

**COMPLETENESS CHECKLIST FOR SITE PLANS AND/OR SUBDIVISIONS (Revised 5/13/13)**

**Section 802A. Development Application Completeness Checklist**

Section §802 [Submissions required for all development applications, **excluding Use Variances and Bulk Variances**]

Prior to issuance of a Certificate of Completeness, the Administrative Officer shall determine that the following documents have been submitted:

- | <u>C</u>                            | <u>N</u>                 | <u>N/A*</u>                         | <u>W*</u>                           | <b><u>ONLY FOLDED PLANS WILL BE ACCEPTED</u></b>   |
|-------------------------------------|--------------------------|-------------------------------------|-------------------------------------|--|
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/>            | 1. Twenty-five (25) copies of completed and signed application form which must include the following: <ul style="list-style-type: none"> <li><input type="checkbox"/> Provide identification of subject property/properties' Special Flood Hazard Area Zone</li> <li><input checked="" type="checkbox"/> Executed copy of "Authorization &amp; Consent Form" part "C"</li> <li><input checked="" type="checkbox"/> Certificate of Ownership, if applicable part "D"</li> <li><input checked="" type="checkbox"/> Executed copy of Escrow Agreement part "E"</li> <li><input checked="" type="checkbox"/> Applicant/Owner to provide verification of taxes paid (this will be further verified by the Administrative Officer).</li> </ul> |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/>            | 2. Twenty-five (25) copies of the property deed(s)   |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/>            | 3. Twenty-five (25) copies of the Zoning Permit Denial <b>[not required for subdivisions]</b>  |
|                                     |                          |                                     |                                     | 4. Required Plans folded no larger than 30"x42":   |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/>            | a. Twenty-five (25) copies of current signed & sealed survey, prepared by a New Jersey Licensed Professional Land Surveyor.  |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/>            | b. Six (6) copies of Soil Erosion & Sediment Control Plans and proof of submission to Freehold Soil Conservation District or letter of exemption from FSCD.  |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/>            | c. Five (5) copies with initial submission and each subsequent submission for completeness review.   |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/>            | d. Once the application is deemed complete, twenty (20) additional full-sized paper sets of the plans plus one (1) reduced-size paper set of the plans no larger than 11"x17", and one (1) CD containing the plans in .pdf format must be submitted to the Board Office for distribution.  |
| <input type="checkbox"/>            | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | 5. Six (6) copies of Tree removal Application package in accordance with Section §525  |
| <input type="checkbox"/>            | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | 6. Six (6) copies of Environmental Impact Statement [EIS]  |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/>            | 7. Six (6) copies of Stormwater Management Report  |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/>            | 8. Proof of submission to Monmouth County Planning Board <b>[if applicable]</b>  |
| <input type="checkbox"/>            | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | 9. Copy of Letter of Interpretation (LOI) or Letter of Exemption or proof of submission to New Jersey Department of Environmental Protection regarding presence of wetlands.   |
| <input type="checkbox"/>            | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | 10. Proof of submission to CAFRA <b>[if applicable]</b>  |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/>            | 11. Six (6) copies of Circulation Impact Study   |
| <input type="checkbox"/>            | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | 12. Community Impact Statement <b>[for Major Site Plan and/or Major Subdivision only]</b>  |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/>            | 13. Application Fee \$ _____ Escrow Deposit \$ _____   |

**In accordance with fee schedule.**

C = Complete N = Incomplete N/A = Not Applicable

\* Any request for a "WAIVER" must include a written explanation for the request. (Attach sheets as necessary)

**Application for Development Checklist ~ Part B**

**Plat Requirements**

**1. General Requirements:**

- The site plan shall be signed and sealed by an architect, professional engineer, land surveyor, and/or professional planner licensed to practice in the State of New Jersey, provided however, that the sanitary sewer, water distribution, and storm drainage plans and water and sewage treatment facility plans may only be signed and sealed by a professional engineer licensed to practice in the State of New Jersey. In addition, the following must be submitted:
  - Site plan shall not be drawn at a scale smaller than 1"=50' and no larger than 1" = 10'
  - The site plan shall be based on a monumented, current certified boundary survey, prepared in accordance with New Jersey Administrative Code 13:40-5.1, "Preparation of Land Surveys" dated September 1984 and as amended. The date of the survey and the name of the individual who prepared the survey shall be shown on the site plan.

**2. Title Block:**

- The title block shall appear on all sheets in conformance with N.J.S.A. 45:8-27 et. seq. [Map filing law] and include the following:
  - Title to read "SITE PLAN"
  - Name of the development, if any
  - Tax map sheet, block and lot number[s] of the site, as shown on the latest Township Tax Map, the date of which shall also be shown.
  - Date of original and all subsequent revisions.
  - Names and addresses of owner and applicant/developer, so designated.
  - Name, signature, address and license number of the engineer, architect, land surveyor, or planner who prepared the plan with their embossed seal.

