to all categories:

[a]Where two or more requirements apply to a situation, the more stringent requirement shall apply.

[b]Unless specifically stated otherwise in this chapter, the following may be located in the yard areas required for principal buildings: parking and loading areas with related aisles and driveways; fences and walls not exceeding six feet in height; mailboxes, signs, lampposts, flagpoles, wells, septic systems and similar structures. In addition, the following parts of a principal building may extend into the required yard areas up to a maximum of two feet: chimneys, bay windows, eaves, gutters and downspouts.

[c]A minimum of 75% of the minimum required lot area or a minimum of 1.5 acres (i.e., 66,000 square feet), whichever is smaller, in all zones must be free of wetlands and associated buffer areas; floodplains; conservation, open space, drainage and right-of-way easements; and landscaping easements.

Specific notes applicable where indicated:

[1]Lot frontage; building projection. **[Amended 12-29-1999]**

Helpful Hints For Variance Applications.....

The following is a brief outline of the steps to be taken when applying for a variance. Read the entire Variance Application Package to insure all steps have been completed. It is the responsibility of the applicant to complete all necessary steps applicable to each individual application.

1. Submit to Building Department for Zoning Review. If **"DENIAL"** received,

THEN:

2. Fill out Variance Application completely.
3. Return application to Planning Department.
4. Pay appropriate fees as defined by Ordinance.
5. It is the responsibility of the applicant to give required notice to:

- Local Newspaper Publication
- Owner of property within 200 feet
- Local utilities, adjoining municipalities, County Planning Board

Notice must be given to property owners and published in the newspaper AT LEAST ten days prior to hearings.

a. **Notice all property owners - letter is included in Variance Application Form #2**

b. **If requested, the Assessor 's Office will prepare, within 7 days, a certified Property Owner's (CPO) list, from current tax maps, for a fee of $10.00.**

c. **Notice shall be sent by Certified mail. Keep all certified mail receipts (white) and staple to Signature card (green) which shows signature of person who received mail. These cards MUST be brought to the Planning Department seven days prior to scheduled public hearing.**

d. **Notice must be published in local newspaper (at least ten days prior to public hearing):**

Asbury Park Press
3601 Highway 66
Neptune, NJ 07754

Proof of publication is required. Request the newspaper to mail an Affidavit of Publication after publishing. The newspaper and the affidavit of publication should be brought to the Planning Department **SEVEN DAYS** prior to scheduled hearing date.

In all Variance Applications the applicant bears the burden of proving their case. Photographs or illustrations are very helpful in presenting a case.

420 PUBLIC HEARINGS, HEARINGS AND NOTICES

All hearings conducted on subdivisions, site plans or variances before either the Zoning Board of Adjustment or Planning Board shall follow the requirements of the Municipal Land Use Law as amended, as summarized below:

A. Any maps and documents submitted for approval shall be on file and available for public inspection at least ten days before the public hearing date during normal business hours in the office of the administrative officer.

B. The approving authority shall provide for the verbatim recording of the proceedings by either stenographic, mechanical or electronic means.

C. Each decision on any application for development shall be reduced to writing as provided in this section, and shall include findings of facts and conclusions based thereon. Failure of a motion to approve an application for development to receive the number of votes required for approval shall be deemed an action denying the application. The approving authority may provide such written decision and findings and conclusions either on the date of the meeting at which the approving authority takes action to grant or deny approval, or, if the meeting at which such action is taken occurs within the final 45 days of the applicable time, within 45 days of such meeting by the adoption of a resolution of memorialization setting forth the decision and the findings and conclusions of the approving authority thereon. An action resulting from the failure of a motion to approve an application shall be memorialized by resolution as provided above. The adoption of a resolution of memorialization pursuant to this subsection shall not be construed to alter the applicable time period for rendering a decision on the application for development. Such resolution shall be adopted by a vote of a majority of the members of the approving authority who voted for the action previously taken, and the approving authority who voted for the action previously taken, and no other member shall vote thereon.

   The vote on such resolution shall be deemed to be a memorialization of an action of the approving authority and not to be an action of the approving authority.

   Whenever a resolution of memorialization is adopted in accordance with this subsection, the date of such adoption shall constitute the date of the decision for purposes of the mailings, filings and publications required by these regulations.

D. A copy of the decisions shall be mailed by the approving authority within ten days of the date of the decision to the applicant or if represented by an attorney, then to the attorney, and a copy shall also be filed in the office of the administrative officer. A brief notice of the decision shall also be published in the official newspaper of the municipality, if there be one, or in a newspaper of general circulation in the municipality, the publication of which shall be arranged by the administrative officer. The period of time in which an appeal of the decision may be made shall run from the first publication of the decision.

E. All public notices shall state the date, time and place of the public hearing, the nature of all the matters to be considered and an identification of the property proposed for development by street address, if any, or by reference to lot and block numbers and the location and times at which any maps and documents are available for public inspections.

F. All public notices for public hearings on developments shall be the responsibility of the applicant and shall be given at least ten days prior to the hearing date and the public hearing date shall be set by the approving authority.

1. Public notice shall be given by publication in the official newspaper of the municipality, if there be one, or in a newspaper of general circulation in the municipality.

2. Public notices shall be given to the owners of all real property as shown on the current tax duplicate, located in this State and within 200' in all directions of the property which is the subject of such hearing; provided that this requirement shall be deemed satisfied by notice to the (1) condominium association, in the case of any unit owner whose unit has a unit above or below it, or (2) horizontal property regime, in the case of any co-owner whose apartment has an apartment above or below it. This notice shall be given by either serving a copy thereof on the property owner as shown on said current tax duplicate or hiss/her agent in charge of the property, or mailing a copy thereof by certified mail to the property owner at this/her address as shown on the said current tax duplicate.

   Public notice to a partnership owner may be made by service upon any partner. Notice to a corporate owner may be made by service upon its president, a vice president, secretary of other person authorized by appointment or by law to accept service on behalf of the corporation. Notice to a condominium association, horizontal property regime, community trust or homeowners' association, because of its ownership of common elements or areas located within 200' of the property which is the subject of the hearing, may be made in the same manner as to a corporation without further notice to unit owners, co-owners., or homeowners on account of such common elements or areas.

   Notice of hearings on applications for development involving property located within 200' of an adjoining municipality shall be given by personal service or certified mail to the clerk of such municipality. Notice shall be given by personal service or certified mail to (1) the County Planning Board for all hearings where the hearing concerns a property adjacent to any existing county road or proposed road shown on the official county map or on the county master plan, adjoining other county land, or situated within 200' of a municipal boundary; (2) the commissioner of transportation where the hearing concerns a property adjacent to a state highway; (3) the State Planning Commission where the hearing concerns a property which exceeds 150 acres or exceeds 500 dwelling units and this notice shall include a copy of any maps or documents required to be on file with the administrative officer.

Upon the written request of an application, the Tax Assessor shall; within seven days, make and certify a list from said current tax duplicate of names and addresses of owners to whom the applicant is required to give this notice The applicant shall be entitled to rely upon the information contained in such list, and the failure to give notice to any owner not on the list shall not invalidate any hearing or proceeding. A sum not to exceed $0.25 per name, or $10.00 whichever is greater, may be charged for such list.

G. The applicant shall file a list of all property owners within 200' from all municipalities affected and an affidavit of proof of service of required notices and of public notice publication with the approving authority holding the hearing. Any notice made by certified mail shall be deemed complete upon mailing.