



Neptune

Township - NJ

Where Community, Business & Tourism Prosper

**Neptune Township ~ Planning Board
Regular Meeting Agenda
Wednesday July 23, 2014 – 7:00 PM
Township Meeting Room 2nd Floor**

The regular meeting of the Neptune Township Planning Board which has been duly constituted and advertised according to law is now called to order:

Fire exits are clearly marked at the side and rear of this room, if alerted of a fire, please move in a calm and orderly manner to the nearest smoke free exit.

At this time, I would ask everyone to please silence all cell phones and other paging devices, as they are distracting to others.

It is the policy of the Planning Board to end all matters no later than 11 p.m. Toward the end of the meeting it will be announced that no new applications will begin after 10:00 p.m. nor will any new witnesses or testimony begin after 10:30 p.m.

The following procedure will be followed:

It is the Board's policy to adhere to the following procedure; after testimony by the applicant's attorney or his professional, questions will follow by the members of the Planning Board; at the direction of the Chair the public portion will be opened. Each individual from the public will be sworn in; give their name and address; and will be have one [1] five [5] minute session to speak. We ask that questions are directed to the Chair, and not repeated. Time is not transferable. At the completion of the public portion, members of the Planning Board will make final comments prior to offering a resolution to either adopt or deny the proposal before them.

I. Roll Call and Flag Salute:

Richard Ambrosio
Randy Bishop
Rev. Paul Brown
Sharon Davis
Jason Allen Jones
Robert Lane

Fred Porter
Joseph Shafto
Tassie York
Ray Huizenga (Alternate #1)
Mel Hood (Alternate #2)

Also Present: Mark G. Kitrick, Esq. Board Attorney
Peter R. Avakian, Board Engineer
Jennifer Beahm, Board Planner

II. Correspondence:

- a. Ordinance No. 14-24 of the Township of Neptune Amending the Land Development Ordinance of the Township of Neptune by Rezoning Certain Properties along Route 66 to C-1 Planned Commercial Development Zone, introduced at the Township Committee meeting on July 14, 2014.

If any board member cannot attend, please call or email the board office at 732-988-5200 ext 278 or at karmour@neptunetownship.org.

- b. Ordinance No. 14-25 of the Township of Neptune Amending the Land Development Ordinance of the Township of Neptune by Rezoning Block 9025, Lots 53, 54, 55, and 55.01 from C-1 Planned Commercial to R-2 Residential, introduced at the Township Committee meeting on July 14, 2014.
- c. Ordinance No. 14-26 of the Township of Neptune Amending and Supplementing Article IV Zoning District Regulations, Land Development Ordinance Volume II, Section 404.04 Entitled "C-1 - Planned Commercial Development", introduced at the Township Committee meeting on July 14, 2014.
- d. Ordinance No. 14-27 of the Township of Neptune Amending and Supplementing Article IV Zoning District Regulations, Land Development Ordinance Volume II, Section 412.18 Entitled "Parking in Front Setback", introduced at the Township Committee meeting on July 14, 2014.

III. Resolutions to be memorialized:

- a. **RESOLUTION #14-15** – Approving Application #PB14/05 – CHARLES & PAMELA HOLZAPFEL (Block 408, Lots 1 & 6.01) – 334 & 338 Glenmere Avenue - Applicant proposing a Minor Subdivision/Lot Line adjustment to convey a 1,849 s.f. area (12.5 ft. x 148 ft.) from existing Lot 1 to existing Lot 6.01 thereby creating two (2) new lots.

Those Members Eligible to Vote: Richard Ambrosio, Randy Bishop, Sharon Davis, Robert Lane, Fred Porter, Tassie York.

IV. Applications under consideration for this evening:

- a. **PB13/05 – WAYSIDE ASSOCIATES, LLC (Mi Place at Wayside)** (Block 1006, Lots 14.01 & 16) – 740 Wayside Road – Applicant is seeking Major Site Plan approval to construct 96 apartments consisting of forty-eight (48) 1-bedroom units and forty-eight (48) 2-bedroom units. ****APPLICATION CARRIED FROM MAY 28, 2014 TO SPECIAL MEETING ON JUNE 11th WHICH WAS ULTIMATELY CANCELLED AND SCHEDULED FOR THIS REGULAR MEETING DATE****

V. Adjournment:

- a. Next scheduled hearing will be Wednesday, August 27, 2014 at 7:00 PM.
- b. With no further business before the Board a motion to adjourn was offered by _____ to be moved and second by _____, meeting closed at _____ PM.

