

Neptune Township

Land Use Department

Application For:

**Hobby Lobby Commercial Addition
(Minor Site Plan and Sign Variance Review)**

Map & Tax Lot: Block 802, Lot 1 N/F Lands of Neptune Plaza Shopping Center

Address: 2200-2250 Route 66, Neptune, NJ 07753

Prepared For:

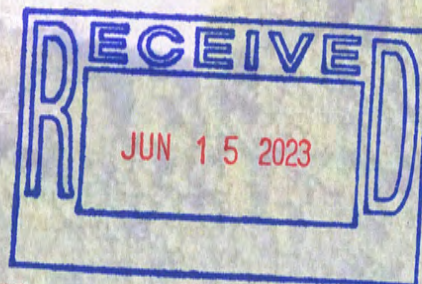
Applicant:

Hobby Lobby, Inc.
7707 SW 44th Street
Oklahoma City, OK 73179
Telephone: (405) 518-6051
Contact: Travis Godbeer
Email: travis.godbeer@hobbylobby.com

Prepared By:

Applicant's Representative:

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FILE

Original Submittal - June 2023

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A.

Introduction

1. Development Team Members

2. Property and Zoning Summary

3. Project Summary

4. Prior Land Use Approvals

5. Land Use Reviews Requested

6. Application Fee Calculation

1. Development Team Members:

Listed below is a summary of the development team members for the **Hobby Lobby Commercial Addition** request.

Owner:	Neptune Plaza Shopping Center, LLC 6 Prospect Street, Suite 2A Midland Park, NJ 07432 Telephone: (201) 444-9888 Contact: John Azarian Email: jazarian@azariangroup.com
Applicant:	Hobby Lobby, Inc. 7707 SW 44th Street Oklahoma City, OK 73179 Telephone: (405) 518-6051 Contact: Travis Godbeer, Director of Construction Email: travis.godbeer@hobbylobby.com
Applicant Representative:	ATWELL, LLC. 1250 East Diehl Road, Suite 300 Naperville, IL 60563 Telephone: (630) 577.0800 Contact: Keri Williams, PE, CFM Email: kwilliams@atwell-group.com
Legal:	Gary E Cohen Attorney 180 Main Avenue Passaic, NJ 07055 Telephone: (973) 472-7088 Contact: Gary Cohen, Esq. Email: garyecohenesq@yahoo.com
Civil Engineering:	ATWELL, LLC. 1800 Parkway Place, Suite 700, Marietta, GA 30067 Telephone: (404) 805.5238 Contact: John Nourzad, PE Email: jnourzad@atwell-group.com
Architectural:	SGA Design Group 1437 S. Boulder Ave., Suite 550 Tulsa, OK 74119.3609 Telephone: (918) 587.8600 Contact: Jeff Dalton Email: jeffd@sgadesigngroup.com

Planning:

ATWELL, LLC.

9755 SW Barnes Road, Suite 150

Portland, OR 97225

Telephone: (971) 334.8964

Contact: Kevin Apperson, RLA, ASLA

Email: kapperson@atwell-group.com

Surveying:

Gallas Surveying Group, LLC.

2865 US Route 1

North Brunswick, NJ 08902

Telephone: (732) 422.6700

Contact: David Hinson, PLS

Email: dhinson@gallassurvey.com

2. Property and Zoning Summary

Address	2200-2250 Route 66, Neptune, NJ 07753
Assessors Map	Block 802, Lot 1 N/F Lands of Neptune Plaza Shopping Center
Subject Property Size:	21.555 Acres (938,984 Square Feet)
Zoning District:	C-1 – Town Commercial
Zoning Use:	Retail Shopping Plaza for Permitted Uses within the Zoning District, a Hospital Support Zone, and Conditional Wireless Telecommunications Facility.
Approved Uses on the Subject Property:	The zoning uses presently approved to occupy the property are: <ol style="list-style-type: none">1. Ambulatory Health Care Services 621 (Neptune Dental Care)2. Personal Care Services 8121 (Rainbow Cleaners)3. Restaurants and Other Eating Places 7225 (MAURIZIOS PIZZERIA & ITALIAN GRILLE)4. Restaurants and Other Eating Places 7225 (IHOP)5. Personal Care Services 8121 (NEPTUNE LAUNDRY)6. Beer, Wine and Liquor Stores 4453 (SHOP RITE WINES & SPIRITS OF NEPTUNE)7. Clothing and Clothing Accessory Stores 448 (NEPTUNE JEWELERS)8. Nonconforming Other Activities Related to Credit Intermediation 522390 (Rt 66 Check Cashing)9. Depository Credit Intermediation (Banks) 5221 (TD BANK)10. Restaurants and Other Eating Places 7225 (PANDA CHINESE RESTAURANT)11. VACANT12. Ambulatory Health Care Services 621 (Visionworks Doctor of Optometry)13. Personal Care Services 8121 (HI TECH NAILS)14. Personal Care Services 8121 (Super Cuts)

15. Nonconforming Wireless Telecommunications Carriers (except Satellite) 517911 (Cricket Wireless)
16. Personal Care Services 8121 (SALLY'S BEAUTY SUPPLY)
17. Other General Merchandise Stores 4529 (\$1 POWER)
18. VACANT
19. Grocery Stores 4529 (ShopRite of Neptune)
20. Furniture and Home Furnishing Stores 442, and Miscellaneous Store Retailers 453 (Renewal by Andersen)
21. Depository Credit Intermediation (Banks) 5221 (Shop Rite Credit Union)



3. Project Summary

The subject property is located at the southwest corner of Route 66 and Neptune Boulevard near the Asbury Avenue Circle, approximately two miles off of exit 102 of the Garden State Parkway. The overall property contains 21.555 acres (938,984 square feet) and is referenced as Block 802, Lot 1 N/F Lands of Neptune Plaza Shopping Center. The existing Shopping Plaza contains approximately 228,456 gross square feet and includes a bank, shopping plaza and cell tower maintenance structure.

The Applicant is proposing to renovate an existing space previously occupied by Marshalls and Home Goods (consisting of approximately 58,952 square feet) for purpose of changing the permitted use to a new Hobby Lobby store (i.e. General Merchandise Store). As part of this renovation, the Applicant is proposing to construct a commercial addition consisting of a 1,117.5 square feet entry vestibule to the existing building façade. The vestibule allows the transition from the street/parking lot into the store, as well as providing potential opportunity for sale display items within. The vestibule also provides the standard branding possibilities to the exterior, including standard brand colors, accent bands, and signage. The Applicant is also proposing parking lot modifications; new sidewalks and accessible ramps along the building frontage; and improvements to the trash/recycling areas. The addition is less than 10% of the total space (1,117.50 square feet/58,952 square feet) and may qualify for an exemption pursuant to the Municipal Zoning Ordinance.

Currently, there are 228,456 gross square feet of floor area on the subject property. At one parking space per 250 gross floor area, a minimum of 914 stall are required. The subject property overall contains 1,027 parking spaces which exceeds the minimum requirement. Of this total, 240 spaces would be required to serve the Hobby Lobby development (60,069.50 square feet/1 space 250 gross floor area). With the proposed modifications, three (3) standard spaces will be eliminated to accommodate the drive aisle widening and ADA improvements. No variance will be required for parking.

The Applicant is also proposing to install a new wall mounted sign measuring 5 feet x 52.75 feet (263.75 SF) that reads "Hobby Lobby". This is proposed to mounted at a height of 17.75 feet, with the sign projecting two (2) feet above the roof line, but within the parapet of the entry vestibule. The sign will occupy approximately 26% of the horizontal wall 52.75 ft/201 ft). Since the proposed sign exceeds the maximum sign size of 48 square feet, the Applicant is requesting a variance for the sign size.

The Applicant is requesting approval of a minor site plan review and sign variance associated with the new permitted use. As part of the application, the Applicant is requesting a waiver of the following checklist items:

Part A

- Tree Removal Application package in accordance with §525 (*item #5 from the checklist*)
- Environmental Impact Statement (EIS) (*item #6 from the checklist*)
- Stormwater management report (*item #7 from the checklist*)

- Letter of Interpretation (LOI) or Letter of Exemption or proof of submission to New Jersey Department of Environmental Protection regarding presence of wetlands *(item #9 from the checklist)*
- Proof of submission to CAFRA *(item #10 from the checklist)*
- Circulation Impact Study *(item #11 from the checklist)*

Part B

- Geotech borings *(item #16 from the checklist)*
- Traffic Analysis Report *(item #32 from the checklist)*

Once fully renovated and ready for operation, the proposed use will employ 30-35 part time and full time employees. Operating hours will be from 9:00a to 8:00p Monday through Saturday.

The table of contents of this application outlines all the application criteria, exhibit drawings and appendices submitted for review and approval. Please refer to the application text and drawings for more detailed information regarding the proposed application.

4. Prior Land Use Reviews

The Neptune Township identify various procedural reviews based upon the type of land use action being requested. For this application, the Applicant is requesting the following review.

Resolution Number	Resolution Date	Subject	Land Use Request
80-03	1983-08-24	Howard Johnson aka The Ground Round Block 1007 Lot 62	Site Plan
83-02	1983-08-24	Neptune Park, A Joint Venture Block 1007 Lot 60	Approval of 12 Conditions
88-47	1988-08-31	Neptune Joint Venture Block 1007 Lot 60	Minor Subdivision
88-48	1988-08-31	Neptune Joint Venture Block 1007 Lot 61	Site Plan
92-9	1992-03-25	Neptune Joint Venture-Neptune Park Block 1007 Lot 60-62	Minor Subdivision and Site Plan
92-34	1992-09-23	The Goodman Company Block 1007 Lot 61	Site Plan and Bulk Variance
01-22	2001-07-25	IHOP Corp Block 1007 Lot 61	Minor Site Plan
01-29	2001-10-24	Commerce Bank Block 1007 Lot 61	Major Site Plan
ZBA 04/37	2004-09-01	Commerce Bank Block 1007 Lot 61	Bulk Variance
08-38	2009-01-21	New York SMSA Limited Partnership d b a Verizon Wireless Block 1007 Lot 61	Major Stie Plan
19-06	2019-02-27	Saker Shop Rite	Major Site Plan with Variance

5. Land Use Reviews Requested

The Neptune Township identify various procedural reviews based upon the type of land use action being requested. For this application, the Applicant is requesting the following review.

Land Use Request
Minor Site Plan
Signage Variance

6. Fee Calculations:

The proposed project is required to follow Townships standard and procedures. Based on Fee Schedule (effective August 8, 2007), the applicable fees associated with this application are:

Item	Fee
Application Fee - Minor Site Plan	\$500.00
Application Fee - Bulk Variance	\$250.00
Escrow Fee - Minor Site Plan	\$1,500.00
Escrow Fee - Bulk Variance (Non Residential)	\$1,250.00
Total	\$3,500.00

B.

Applicable Neptune Township Land Development Ordinance Narrative

The following information responds to applicable Neptune Township Land Development Ordinance associated with the **Hobby Lobby Commercial Addition** request. The applicant’s comments to individual sections are highlighted in bold for each applicable standard or regulation. Sections addressed include:

Article II – Definitions

201 Definitions..... **B-1**
201 Definitions..... B-1

Article IV – Zoning District Regulations

404 Commercial/Mixed Use/Industrial Zone Districts **B-4**
404.04 C-1 – Planned Commercial Development..... B-4

410 Schedule B – Zoning District Bulk Regulations **B-10**

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Article V – Performance and Design Standards

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515 Refuse and Recycling Areas..... B-35

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1102 Zoning Permits **B-46**
410-1 General Provisions B-46

ARTICLE II - DEFINITIONS

201 Definitions

Addition - any extension or increase in the size, floor area or height of a building or structure.

Alteration of building– Any change in the supporting members of a building, bearing walls, columns, beams, girders, or interior partitions, or any addition to or diminution of a building, including the addition, modification, removal or replacement of exterior elements, including but not limited to siding, roofing, windows, doors, trim, cornices, eaves, gutters, finials, moldings, railings, arches, cupolas, or other decorative ornamentation. [NOTE: The previous definition has been amended per Ordinance No. 02-41]

Building – Any structure having a roof supported by columns or walls and intended for the shelter, housing or enclosure of any individual, animal, process, equipment, goods or materials of any kind.

Building coverage – The percentage of the lot area that is covered by building area, which includes the total horizontal area when viewed in plan.

Building envelope – An area, generally described by building setback lines, depicting the area within which the building(s) can be constructed.

Building footprint – The horizontal area contained within the outer dimensions of the foundation walls of a building.

Building height – The vertical distance from finished grade to the top of the highest roof beams on a flat or shed roof, the deck level on a mansard roof, and the average height between the eaves and the ridge level for gable, hip, and gambrel roofs.

Building line – A line formed by the intersection of an exterior wall of a building with the ground.

Building line, front – A line parallel to the front yard line touching that part of a principal building closest to the front yard line, not including the dimensions of a porch structure.

