

**NEPTUNE TOWNSHIP PLANNING BOARD
RESOLUTION NO. 20-06**

**RESOLUTION OF THE NEPTUNE TOWNSHIP PLANNING BOARD,
TOWNSHIP OF NEPTUNE, COUNTY OF MONMOUTH, STATE OF NEW
JERSEY APPROVING PRELIMINARY AND FINAL MAJOR SITE PLAN TO
OG NORTH END DEVELOPMENT, LLC FOR PROPERTY KNOWN AS
BLOCK 101, PART OF LOT 2 AND LOTS 3 & 4 AS DESIGNATED ON THE
MUNICIPAL TAX MAP FOR THE TOWNSHIP OF NEPTUNE**

WHEREAS, the applicant, OG North End Development, LLC, has made application to the Township of Neptune Planning Board for a preliminary and final major site plan located within the North End Redevelopment Zone with associated waivers to property known as Block 101, Part of Lot 2, and Lots 3 and 4 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 November 13, 2019 and December 11, 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 Jennifer Krimko, 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 advised the Neptune Township Redevelopment Committee has determined the plans submitted and refined in the Redevelopment Agreement comply in all material aspects

of the Redevelopment Plan, 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 Part of Lot 2 and Lots 3 and 4, Block 101 in the Township of Neptune, consisting of 3.08± acres (134,033 square feet) with frontage on Beach, Spray and Ocean Avenues.
- B. The property is located within the Ocean Grove North End Redevelopment Zone. The District envisions the redevelopment of a new mixed-use community with a hotel and combination of multi-family.
- C. The property previously contained an existing hotel complex. The site is now primarily vacant with deteriorated remnants of a swimming pool and masonry building. The proposed development will consist of a 5-story hotel containing 40 units (35,274 sf), 7,353 square foot of commercial retail along the boardwalk, 36 (2 bedroom) condo units, 3 (3 bedroom) condo units and 10 single family homes.
- D. The proposed development of hotel, commercial retail, multi-family condos and single-family homes are permitted uses within the Redevelopment Zone.

E. The bulk, area and yard requirements of the North End Redevelopment Zone District as compared to the proposed development are as follows:

Description	Required	Existing	Proposed
Minimum Lot Area	Single Tract	134,033 SF (3.077 Ac)	No Change
Maximum Number of Residential Units	85 Units	----	49 Units
Maximum Residential Density (D.U. per acre)	36	----	19.3 (49/2.54 Ac)
Maximum Number of Hotel Rooms	80 Rooms	----	40 Rooms
Minimum Front Yard Setback Spray Avenue (western most corner)	10 ft	----	20 ft
Spray Avenue (southern corner)	30 ft	----	31.7 ft
Beach Avenue	10 ft	----	----
Boardwalk	0 ft	----	0 ft
Wesley Lake side (measured from bulkhead)	30 ft	----	30 ft
Minimum Distance Between Principal Buildings	30 ft	----	50.8 ft
Maximum Impervious Surface	90%	85.2%	86.2%
Building Height Single-Family Residential	35 ft	----	35 ft Max. to Comply
Multi-Family Residential	48 ft	----	48 ft Max. to Comply
Hotel Buildings	65 ft	----	65 ft Max. to Comply
Turrets, Clock Towers, Copulas	10% of permitted height	----	To Comply
Single Family Minimum Front Yard Setback	Flared per Redev.	----	20 ft
Minimum Rear Yard Setback	0	----	----
Minimum Side Yard Setback One Side	2 feet	----	6 ft
Both Sides	4 ft	----	> 4 ft
Maximum Building Height	35 ft	----	35 ft Max. to Comply
Maximum Building Height (stories)	2.5 stories	----	2.5 stories

F. Under Table 3 (Minimum Floor Area by Dwelling Unit Type), the Redevelopment Plan (page 13), the following minimum floor area is required for multi-family units:

Unit Type	Minimum Floor Area
Studio/Efficiency	500 sq ft
One (1) Bedroom	850 sq ft
Two (2) Bedrooms	1,000 sq ft
≥ Three (3) Bedrooms	1,150 sq ft & 150 sq ft per add bedroom

The Applicant proposes the following:

Multi-Family Bldg 1 (3-4) Stories		
1 st Floor	5 units (2 BDRM)	12,834 sf
2 nd Floor	10 units (2 BDRM)	15,635 sf
3 rd Floor	10 units (2 BDRM)	15,635 sf
4 th Floor	5 units (2 BDRM)	10,985 sf
	30 units	55,089 sf

Multi-Family Bldg 2 (3) Stories			
1 st Floor	2 units (2 BDRM)	1 unit (3 BDRM)	5,964 sf
2 nd Floor	2 units (2 BDRM)	1 unit (3 BDRM)	5,964 sf
3 rd Floor	2 units (2 BDRM)	1 unit (3 BDRM)	5,964 sf
	9 units		17,892 sf

G. The following waivers are required for this application:

a. Parking and Circulation:

i. Ordinance Section 505.B.5, the driveway grades shall not exceed 6% at any point. The underground parking proposes 15% slope into the garage. A waiver is required.

b. Landscaping and Lighting

i. 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 along the boardwalk. A waiver is required.