ORDINANCE NO. 14-24

AN ORDINANCE TO AMEND THE LAND DEVELOPMENT
ORDINANCE OF THE TOWNSHIP OF NEPTUNE BY
REZONING CERTAIN PROPERTIES ALONG ROUTE 66 TO C-1
PLANNED COMMERCIAL DEVELOPMENT ZONE

WHEREAS, properties known and designated on the Tax Map of Neptune Township as Block 233, Lot 1; is currently zoned LI-Light Industrial, and,

WHEREAS, properties known as Block 1002, Lots 1 and 10 are zoned C-4 Route-66 East Commercial, and,

WHEREAS, properties known as Block 9000, Lots 13, 24, 25, 25.01, 34, 35 and 35.01; Block 9025, Lots 49, 52, 52.01, 54.01, 54.02, 55, 67.01, 67.02, 67.03, 68, and 366.04; Block 9029, Lots 9 and 10; Block 9033, Lot 13; Block 10000, Lots 5 and 29; and Block 10017, Lots 5 and 6 are presently zoned C-3 Route 66 West Commercial, and,

WHEREAS, Properties known as Block 10000, Lots 4, 7.03, 7.04, 7.05, 25, 27 and 28; are presently zoned PUD/R-1 Planned Unit Development, and,

WHEREAS, the aforementioned properties all front along the Route 66 Corridor, and,

WHEREAS, the rezoning of these properties to the C-1 Planned Commercial Zone will allow for a more consistent land use along the Route 66 Corridor, and,

WHEREAS, the proposed changes in zoning are consistent with the goals and objectives of former and current Township Master Plan documents. By way of example, the 2011 Comprehensive Master Plan recommends to evaluate the opportunity to consolidate commercial zoning districts along the Route 33, Route 35 and Route 66 corridors,

THEREFORE, BE IT ORDAINED, by the Township Committee of the Township of Neptune, County of Monmouth, that the Land Development Ordinance of the Township of Neptune is hereby amended as follows:

SECTION 1. ZONING MAP AMENDED

The "Zoning Map" of the Township of Neptune is hereby supplemented and amended to reflect the rezoning of the abovementioned properties to the C-1 Zone.

SECTION 2. REPEALER

The remainder of all other sections and subsections of the aforementioned ordinance not specifically amended by this Ordinance shall remain in full force and effect.

SECTION 3. INCONSISTENT ORDINANCES

All other Ordinances or parts thereof inconsistent with the provisions of this Ordinance are hereby repealed as to such inconsistency.

SECTION 4. SEVERABILITY

If any section, paragraph, subdivision, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provision so adjudged and the remainder of this Ordinance shall be deemed valid and effective.

SECTION 5. EFFECTIVE DATE

This Ordinance shall take effect upon its passage and publication according to law.

APPROVED ON FIRST READING:

APPROVED, PASSED, AND ADOPTED:

Richard J. Cuttrell,
Municipal Clerk

Dr. Michael Brantley,
Mayor

ORDINANCE NO. 14-25

AN ORDINANCE TO AMEND THE LAND DEVELOPMENT
ORDINANCE OF THE TOWNSHIP OF NEPTUNE BY
REZONING BLOCK 9025, LOTS 53, 54, 55, 55.01 FROM C-1
PLANNED COMMERCIAL TO R-2 RESIDENTIAL

WHEREAS, properties known and designated on the Tax Map of Neptune Township as Block 9025, Lots 53, 54, 55, 55.01 are presently zoned C-1 Planned Commercial Development, and,

WHEREAS, the aforementioned properties are adjacent to the existing R-2 zone, and,

WHEREAS, the location of said properties more consistently support the Township's vision for the uses within the R-2 zone, and,

WHEREAS, the proposed changes in zoning are consistent with the goals and objectives of former and current Township Master Plan documents. By way of example, the 2011 Comprehensive Master Plan recommends to evaluate the opportunity to consolidate commercial zoning districts along the Route 33, Route 35 and Route 66 corridors,

THEREFORE, BE IT ORDAINED, by the Township Committee of the Township of Neptune, County of Monmouth, that the Land Development Ordinance of the Township of Neptune is hereby amended as follows:

SECTION 1. ZONING MAP AMENDED

The "Zoning Map" of the Township of Neptune is hereby supplemented and amended to reflect the rezoning of the abovementioned properties from the C-1 Zone to the R-2 Zone.

SECTION 2. REPEALER

The remainder of all other sections and subsections of the aforementioned ordinance not specifically amended by this Ordinance shall remain in full force and effect.

SECTION 3. INCONSISTENT ORDINANCES

All other Ordinances or parts thereof inconsistent with the provisions of this Ordinance are hereby repealed as to such inconsistency.

SECTION 4. SEVERABILITY

If any section, paragraph, subdivision, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provision so adjudged and the remainder of this Ordinance shall be deemed valid and effective.

SECTION 5. EFFECTIVE DATE

This Ordinance shall take effect upon its passage and publication according to law.

APPROVED ON FIRST READING:

APPROVED, PASSED, AND ADOPTED:

Richard J. Cuttrel,
Municipal Clerk

Dr. Michael Brantley,
Mayor

ORDINANCE NO. 14-26

AN ORDINANCE TO AMEND THE LAND DEVELOPMENT
ORDINANCE OF THE TOWNSHIP OF NEPTUNE BY
AMENDING SECTION 404.04 ENTITLED C-1 PLANNED
COMMERCIAL DEVELOPMENT

BE IT ORDAINED, by the Township Committee of the Township of Neptune, County of Monmouth, that Section 404.04, entitled C-1 Planned Commercial Development, of the Land Development Ordinance of the Township of Neptune is hereby amended or supplemented as follows:

SECTION 1. §404.04 C-1 Planned Commercial Development – is hereby amended in its entirety as follows:

- A. Purpose. The C-1 Zone District provides for business uses appropriate to the Route 66 highway corridor.
- B. Permitted Uses.