Development – The division of a parcel of land into two (2) or more parcels, the construction, reconstruction, conversion, structural alteration, relocation or enlargement of any building or other structure, or of any mining, excavation or landfill, and any use or change in the use of any building or other structure, or land or extension of use of land.

Exterior alteration - Any change in the exterior architectural features of a building or any other structure including repainting, additions or the demolition of part of a building excepting repainting the structure the same color for maintenance purposes.

Floor area ratio (F.A.R) – The floor area in square feet of all buildings on a lot divided by the area of such lot in square feet.

Impervious cover – Any structure, surface or improvement that reduces and/or prevents absorption of stormwater into land. Porous paving, paver blocks, gravel, crushed stone, crushed shell, elevated structures (including boardwalks), and other similar structures, surfaces or improvements are considered impervious cover. Grass, lawns or any other vegetation are not considered impervious cover.

Improvable area - the area of a lot for the placement of principal buildings, off-street parking lots, and off-street loading areas which is located within the envelope delineated by the required yards, or buffers of the zone district and which is not encroached upon by, (A) an existing or proposed public right-of-way, (B) an area classified as a floodway by the New Jersey Department of Environmental Protection and Energy or as an area of special flood hazard or floodway, (C) wetlands or any required wetlands transition area pursuant to the New Jersey Freshwater Wetlands Protection Act (N.J.S.A.13:9B-1, et seq.), except where construction, fill, or disturbance has been authorized pursuant to the Freshwater wetlands Act, (D) slope areas where the inclination of the land's surface from the horizontal is fifteen (15) percent or greater for a ten (10) foot interval, (E) stream corridors and, (F) an easement for utility installation, drainage or other purpose granted to another person, entity or governmental unit.

Improvement - any structure or any part thereof installed upon real property by human endeavor and intended to be kept at the location of such construction or installation.

Leasehold area – A designated area bound by leasehold lines.

Leasehold line – A line of record bounding a leasehold area that divides a leasehold area from another leasehold area, lot, or from a public or private street or any other public space.

Minor site plan – A development plan of one or more lots which proposes new development requiring site plan review and approval as specified by this Ordinance which:

- a. Does not involve planned development, any new street or extension of any off-tract improvement which is to be prorated pursuant to section 30 of P.L.1975, c.291 (C.40:55D-42); and,
- b. Contains the information reasonably required, as set forth in Article VIII of this chapter, in order to make an informed determination as to whether the requirements established by this chapter for approval of a minor site plan have been met; and,
- c. Meets all of the following criteria:
 1. Consists of new building construction and/or building additions that contain less than one thousand (1,000) square feet of gross floor area; and

2. Contains less than four thousand (4,000) square feet of impervious surface; and
3. Is located on a tract that was not the subject of a minor subdivision or minor site plan approval within two (2) years of the date of the resolution of memorialization.

[NOTE: The previous definition has been added per Ordinance No. 03-035]

Retail sales - and services – Establishments engaged in selling goods or merchandise to the general public for personal or household consumption and rendering services incidental to the sale of such goods.

Retail services – Establishments providing services to the general public for personal or household use.

Shopping center - a group of retail stores and service establishments with parking facilities and designed to serve a community or neighborhood which is planned, developed, owned and managed as a total entity.

Sign area - The entire area within a contiguous perimeter enclosing the limits of a sign and including the frame of the sign, but not including structural elements outside the limits of such sign and not forming an integral part thereof.

Sign face – The area or display surface used for the message.

Sign, freestanding – A single or multi-faced sign not attached to a building, and with an upright base extending from the ground.

Zoning permit – A document signed by the administrative officer (1) which is required by ordinance as a condition precedent to the commencement of a use or the erection, construction, reconstruction, alteration, conversion, or installation of a structure or building and (2) which acknowledges such use, structure or building complies with the provisions of the municipal zoning ordinance or variance therefrom duly authorized by a municipal agency pursuant to the Municipal Land Use Law.

Applicant's Response: *Above is a partial list of definitions that apply to the proposed commercial addition project. The Applicant acknowledges that the definitions will be used to evaluate the proposal for compliance under the Townships Land Development Ordinance.*

ARTICLE IV – ZONING DISTRICT REGULATIONS

All land use actions shall be classified as one of the following unless state law mandates different or additional procedures for particular land use actions or categories of land use actions or specified otherwise by Article VII of this Code:

404 C-1 – Commercial/Mixed Use/Industrial Zone Districts

404.04 C-1 – Planned Commercial Development

- A. Purpose. **The purpose of the C-1 Zone District is to serve the regional need for retail, professional office and research facilities by encouraging planned commercial development.**

Applicant's Response: *Based on the Townships Zoning Map, the subject property is zoned C-1. See Section D – Appendices, Appendix 3 – Zoning Map for additional information.*

The Applicant acknowledges that the purpose of the C-1 Zone District is to encourage planned commercial development to serve the regional need for retail development.

B. Permitted uses.

1. Planned Commercial Development [editorial note: see §404.04.F]
2. Furniture stores
3. Floor covering stores
4. Home furnishings stores
5. Household appliance stores
6. Radio, television & other electronics stores
7. Computer & software stores
8. Musical instrument Stores
9. Music stores (CDs, cassettes, videos, records)
10. Home centers
11. Hardware stores
12. **Grocery (except convenience) stores**
13. Convenience stores
14. **General stores**
15. Retail bakeries
16. Delicatessens
17. Butcher shops
18. Fish & seafood markets
19. Fruit & vegetable markets
20. **Beer, wine & liquor stores**
21. Pharmacies & drug stores
22. Cosmetics, beauty supplies & perfume store
23. Food (health) supplement stores
24. **Health & personal care stores**

25. Family clothing & apparel stores
26. Lingerie and corset stores
27. Swimwear stores
28. Jewelry stores
29. Shoe stores
30. Hobby, toy & game stores
31. Bicycle stores
32. Sporting goods stores (excluding firearms)
33. Arts & craft shops
34. Family book stores
35. Magazine/newspaper stands
36. Department stores
- 37. General merchandise stores**
38. Florists / flower shops
39. Gift shops
40. Greeting card stores
41. Seasonal holiday stores
42. Christmas tree sales (outdoor)
43. Office equipment, supplies & stationery stores
44. Pet food & pet supplies stores
45. Pet stores
46. Membership warehouse club (retail)
47. Tobacco shops
48. Art dealers
49. Antique shops
50. Commercial banking
51. Savings institutions
- 52. Bank**
- 53. Credit unions**
54. Consumer lending
55. Real estate credit
56. All other non-depository credit intermediation
57. Financial clearinghouse & reserve activities
58. Investment banking & securities dealing
59. Securities brokerage
60. Direct life Insurance carriers
61. Direct health & medical insurance carriers
62. Insurance agencies & brokerages
63. Claims adjusting
64. All other insurance related activities
65. Offices of real estate agents
66. Offices of real estate appraisers
67. Other activities related to real estate
68. Consumer electronics & appliances rental
69. Videotape & disc rental
70. Home health equipment rental
71. Consumer goods rental
72. Musical instrument rental

73. General rental centers
74. Computer training facility
75. Apprenticeship training
76. Other technical & trade schools
77. Sports & recreation instruction
78. Art, music, dance & martial arts instruction
79. All other miscellaneous schools & instruction
80. Offices of physicians (excluding mental health)
81. Offices of physicians, mental health
- 82. Offices of dentists**
83. Offices of chiropractors
84. Offices of optometrists
85. Offices of physical, occupational and speech therapists, and audiologists
86. Offices of podiatrists
- 87. All other outpatient care centers**
88. Diagnostic Imaging centers
89. Home health care services
90. Ambulance and first aid services
91. Nonresidential services for elderly & disabled persons, including adult day care
92. Child Care Center
93. Amusement arcades
94. Bowling centers
95. Golf course, miniature
96. Public Parks and recreational facilities
97. Theater, Motion Picture (indoor)
98. Grantmaking foundations
99. Civic & social organizations
100. Professional organizations
101. Labor unions & similar labor organizations
102. Hotels (excluding casino hotels)
103. Hotels, Extended Stay Lodging Facilities
104. Food service contractors / catering
105. Banquet facilities
- 106. Full-service restaurants**
- 107. Restaurant**
- 108. Restaurant, take-out**
109. Snack & nonalcoholic beverage bars
- 110. Barber & beauty shops, beauty salons & parlors, hairdressers**
111. Cosmetic salons & cosmetology services
112. Hotel beauty parlors and beauty shops
113. Manicure salon or nail services
114. Wig grooming service
115. Diet & weight reducing centers
116. Depilatory salons (hair removal)
117. Ear piercing services
118. Electrologist's studio
119. Electrolysis studio
120. Scalp treatment

121. Hair replacement
122. Tanning salons
123. Funeral homes
124. Consumer electronics repair & maintenance
125. Household item repair and maintenance
126. Computer & office machine repair & maintenance
127. Communication equipment repair & maintenance
128. Commercial equipment (excluding auto & electrical) repair & maintenance
129. Appliance repair & maintenance
- 130. Furniture cleaning, refinishing and repair shops**
131. Musical instrument repair shop
132. Leather goods repair services
133. Shoe repair and shoeshine parlors
134. Bicycle repair shops
135. Locksmiths
136. Swimming pool cleaning and maintenance services
- 137. Coin-operated laundries & drycleaners**
138. Dry-cleaning & laundry services (excluding coin-op)
139. Linen supply
140. Tailor and mending of garments
141. Film developing services, retail
142. Pet grooming services
143. Offices of lawyers
144. Offices of certified public accountants
145. Other accounting services
146. Architectural services
147. Landscape architectural services
148. Professional planning services
149. Engineering services
150. Building inspection services
151. Testing laboratories
152. Custom computer programming services
153. Computer systems design services
154. Computer facilities management services
155. Other computer related services
156. Administration & general management consulting services
157. Other scientific & technical consulting services
158. Advertising agencies
159. Other services related to advertising
160. Veterinary services / animal hospital
161. Photography studios & videography services
162. Corporate, subsidiary & regional managing office
163. Office administrative services
164. Facilities support services
165. Employment placement agencies
166. Private mail centers
167. Quick printing
168. All other business support services

169. Travel agencies
170. Investigation and security services
171. Security systems services (except locksmiths)
172. Janitorial services
173. Landscaping maintenance services
174. Carpet & upholstery cleaning services
175. Other services to buildings & dwellings
176. Municipal facilities
177. Fire department facilities
178. Public safety facilities
179. First aid facilities
180. Board of Education facilities
181. Medicinal & botanical manufacturing
182. Research Laboratory
183. Pharmaceutical preparation manufacturing
184. Dental laboratories
185. Taxi service
186. Couriers
187. Local messengers & local delivery
188. Newspaper publishers
189. Book publishers
190. Software publishers
191. Film & sound recording studios
192. Data Center

[NOTE: The previous section has been amended as per Ordinance No. 03-035]

Applicant's Response: The subject property contains the Neptune Shopping Plaza. By code, Shopping Centers are defined as:

"A group of retail stores and service establishments with parking facilities and designed to serve a community or neighborhood which is planned, developed, owned and managed as a total entity."

Consistent with this definition, the subject property contains a variety of retail stores and services establishments with a common parking area. The uses currently permitted on the subject property are identified in Green. The proposed use (i.e. Hobby Lobby store) would be located in an existing space previously occupied by Marshalls and Home Goods. The Hobby Lobby store would fall under the category of General Merchandise Store identified in Magenta.

- C. Conditional uses.
1. Restaurant, drive-through
 2. Centralized telephone utility installations
 3. Centralized coaxial cable utility installations
 4. Wireless telecommunications facility

5. Electricity regulating substations

[NOTE: The previous section has been amended as per Ordinance No. 03-035]

Applicant's Response: Only one of the existing uses required a conditional use. The proposed use do not include any functions that are considered conditional uses.

D. Accessory uses.

1. Uses customarily incidental and accessory to a principal permitted use
2. Educational support services
3. Health and Fitness Club
4. Recreational clubhouse, concession stand
5. Helistops
6. Parking for principal use
7. Telephone communication distribution
8. Coaxial cable communication distribution
9. Emergency services radio communication facilities
10. Natural gas distribution
11. Electric power transmission & distribution
12. Public water supply purveyance & distribution
13. Sanitary sewer lines

[NOTE: The previous section has been amended as per Ordinance No. 03-035]

Applicant's Response: The existing uses as well as the proposed use do not include any uses that are considered accessory uses.

E. Bulk regulations. See Schedule B-1.

Applicant's Response: To the extent possible, the proposed use will comply with the bulk regulations and not create situations that are non-conforming.

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.

Applicant's Response: In accordance with this section, the proposed use will be developed in compliance with the requirements of Section 414 and the design standards set forth in 414.D.