**3. The following table shall be included on the first [1<sup>st</sup>] sheet of all plans submitted to the Planning Board or Zoning Board of Adjustment for Major Site Plan, Minor Site Plan, Major Subdivision, or Minor Subdivision: (PLEASE INCLUDE INFORMATION FOR EACH ZONE/BLOCK/LOT INVOLVED – ATTACH ADDITIONAL SHEETS AS NECESSARY)**

| <b>ZONE DISTRICT:</b>          |   |                        |                        |
|--------------------------------|---|------------------------|------------------------|
|                                | <b><u>Required and/or Permitted</u></b> | <b><u>Existing</u></b> | <b><u>Proposed</u></b> |
| Minimum lot area               | 108,900 SF                              | 103,244 SF             | 102,226 SF             |
| Maximum density                |   |                        |                        |
| Maximum floor area ratio (FAR) | 0.6                                     | 0.11                   | 0.11                   |
| Minimum lot width              | 500 FT                                  | 294.05 FT (E)          | 294.05 FT (E)          |
| Minimum lot frontage           | 500 FT                                  | 812 FT                 | 745.6 FT               |
| Minimum lot depth              | 600 FT                                  | 281.3 FT (E)           | 281.3 FT (E)           |

|   | <u>Required and/or Permitted</u> | <u>Existing</u> | <u>Proposed</u> |
|---|----------------------------------|-----------------|-----------------|
| Minimum front yard setback                            | 50 FT                            | 42.1 FT (E)     | 42.1 FT (E)     |
| Minimum side yard setback                             | 30 FT                            | 35.9 FT         | 35.9 FT         |
| Minimum combined side yard setback                    | 60 FT                            | 196.0 FT        | 196.0 FT        |
| Minimum rear yard setback                             | 40 FT                            | 177.9           | 177.9 FT        |
| Maximum percent building cover                        | 30%                              | 10.9%           | 11.0%           |
| Maximum percent lot cover                             | 65%                              | 31.1%           | 48.3%           |
| Maximum number of stories                             | 2 Stories                        | 1 Story         | 1 Story         |
| Maximum building height                               | 40 FT                            | < 40 FT         | < 40 FT         |
| Minimum improvable area                               | 84,900 SF                        | 51,292 SF (E)   | 51,292 SF (E)   |
| Minimum improvable area – diameter of a circle [feet] | 189 FT                           | 169.58 FT       | 169.58 FT       |
| Off-street parking spaces                             | 44                               | 46              | 51              |
| Loading spaces  | 1                                | 0               | 1               |
| Signs   |                                  |                 | 6               |
| <b>Existing use or uses:</b> Industrial (E)           |                                  |                 |                 |
| <b>Proposed use or uses:</b> Retail Development       |                                  |                 |                 |
| <b>Existing floor area:</b> 11,254                    |                                  |                 |                 |
| <b>Proposed floor area:</b> 11,254                    |                                  |                 |                 |

**NOTE: Any items that are not applicable to a particular application shall be marked with an "N/A".**

- 4.  North arrow and written and graphic scale.
- N/A5.  The tops of the banks and boundaries of the floodways and flood hazard areas of all existing water courses, where such have been delineated or the limits of alluvial soils where the boundaries of floodways and flood hazard areas have not been determined, and/or such other information as may assist the Planning and/or Zoning Board in the determination of floodway and flood hazard area limits.
- 6.  Paving and right of way widths of existing streets within two hundred [200'] feet of the site.
- N/A7.  The boundary, nature and extent of wooded areas, swamps, bogs and ponds within the site and within two hundred [200'] feet thereof and delineated of all wetlands soils as defined by the New Jersey Department of Environmental Protection and the U.S. Army Corp of Engineers.
- 8.  Existing and proposed manholes, sewer lines, fire hydrants, water lines, utility poles and all other topographic features of a physical or engineering nature with the site and within two hundred [200'] feet thereof.
- 9.  All existing structures on the site and within two hundred [200'] feet thereof including their use, indicating those to be destroyed or removed and those to remain.
- 10.  Location, use, finished grade level, ground coverage, first floor and basement elevations, front, rear, and side setbacks of all buildings and other pertinent improvements.

- 11.  Existing and proposed public easements or rights-of-way and the proposed use thereof, including conservation easements.
- 12.  A grading plan showing existing and proposed grading contours at one [1'] foot intervals throughout the tract, except if slopes exceed five [5%] percent, a two [2'] foot interval may be used. If they exceed ten [10%] percent, a five [5'] foot interval is permissible. Datum shall be United States Coast and Geodetic Survey Datum [MSL=O] and source of datum and bench marks shall be noted. In addition to proposed grading contours, sufficient additional spot elevations shall be drawn to clearly delineate proposed grading.

**13. On Site Drainage Plan:**

- The drainage plan shall be presented in graphic form which shall clearly show the street and site layout and those terms which are pertinent to drainage including existing and proposed contours as previously required.
- The plan shall outline each area contributing to each inlet.
- All proposed drainage shall be shown with pipe type and sizes, invert and grade or rim elevations, grades and all direction of flow. The direction of flow of all surface waters and of all streams shall be shown.
- The drainage shall be accompanied by complete drainage calculations made in accordance with the Soil Conservation Service method.

**14. Off Site Drainage Plan:**

The plan shall also be accompanied by an off site drainage plan prepared in accordance with the following standards:

- N/A  The plan shall consist of an outline of the entire drainage basin in which the site is located. The terminus of the basin and existing ground contours or other basis for determining basin limits shall be shown.
- The pertinent off site existing drainage shall be shown with elevations of inverts and grates to the nearest one tenth of a foot.
- N/A  To the extent that information is available and maybe obtained from the County or Township Engineer, any existing plans for drainage improvements shall be shown.
- N/A  In the event a temporary drainage system is proposed, full plans of that system shall be shown.
- N/A  The off site drainage plans shall be accompanied by profiles of all proposed drainage, showing existing details, pipe sizes, type inverts, crowns, slopes, all proposed structures and connections and design hydraulic grade lines for all conduits designed to carry forty [40] or more cubic feet per second. Cross sections at intervals not exceeding one hundred [100'] feet shall be shown for all open channels.
- 15.  If required by the Township Engineer, center line profiles of streets bordering the site, internal roadways, and major circulation aisles showing existing and final grades and slopes, and pipe sizes, type, inverts and grate or rim elevations of drainage and sanitary sewage facilities.