- ii. 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 does not propose the required spacing along the street fronts. A waiver is required.

H. Jason Fichter, P.E., P.P., of Insite Engineering LLC, testified on behalf of the application as an expert in the field of engineering and planning. Mr. Fichter stated the property is located in the northeast corner of Ocean Grove near Asbury Park; the property is 3.08 acres. The applicant is proposing 40 rooms for a hotel, 39 condo units and 10 single family homes. There is proposed retail space on the first floor. Proposed stormwater management will discharge into the ocean and will comply with Leon S. Avakian, Inc.'s stormwater recommendations. There are twenty-one proposed parking spaces located along Spray Avenue and there will be a subsurface area with 140 parking spaces. The garage will be solely for the residents and hotel guests. Loading areas will be located behind the hotel and a private hauler will be hired to collect refuse. The consolidation of lots will be perfected by the deed. All signs will comply.

Mr. Fichter further testified a waiver is required for the lights; lights will be fifteen feet in height and spaced 60 feet apart. One light pole will be added to Spray Avenue, which will comply. The hotel will have a pedestrian plaza, which can only be closed off for special events; the number of special events is anticipated to be about a half dozen throughout the year. The promenade will be able to accommodate a fire truck. The wall along Wesley Lake is to be reconstructed.

- I. Steve Carlidge, A.I.A., of Shore Point Architecture, testified on behalf of the application as an expert in the field of architecture. Mr. Carlidge stated the project will include a hotel, condo units, with 10 single family homes. Storage units will be located in the parking garage. The garage will have access to the lobby of the hotel. The hotel will be a five-story structure, Queen Anne Style, with two monument towers. Ten single family homes will be located along Spray Avenue; the homes will be no more than 35 feet in height and 2 ½ stories. 7,350 square feet (the correct space is 7,353 square feet) is proposed for retail space, located on a lower story.

Mr. Carlidge further testified the largest condominium building will be four stories tall, tapering to three stories and 260 feet in length. The smaller condominium building will be three stories and 124 feet in length. The redevelopment allows for a hotel height of 65 feet. The roof height is 52.35 feet and parapet height is 56.35 feet. The tower heights will be 64.28 feet and the top of the elevator shaft is 69.85 feet.

Mr. Carlidge further testified the condominium flat roof height is 39.86 feet and parapet height is 41.36 feet. The turret height is 47.55 feet and the stair tower height is 47.87 feet. All buildings shall be non-combustible and will be fully sprinklered. The units within the condominium shall be two bedrooms (1,246 square feet) and 3 bedrooms (1,573 square feet).

- J. Michelle Briehof, P.E. of Maser Consulting, testified as a Traffic Engineering expert in support of the application. Ms. Briehof stated she studied the circulation of the property as well as ingress and egress issues for the parking garage. She conducted a traffic study to determine the number of residential and hotel trips generated during peak hours. It is estimated that there will be 81 trips generated during the peak hours of 12-1 p.m. on Saturday and 5-6 p.m. on weekdays during the summer.

Ms. Briehof further testified that the truck route to be taken to the property will be Main Avenue to Ocean Avenue and then north to the site. RSIS standards require 138 parking spaces for the site and 140 will be provided.

As to construction, Ms. Briehof testified the project will not be phased. It is expected the parking deck will be constructed first. The project will include 7,300 square feet (the correct space is 7,353 square feet) of retail space.

- K. Thomas Bauer, of Melillo & Bauer, testified in support of the application as an expert in landscape architecture. Mr. Bauer stated the planting to be provided will be tolerant to the salt environment. They will provide foundation plantings at the hotel and there will be no deciduous shade trees or plantings at the boardwalk.

L. The following exhibits were submitted into evidence:

Exhibits Marked on November 13, 2019

- A-1: Preliminary and Final Major Site Plan prepared by Insite Engineering, LLC dated 3.27.19, revised through 6.21.19, consisting of 12 sheets
- A-2: Architectural Plans prepared by Shore Point Architecture, dated 3.7.19, revised through 6.21.19, consisting of 25 sheets
- A-3: Survey prepared by Gallas Surveying Group, dated 7.22.15, consisting of 1 sheet
- A-4: Landscape and Lighting Plan prepared by Melillo & Bauer Associates, dated 7.8.19, consisting of 8 sheets
- A-5: Stormwater Management Report prepared by Insite Engineering, LLC, dated 6.21.19
- A-6: Community Impact Statement prepared by Insite Engineering, LLC, dated 6.21.19
- A-7: Environmental Impact Statement prepared by Insite Engineering, LLC, dated 3.27.19
- A-8: Traffic Impact Study prepared by Maser Consulting, PA dated 10.28.19
- A-9: Site Context Map dated 11.13.19
- A-10: Site Plan Rendering dated 11.13.19
- A-11: Open Space Diagram dated 11.13.19
- A-12: Color rendering Hotel Elevation dated 11.13.19