410 Schedule B – Zoning District Bulk Regulations

404.04

Zoning Schedule B
Zoning District Bulk Regulations

	Minimum Lot Area (square feet)	Maximum Density (d.u. per acre)	Maximum Floor Area Ratio	Minimum Lot Width (feet)	Minimum Lot Frontage (feet)	Minimum Lot Depth (feet)	Front Yard Setback (feet)	Side Yard Setback (feet)	Combined Side Yard Setback (feet)	Rear Yard Setback (feet)	Maximum Percent Building Cover	Maximum Percent Total Lot Cover	Maximum Number of Stories	Maximum Building Height (feet)	Minimum Improvable Area (M.I.A. in square feet)	M.I.A. - Diameter of Circle (feet)
C-1	2.5 Acres	N/A	0.6	500	500	600	50	30	60	40	30%	65%	2	40	84,900	189

Applicant’s Response: *The subject property complies with most of the Zoning District Bulk Regulations. These are further described below:*

- *Minimum Lot Area – The minimum lot area in the C-1 district is 2.5 acres. Based on the ALTA survey, the subject property contains 21.555 acres which exceeds the minimum requirement. The proposed development is part of a large shopping plaza located on the property.*
- *Maximum Density – The metric is not applicable to the proposed development property since there are no dwelling unit located on the subject property.*
- *Maximum Floor Area Ratio – The maximum Floor Area Ratio (FAR) is 0.6. Including the proposed addition, the current FAR is 0.24 which is well below the maximum ratio.*
- *Minimum Lot Width – The minimum Lot Width is 500 feet. The existing lot width is 603.1 feet with exceeds the minimum width.*
- *Minimum Lot Frontage – The minimum Lot Frontage is 500 feet. The existing lot width is 1,859.1 feet with exceeds the minimum lot frontage.*
- *Minimum Lot Depth – The minimum Lot Depth is 600 feet. The existing lot width is 1,107.0 feet with exceeds the minimum lot depth.*
- *Front Yard Setback – The minimum yard setback is 50 feet. Currently, the existing minimum front yead for the shopping plaza is 210.7 feet. For the bank, the front yard setback is 76.9 feet. Both of these dimensions exceed the 50’ minimum.*
- *Side Yard Setback – The minimum side yard setback is 30 feet. The existing side yard setback along the south side of the property line is*

126.3 feet which exceeds the minimum standard. Along north side adjacent to Hwy 66, the side yard setback is 77.5 feet for the bank. The side yard setback along the plaza building will change slightly from 303.4 feet currently to 288.6 feet with the proposed addition of the vestibule.

- *Combined Side Yard Setback – The metric is not applicable to the proposed development property.*
- *Rear Yard Setback – The minimum rear yard setback is 40 feet. The existing rear yard setback is 41.7 feet which exceeds the minimum standard.*
- *Maximum Percent Building Cover – The maximum building cover is 30%. The existing development is 24.3% building cover which is less than the maximum allowed.*
- *Maximum Percent Total Lot Cover – The maximum lot cover is 60%. The existing development maintains a 85.2% lot cover which is over the maximum allowed. While non-conforming, the proposed addition does not change the maximum cover percentage.*
- *Maximum Number of Stories – The maximum number of stories is two (2). The existing structures on site each contain one (1) story.*
- *Maximum Building Height – The maximum building height is forth (40) feet. The existing development contains heights ranging between 22 and 28 feet in height. While the proposed use will utilize the existing structures, it does propose a new entry vestibule the will be 32*
- *-7" in height. The new addition will still remain below the maximum building height.*
- *Minimum Improvable Area (M.I.A. in square feet) – The minimum improvable area is 84,900 square feet. The proposed development contains an improvable area of 697,411 square feet.*
- *M.I.A. - Diameter of Circle (feet) - The minimum improvable area (diameter) is 189 feet. The proposed development identified a diameter of 379.*

412 Supplementary Zoning Regulations Applying to All Districts

412.17 Parking Requirements

- A. **The total number of off-street parking spaces and loading spaces required for all uses or combination of uses shall be provided as specified in this Section.** Any building or site containing more than one use shall meet the combined parking space and loading requirements for all uses, based on the area utilized for each separate use. **The parking space schedule and loading space schedule in this Section represents general parking and loading requirements acceptable to the Township.** Since a specific use may generate parking usage and/or loading/unloading activities that deviates from the requirements enumerated in this Section, documentation and testimony shall be presented to the Board as to the anticipated parking usage and loading activities. The parking requirements for any use not specifically indicated shall be determined by the Board based on evidence presented

at the time of the application and based on requirements for similar type uses. Based upon the above, the Board may take action as follows:

1. Grant a variance from parking requirements to permit a lesser number of spaces, provided, however, that spaces shall be shared by two or more separate uses with non-conflicting parking usage schedules;
2. Grant a variance from parking space requirements contingent upon the applicant obtaining a specified number of reserved off-street parking spaces from another source, including, but not exclusively, the Township of Neptune;
3. Require construction of a greater number of spaces.

Applicant's Response: *Any building and/or site containing more than one use will meet the combined parking space and loading requirements for all uses, based on the area utilized for each separate use.*

Currently, there are 228,456 gross square feet of floor area on the subject property. At one parking space per 250 gross floor area, a minimum of 914 stall are required. The subject property overall contains 1,027 parking spaces which exceeds the minimum requirement.

The proposed area to be occupied by Hobby Lobby contains 58,952 square feet. With the addition of a 1,117.50 square foot entry vestibule addition, the total square footage would be 60,069.50 square feet. At one space per 250 square feet, a total of 240 spaces would be required to serve the proposed use. As part of the improvement plans, three (3) spaces are proposed for removal to improve ADA access and parking. No variance will be required for parking.

- B. Parking space dimensions. Standard parking spaces shall measure nine (9) feet wide by eighteen (18) feet long. Handicapped parking spaces shall measure twelve (12) feet wide by eighteen (18) feet long.**

Applicant's Response: *In accordance with this section, all reconfigured spaces will meet the required parking space dimensions. Standard parking spaces will measure nine (9) feet wide by eighteen (18) feet long and handicapped parking spaces will measure twelve (12) feet wide by eighteen (18) feet long with a parallel loading area.*

- C. Multi-level parking structure.**

1. Building coverage and floor area ratio. That portion of a multi-level parking structure specifically designed to accommodate parking and driveway areas shall not be included in determining the maximum permitted building coverage and/or maximum floor area ratio (F.A.R.) on a particular tract.
2. Standards. Where allowed as an accessory structure for a permitted principal use in the C-1, LI, PUD and C Zones, a multi-level parking structure shall conform to the following requirements:

- (a) The structure shall not exceed six (6) levels and fifty-five (65) feet. In no instance shall a multi-level parking structure exceed the height of the principal structure.
- (b) The required setbacks for multi-level parking structures shall be the same as those set forth for principal permitted structures. No multi-level parking structure may be located closer to a residential property line than a distance equal to the height of the structure.
- (c) A security office and/or attendant area not to exceed five hundred (500) square feet in area may be located within the multi-level parking structure.
- (d) The architectural design for the facades of parking structures shall incorporate features such as articulated parapet walls, ornamental projections, varied planter widths and similar items to add visual interest and improve the overall appearance of the structure as viewed from the street.
- (e) Adequate lighting shall be provided at all levels of a multi-level parking structure to ensure motorist and pedestrian safety and security. Bollard-style light fixtures are encouraged at the uppermost level of the structure to mitigate off-site light spillage. The maximum mounting height of a light fixture as measure from the uppermost level of the structure shall be twelve (12) feet.

Applicant's Response: *This criterion is not applicable to this application since there are no multi-level parking structures located on the subject property or associated with the proposed use.*

- D. **Number of parking spaces. In all zone districts, except for uses in designated historic zone districts, there shall be provided, at the time that any building or structure is erected, enlarged, increased in capacity or has a change of use, parking spaces in accordance with the requirements in Table 4.2.**

**Table 4.2
Parking Regulations**

Use	Off-Street Parking Requirements
Residential Single-family or Multifamily	SEE RSIS STANDARDS except for residential historic districts
Uses in historic zone districts	No off-street parking permitted or required, except for new historic hotels as note below.
Assisted living facility	1 space per 3.5 rooms
Automobile service station	1 space per 3 gas dispenser
Automotive body repair and painting	2 spaces per bay and work area
Automotive sales (indoor)	2.5 spaces per 1,000 square feet per gross floor area of interior sales space + 3 spaces per service bay

Bank	1 space per 250 square feet of gross floor area
Bed & breakfast homestay	None
Bed & breakfast guesthouses and inns	None
Car wash	5 spaces per washing lane + 1 space per full-time employee
Community center	1 space per 250 square feet of gross floor area
Community residence for the developmentally disabled	1 space per employee
Computer training facility	1 space per computer training terminal space + 1 space per 400 square feet of gross floor area
Family day care	1 space per employee
Funeral home	1 space per 200 square feet of gross floor area
Garden center/nursery	1 space per 300 square feet of gross floor area + 2.5 spaces per 1,000 square feet of outdoor storage or nursery area
Health club	1 space per 75 square feet of gross floor area
Historic hotel	0.4 space per room for historic hotels on lots 40,000 square feet or larger
Home Occupation	1 space per employee + applicable RSIS requirements based on dwelling unit type
Hospital	3 spaces per bed
Hotel	1 space per guest room + 1 space per 300 square feet of banquet, restaurant and conference space
Laundromat	1 space per 3 washer or dryer machines
Long-term care facility	1 space per 3 beds
Manufacturing and assembly	1 space per 1,500 square feet of gross floor area
Marina	1 off-street parking street parking space for each boat dockage space
Marine related sales and service	1.5 spaces per 1,000 square feet per gross floor area + 1 space per full-time employee
Nightclub	1 space per 50 square feet
Office	1 space per 300 square feet of gross floor area
Office / Flex Space	1 space per 800 square feet of gross floor area
Personal service	1 space per 250 square feet of gross floor area
Place of worship	1 space per 4 seats; Every three (3) feet of a pew measured horizontally shall be considered a seat.
Research	1 space per 1,000 square feet of gross floor area
Restaurant	1 space per 3 seats

Restaurant, take-out	• Freestanding & freestanding drive-through: 1 space per 60 square feet of gross floor area, plus one space per employee on peak shift
	• Other than freestanding or freestanding drive-through: 1 space per 250 square feet of gross floor area
Retail sales and service	1 space per 250 square feet of gross floor area
School	1 space per classroom and other rooms used by students and/or faculty + 0.25 per student over driving age
Self-storage facility	1 space per employee + 1 space per 10,000 square feet of gross floor area
Shopping center	1 space per 250 square feet of gross floor area
Tavern	1 space per 2 seats
Theater	1 space per 3 seats
Warehouse & distribution facility	1 space per 2,500 square feet of gross floor area

Applicant's Response: *In accordance with this section, at the time that any building or structure is erected, enlarged, increased in capacity or has a change of use, the number of parking spaces allocated for the development will comply with the requirements in Table 4.2.*

For shopping centers, free-standing banks and non-freestanding restaurants, one parking space is required for every 250 square feet of gross parking area. Based on a total of 229,573.50 square feet of gross building floor area within the subject property, a minimum of 918 stalls are required. Currently, there are 1,027 stalls which exceeds the minimum requirements. It should be noted that three (3) stalls will be eliminated as a result of the ADA improvements serving the new proposed use.

E. Design standards. Standards for the design of parking lot areas are located at §514.

Applicant's Response: *No new parking is being proposed. To the extent possible, the reconfiguration and stripping of the parking area immediately in front of the proposed use will comply with Section 514 – Parking and Loading Area Design Standards.*

F. For uses not specifically described herein, parking requirements shall be determined by the approving authority during a public hearing. These requirements are considered minimum standards, and parking may be provided in excess of these requirements, but in no case shall the provided parking for non-residential uses exceed these minimum requirements by more than twenty (20%) percent. This restriction shall not apply to single-family dwelling units.

Applicant's Response: *The parking requirements for the existing uses as well as the proposed use will comply with the Table 4.2, Parking Regulations.*

- G. All permitted and required accessory off street parking spaces shall be located on the same lot as the use to which the spaces are accessory, or upon an adjacent lot in common ownership.

Applicant's Response: *No new parking is being proposed. All of the required parking is located on the same lot as the proposed use.*

414 Planned Commercial Development Regulations

- A. Purpose. While the Zone Plan for the Township is effective in providing for a variety of land uses and in separating conflicting land uses, it is in the best interests of the **Township to provide an alternative method to the development of larger sites which permits a greater variety and mix of land uses pursuant to a coordinated plan.** Such Planned Developments may consist of several different types of uses, open space, an on-site circulation system for vehicles, bicyclists and pedestrians and facilities for community services, such as recreation, social activities and security to benefit the users of the Planned Development. Finally, Planned Developments are intended to enable creative design and development of larger sites without adversely impacting surrounding land uses, particularly existing residential neighborhoods.

Applicant's Response: *The Applicant understands that it is in the Township's best interest to provide an alternative method to the development of larger sites which permits a greater variety and mix of land uses pursuant to a coordinated plan.*

- B. Applicability.