**16. Soil Boring Logs:**

Unless the Township shall determine that a lesser number of boring logs are required or that some or all the boring logs may be deferred to the final plan stage, the site plan shall be accompanied by a set of boring logs and soil analyses for borings made in accordance with the following:

- One boring not less than fifteen [15'] feet below grade or twenty [20'] feet minimum depth shall be made for every five [5] acres [or portion thereof] of land where the water table is found to be ten [10'] feet or more below proposed or existing grade at all boring locations.

- One additional boring shall be made per acre [or portion thereof] in those areas where the water table is found to be less than ten [10'] feet below proposed or existing grade.
- In addition to the above, in those areas where the water table is found to be five[5'] feet or less below existing or proposed grade, two additional borings per acres [or portion thereof] will be required if construction of basement is contemplated. Borings shall be located where such basements are proposed
- Boring logs shall show soil types and characteristics encountered, ground water depths, the methods and equipment used, the name of the firm, if any, making the borings and the name of the person in charge of the boring operation. The boring logs shall also show surface elevations to the nearest one tenth of a foot.
- Based on the borings, the site plan shall clearly indicate all areas having a water table within two [2'] feet of the existing surface of the land, or within two [2'] feet of proposed grade, of all areas within which two [2'] feet or more of fill is contemplated or has previously been placed.
- Certified soil tests as a basis for design standards for pavement, pipe, bedding, etc.
- 17.  Zone boundaries and the tax map sheet, lot and block numbers and the names of owners of all properties within two hundred [200'] of the site.
- 18.  A key map, at a scale of not less than one [1] inch equals one thousand [1,000] feet, showing the location of the site with reference to surrounding areas, existing streets, the names of all such streets and any zone boundary or municipal boundary which is within two hundred [200'] feet of the site.
- 19.  The location, area, dimensions and proposed disposition of any area or areas of the site proposed to be retained as common open space, indicating the facilities to be provided in such areas.
- 20.  The capacity of off-street parking areas, and the location and dimensions of all access drives, aisles and parking stalls. The location and treatment of existing and proposed entrances and exits to public rights of way, including the possible utilization of traffic signals, channelization, acceleration and deceleration lanes, additional width and any other device necessary for traffic safety and/or convenience, and the estimated average number of passenger vehicles, single-unit trucks or buses and semi-trailers that will enter the site each day.
- 21.  Graphic depiction of the anticipated routes and details of the system of on-site vehicular and pedestrian circulation.
- 22.  The location and size of proposed loading docks.
- 23.  The location of curbs and sidewalks.
- 24.  Cross sections showing the composition of pavement areas, curbs, and sidewalks.
- 25.  Exterior lighting plan, including the location, direction of illumination, amount of illumination expressed in horizontal foot candles, wattage and drawn details of all outdoor lighting standards and features.
- 26.  Landscaping and screening plan showing the location, type, spacing and number of each type of tree or shrub and the location, type and size, spacing and number of each type of ground cover to be utilized and planting details for trees, shrubs and/or ground cover.
- 27.  Drawn details of the type of screening to be utilized for refuse storage areas, outdoor equipment and bulk storage areas.
- 28.  Floor plans and building elevation drawings of any proposed structure or structures or existing structures to be renovated.

29.  Location of facilities for the handicapped, including parking spaces and ramps [where applicable], and including construction details for ramps for the handicapped.

**Sectionalization and staging plan:**

30. Developers of large uses such as shopping centers, multifamily dwellings, industrial parks or other such uses proposed to be developed in stages shall submit Sectionalization and staging plan showing the following:
- The anticipated date of commencing construction of each section or stage.
  - Plans for separate construction emergency access for the project in order to avoid occupancy conflict.
31.  Written description of the proposed operations in sufficient detail to indicate the effects of the use in producing traffic congestion, noise, glare, air pollution, fire hazards or safety hazards. The written description shall also include the hours of operation of the use, the number of shifts to be worked, the number of employees in each shift, the number of vehicles to be stored or parking on the site and provisions to be made for site maintenance.
32.  Traffic analysis report and recommendations from a qualified traffic engineer.
33.  Such other information as the Municipal Agency and/or Township Engineer may require during site plan review.
34.  Use Group Classification of the building or structure.
35.  Type of construction classification of building or structure to be erected, altered or extended, as defined by the International Residential Code or the International Building Code, New Jersey Edition.

Neptune Township  
25 Neptune Blvd.  
Neptune, New Jersey 07753  
732-988-5200 ext. 278 Fax 732-988-4259  
www.neptunetownship.org



Application # \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_  
Date Filed \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_  
Hearing Date \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_

## Application for Site Plan and/or Subdivision

(Check all that apply)

- Amended Preliminary  Minor Subdivision  Minor Site Plan   
Amended Final  Major Subdivision  Major Site Plan   
Other  Explain: \_\_\_\_\_

### Please check one:

Planning Board  Zoning Board of Adjustment

### Property Information:

1. Property address: 600 Essex Road  
Block 3902 Lot 2 Zone C-1 Acreage 2.37 AC  
128.03 1.03

### Contact Information:

2. Name of applicant: William Sitar  
Mailing address: 1 Philadelphia Boulevard, Sea Girt, NJ 08750  
Phone # [REDACTED] Fax # \_\_\_\_\_ Cell # \_\_\_\_\_  
E-mail address: [REDACTED]

3. Interest of Applicant if other than owner: \_\_\_\_\_

4. Contact Person: William Sitar  
Mailing Address: 1 Philadelphia Boulevard, Sea Girt, NJ 08750  
Phone # [REDACTED] Fax # \_\_\_\_\_ Cell # \_\_\_\_\_  
E-mail address: [REDACTED]