A-13: Color rendering Hotel Perspective dated 11.13.19

A-14: Color rendering Spray Avenue Perspective-View East dated
11.13.19

A-15: Color rendering Spray Avenue Perspective-View West dated
11.13.19

A-16: Color rendering Boardwalk Elevation dated 11.13.19

A-17: Color rendering Promenade Elevation dated 11.13.19

A-18: Color rendering Promenade Elevation-Condominium Building One
dated 11.13.19

A-19: Color rendering Promenade Elevation-Condominium Building
Two dated 11.13.19

A-20: Color rendering Boardwalk Perspective dated 11.13.19

A-21: Color rendering Promenade Perspective dated 11.13.19

Exhibits Marked on December 11, 2019

A-22: Traffic Impact Study prepared by Maser Consulting, PA, dated
10.28.19, revised through 11.11.19

M. During the public portion, the following members of the public appeared to
testify with all objecting to approval of the application:

- a. Debra Osepchuk, 88 Heck Avenue, stated she believes the objective
of the Redevelopment Plan is not being met.
- b. Robert Lamont, 86 Asbury Avenue, did not think the application was
consistent the HPC.

- c. Eileen Michaels, 15 Sea View Avenue, stated she was concerned about the safety.
- d. Joan Venezia, 107 Mount Tabor Way, stated the traffic study does not address the emergency access.
- e. Ed Lacombe, 603 Lake Avenue, stated he was concerned the project will exacerbate flooding on Wesley Lake.
- f. Jack Bredin, 94 ½ Heck Avenue, provided the history of the property.
- g. Mark Kourey, 11 Sea View Avenue, stated he lived through the fires and was concerned about the parking.
- h. Kathleen DeMichele, 17 Atlantic Avenue, was concerned about the flooding.
- i. Paul Kaplan, 81 Mount Zion Way, thinks they should take a holistic approach.
- j. James Hervey, 321 Sunset Avenue, requests a storm sceptor be installed.
- k. Kris Jensen, 90 Mount Tabor Way, stated the application should not be approved.
- l. Rica Williams, 110 Abbott Avenue, was concerned about the private area for the development.

N. Based upon the foregoing, the Board concurs with the Neptune Township Committee that the project complies with the 2008 Redevelopment Plan and that the requested preliminary and final major site plan approval, requested 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 26th day of February 2020 that the applicant's request for preliminary and final major site plan, requested 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 (including CAFRA) 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 material 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 material 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 pursuant to NJSA 40:55D-53.
9. Applicant shall post an inspection fee escrow 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. The applicant shall reimburse the Township of Neptune Planning Board for all professional fees expended or to be expended with regard to this application.
13. The applicant shall comply with all provisions of the engineering and planning reports of Leon S. Avakian, Inc. dated November 7, 2019.
14. Storm Water Management System to be approved by the Planning Board Engineer, approval contingent upon securing NJDEP approval.
15. Street parking spaces will not be striped.
16. The Applicant shall comply with all recommendations from the Neptune Township Fire Officials.
17. The applicant shall provide substantial construction details for the following:
 - a. Detail of Wesley Lake wall reconstruction is required. Address NJDEP SHIPO requirements.
 - b. Parking Garage structural design details including control of stormwater discharge to Wesley Lake.
18. NJDEP permit shall include stormwater management review.
19. Utility improvements require that the project includes repaving of Beach and Spray Avenues and stormwater control as required.
20. Applicant will request manufacturer's certification of the existing stormceptor unit. In the event the manufacturer does not or will not perform such

inspection for certification, Applicant shall provide a certification by a licensed engineer confirming that the stormceptor was inspected and is in good working order.

21. The applicant will ensure proper signage for the parking garage ramp to prohibit pedestrian access.

22. The applicant shall address subsurface groundwater issues affecting construction of the underground parking garage and the plans shall comply with all applicable construction and engineering standards as it relates to waterproofing and water control equipment provided, subject to review and approval by the Township Engineer and the Township Building department.

MOTION TO ADOPT & MEMORALIZE:

Offered By: Keith Cafferty

Seconded By: Robert Lane

ROLL CALL ON VOTE

Richard Ambrosio N/A

Robert Lane YES

John Bonney Absent

Bishop Paul Brown YES

Dr. Michael Brantley YES

Richard Culp YES

Dyese Davis YES

Sharon Davis YES

Keith Cafferty YES

Linda Kornegay (Alternate #1) N/A

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 February 26, 2020.



Kristie Dickert, Administrative Officer
Neptune Township Planning Board