1. This Section contains **requirements for Planned Commercial Development in the C-1 and LI Zone Districts.** Section 405 contains requirements and guidelines particular to Planned Unit Development in the PUD Zone District.
2. The requirements for Planned Commercial Developments provided in this Section apply where Planned Commercial Developments are listed as Permitted Uses in the applicable zoning district. To the extent that the following provisions differ from the requirements of the zoning district(s) otherwise applicable to the site or other requirements of the Township's Land Development Ordinance, the provisions of this Section shall govern.

Applicant's Response: *The Applicant acknowledges that Section 414- Planned Commercial Developments identifies the requirements for large properties the C-1 District.*

- C. Standards.

The following standards shall apply to Planned Commercial Developments as defined in this Chapter.

- 1. Development regulations.**

- (a) **Permitted uses within a Planned Development shall be those uses listed as permitted uses in the zoning district.** Accessory uses not specifically listed in these zones but which are supportive services and customarily incidental to a principal use are also permitted.
- (b) Wireless Telecommunication Facilities shall be considered permitted uses in a planned development with a minimum tract size of 10 acres.
- (c) Except as otherwise provided herein, Planned Commercial Developments shall be permitted only if the land which is to be used for the Planned Development is located in the Planned Commercial Development (C-1) or Light Industrial (LI) Zone Districts.
- (d) Minimum Improvable Area requirements shall not apply to Planned Developments.
- (e) **Bulk requirements. Bulk zoning requirements for Planned Commercial Development in the C-1** and LI Zone Districts shall be in accordance with the following tables:

Table 4.4
Bulk Regulations for Planned Commercial Development: (C-1) Zone District

Minimum total Planned Commercial Development area	20 acres
Minimum tract area	2.5 acres
Office	
Maximum F.A.R.*	2.7
Maximum principal building height/stories	150' / twelve (12) stories
Maximum height of accessory structures	50'
Front building setback	40'
Building setback from all other tract boundary lines	50'
Minimum separation between buildings	50'
Maximum building coverage*	30%
Maximum impervious coverage	70%
Hotel or Extended Stay Lodging Facility	
Maximum principal building height/stories	150' / twelve (12) stories
Maximum height of accessory structure	50'
Minimum front building setback	40'
Minimum building setback from all other tract boundary lines	50'
Minimum separation between buildings	30'
Maximum building coverage*	40%
Maximum impervious coverage	70%
Retail sales and services	
Maximum principal building height/stories	40' and two (2) stories
Maximum F.A.R.*	0.35

Minimum front building setback	40'
Minimum building setback from all other tract boundary lines	30'
Minimum separation between buildings	50'
Maximum building coverage*	35%
Maximum impervious coverage	75%

** That portion of a multi-level parking structure specifically designed to accommodate parking and driveway areas shall not be included in determining the maximum permitted building coverage and/or maximum floor area ratio (F.A.R.) on a particular tract.*

2. Accessory uses.

- (a) Uses customarily incidental and accessory to principal permitted uses.
- (b) Helistops
- (c) Hotels or extended stay lodging facilities may provide up to 3,000 square feet of retail space within the principal structure. Retail uses are limited to those businesses that are commonly found in hotels, and provide services or shopping opportunities to hotel guests and the public.
- (d) Planned office developments may include accessory uses such as coffee shops, deli/restaurants, newspaper/ stationary shops and teller bank machines within principal structures provided:
 - (i) Such uses shall be included as tenants within the various principal office buildings and shall not occupy separate buildings
 - (ii) Not more than ten percent (10%) of the gross floor area of any principal office building may be occupied by accessory uses.
 - (iii) No accessory use shall have an individual outside entrance, except for fire/ service access, nor shall there be any display of outside signage, except as part of the overall building identification directory.

3. Perimeter buffers.

- (a) Planted buffers shall be provided along the perimeter of any Planned Development in accordance with the minimum width parameters of Table 4.5 below. As set forth in Table 4.5 where a proposed use \cong (vertical column) within a Planned Development is located near a tract boundary line that is common with an abutting use (horizontal row), the buffer width indicated in Table 4.5 shall be provided except as otherwise provided for herein. Where Route 18 or Route 66 serve as a zone district boundary, no buffering is required along such boundary. Where a tract boundary line is also a street line, the buffer and screening requirements set forth in Article V (Design and Performance Standards) shall apply.

- (b) Every required buffer may contain berms, deciduous and evergreen trees and shrubs, inclusive of ornamental trees and shrubs, as well as groundcovers or a combination of these features to achieve an effective landscape screen. Design of buffer areas to achieve an effective landscape screen shall follow the guidelines and standards outlined in Section 503 below. The number, type and size of buffer plantings shall be shown on the site plan.
- (c) To the extent that environmental constraints and physical or Planned Development design conditions dictate, a variable width planted buffer may be provided. The Board may approve a buffer width less than the minimum prescribed in Table 4.5 provided that a commensurate buffer width greater than the minimum requirement is provided elsewhere on the site and that site cross-sections depicting a proposed landscape buffer design treatment between a Planned Development and abutting residentially zoned lands indicates that an effective landscape screen can be achieved. No buffer shall be less than ten (10) feet unless the abutting use is permanently reserved open space.

Table 4.5
Minimum Buffer Requirements at Tract Perimeter of Planned Developments

Abutting Use	Office	Industrial Warehouse	Residential	Quasi-Public/Institutional
Proposed Use				
Hotel/Extended Stay	10 feet	25 feet	50 feet	25 feet
Office	10 feet	25 feet	50 feet	25 feet
Retail Commercial	25 feet	10 feet	50 feet	25 feet
Quasi-Public/Institutional	25 feet	50 feet	25 feet	10 feet
Other	25 feet	10 feet	50 feet	25 feet

- 4. **Building Height Exceptions Within Planned Developments.** In order to encourage distinctive architectural designs which integrate and effectively screen rooftop mechanical equipment, elevator penthouses, stair enclosures, and similar features, screened mechanical equipment enclosures may either be ten (10) feet from the perimeter walls of a building or integral with the front facade of the building if designed as an architectural extension of the facade containing similar building materials. Such rooftop screening structures may exceed the permitted building height by up to sixteen (16) feet, provided that the mechanical equipment and appurtenances in the aggregate do not exceed twenty (20) percent of the roof area on which they are located.
- 5. **Parking and Loading Requirements for Planned Developments.** Parking shall be provided within Planned Developments in accordance with the following:

- (a) **Non-Residential Uses.** Parking for office uses located within Planned Industrial Developments and Planned Commercial Developments shall provide off-street parking at a ratio of three (3) parking spaces per 1,000 square feet of gross leasable floor space. **Other permitted uses within a Planned Development shall provide parking in accordance with the Parking Requirements of Section §412 of the Land Development Ordinance.**
 - (b) Parking shall be distributed to minimize the walking distance to building entrances. Parking decks and parking garages are encouraged. Parking lots shall be designed to minimize the opportunities to cut across parking aisles through the use of planting islands. Provisions for safe pedestrian circulation between buildings and between buildings and parking shall be included in the design for the Planned Development.
 - (c) Multi-level parking structure. That portion of a multi-level parking structure specifically designed to accommodate parking and driveway areas shall not be included in determining the maximum permitted building coverage and/or maximum floor area ratio (F.A.R.) on a particular tract.
 - (d) The layout of parking areas shall be in accordance with Article V.
6. Off-Street Loading Requirements. Loading spaces shall be provided for Planned Developments in accordance with Section 412.12 of the Land Development Ordinance. Loading spaces may occupy a side or rear yard if such spaces are effectively screened to shield such spaces from public view to the extent practicable at the closest access street frontage.
7. Landscaping Requirements.
- (a) Design of Buffer Areas. All required buffer areas that include existing wooded areas that are less than 100 feet in width and containing a plant association dominated by deciduous trees of 6-inch caliper or greater shall be supplemented along the exterior edge within the required buffer area by landscape material that may include naturalized groupings of native shrubs, evergreen trees (Eastern Red Cedar, American Holly, indigenous conifers) or combinations of such plantings to the extent allowed by current environmental regulations. Buffer areas without existing wooded areas that abut existing residential uses shall be designed to form an effective landscape screen between non-residential and residential uses.

For purposes of this Ordinance, an effective screen shall mean that vision from an abutting residential lot line is screened to a point where parking areas within the Planned Development will be substantially blocked from view and filtered views of buildings is achieved. The Board may approve fencing or hedges where appropriate to supplement or replace a naturalized screen planting.
 - (b) Parking Area Buffers. Landscaped buffers of not less than twenty-five (25) feet in width shall separate all off-street parking areas from the nearest street line of a public street. When such street separates the tract from a residential zone, the required buffer shall be fifty (50) feet. Treatment of such buffers may contain

berms, groupings of trees and shrubs and groundcovers or a combination of these features to achieve an effective screen adjacent to such parking areas. Street trees shall be planted at a minimum size of 3-inch caliper and spaced at intervals of thirty (30) feet or in an alternate spacing pattern depending on tree species and overall site design theme proposed for the Planned Development. Where berming is provided, it shall be designed with side slopes not to exceed 3:1 and shall undulate and overlap where space allows.

- (c) Interior Roads. Interior roads within a Planned Development shall be landscaped with street trees pursuant to the requirements of Article V of the Land Development Ordinance.
- (d) Preserved Open Space. To the greatest extent possible, preserved open space should be designed into the Planned Development where the maximum preservation of significant natural features can be achieved without the need for extensive replacement planting. Where new plantings are necessary, they should be shown on the Landscape Plan submitted with the Preliminary Major Site Plan submission. The Landscape Plan must be professionally prepared and incorporate a balanced mix of trees and shrubs appropriate to the use of the open space.
- (e) Tree replacement. Planned development shall be subject to the tree replacement requirements set forth in Section 525 of the Land Development Ordinance.

8. Traffic Circulation.

- (a) Planned Commercial Development may include new public and private roadways in accordance with the standards set forth in this ordinance.
- (b) Planned Commercial Development in the LI Zone District shall have principal vehicular access from a Minor Arterial roadway as classified by the Circulation Element of the Master Plan. Secondary and/or emergency access may be provided from a Collector Road.
- (c) Planned Commercial Development in the C-1 Zone shall have principal vehicular access from a Major Arterial roadway as classified by the circulation element of the Master Plan. Secondary and/or emergency access may be provided from a Collector Road. Access to a Planned Commercial Development shall not be provided via existing local roads that primarily serve residential uses.

9. Utility Installations. All utilities for Planned Developments shall be installed underground at a depth and at such location as will minimize risk or interruption of services. All utilities shall be installed in accordance with the applicable ordinances, regulations and standards of any Federal, State, or local governmental agency, authority or utility unless otherwise authorized by the regulating entity.

10. Impact Studies.

- (a) A thorough and detailed traffic engineering impact analysis to determine the adequacy of existing streets and intersections in the immediate vicinity of the Planned Development and the effect of the additional traffic on the environs and surrounding areas.
- (b) A comprehensive fiscal impact analysis.

Applicant's Response: To the extent possible, the proposed use (i.e. Hobby Lobby store) would be considered a permitted use in the C-1 zoning district and complies with the Bulk Zoning Requirements in the C-1 District.

- D. Design Guidelines for Planned Commercial Developments. In addition to complying with the performance standards and design guidelines set forth in Article V, Planned Commercial Development shall be designed according to the following guidelines:
- 1. Clustering of buildings and the provision of structured parking are strongly encouraged to minimize the amount of site disturbance and stormwater runoff, preserve open space, provide more efficient distribution of infrastructure and encourage pedestrian circulation on the site.
 - 2. **Buildings shall be designed in accordance with an architectural theme, including signage,** which is coordinated with site lighting, street furniture, landscaping, architectural project identity features, and other appurtenances in order to create a sense of place.
 - 3. Loading areas and docks should be designed into building corners or otherwise be located so as to be at least partially hidden from view.
 - 4. **Each facade shall be finished with compatible materials and design treatments.**
 - 5. Smaller support businesses and services should either be incorporated within the ground floor of office buildings or designed to front along connecting interior roads where short term street parking is permitted in front of businesses without precluding necessary access by emergency vehicles.
 - 6. **Buildings should be arranged to enable and encourage pedestrian movement between uses and buildings. The site plan should include a pedestrian and bicycle pathway plan, inclusive of paver crosswalks with appropriate signage.**
 - 7. Open space within office or industrial developments shall include sitting and outdoor eating areas. Provision for active and passive recreational facilities is encouraged.

Applicant's Response: *The Applicant intends on renovating the existing space formally occupied by Marshalls and Home Goods. As part of this effort, the Applicant will be improving the building façade and incorporating a new entry vestibule. All of this will be completed utilizing a corporate architectural theme and signage package.*

The parking area immediately adjacent to the front entry will be reconfigured and restriped to improve pedestrian connectivity to the primary entry.