5. Name of owner: SAME AS APPLICANT  
Mailing address: \_\_\_\_\_  
Phone # \_\_\_\_\_ Fax # \_\_\_\_\_ Cell # \_\_\_\_\_  
E-mail address: \_\_\_\_\_

6. Name of applicant's Attorney: Kenneth L. Pape, Heilbrun Pape, LLC  
Mailing Address: 516 State Highway 33  
Phone # 732-679-8844 Fax # 732-679-6554 Cell # \_\_\_\_\_  
E-mail address: kpape@hpnjlaw.com

7. Name of applicant's Engineer: Joshua M. Sewald, P.E., P.P., Dynamic Engineering Consultants, P.C.  
 Mailing Address: 1904 Main Street, Lake Como, NJ 07719  
 Phone # 732-974-0198 Fax # 732-974-3521 Cell # \_\_\_\_\_  
 E-mail address: jsewald@dynamicec.com

**Detail Property Information:**

8. Existing use of property: Industrial  
 9. Proposed use of property: Single-tenant retail building  
 10. Special Flood Hazard Area: \_\_\_\_\_

**Detail Proposed Information:**

11. Proposed number of lots, if applicable N/A  
 SEE ATTACHED SCHEDULE A

|                              | <u>Required/Permitted</u> | <u>Existing</u> | <u>Proposed</u> |
|------------------------------|---------------------------|-----------------|-----------------|
| <b>Lot Size</b>              |                           |                 |                 |
| <b>Lot Coverage</b>          |                           |                 |                 |
| <b>Building Coverage</b>     |                           |                 |                 |
| <b>Building Height</b>       |                           |                 |                 |
| <b>Front Setback</b>         |                           |                 |                 |
| <b>Rear Setback</b>          |                           |                 |                 |
| <b>Side Setback</b>          |                           |                 |                 |
| <b>Combined Side Setback</b> |                           |                 |                 |

(If multiple lots and/or buildings are proposed, please attach detailed listings)

12. Has there been any previous applications involving these premises? Yes  No  Unknown   
 If so, when September 2019  
 Result of decision Preliminary and Final Major Site Plan relief granted-- copy of Resolution Attached

13. List of variances requested with Section reference [attach forms as necessary]  
See attached variance and waiver list.

14. If a Zoning denial has been received as part of this application, please attach.

The required submission for all applications to be complete is twenty-five (25) copies of completed application form inclusive of any supporting information; and twenty-five (25) copies plus one (1) CD\* of survey and/or any plan(s), with one (1) additional copy of survey and/or any plan(s) on 11" x 17" sheet(s).  
 \* See Section 802A. Development Application Completeness Checklist for details on submission requirements.



## Schedule A

| ZONE/DISTRICT: C-1 (PLANNED COMMERCIAL DEVELOPMENT) |   | EXISTING                 | PROPOSED                 |
|---|---|--------------------------|--------------------------|
| MINIMUM LOT AREA                                    | REQUIRED AND/OR PERMITTED<br>108,900 SF (2.50 AC) | 103,244 SF (2.37 AC) (E) | 102,226 SF (2.35 AC) (V) |
| MAXIMUM LOT DENSITY                                 | N/A   | N/A                      | N/A                      |
| MAXIMUM FLOOR AREA RATIO (FAR)                      | 0.6   | 0.11                     | 0.11                     |
| MINIMUM LOT WIDTH                                   | 500 FT  | 294.05 FT (E)            | 294.05 FT (E)            |
| MINIMUM LOT FRONTAGE                                | 500 FT  | 812 FT                   | 745.6 FT                 |
| MINIMUM LOT DEPTH                                   | 600 FT  | 281.3 FT (E)             | 281.3 FT (E)             |
| MINIMUM FRONT YARD SETBACK (JUMPING BROOK ROAD)     | 50 FT   | 62.6 FT                  | 62.6 FT                  |
| MINIMUM FRONT YARD SETBACK (ESSEX ROAD)             | 50 FT   | 42.1 FT (E)              | 42.1 FT (E)              |
| MINIMUM SIDE YARD SETBACK                           | 30 FT   | 35.9 FT                  | 35.9 FT                  |
| MINIMUM COMBINED SIDE YARD SETBACK                  | 60 FT   | 196.0 FT                 | 196.0 FT                 |
| MINIMUM REAR YARD SETBACK                           | 40 FT   | 184.7 FT                 | 177.9 FT                 |
| MAXIMUM PERCENT BUILDING COVER                      | 30%   | 10.9% (11,254 SF)        | 11.0% (11,254 SF)        |
| MAXIMUM PERCENT LOT COVER                           | 65%   | 31.1% (32,031 SF)        | 48.3% (49,388 SF)        |
| MAXIMUM NUMBER OF STORIES                           | 2 STORIES   | 1 STORY                  | 1 STORY                  |
| MAXIMUM BUILDING HEIGHT                             | 40 FT   | < 40 FT                  | < 40 FT                  |
| MINIMUM IMPROVABLE AREA                             | 84,900 SF   | 51,292 SF (1.18 AC) (E)  | 51,292 SF (1.18 AC) (E)  |
| MINIMUM IMPROVABLE AREA (DIAMETER OF CIRCLE)        | 189 FT  | 169.58 FT (E)            | 169.58 FT (E)            |
| OFF-STREET PARKING SPACES                           | 46  | 46                       | 46                       |
| LOADING SPACES                                      | 1   | 0                        | 1                        |
| SIGNS   | 3   | 1                        | 6 (V)                    |