NAICS Code	Use
44111	New Car Dealers
4412	Other Motor Vehicle Dealers
4413	Automotive Parts, Accessories and Tire Stores
442	Furniture and Home Furnishing Stores
4431	Electronics and Appliance Stores
444	Building Material and Garden Equipment and Supplies Dealers
4451	Grocery Stores
4452	Specialty Food Stores
4453	Beer, Wine and Liquor Stores
4461	Health and Personal Care Stores
44711	Gasoline Stations with Convenience Stores
448	Clothing and Clothing Accessory Stores
451	Sporting Goods, Hobby, Musical Instrument, and Book Stores

4521	Department Stores
4529	Other General Merchandise Stores
453	Miscellaneous Store Retailers
511	Publishing Industries
5221	Depository Credit Intermediation (Banks)
531	Real Estate
5321	Automotive Equipment Rental and Leasing
5322	Consumer Goods Rental
541	Professional, Scientific, and Technical Services
5511	Management of Companies and Enterprises
561	Administrative and Support Services
6115	Technical and Trade Schools
6116	Other Schools and Instruction
621	Ambulatory Health Care Services (Includes physician's and dentist's offices, outpatient care, etc)
6242	Community Food and Housing, Emergency and Other Relief Services
711	Performing Arts, Spectator Sports, and Related Industries
7121	Museums
71394	Fitness and Recreational Sports Centers
71395	Bowling Centers
71399	All Other Amusement and Recreation Industries (Includes miniature golf courses)
72111	Hotels (except Casino Hotels) and Motels
7225	Restaurants and Other Eating Places
8114	Personal and Household Goods Repair and Maintenance
8121	Personal Care Services
8129	Other Personal Services (includes pet care services such as grooming, boarding and training)

813 Religious, Grantmaking, Civic, Professional, and Similar Organizations

92 Public Administration

C. Conditional uses.

1. Centralized telephone utility installations
2. Centralized coaxial cable utility installations
3. Wireless telecommunications facility

D. Accessory uses.

1. Uses customarily incidental and accessory to a principal permitted use
2. Parking for principal use
3. Telephone communication distribution
4. Coaxial cable communication distribution
5. Emergency services radio communication facilities

E. Bulk regulations. See Schedule B-1.

F. Planned commercial development. Planned Commercial Development in the C-1 Zone shall conform to the requirements set forth at Section 414 and the design standards set forth in §414.D.

SECTION 2. REPEALER

The remainder of all other sections and subsections of the aforementioned ordinance not specifically amended by this Ordinance shall remain in full force and effect.

SECTION 3. INCONSISTENT ORDINANCES

All other Ordinances or parts thereof inconsistent with the provisions of this Ordinance are hereby repealed as to such inconsistency.

SECTION 4. SEVERABILITY

If any section, paragraph, subdivision, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provision so adjudged and the remainder of this Ordinance shall be deemed valid and effective.

SECTION 5. EFFECTIVE DATE

This Ordinance shall take effect upon its passage and publication according to law.

APPROVED ON FIRST READING:

APPROVED, PASSED, AND ADOPTED:

Richard J. Cuttrel,
Municipal Clerk

Dr. Michael Brantley,
Mayor

ORDINANCE NO. 14-27

AN ORDINANCE TO AMEND THE LAND DEVELOPMENT
ORDINANCE OF THE TOWNSHIP OF NEPTUNE BY
AMENDING SECTION 412.18 ENTITLED PARKING IN FRONT
SETBACK

BE IT ORDAINED, by Township Committee of the Township of Neptune, County of Monmouth, that Section 412.18, entitled Parking in Front Setback, of the Land Development Ordinance (Supplementary Zoning Regulations Applying to All Districts) is hereby amended or supplemented as follows:

(NOTE: Portions of Chapter 412.18 that are to be amended by the within Ordinance are set forth below. All additions are shown in *bold italics with underlines*. All deletions are shown in ~~*bold italics with strikeouts*~~. All other sections in normal typeface shall remain unchanged.)

SECTION 1. § 412.18 Parking in Front Setback – is hereby amended in its entirety as follows:

~~For all uses except single family dwellings in non-historic zone districts, individual parking spaces shall be prohibited in any front yard setback area.~~ Parking is prohibited in all districts within front yard setback for all properties fronting along State Highway 35 and West Lake Avenue.

SECTION 2. REPEALER

The remainder of all other sections and subsections of the aforementioned ordinance not specifically amended by this Ordinance shall remain in full force and effect.

SECTION 3. INCONSISTENT ORDINANCES

All other Ordinances or parts thereof inconsistent with the provisions of this Ordinance are hereby repealed as to such inconsistency.

SECTION 4. SEVERABILITY

If any section, paragraph, subdivision, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provision so adjudged and the remainder of this Ordinance shall be deemed valid and effective.

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APPROVED, PASSED, AND ADOPTED:

Richard J. Cuttrel,
Municipal Clerk

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