416 Signs

416.02 General Provisions

A. Permit Required.

1. **An application shall be made to the Zoning Officer for the issuance of a zoning permit by any person wishing to erect, alter, modify, or expand any sign**, except exempt signs as described in this Article.
2. A zoning permit and any other permits that may be required for the erection or modification of a sign may only be issued subsequent to the issuance of a zoning permit by the Zoning Officer.
3. If the Zoning Officer determines that the proposed sign does not conform to the requirements contained herein, the Officer shall instruct the applicant that Planning Board or Zoning Board of Adjustment approval of an application for development is required, and the Officer shall further advise the applicant which Board has jurisdiction.

Applicant's Response: *As part of the renovations, the Applicant intends to modify the existing signage to reflect the change occupancy (i.e. to Hobby Lobby). The Applicant acknowledges that a Signage Permit will only be issued subsequent to the issuance of a Zoning Permit. Because the Applicant is requesting a variance to the sign size, the Planning Board will be reviewing the Sign Variance request concurrently with the Minor Site Plan review application.*

- B. Site plan. On properties involved in an application for site plan review, all signs shall be approved by the Board as part of the site plan application prior to the issuance of permits for signs.

Applicant's Response: *The Applicant is requesting a Minor Site Plan review. The Planning Board will review the Sign Variance concurrently with the Minor Site Plan application. Approval of these two (2) applications will be required prior to the issuance of permits for signs.*

- C. **Measurement.** **For the purposes of this section, the size of any sign shall be computed by determining the total area of any sign board, sign face or sign background at its largest horizontal and vertical dimensions, including framing, trim or molding.** Where there is no framing, the sign area shall be deemed to be the area of the smallest rectangular figure that can encompass all of the figures and their supporting logos or elements, if any. For double-faced signs, only one (1) display face shall be measured in computing the total sign area where the sign faces are parallel, or where the interior angles formed by the faces are forty-five (45) degrees or less. **Maximum permitted size does not include the supporting structure**, as long as the supporting structure is not designed to convey a message. The supporting structure shall not in itself convey any type of message, except for the property address and for permitted appurtenances specified in this section.

Applicant's Response: *The Applicant is requesting a Minor Site Plan review. The Planning Board will review the sign request including the Sign Variance (i.e. size) as part of the Minor Site Plan application prior to the issuance of permits for signs.*

The Applicant is proposing to install a new wall mounted sign measuring 5 feet x 52.75 feet (263.75 SF). This is proposed to be mounted at a height of 17.75 feet, with the sign projecting two (2) feet above the roof line, but within the parapet of the entry vestibule. The sign will occupy approximately 26% of the horizontal wall 52.75 ft/201 ft). Since the proposed sign exceeds the maximum sign size of 48 square feet, the Applicant is requesting a variance. The request will be similar to the existing signage that currently exists for Home Goods and Marshals stores.

The Application is also requesting a free-standing sign face replacement near the site entry off Route 66.

Refer to Section D – Appendices, Appendix 5 for additional information on the proposed signage.

- D. Content. The content or advertising which may be displayed on signs shall be limited to the identification and location of the premises, identification of its owners or occupants and information concerning the activities conducted on the premises or the goods and services offered in connection therewith, unless specified otherwise herein.

Applicant's Response: *The Applicant is proposing to install a new wall mounted sign measuring 5 feet x 52.75 feet (263.75 SF) that reads "Hobby Lobby".*

- E. Maintenance. Signs shall be constructed of durable materials, maintained in good condition and not allowed to become dilapidated. All signs, together with all supports, braces, anchors and other parts, shall be kept in continual repair, including cleaning, painting, replacing of defective parts and otherwise maintaining a presentable condition. Lack of proper maintenance shall be considered abandonment, and the sign shall be repaired, painted, cleaned or otherwise returned to a presentable condition or removed within ten (10) days upon notification by the Zoning Officer or Construction Code Official.

Applicant's Response: *All signs will be constructed of durable materials, maintained in good condition and not allowed to become dilapidated.*

Refer to Section D – Appendices, Appendix 5 for additional information on the proposed signage.

- F. Appurtenances. Notwithstanding the restrictions found elsewhere in this article concerning sign face shape and area, sign appurtenances shall be permitted only when designed as an integral part of the sign, constructed of similar materials, and graphically compatible in color, shape, position, and scale with the permitted sign face. Sign appurtenances cannot increase the proposed sign area by greater than fifteen (15%) percent. Sign appurtenances cannot extend above or to the side of the sign face by a distance greater than forty (40%) percent of the sign face height. Sign appurtenances cannot project outward beyond the face

of the proposed sign. Sign appurtenances for Type B freestanding signs only may identify the name of a retail or office development in accordance with the foregoing standards.

Applicant's Response: *The Applicant understands sign appurtenances cannot increase the proposed sign area by greater than fifteen (15%) percent.*

- G. Setback. The sign setback shall be measured from the property line to the nearest part of the sign, including any base, frame or decorative elements. No freestanding type A or B sign may be located within fifteen (15) feet of adjacent residential use.

Applicant's Response: *No freestanding type A or B sign may be located within fifteen (15) feet of adjacent residential use.*

- H. Height. Sign height shall be measured between average grade immediately below the sign and the highest point of the highest element of the sign. Wall signs shall not project above the top or beyond the ends of the wall surface upon which they are placed, nor shall wall signs be placed on a parapet or similar architectural device such that the sign would project above the elevation of the roof behind such parapet or other device.

Applicant's Response: *The Applicant understands that the sign height is measured between average grade immediately below the sign and the highest point of the highest element of the sign.*

The proposed sign is to be mounted at a height of 17.75 feet, with the sign projecting two (2) feet above the roof line, but within the parapet of the entry vestibule.

- I. Projection. No wall sign may project more than nine (9) inches from the outer face of a wall and shall not extend over any public right-of-way, unless otherwise provided for in this article. An awning shall not be construed in any way to be a wall sign.

Applicant's Response: *In accordance with this section, the Applicant understands wall signs may not project more than nine (9) inches from the outer face of a wall and will not extend into any public right-of-way.*

- J. **Change of use, occupancy or vacancy.** Whenever any change of use, occupancy or vacancy occurs, all existing signs no longer relating to the current use and occupancy of the premises shall be immediately removed. In addition, any signs not conforming to any requirement of this Section and removed in accordance with this requirement shall not be replaced unless it conforms to all requirements of this article.

Applicant's Response: *To the Applicants understands that whenever any change of use, occupancy or vacancy occurs, all existing signs no longer relating to the current use and occupancy of the premises will be immediately removed. Once the signage permit is issued, the Applicant/Owner will remove the existing signage.*

- K. Nonconforming signs. Any lawfully nonconforming sign may be altered as follows:

1. Minor and nonstructural maintenance and/or repairs to the sign support structure and/or frame may be completed.
2. Re-lettering of an existing sign face containing the same specific message or letters may be completed.
3. An existing sign face may be replaced, provided there is no expansion in sign area, and provided the general provisions of this Subsection are satisfied.

Applicant's Response: *To the Applicants knowledge, there are no existing non-forming signs located on the property.*

416.03 Design Requirements

- A. **illumination.** Except for signs in historic zone districts regulated by municipality's regulations, signs may be floodlighted, spotlighted or **internally illuminated from the rear with a diffused light source**, unless such illumination is specifically prohibited elsewhere in this Ordinance. All illumination shall be subject to the following:
1. All lighting sources shall be completely shielded from the view of vehicular traffic.
 2. Such illumination shall not project light above the highest elevation of the front wall of the building for wall-mounted signs or more than five feet above ground level for freestanding signs.
 3. Internally illuminated signs shall not have a white or light-colored background or signboard.
 4. Where a sign is located on a lot adjacent to a lot used primarily for residential purposes, such shall not be illuminated in a manner that permits any light to shine or cause a nuisance to the adjacent residential use.
 5. No illuminated sign located on a lot adjacent to or across the street from any residential district and visible from such residential district shall be illuminated.

Applicant's Response: *The Applicant acknowledges that signs may be floodlighted, spotlighted or internally illuminated from the rear with a diffused light source. The proposed sign will be illuminated with LED lighting.*

416.07 Permitted Signs

The following signs shall be permitted in all zones except historic zone districts per Zoning Schedule C. Standards for permitted signs in historic zone districts are contained in §416.08.

- A. Freestanding signs. Freestanding signs may be located within the Township according to the regulations set forth below (see also Appendix C):
1. Freestanding Type A. Freestanding Type A signs may erected as follows:

- (a) Size: 24 square feet maximum
 - (b) Height: 8' maximum
 - (c) Quantity: 1 maximum
 - (d) Setback: 5' minimum
 - (e) Horizontal dimension: 8' maximum
2. Freestanding Type B. Freestanding Type B signs may be erected as follows:
- (a) Size: 48 square feet maximum
 - (b) Height: 15' maximum
 - (c) Quantity: 1 maximum
 - (d) Setback: 10' minimum
 - (e) Horizontal dimension: 10' maximum
3. Freestanding Type C. Freestanding Type C signs may be as follows:
- (a) Size: 24 square feet
 - (b) Height 6' maximum
 - (c) Quantity: 1 maximum
 - (d) Setback: 8' minimum
 - (e) Horizontal dimension: 8' maximum
4. No more than a total of two (2) Freestanding Type A, B or C signs in any combination may be constructed on a single lot except as provided in this chapter.
5. An additional Freestanding Type B sign may be erected for properties in the B-1 Zone District with 1,000' or more of uninterrupted street frontage as follows:
- (a) Size: 72 square feet
 - (b) Height 15' maximum
 - (c) Setback: 10' minimum
 - (d) Horizontal dimension: 8' maximum

6. An additional Freestanding Type B sign may be erected by Planned Commercial Development in the PUD ,C-1 and LI Zone District as follows:
 - (a) Size: 72 square feet
 - (b) Height: 15' maximum
 - (c) Setback: 10' minimum
 - (d) Horizontal dimension: 12' maximum
 - (e) Such signs may be situated so as to be visible only from a Major Arterial roadway as identified by the Township Master Plan.

Applicant's Response: *No new free-standing signs are being requested. However, the Applicant is requesting a modification (i.e. content) of the free-standing signage near the site entry off Route 66.*

- B. Wall-mounted signs. Wall-mounted signs may be constructed as follows (see also Appendix D):

1. Single tenant structures.

- (a) Size:

48 square feet, or one-and-two tenths (1.2) square feet for each lineal foot of wall face that the sign is mounted on, whichever is less.

- (b) Mounting Height:

15' maximum and not to extend above the

- (c) Quantity:

1 maximum

- (d) Horizontal sign dimension: 12' maximum

2. **Multi-tenant retail structures.**

- (a) **Quantity:**

1 sign per tenant

- (b) Vertical sign dimension:

3' maximum

(c) Horizontal sign dimension:

16' maximum

(d) The maximum size of such signs shall be forty-eight (48) square feet, or one-and-two tenths (1.2) square feet for each lineal foot of wall face that the sign is mounted on, whichever is less.

(e) The mounting height of such signs shall not exceed the height of the ground floor.

3. Secondary wall-mounted signs.

(a) Business uses that have a side or rear building facade fronting on a parking lot or face a secondary street frontage may have a secondary wall-mounted sign not to exceed 50% of the area of the primary building sign. This provision shall not apply in situations where a parking lot is located between a building and a public street.

(b) Service station canopies may have a secondary wall-mounted sign not to exceed 50% of the area of the primary building sign. In no instance may a service station canopy sign face a residential use, or have changeable lettering.

4. Wall-mounted signs on larger buildings in Planned Development Districts. Buildings and uses in the Planned Development Districts (LI, PUD and C-1) in excess of 75,000 square feet in floor area may provide two (2) wall signs per building with a maximum area of up to five (5%) percent of the wall area, not to exceed two hundred and forty (240) square feet.

Applicant's Response: *The Applicant is proposing to install a new wall mounted sign measuring 5 feet x 52.75 feet (263.75 SF). This is proposed to mounted at a height of 17.75 feet, with the sign projecting two (2) feet above the roof line, but within the parapet of the entry vestibule. The sign will occupy approximately 26% of the horizontal wall 52.75 ft/201 ft). Since the proposed sign exceeds the maximum sign size of 48 square feet, the Applicant is requesting a variance.*

C. Awning signs. Awning signs may be constructed as follows (see also Appendix D):

1. Quantity:

maximum 2 per awning

2. Sign face vertical dimension:

max. eighteen (18) inches

3. Letter/number/ character/image height:

10" maximum

4. Letter/number/ character/image width:

1' maximum

5. Colors: 2 maximum including sign lettering

6. Awning signs shall only be permitted on first-story awnings.

7. The minimum height from ground level to lowermost portion of awning shall be eight (8) feet.

8. The maximum horizontal projection dimension of an awning from the building wall, including any appurtenances, shall not exceed five (5) feet. Such awning may project over a public sidewalk only and shall not extend over any other portion of any other public right-of-way. No canopy may project over a public right-of-way, unless approved by the Township Committee.