EXISTING USE OR USES: INDUSTRIAL (E)

PROPOSED USE OR USES: RETAIL DEVELOPMENT

EXISTING FLOOR AREA: 11,254 SF

PROPOSED FLOOR AREA: 11,254 SF

N/S: NO STANDARD

N/A: NOT APPLICABLE

(E): EXISTING NON-CONFORMANCE

(V): VARIANCE

**NEPTUNE TOWNSHIP PLANNING BOARD  
RESOLUTION NO. 19-12**

**RESOLUTION OF THE NEPTUNE TOWNSHIP PLANNING BOARD,  
TOWNSHIP OF NEPTUNE, COUNTY OF MONMOUTH, STATE OF NEW  
JERSEY APPROVING PRELIMINARY AND FINAL MAJOR SITE PLAN, WITH  
BULK VARIANCES AND ASSOCIATED WAIVERS TO WCS GROUP, LLC  
FOR PROPERTY LOCATED AT 600 ESSEX ROAD, ALSO KNOWN AS BLOCK  
3902 LOTS 2 & 3 AS DESIGNATED ON THE MUNICIPAL TAX MAP FOR THE  
TOWNSHIP OF NEPTUNE**

WHEREAS, the applicant, WCS Group, LLC, has made application to the Township of Neptune Planning Board for a preliminary and final major site plan with bulk variances and associated waivers to property known as Block 3902 Lots 2 and 3 as illustrated on the Tax Map of the Township of Neptune; and

WHEREAS, such proof of publication of notice of hearing as may be required by the New Jersey statutes and municipal ordinance requirements has been furnished; and

WHEREAS, public hearings were held concerning the application on August 28, 2019 at the Municipal Building in the Township of Neptune and testimony and exhibits were presented on behalf of the applicant, the applicant being represented by Kenneth Pape, Esquire, and all interested parties were afforded an opportunity to be heard; and

WHEREAS, the Township of Neptune Planning Board having considered said application, testimony and exhibits submitted, and listened to the applicant's testimony, and after having received information from its professional staff, the Township of Neptune Planning Board does hereby make the following findings of fact and law:

- A. The subject property is known as Lots 2 and 3, Block 3902, in the Township of Neptune, consisting of approximately 102,226 square feet (2.35 acres) with frontage on Essex Road and Jumping Brook Road.
- B. The property is located in the C-1 Planned Commercial Development Zone. The C-1 Zone District provides for business uses appropriate to the Route 66 highway corridor.
- C. The Applicant proposes to convert an existing, vacant former industrial building into a multi-tenanted retail building with one tenant space allocated for a fast food restaurant with drive thru.
- D. Retail and a drive-thru restaurant are permitted uses in the C-1 Zone District.

E. The bulk, area and yard requirements of the C-1 Zone District as compared to the proposed development are as follows:

| Description                           | Required  | Existing            | Proposed            |
|---------------------------------------|-----------|---------------------|---------------------|
| Minimum Lot Area                      | 2.5 ac    | 2.37 acres (NC)     | 2.35 acres (V)      |
| Minimum Lot Depth                     | 600 ft.   | 281.3 ft. (NC)      | 281.3 ft. (NC)      |
| Minimum Lot Width                     | 500 ft.   | 294.05 ft. (NC)     | 294.05 ft. (NC)     |
| Minimum Lot Frontage                  | 500 ft.   | 812 ft.             | 745.6 ft.           |
| Maximum Impervious Coverage           | 65%       | 31.1%               | 46.2%               |
| Minimum Improvable Area               | 84,900 sf | 51,292 sq. ft. (NC) | 51,292 sq. ft. (NC) |
| Minimum Improvable Diameter           | 189 ft.   | 169.58 ft. (NC)     | 169.58 ft. (NC)     |
| Minimum Front Setback (Jumping Brook) | 50 ft.    | 62.6 ft.            | 62.6 ft.            |
| Minimum Front Setback (Essex Road)    | 50 ft.    | 42.1 ft. (NC)       | 42.1 ft. (NC)       |
| Minimum Side Setback (one)            | 30 ft.    | 35.9 ft.            | 35.9 ft.            |
| Minimum Side Setback (combined)       | 60 ft.    | 196 ft.             | 196 ft.             |
| Minimum Rear Setback                  | 40 ft.    | 177.9 ft.           | 177.9 ft.           |
| Maximum Building Height               | 40 ft.    | < 40 ft.            | <40 ft.             |
| Maximum Building Stories              | 2 Story   | 1 Story             | 1 Story             |
| Maximum Building Coverage             | 30%       | 10.9%               | 11%                 |
| Maximum Floor Area Ratio              | 0.6       | 0.11                | 0.11                |

(V) Variance Required

(NC) Existing Non-Conformity

F. The following variances are required for the Application:

a. The subject application is proposing a lot area of 2.35 acres, whereas the minimum permitted is 2.5 acres.

b. Signage:

i. Ordinance Section 416.07, no more than a total of two (2) freestanding signs in any combination may be constructed on a single lot. The applicant is proposing three (3) freestanding signs. A variance is required.

ii. Ordinance Section 416.07.B.2 permits a maximum mounting height of the ground floor height. The applicant is requesting a variance for the height of wall mounted signs on sheet 5 of 18

signage chart states an 8-foot ground height, with proposed signage height, with proposed signage heights set at seventeen (17) feet. The applicant indicated they will submit a zoning permit review for each sign as tenant spaces are leased.

iii. Ordinance section 416.07.A.7 (Adopted under Resolution 08-44) Height – states 15 feet for signs 150 sf and less, 20 feet for signs over 150 sf in area but not exceeding 190 sf in area, 40 feet for signs in excess of 190 sf in area up to 400 sf in area.

1. Essex Road proposed 151 square feet sign 20 feet high. Variance required for height.

2. Industrial Park sign – 38 square feet sign undetermined height. Testimony to be provided to address possible variance.

iv. Ordinance Section 416.07.A.7 (Adopted under Resolution 08-44) Setback – states freestanding signs shall be set back from the property line  $\frac{3}{4}$  of the height of the sign.

1. Industrial Park sign proposed 11.1 feet from Essex Road and 5 feet from Jumping Brook Road NJDOT dedication.

G. The following waivers are required for this application:

a. Parking and Circulation:

i. Ordinance Section 503.B.1, all driveways and parking lots shall be suitably buffered and screened to minimize the impacts

of noise, lighting and glare, exhaust fumes, views of parked vehicles and other nuisances. Buffering shall consist of a minimum ten (10) foot wide area surrounding all sides of a parking lot exposed to view. When such parking area is located on a tract adjacent to a residential district, such screening shall consist of a minimum of six (6) foot-high visually impervious screen. The subject application does not meet this requirement along adjacent Lot 1. The applicant provides a five-foot buffer. A waiver is required.

ii. Ordinance Section 503.B.2 requires where such parking area is located on a tract adjacent to a residential use or district, such screening shall consist of a minimum six (6) foot high visually impervious screen. The height of any required screen shall decrease to a maximum of three (3) feet in height where driveways approach sidewalks or walkways, in order to provide adequate visibility into the lot. The applicant is seeking a waiver as it relates to tax Lot 1.02, Block 128.03 in Tinton Falls. The lot is zoned R-1 residential. The applicant requests a waiver but provides 18 six-foot high arborvitaes and 8 sweet gums to the R-1 Zone. A waiver is requested.

iii. Ordinance Section 503.C.1, buffering shall consist of a minimum ten (10) foot wide area surrounding all sides of a loading area exposed to view. The applicant is not proposing a

five-foot wide buffer with 30" high plantings buffering to the west of the proposing loading space. A waiver is required.

- iv. Ordinance Section 503.C.2, screening shall consist of a minimum ten (10) foot high visually impervious screen. If such screen consists of a wall or fence, the buffer area between the wall or fence and the lot line shall be a minimum of ten (10) feet in width and shall also be extensively planted with both deciduous and evergreen trees. The applicant is proposing a five-foot-wide buffer with 30" high plantings to the west of the proposed loading space. A waiver is required.
- v. Ordinance Section 505.B.2.(a), driveways on corner lots are required to be set back a minimum of forty (40) feet from the intersecting lot lines at the corner. The proposed driveway on Essex Road is 33.2 feet from the intersecting lot lines at the corner. A waiver is required.
- vi. Ordinance Section 505.B.2.(b), requires a driveway for uses other than single-family dwelling units shall be set back at least ten (10) feet from all property lines, excepting driveway intersections with public or private roadways. The applicant proposes a five-foot separation along the drive through lane and adjacent Lot 1. A waiver is required.

- vii. Ordinance Section 505.B.4, the maximum driveway width for non-residential uses is 24 feet. The applicant is proposing a 30 ft. driveway along Jumping Brook Road. A waiver is required.
- viii. Ordinance Section 509.I.1, the perimeter of all parking lots shall be setback from all rear and side lot lines by a minimum of ten (10) feet. The applicant is proposing a circulation drive along the western property line adjacent to Lot 1 is proposed with only a five-foot setback. A waiver is required.
- ix. Ordinance Section 509.I.3 states for parking lots containing sixteen (16) to ninety-nine (99) spaces, a minimum of five percent (5%) of the interior area of the parking lot shall be provided with planting islands containing a minimum of one (1) deciduous tree planted for every five (5) parking spaces abutting such island. The applicant does not propose interior landscape within the parking lot. A waiver is required.
- x. Ordinance Section 509.I.3(b), no more than eight (8) parking spaces shall be placed in one row of parking without an intervening landscape island, where the applicant is proposing eleven parking spaces in one row along both the southern and eastern sides of the building. A waiver is required.
- xi. Ordinance Section 514.B.2 requires that parking lots be located to the rear of a building and/or the interior of the site where its visual impact to adjacent properties and the public



right of way can be minimized. No parking lot shall be located in a required front yard. The applicant is proposing parking areas within the front yard setback. A waiver is required.

xii. Ordinance Section 514.B.3, the minimum setbacks for buildings from driveways and parking spaces within the site shall be 10 feet for non-residential developments, whereas the applicant is proposing a setback of six (6) feet along the southern and eastern sides of the building. A waiver is required.

xiii. Ordinance Section 519.B.7(b), for retail developments, sidewalks along non-residential streets adjacent to the curb shall be eight (8) feet wide. The applicant is not proposing sidewalks along either frontage. A waiver is required.

xiv. Ordinance Section 519.B.7(b), for sidewalk widths for retail development between a main building entrance and its closest parking, ten (10) feet is required. This width may be reduced to six (6) feet provided an area at least four (4) feet in width is provided at all building foundations for landscaping. The applicant proposes six (6) feet for the proposed parking on the southern and eastern sides of the building where 10 feet is required. A waiver is required.