9. The maximum vertical dimension of an awning shall not exceed the horizontal projection dimension.

10. The sign shall only be located on a portion of the awning that is both parallel to the vertical orientation of the building wall to which it is attached and is parallel to the building line of the building wall to which it is attached. This portion is more commonly known as the "valance."

11. The horizontal dimension of the sign shall not exceed fifteen (15) feet, or sixty percent (60%) of the length of the awning occupied by the use, whichever is less.

Applicant's Response: No awning signs are being requested.

D. Directory Nameplate.

1. Size: maximum 12 square feet

2. Height: maximum 5'

3. Quantity: maximum 1 per lot

4. A directory sign may not be located so as to be visible from a public street or any adjacent property.

Applicant's Response: No directory nameplates are being requested.

E. Directional Signs.

1. Size: maximum 3 square feet

2. Height: maximum 3'

3. Setback: minimum 0'
 4. No directional sign may be located within a sight triangle.
 5. A directional sign must contain a clear message which directs the flow of traffic, and should be designed to blend harmoniously with other on-site signage
 6. No directional sign shall extend into or over any public right-of-way.
- F. Permanent Window Signs. A business establishments located below the third story of a building shall be permitted to display permanent window sign(s), subject to the following regulations:
1. Sign Content. The sign(s) shall be limited to the resident business name, resident business logo, resident business type, street address, and/or telephone/fax number. No permanent window sign shall depict brand names and/or logos of products, commodities, services, etc. other than those owned by the local resident business establishment itself.
 2. Sign materials and placement. A permanent window sign shall be:
 - (a) Professionally painted on the interior side of a window; and/or
 - (b) A fixture constructed by a professional sign manufacturer hung on the interior side of a window
 3. Sign Area. Maximum area of any and all permanent window signs shall not exceed thirty-five percent (35%) of the total window area within which it is displayed, not to exceed eighteen (18) square feet.
 4. Quantity. One (1) sign per business per window shall be permitted, up to a maximum of two (2) signs per business on any wall, not to exceed four (4) signs per business on any building.
 5. Location. No permanent window sign shall be permitted in a window above the second story of a building.
 6. Visibility. No permanent window sign shall be displayed in a window unless it is visible from a public street or an approved parking area.
 7. Illumination. The sign(s) may be internally illuminated or externally illuminated from the interior of the building. Framing of a window with neon lights and/or tubing shall not be permitted as a method of illumination for window signs.

[NOTE: The previous subsection, "F" has been added per Ordinance No. 03-035]

Applicant's Response: No directional signs are being requested.

ARTICLE V - PERFORMANCE AND DESIGN STANDARDS

514 Parking and Loading Area Design Standards

A. **Applicability.** This article shall apply to all site plan applications.

Applicant's Response: *The Applicant acknowledges that the Parking and Loading Area Design Standards apply to Minor Site Plan applications.*

B. **Design standards.** The following standards shall be used to prepare and review any development plan that involves the construction of a new parking lot or loading area or repair of an existing parking lot or loading area.

1. **Layout.** All parking lots and loading areas shall be designed for the safety, control, efficient movement and convenience of motor vehicle circulation within a site. Traffic circulation shall be designed to minimize the use of aisles serving parking areas as access drives. For all uses except single-family dwellings, parking lots or individual spaces shall be prohibited within front yard areas. For nonresidential uses, parking areas with more than twenty-five (25) spaces shall have separate entrances and exits, where possible.
2. **Parking lot location.** A parking lot shall 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.
3. **Building setbacks.** The minimum setbacks for buildings from driveways, parking spaces and private streets within the site shall be ten (10) feet for nonresidential developments. Standards relative to building setbacks from parking areas and streets in residential development are at Section 516. The provisions of this subsection are in addition to the yard setback requirements of Article IV, which shall additionally be complied with.
4. **Construction and repair specifications.** All parking lots and loading areas shall be constructed or repaired to specifications as approved by the Township Engineer.
5. **Striping and signage.** Surface painted aisle, stall and directional striping and directional and traffic safety signs shall be provided throughout the parking, loading and circulation areas, pursuant to Article IV of this Chapter and in accordance with the Manual of Uniform Traffic Control Devices (MUTCD).
6. **Location.** See Article IV.
7. **Landscaping.** See Section §509.
8. **Parking space dimensions.** The following parking space sizes shall apply to all parking areas:
 - (a) Residential uses: 9' x 18'

- (b) Office and industrial uses: 9' x 18'
- (c) Government and institutional uses: 9' x 18'
- (d) Retail uses utilizing shopping carts: 9.5' x 18'
- (e) Other retail uses: 9' x 18'**
- (f) Handicapped van accessible: 18' x 18'** (Van accessible spaces shall be striped with an 8' wide loading area. **Other handicapped spaces with a 5' wide loading area. Paired handicapped spaces may share a loading area.**)
- (g) Other handicapped spaces: 13' x 18'
- (h) Parallel spaces: 9' x 23'
- (i) Bus spaces: 10' x 40'
- (j) Tractor trailer: 12' x 60'

9. **Aisle dimensions.** Parking lot aisles shall measure as follows:

Table 5.5
Parking Aisle Widths

Angle of Parking Stall (degrees)	Width of One-Way Traffic Aisle (FT)	Width of Two-Way Traffic Aisle (FT)
0 (parallel)	12	18
30	12	Not permitted
45	13	Not permitted
60	18	Not permitted
90 (perpendicular)	22	24

10. Handicapped parking spaces. The number, location, size and marking of handicapped parking spaces shall be pursuant to the requirements specified in N.J.S.A. 55 32-12. However, where handicapped accessible or adaptable dwelling units are provided in accordance with Multifamily Development pursuant to this Article, a minimum of one handicapped parking space shall be provided in a location within closest proximity to such dwelling unit.

Applicant's Response: *Again, no new parking is being proposed as a result of the new use. To the extent possible, the reconfiguration and stripping of the parking area immediately in front of the proposed use will comply aisle widths, parking stall dimensions and signage/stripping.*

515 Refuse and Recycling Areas

All uses must provide an area used for refuse and recyclable disposal collection. All containers, bins, dumpsters and/or storage facilities shall be designed to reduce discernible odors and contain such within the storage facility area. Refuse and recycling areas shall comply with the following provisions:

A. **Non-residential uses.**

- All non-residential refuse and recyclable disposal collection areas shall be suitably buffered and screened to minimize the impacts of noise, odors, disposal and collection activities and views of collection bins and dumpsters.** Buffering and screening shall minimize such impacts both from within the site itself, as well as from adjacent and nearby properties and public rights-of-way. Buffering shall consist of a minimum four (4) foot wide area surrounding all sides of such facility exposed to view. If such facility is located on a site adjacent to a residential use or zone, such buffering shall consist of a minimum ten (10) foot area surrounding all sides of such facility exposed to view. **Screening shall consist of a minimum six (6) foot-high masonry wall, solid wooden fence or accessory building with gates or doors and ramped access to facilitate the movement of bins or dumpsters. The base of such screen shall be planted with a minimum four (4) foot high evergreen hedge along the sides and rear of same.**
- All storage facilities shall be located in proximity to one another or may be combined in a single common facility. Such facilities shall be centrally located and convenient for the users of the site.** Designated recyclable storage facilities may be located inside a building. Such facilities shall not be located as to be visual focal points in courtyards or parking lots. Where located in a parking lot, such facilities shall not be permitted to be placed on the paved surface of the parking lot and shall be placed on a curbed area set back a minimum of two (2) feet from the curb edge of such parking lot. No refuse and recycling area may be located within a required principal building setback area.
- Adequate pedestrian and service vehicle access shall be provided to all storage facilities. Such vehicular access shall accommodate the type of service vehicles used for the collection of solid waste and designated recyclable materials.
- The size and capacity of all storage facilities shall be based on the size and capacity of containers, bins and/or dumpsters utilized, frequency of pickup and projected generation rates of users of the site.
- All non-residential uses shall be designed to have a temporary designated refuse and recyclable storage area located within the building occupied by such use.** Such storage area may be located anywhere within the interior of a building, including basements, storage closets or attached garages, but shall not be situated in a hallway or corridor necessary for internal circulation or emergency access. Such area shall be designed to accommodate the average accumulated volume of designated recyclables and refuse per occupant per period of collection and any necessary storage equipment.

Applicant's Response: *In accordance with this section, the refuse and recyclable disposal collection area is required to be screened and contain a minimum six (6) foot-high masonry wall, solid wooden fence or accessory building with gates or doors and ramped access to facilitate the movement of bins or dumpsters. The base of such screen is required to be planted with a minimum four (4) foot high evergreen hedge along the sides and rear of same.*

The site plan indicates improvements to the existing refuse and recyclable disposal collection area to bring them more into conformance with the applicable regulations.

All storage facilities are be located in proximity to one another or may be combined in a single common facility. Such facilities may be centrally located and convenient for the users of the site.

ARTICLE VIII – APPLICATION SUBMISSION REQUIREMENTS

806 Application For Minor Subdivision and Minor Site Plan

- A. **Submission required.** When an applicant proposes development that meets the definition and criteria for a minor subdivision or minor site plan, an application in form, content, and number as required herein shall be submitted.

Applicant's Response: *In accordance with this section, the application for a Minor Site Plan includes application form and the required number and material content.*

- B. **Criteria for minor classification.** Applications shall be classed either as minor subdivisions or minor site plans only upon meeting the definitional requirements in Article II and the following criteria:

1. **Minor Subdivision.**

- (a) The subdivision shall consist of no more than three (3) lots in total including the remainder lot; and
- (b) The tract was not the subject of a minor subdivision approval within two (2) years of the date of the resolution of memorialization.

2. **Minor Site Plan.**

- (a) The proposed development contains less than 1,000 square feet of floor area; and
- (b) The proposed development contains less than 4,000 square feet of impervious surface; and
- (c) The tract was not the subject of a minor subdivision or minor site plan approval within two (2) years of the date of the resolution of memorialization.

Applicant's Response: *The Applicant is proposing to renovate an existing space previously occupied by Marshalls and Home Goods (approximately 58,952 square feet) for purpose of changing the permitted use to a Hobby Lobby store (i.e. General Merchandise Store). As part of this renovation, the Applicant is proposing to construct a commercial addition consisting of a 1,117.50 square feet entry vestibule to the existing building façade along with parking lot modifications, new sidewalks and accessible ramps along the building frontage.*

The addition of a 1,117.5 square foot entry vestibule represents a 1.9% increase in the Hobby Lobby Space and a 0.4% increase in overall shopping plaza square footage.

- C. **Minimum review time period.** The applicant shall submit an application and associated documentation to the Administrative Officer at least twenty (20) days prior to a regularly scheduled hearing.

Applicant's Response: Acknowledged.

- D. **Review by professionals.** The Municipal Engineer, Planner, and/or other professional shall review all aspects of the application and shall expeditiously report their findings to the Board.

Applicant's Response: Acknowledged.

- E. **Determination of completeness.** The Board or its designee shall determine the completeness of the application in accordance with the standards contained in this Article. No application shall be scheduled for a public hearing unless it is determined to be complete.

Applicant's Response: Acknowledged.

- F. **Time period for consideration.** Once the application is deemed complete the Board shall have forty-five (45) days to grant or deny the application, with or without conditions.

Applicant's Response: Acknowledged.

- G. Remainder of tract. Where the remaining portion of the original tract that is to be subdivided is of sufficient size to be developed further, the applicant may be required to submit a concept plan of the entire remaining portion of the tract to indicate a feasible plan whereby the site plan applied for, together with subsequent site plan(s) that may be submitted, shall not create, impose, aggravate, or lead to any adverse condition.

Applicant's Response: Acknowledged.

- H. **Board action on applications.**
 - 1. The Board shall act upon the application after it has sufficiently reviewed the application, that the Board professionals have adequately reviewed the application, that the applicant has had sufficient opportunity to present its request for development approval to the Board, and that the concerns of other interested persons have been considered. In any event, the Board shall grant or deny the application for a minor site plan within forty-five (45) days of the date of determination that a complete application has been submitted to the Board or within such time as may be consented to by the applicant. The decision and resolution of the Board shall be in writing in accordance with N.J.S.A. 40:55D-10g through -10i.
 - 2. Minor subdivision and site plan approval shall be deemed final approval by the Board.

3. The Board may condition approval on terms ensuring the completion of improvements and performance in accordance with this Ordinance and N.J.S.A. 40:55D-38, -39, -40, and -53.
4. Whenever review or approval of an application for development by the Monmouth County Planning Board is required pursuant to N.J.S.A 40:27-6.3, the Board shall condition any approval upon the timely receipt of favorable action on the application by the Monmouth County Planning Board or approval by the Monmouth County Planning Board by its failure to report thereon within the required time period.
5. Failure of the Board to act within the time period prescribed shall constitute approval, and a certificate of the Administrative Officer as to the failure of the Board to act shall be issued on the request of the applicant.