b. Landscaping and Lighting

- i. Ordinance Section 509 the landscaping plan shall be prepared and signed by a licensed New Jersey certified landscape architect. The plan has been prepared by a licensed professional engineer. A waiver is required. The applicant will comply.
- ii. Ordinance Section 509.H, the base of all sides of a building shall be planted with foundation plantings consisting of evergreen and/or semi-evergreen shrubs and trees. Such plantings shall be a minimum of two (2) feet high at time of planting and spaced an average of three (3) feet on center. The applicant is not proposing any foundation plantings. A waiver is required.
- iii. Ordinance Section 509.J – Slope Plantings – all cuts and fill areas, terraces, earth berms and roadway embankments with slope steeper than one increment vertical to three increments horizontal (1 to 3) shall be sufficiently landscaped to prevent erosion. The applicant does not address slope areas on Jumping Brook Road. A waiver is required.
- iv. Ordinance Section 509.K – Drainage Facilities – Detention basins, headwalls, outlet structures, concrete flow channels, rip-rap channels and other drainage facilities shall be suitably planted with shrubs and trees. Detention basin embankments shall be extensively landscaped with wet-site-tolerant

plantings. The applicant does not propose plantings with basin areas. A waiver is required.

- v. Ordinance Section 521.B.4, the exterior of a site with greater than 100 feet of street frontage shall provide decorative lampposts approximately 10 feet to 12 feet high, spaced at intervals of approximately 40 feet or 60 feet along or near all street lines and driveways. The applicant proposes spaces for streetlamps which varies from 72 feet to 92 feet apart. A waiver is required.

H. Joshua Sewald, P.E., of Dynamic Engineering, testified on behalf of the application as an expert in the field of engineering. Mr. Sewald stated there is a curb cut on Essex Road. Currently there is an 11,000 square foot vacant industrial building with 46 parking spaces. The property is located within the C-1 Zone. The applicant proposes to eliminate the 46 parking spaces on the western side and will provide new parking around the site. The stormwater management will comply with the Municipal Ordinance. Landscaping will have 200 plantings, including trees and evergreens; shrubs will follow the curb line. LED lighting will be provided and will also comply with the municipal ordinance.

Mr. Sewald further testified as to the circulation plan. One-way will be provided for the fast food drive-thru, with a double stack row of parking. The second and new curb cuts on Jumping Brook Road will be aligned with Walmart. There is a landscape buffer of 5 for the adjoining property. The

intersection is restricted with a 90-degree angle with Essex Road. The DOT dedication will be accounted for.

- I. Frank A. Miskovich, P.E., C.M.E., was retained by the Board to conduct a traffic impact study. Mr. Miskovich testified as follows:

The subject property is developed with an existing 11,257 square foot industrial one-story building. The applicant proposes to convert this building to provide for a 2,250 square foot fast food restaurant with drive thru window operation and 9,007 square feet for retail use per the site plan. The property is located in the C-1 Planned Commercial Development Zone. The proposed retail and a drive-thru restaurant are permitted uses in the zone. The existing site access is only on Essex Road. The applicant proposes access to both Essex Road and Jumping Brook Road. A double drive-thru lane is proposed for the menu/order operation merging into a single lane for pick-up and payment. A total of 54 parking spaces are proposed whereas the total required is 46 spaces. A single loading area is proposed to serve both the retail and fast food restaurant uses. A right turn lane is proposed from Jumping Brook Road southbound onto Essex Road.

Mr. Miskovich further opined:

The following is a summary of the findings of fact from the traffic report. The traffic report studied the intersections of Jumping Brook Road-Essex Road, Jumping Brook Road-Walmart driveway-site driveway, and Essex Road site driveway. Traffic volumes were conducted on Wednesday, January 16, 2019. A growth factor of 2.0% per year for two years was used to project future

traffic volumes. At the studied intersections, the traffic report findings for the 2021 (assumed) design year PM weekday are:

The Essex Road approach to Jumping Brook Road will operate at Level of Service "D". The Jumping Brook Road northbound left turn lane will operate at Level of Service "B". The site driveway to Essex Road will operate at Level of Service "B". The site driveway to Jumping Brook Road will operate at Level of Service "D" and the Walmart driveway will operate at Level of Service "E".

J. Gary Dean, P.E., testified in support of the application as the traffic engineer. Mr. Dean referenced the February 5<sup>th</sup> traffic study. They will be donating the property to Neptune to allow for realignment. Parking will be located on the easterly and southerly sides of the building. The proposed drive-thru will be located to the rear of the building. In terms of the truck circulation, the loading zone is to allow for smaller tractor trailers to gain access. Fire safety vehicles will also be accommodated. Driveway locations are to be visible. The driveway on Jumping Brook Road is opposite the Walmart driveway. 56 parking spaces are to be provided, where 46 are required.

K. Daniel McSweeney, P.P., testified in support of the application as an expert in the field of planning. Mr. McSweeney stated the existing building has been vacant for two years. The property is 2.78 acres. Presently, the lot is non-conforming to area, shape, dimension and use of the property. This proposed project will eliminate the non-conforming use. Variances are needed for lot area, depth, width, front yard setback, minimum improvable area, and

minimum diameter. The proposed use provides a better planning alternative. The new building will be an improvement. The property is bisected by the property lines of Neptune Township and Tinton Falls.

L. The following exhibits were submitted into evidence:

Exhibits Marked on August 26, 2019

A-1: Colored aerial exhibit of site

A-2: Site plan rendering

A-3: Aerial Overlay Exhibit

A-4: Existing building

A-5: Colored rendering of project

A-6: Proposed elevation

A-7: Pylon sign

A-8: Monument sign

M. During the public portion, no members of the public appeared to testify.

N. Based upon the foregoing, the Board finds that the requested amended major site plan approval, requested bulk variances both C(1) and C(2) and (1) and (2) associated waivers conform with the requirements of the Neptune Zoning Ordinance and can be granted without substantial impact to the intent or purposed of the Neptune Master Plan and Zoning Ordinance and without substantial detriment to the public good.