Applicant's Response: Acknowledged.

- I. Effect of approval: Minor Subdivision. The zoning requirements and general terms and conditions, whether conditional or otherwise, upon which minor subdivision approval was granted, shall not be changed for a period of two (2) years after the date of approval; provided that the approved minor subdivision shall have been duly recorded pursuant to N.J.S.A. 40:55D-47.

Extensions may be requested and may be granted pursuant to N.J.S.A. 40:55D-47f and -g.

Applicant's Response: Not applicable to this application.

- J. **Effect of approval: Minor Site plans.** The zoning requirements and general terms and conditions whether conditional or otherwise, upon which minor site plan approval was granted shall not be changed for a period of two (2) years after the date of approval. Extensions may be requested and may be granted pursuant to N.J.S.A. 40:55D-46.1c.

Applicant's Response: Acknowledged.

- K. **Expiration of approval.** In the granting of an application for minor site plan, the applicant shall secure a zoning permit and a construction permit. When no construction permit is required, a certificate of occupancy shall be secured within three (3) years of the date of approval, otherwise the approval shall be considered null and void.

Applicant's Response: Acknowledged.

- L. **Distribution.** Upon the granting of site plan approval by the Board and the fulfillment of any conditions, the approved plan, including the resolution of approval, shall be sent to:
 1. Applicant;
 2. Planning Board file;
 3. Municipal Engineer;

4. Municipal Planner;
5. Construction Code Official;
6. Code Enforcement;
7. Tax Assessor;
8. Such other municipal, county or State agencies or officials as directed by the Board or in the resolution of approval.

Applicant's Response: *The Applicant understands that a copy of the approved plan and the resolution of approval will be sent to the individuals on the distribution list.*

812 Minor Site Plan Checklist

812.01 Zoning Data Table.

The following table shall be included on the first sheet of all plans submitted to the Planning Board or Zoning Board of Adjustment for Site Plan, **Minor Site Plan**, Subdivision, Minor Subdivision or Variance approval:

ZONE DISTRICT:

REQUIRED	REQUIRED and/or PERMITTED	EXISTING	PROPOSED
Minimum lot area	2.5 Acres	21.555 Ac	21.555 Ac
Maximum density	N/A	N/A	N/A
Maximum FAR	0.6	.243	.243
Minimum lot width	500 Ft.	603.1 Ft.	603.1 Ft.
Minimum lot frontage	500 Ft.	1,859.1 Ft.	1,859.1 Ft.
Minimum lot depth	600 Ft.	1,107 Ft.	1,107 Ft.
Minimum front yard setback	50 Ft.	Plaza 210.7 Ft. (West Side – along Neptune Blvd.) Bank 76.9 Ft. (West Side – along Neptune Blvd.)	Plaza 210.7 Ft. (West Side – along Neptune Blvd.) Bank 76.9 Ft. (West Side – along Neptune Blvd.)
Minimum side yard setback	30 Ft.	Plaza 303.4 Ft. (North side – along Hwy 66) Bank 77.5 Ft. (North side – along Hwy 66) 126.3 Ft. (South Side – Private Development)	Plaza 288.6 Ft. (North side – along Hwy 66) Bank 77.5 Ft. (North side – along Hwy 66) 126.3 Ft. (South Side – Private Development)
Minimum Combined side yard setback	60 Ft.	N/A	N/A

Minimum rear yard setback	40 Ft.	41.7 Ft. (East Side – Private Development)	41.7 Ft. (East Side – Private Development)
Maximum percent building cover	30 %	24.3%	24.3%
Maximum percent lot cover	60 %	85.2%	85.2%
Maximum number of stories	2	1	1
Maximum building height	40 Ft.	22-28 Ft	32'-7"
Minimum improvable lot area	84,900	697,411 Sf.	697,411 Sf.
Minimum improvable area- Diameter of circle (feet)	189 Ft.	379 Ft	379 Ft
Off-street parking spaces	1 Space/250 SF of GFA or 914 Stalls Minimum	1,027 - Overall	1,024 – Overall
Loading spaces	3 berths for >40K of GFA Hobby Lobby Only	3	3
Signs	48 SF	Unknown	262.5 SF

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

Applicant's Response: *In accordance with this section, the proposed use generally complies with all of the site development standards.*

812.03 Minor Site Plan Checklist

- A. **Submission documents.** Prior to issuance of a Certificate of Completeness, the Administrative Officer shall determine that the following documents have been submitted (only folded plans will be accepted):
1. **Eighteen (18) copies of the application form;**
 2. **Eighteen (18) sets of the minor site plan** (half-size prints for the Board plus 8 full size prints);
 3. **Three (3) prints of the Soil Erosion and Sediment and Sediment Control Plans;**
 4. Eighteen (18) prints of the Tree Preservation Plan;
 5. Storm Drainage and Detention Basin calculations;
 6. Certification of payment of property taxes;
 7. Proof of submission to the Monmouth County Planning Board;
 8. Notice and proofs of service;
 9. Certificate of Appropriateness, if applicable;
 10. **Application fee;**

11. **Zoning Determination from the Zoning Officer;**

12. **A signed and sealed copy of the survey, prepared by a land surveyor;**

Applicant's Response: *As necessary, the required submission documents have been included with the Minor Site Plan and Sign Variance applications. The Applicant is requesting a waiver for the following items:*

- *Geotech borings*
- *Tree removal application package*
- *Environmental Impact Statement*
- *Stormwater management report*
- *LOI regarding presence of wetlands*
- *CAFRA*
- *Circulation impact study*

B. **Plan Requirements.** Prior to issuance of a Certificate of Completeness, the Administrative Officer shall determine that the following items have been shown on, or included with, a minor site plan:

1. **General Requirements.** **The minor 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. In addition, the following must be submitted:
 - (a) Minor site plan shall not be drawn at a scale smaller than one (1") inch equals fifty (50') feet nor larger than one (1") inch equals ten (10') feet.
 - (b) The minor 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 person who made 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:
 - (a) **Title to read "Minor Site Plan"**
 - (b) Name of the development, if any;
 - (c) Tax map sheet, block and lot numbers (s) of the site, as shown on the latest Township Tax Map, the date of which shall also be shown;

- (d) Date of original and all revisions;
 - (e) Names and addresses of owner and developer, so designated;
 - (f) Name, signature, address and license number of the engineer, architect, land surveyor or planner who prepared the plan, and their embossed seal;
 - (g) If the minor site plan contains more than one (1) sheet, each sheet shall be numbered and titled.
3. **Zoning data table** formatted in accordance with §812.01.
 4. 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 Board or Zoning Board of Adjustment in the determination of floodway and flood hazard area limits.
 5. **Paving and right of way widths of existing streets within 200 feet of the site;**
 6. The boundary, nature and extent of wooded areas, swamps, bogs and ponds within the site and within 200 feet thereof and delineation of all wetland soils as defined by the New Jersey Department of Environmental Protection and the U.S. Army Corps of Engineers.
 7. **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 200 feet thereof.**
 8. **All existing structures on the site and within 200 feet thereof, including their use, indicating those to be destroyed or removed and those to remain.**
 9. **Location, use, finished grade level, ground coverage, first floor and basement elevations, front, rear and side setbacks of all buildings and other pertinent improvements.**
 10. **A signage plan indicating type, size, location, and method of illumination of all signs proposed.**
 11. Existing and proposed public and private easements or rights-of-way and the purposes thereof, including conservation easements.
 12. **Sufficient grading information for the Planning Board Engineer to review the proposed changes and impact of the project.**
 13. 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, slope type inverts, and grate or rim elevations or drainage and sanitary sewerage facilities.

- 14. Zone boundaries and the tax map sheet, lot and block numbers and the names of owners of all properties within two hundred (200') feet of the site.**
- 15. A key map, at a scale of not less than one 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.**
16. 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.
- 17. Graphic depiction of the anticipated routes and details of the system of on-site vehicular and pedestrian circulation.**
- 18. The location and size of proposed loading docks.**
- 19. The location of curbs and sidewalks.**
- 20. The location of any proposed exterior lighting.**
21. The location of any proposed landscaping and screening.
22. Drawn details of the type of screening to be utilized for refuse storage areas, outdoor equipment and bulk storage areas.
- 23. Floor plans and building elevation drawings of any proposed structure of structures, or existing structures to be renovated.**
- 24. Location of facilities for the handicapped, including parking spaces and ramps (where applicable).**
25. Use group classification of the building or structure.
26. Type of construction classification of building or structure to be erected, altered or extended, as defined by the B.O.C.A. Code.

Applicant's Response: *As necessary, the required submission document have been included with the Minor Site Plan and Sign Variance applications. The Applicant is requesting a waiver for the follow items:*

Part A

- *Tree Removal Application package in accordance with §525 (item #5 from the checklist)*
- *Environmental Impact Statement (EIS) (item #6 from the checklist)*
- *Stormwater management report (item #7 from the checklist)*
- *Letter of Interpretation (LOI) or Letter of Exemption or proof of submission to New Jersey Department of Environmental Protection regarding presence of wetlands (item #9 from the checklist)*
- *Proof of submission to CAFRA (item #10 from the checklist)*
- *Circulation Impact Study (item #11 from the checklist)*

Part B

- *Geotech borings (item #16 from the checklist)*
- *Traffic Analysis Report (item #32 from the checklist)*

ARTICLE XI – ADMINISTRATION, ENFORCEMENT, VIOLATIONS & PENALTIES

1102 Zoning Permits

A. When required. A zoning permit shall be issued prior to:

1. **The commencement or change of use of a property, building or structure;**
2. The occupancy of any building or structure;
3. **The construction, erection, reconstruction, alteration, conversion, or installation of any building or structure;**
4. Issuance of a Certificate of Appropriateness, where applicable.

Applicant's Response: *The Applicant understands that a zoning permit is required when there is change of use of a building or alteration, conversion, or installation of any structure.*

The Applicant is proposing both a change in use as well as a small addition to the existing building.

B. **Submission requirements. Every application for a zoning permit shall be accompanied by three (3) sets of plans drawn in ink or a blueprint** showing the actual shape and dimensions of the lot to be built upon, the exact location, size and height of all existing and proposed structures and substructures, all existing easements, the existing or intended use of each structure, the number of dwelling units the structure is designed to accommodate, the number and location of off-street parking spaces and off-street loading areas and such other information with regard to the lot and neighboring lots as may be necessary to determine and provide for the enforcement of this Ordinance.

Applicant's Response: *The Applicant acknowledges that every application for a zoning permit will be accompanied by three (3) sets of plans.*

C. **A zoning permit shall be granted or denied in writing within ten (10) business days from the date of a complete application unless additional time is agreed upon in writing by the applicant.** One copy of such plans shall be returned to the owner when such plans shall have been approved or denied by the zoning official together with such permit as may be granted. All dimensions shown on these plans relating to the location and size of the lot to be built upon shall be based on an actual survey of the lot by a land surveyor licensed in the State of New Jersey. No zoning permit shall be issued for any structure until prior site plan, subdivision and variance approvals as may be necessary, have been granted by the appropriate board in accordance with the provisions of this Ordinance and until all review and inspection fees and all local taxes and assessments on the property have been paid.

Applicant's Response: *In accordance with this section, the Applicant received a zoning review denial on February 13, 2023. The intent of this application is to address the Township's comments and provide greater clarity concerning compliance with the townships Land Use Development Ordinance.*

- D. **Lot grading and elevation plan. As a condition precedent to the issuance of a new zoning permit, a proposed grading plan for each individual lot shall be submitted to the Municipal Engineer for review and approval.** Details of the individual grading plan shall conform to the submission requirements for plot plans in Neptune Township's Engineering Standards. Additionally, a proposed grading plan shall be required for any construction in a steep slope area or area abutting a steep slope area, any building addition or swimming pool that would change existing grades or drainage patterns, or if requested by the Municipal Engineer. Grading activities and retaining walls shall be in accordance with regulations governing slopes and retaining walls as set forth in Article IV and Article V.

[NOTE: The previous subsection has been amended per Ordinance No. 03-035]

Applicant's Response: *As part of the Minor Site Plan and Sign Variance request, a grading plan has been provided that demonstrates compliance Neptune Township's Engineering Standards.*

- E. **Location plans. Prior to issuance of a zoning permit for any development, a location plan showing property line offsets shall be submitted to the Zoning Officer for review.** The Zoning Officer and the Municipal Engineer shall determine if a grading plan is required. If required, this grading plan shall include the proposed improvement footprint, proposed ground elevations and contours, sufficient to indicate no adverse impact to adjoining neighboring properties.

Applicant's Response: *Similarly, as part of the Minor Site Plan and Sign Variance request, a survey and Existing Conditions Plan has been provided that demonstrates that there is no adverse impact to adjoining neighboring properties.*

C.
Exhibit Drawings

The following exhibit drawings are intended to meet the plan and graphic requirements for the **Hobby Lobby Commercial Addition** request.