**NOW, THEREFORE, BE IT RESOLVED**, by the Planning Board of the Township of Neptune, on the 25<sup>th</sup> day of September 2019 that the applicant's request

for preliminary and final major site plan, bulk variances and associated waiver approvals be approved subject to the conditions set forth below; and

**BE IT FURTHER RESOLVED**, that a copy of the Resolution be forwarded to the Planning Board Secretary, to the applicant's attorney, the Township Clerk and the Building Department.

**BE IT FURTHER RESOLVED**, that notification of this favorable approval be published in an official newspaper of the Township of Neptune, by the applicant.

**BE IT FURTHER RESOLVED**, that this approval is subject to the following conditions:

1. The applicant shall secure any and all NJDOT permits if required.
2. The applicant shall comply with all representations made before the Planning Board, by its attorney and its expert.
3. If required, applicant shall obtain certification by the Local Soil Conservation District of a plan for soil erosion and sediment control in accordance with N.J.S.A. 4:24-39 et seq., commonly known as the "Soil Erosion and Sediment Control Act".
4. All materials, methods of construction and detail shall be in conformance with the current engineering and building requirements of the Township of Neptune, which are on file in the office of the Township Engineer.
5. Applicant shall obtain all approvals required by any Federal, State, County or Municipal agency having regulatory jurisdiction of this development. Upon receipt of such approval(s), the applicant shall supply a copy of the permit(s)

to the Board. In the event that any other agency requires a change in the plans approved by this Board, the applicant must reapply to the Township of Neptune Planning Board for approval of that change.

6. Applicant shall resubmit this entire package for re-approval should there be a deviation from the terms and conditions of this resolution or the documents submitted as part of this application, all of which are made a part hereof and shall be binding upon the applicant.
7. Applicant shall provide a statement from the Township of Neptune Tax Collector that all taxes are paid in full as of the date of this Resolution and as of the date of the fulfillment of any condition(s) of this Resolution.
8. Prior to the issuance of a construction permit, the applicant shall furnish the Township Clerk with a cash bond and performance guarantee in an amount to be determined by the Township Engineer.
9. Applicant shall post an inspection bond with the Township Clerk in an amount to be determined by the Board Engineer.
10. No soil shall be removed from the site without the written approval of the Director of Engineering and Planning.
11. If applicable, applicant must comply with the new COAH ordinance for the building improvements in question.
12. Unless specifically modified herein, the applicant shall comply with all terms and conditions of all prior resolutions of the Township of Neptune Planning Board regarding this application.



13. The applicant shall reimburse the Township of Neptune Planning Board for all professional fees expended or to be expended with regard to this application.
14. The applicant shall comply with all provisions of the engineering and planning reports of Leon S. Avakian, Inc. dated August 26, 2019.
15. Storm Water Management System to be approved by the Planning Board Engineer, approval contingent upon securing NJDEP approval.
16. NJDEP approval must be secured prior to seeking final major site plan approval.
17. During testimony, the Applicant agreed to address the following waivers:
  - a. Ordinance Section 509.I.3 – additional plantings will be provided along the perimeter of the parking lot and site.
  - b. Ordinance Section 509 – Applicant agreed to comply
  - c. Ordinance Section 509.H – Additional plantings will be provided along the perimeter of the parking lot and site
  - d. Ordinance Section 509.J – Applicant will comply with necessary ground cover.
  - e. Ordinance Section 509.K – Applicant will landscape the embankments of the detention basin
18. Signage – The applicant does not have actual design as there are no current tenants. The Applicant will return to the planning board if future approvals are necessary.

19. The proposed Jumping Brook Road driveway will be located on the downhill side of a horizontal curve and crest vertical curve. The Applicant agreed widening along the Jumping Brook Road frontage.

**MOTION TO ADOPT & MEMORALIZE:**

Offered By: Robert Lane

Seconded By: Bishop Paul Brown

**ROLL CALL ON VOTE**

Richard Ambrosio YES Robert Lane YES John Bonney N/A


Bishop Paul Brown YES Dr. Michael Brantley N/A Richard Culp Absent

Dyese Davis N/A Sharon Davis YES Keith Cafferty Absent

Linda Kornegay (Alternate #1) Absent Lisa Boyd (Alternate #2) N/A

**CERTIFICATION**

I hereby certify that this is a true copy of a resolution of the Township of Neptune Planning Board adopted on September 25, 2019.

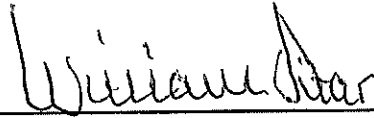
  
\_\_\_\_\_  
Kristie Dickert, Administrative Officer  
Neptune Township Planning Board

**AFFIDAVIT OF APPLICATION**

State of New Jersey  
County of Monmouth

WCS Group, LLC being of full age, being duly sworn according to  
**(Insert Applicant's Name)**

Law, on oath depose and says that all the above statements are true.



**(Original Signature of Applicant to be Notarized)**

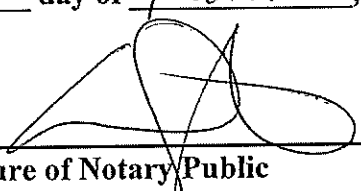


WCS Group, LLC, a New Jersey Limited Liability Company, by William Sitar, Managing Member  
**(Print Name of Applicant)**

Sworn and subscribed before me this

7<sup>th</sup> day of December, 2020

[NOTARY SEAL]



Signature of Notary Public

**Douglas J. Sitar, Esq.**  
**Attorney at Law**  
**State of New Jersey**