Exhibit drawings contained in this section include:

C001	Cover Sheet
C050	Existing Conditions /Demolition/ESC Plan.....
C100	Overall Site Plan
C101	Site Plan
C200	Grading Plan.....
A1.0A	Partial Architectural Floor Plan
A1.0B	Partial Architectural Floor Plan
A2.0	Elevations.....

D.
Appendices

The following appendices provide background documentation and technical data that support the **Hobby Lobby Commercial Addition** request. These include following:

- Appendix 1 Title Report (Old Republic National Title Insurance Company).....*
- Appendix 2 ALTA (Gallas Survey Group)*
- Appendix 3 Zoning Map (Neptune Township).....*
- Appendix 4 Zoning Review (Neptune Township).....*
- Appendix 5 Signage Plans (Blair Image Elements)*

The following appendices provide background documentation and technical data that support the Nobby Lobby Commercial Addition request. These include following

- Appendix 1 The Report for Republic National Title Insurance Company
- Appendix 2 AIA (Artist Survey Group)
- Appendix 3 Zoning Map (District Township)
- Appendix 4 Zoning Review (District Township)
- Appendix 5 Storage Pylon (Architectural Image Elements)

Appendix 1

ALTA Commitment for Title Insurance



Issued By Old Republic National Title Insurance Company

NOTICE

IMPORTANT—READ CAREFULLY: THIS COMMITMENT IS AN OFFER TO ISSUE ONE OR MORE TITLE INSURANCE POLICIES. ALL CLAIMS OR REMEDIES SOUGHT AGAINST THE COMPANY INVOLVING THE CONTENT OF THIS COMMITMENT OR THE POLICY MUST BE BASED SOLELY IN CONTRACT.

THIS COMMITMENT IS NOT AN ABSTRACT OF TITLE, REPORT OF THE CONDITION OF TITLE, LEGAL OPINION, OPINION OF TITLE, OR OTHER REPRESENTATION OF THE STATUS OF TITLE. THE PROCEDURES USED BY THE COMPANY TO DETERMINE INSURABILITY OF THE TITLE, INCLUDING ANY SEARCH AND EXAMINATION, ARE PROPRIETARY TO THE COMPANY, WERE PERFORMED SOLELY FOR THE BENEFIT OF THE COMPANY, AND CREATE NO EXTRACTIONAL LIABILITY TO ANY PERSON, INCLUDING A PROPOSED INSURED.

THE COMPANY'S OBLIGATION UNDER THIS COMMITMENT IS TO ISSUE A POLICY TO A PROPOSED INSURED IDENTIFIED IN SCHEDULE A IN ACCORDANCE WITH THE TERMS AND PROVISIONS OF THIS COMMITMENT. THE COMPANY HAS NO LIABILITY OR OBLIGATION INVOLVING THE CONTENT OF THIS COMMITMENT TO ANY OTHER PERSON.

COMMITMENT TO ISSUE POLICY

Subject to the Notice; Schedule B, Part I—Requirements; Schedule B, Part II—Exceptions; and the Commitment Conditions, Old Republic National Title Insurance Company, a Florida Corporation (the "Company"), commits to issue the Policy according to the terms and provisions of this Commitment. This Commitment is effective as of the Commitment Date shown in Schedule A for each Policy described in Schedule A, only when the Company has entered in Schedule A both the specified dollar amount as the Proposed Policy Amount and the name of the Proposed Insured.

If all of the Schedule B, Part I—Requirements have not been met within 180 days after the Commitment Date, this Commitment terminates and the Company's liability and obligation end.

This page is only a part of a 2016 ALTA Commitment for Title Insurance. This Commitment is not valid without the Notice, the Commitment to Issue Policy, the Commitment Conditions, Schedule A, Schedule B, Part I—Requirements, and Schedule B, Part II—Exceptions; and a counter-signature by the Company or its issuing agent that may be in electronic form.

Issued through the Office of

Authorized Signatory

OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY
A Stock Company
400 Second Avenue South, Minneapolis, Minnesota 55401
(612) 371-1111

By  President

Attest  Secretary

COMMITMENT CONDITIONS

1. DEFINITIONS

- (a) "Knowledge" or "Known": Actual or imputed knowledge, but not constructive notice imparted by the Public Records.
- (b) "Land": The land described in Schedule A and affixed improvements that by law constitute real property. The term "Land" does not include any property beyond the lines of the area described in Schedule A, nor any right, title, interest, estate, or easement in abutting streets, roads, avenues, alleys, lanes, ways, or waterways, but this does not modify or limit the extent that a right of access to and from the Land is to be insured by the Policy.
- (c) "Mortgage": A mortgage, deed of trust, or other security instrument, including one evidenced by electronic means authorized by law.
- (d) "Policy": Each contract of title insurance, in a form adopted by the American Land Title Association, issued or to be issued by the Company pursuant to this Commitment.
- (e) "Proposed Insured": Each person identified in Schedule A as the Proposed Insured of each Policy to be issued pursuant to this Commitment.
- (f) "Proposed Policy Amount": Each dollar amount specified in Schedule A as the Proposed Policy Amount of each Policy to be issued pursuant to this Commitment.
- (g) "Public Records": Records established under state statutes at the Commitment Date for the purpose of imparting constructive notice of matters relating to real property to purchasers for value and without Knowledge.
- (h) "Title": The estate or interest described in Schedule A.

2. If all of the Schedule B, Part I—Requirements have not been met within the time period specified in the Commitment to Issue Policy, this Commitment terminates and the Company's liability and obligation end.

3. The Company's liability and obligation is limited by and this Commitment is not valid without:

- (a) the Notice;
- (b) the Commitment to Issue Policy;
- (c) the Commitment Conditions;
- (d) Schedule A;
- (e) Schedule B, Part I—Requirements;
- (f) Schedule B, Part II—Exceptions; and
- (g) a counter-signature by the Company or its issuing agent that may be in electronic form.

4. COMPANY'S RIGHT TO AMEND

The Company may amend this Commitment at any time. If the Company amends this Commitment to add a defect, lien, encumbrance, adverse claim, or other matter recorded in the Public Records prior to the Commitment Date, any liability of the Company is limited by Commitment Condition 5. The Company shall not be liable for any other amendment to this Commitment.

5. LIMITATIONS OF LIABILITY

- (a) The Company's liability under Commitment Condition 4 is limited to the Proposed Insured's actual expense incurred in the interval between the Company's delivery to the Proposed Insured of the Commitment and the delivery of the amended Commitment, resulting from the Proposed Insured's good faith reliance to:
 - (i) comply with the Schedule B, Part I—Requirements;
 - (ii) eliminate, with the Company's written consent, any Schedule B, Part II—Exceptions; or
 - (iii) acquire the Title or create the Mortgage covered by this Commitment.
- (b) The Company shall not be liable under Commitment Condition 5(a) if the Proposed Insured requested the amendment or had Knowledge of the matter and did not notify the Company about it in writing.
- (c) The Company will only have liability under Commitment Condition 4 if the Proposed Insured would not have incurred the expense had the Commitment included the added matter when the Commitment was first delivered to the Proposed Insured.
- (d) The Company's liability shall not exceed the lesser of the Proposed Insured's actual expense incurred in good faith and described in Commitment Conditions 5(a)(i) through 5(a)(iii) or the Proposed Policy Amount.
- (e) The Company shall not be liable for the content of the Transaction Identification Data, if any.
- (f) In no event shall the Company be obligated to issue the Policy referred to in this Commitment unless all of the Schedule B, Part I—Requirements have been met to the satisfaction of the Company.
- (g) In any event, the Company's liability is limited by the terms and provisions of the Policy.

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6. LIABILITY OF THE COMPANY MUST BE BASED ON THIS COMMITMENT

- (a) Only a Proposed Insured identified in Schedule A, and no other person, may make a claim under this Commitment.
- (b) Any claim must be based in contract and must be restricted solely to the terms and provisions of this Commitment.
- (c) Until the Policy is issued, this Commitment, as last revised, is the exclusive and entire agreement between the parties with respect to the subject matter of this Commitment and supersedes all prior commitment negotiations, representations, and proposals of any kind, whether written or oral, express or implied, relating to the subject matter of this Commitment.
- (d) The deletion or modification of any Schedule B, Part II—Exception does not constitute an agreement or obligation to provide coverage beyond the terms and provisions of this Commitment or the Policy.
- (e) Any amendment or endorsement to this Commitment must be in writing and authenticated by a person authorized by the Company.
- (f) When the Policy is issued, all liability and obligation under this Commitment will end and the Company's only liability will be under the Policy.

7. IF THIS COMMITMENT HAS BEEN ISSUED BY AN ISSUING AGENT

The issuing agent is the Company's agent only for the limited purpose of issuing title insurance commitments and policies. The issuing agent is not the Company's agent for the purpose of providing closing or settlement services.

8. PRO-FORMA POLICY

The Company may provide, at the request of a Proposed Insured, a pro-forma policy illustrating the coverage that the Company may provide. A pro-forma policy neither reflects the status of Title at the time that the pro-forma policy is delivered to a Proposed Insured, nor is it a commitment to insure.

9. ARBITRATION

The Policy contains an arbitration clause. All arbitrable matters when the Proposed Policy Amount is \$2,000,000 or less shall be arbitrated at the option of either the Company or the Proposed Insured as the exclusive remedy of the parties. A Proposed Insured may review a copy of the arbitration rules at <http://www.alta.org/arbitration>.

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Old Republic National Title Insurance Company

IMPORTANT NOTICE AND DISCLOSURE

1. By law Old Republic National Title Insurance Company is required to advise you that the Title Insurance Commitment issued by us may contain conditions, exceptions, exclusions, limitations and requirements governing our liability and the coverage you may receive. **REAL ESTATE TITLE TRANSACTIONS ARE COMPLEX. THE COMPANY DOES NOT REPRESENT YOU AND CAN NOT GIVE YOU LEGAL ADVICE. YOU ARE ENTITLED TO REVIEW THE TITLE INSURANCE COMMITMENT WITH AN ATTORNEY AT LAW OF YOUR OWN CHOOSING, AT YOUR EXPENSE, PRIOR TO THE TRANSFER OF TITLE. WE STRONGLY ADVISE THAT YOU DO SO.**
2. **THE ATTORNEY RETAINED BY YOU, OR BY YOUR LENDER, CLOSING OR SETTLING THIS TITLE IS NOT AN AGENT FOR AND DOES NOT ACT ON BEHALF OF OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY. THE COMPANY ASSUMES NO LIABILITY FOR ANY LOSS, COST OR EXPENSE INCURRED BY YOU BECAUSE YOUR ATTORNEY OR YOUR LENDER'S ATTORNEY HAS MADE A MISTAKE OR MISAPPLIED YOUR FUNDS.** Because the attorney is not our agent, we assume no responsibility for any information, advice or title insurance promises the attorney may give or make. Our only liability to you is under the terms of the Commitment, Policy and Closing Service Letter if you choose to obtain one.
3. If you desire to obtain protection from this company regarding the application of your funds or compliance with requirements relating to the issuance of the proposed policy, the company will, on request and the payment of the fees filed with, and approved by, the Department of Insurance, provide for a settlement service.
4. By law we are also required to advise you that we have been asked to issue a mortgage policy to the lender in the amount shown on Schedule A of the enclosed Title Insurance Commitment. If you have not already requested it, you have the right and opportunity to obtain title insurance in your own favor for an additional premium which we will quote on request.

Old Republic National Title Insurance Company

400 Second Avenue South, Minneapolis, Minnesota 55401

Issuing Agent

First Jersey Title Services, Inc.

P.O. Box 2525 (25-00 Broadway) Fair Lawn, NJ 07410

201-791-4200 Fax: 201-791-9050

ALTA Registry No. 0030967

www.FirstJerseyTitle.com

File No: 094527

SCHEDULE A

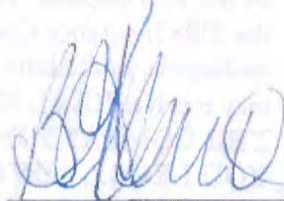
Applicant: Kilstein & Kilstein, L.L.C.

Attn: Neil I. Kilstein, Esq.

cc: Margaret Guarnieri

cc: Toby Ann Robinson

Title Officer:



Barbara G. Moreno
Authorized Signatory

1. **Commitment Date: September 11, 2018**

2. **Policy (or Policies) to be issued:**

(a) **Owner's Policy (ALTA 2006)**

Policy Amount

Proposed Insured:

(b) **Loan Policy (ALTA 2006)**

Policy Amount

\$4,000,000.00

Proposed Insured: Columbia Bank, its successors and/or assigns

ALTA 9.10-06 REM Curr. Vio (C)

This Company insures that the proposed mortgage is a valid second lien subject to the terms, conditions, exclusions, exceptions and limitations as set forth in the Policy.

3. **The estate or interest in the land described or referred to in this Commitment is Fee Simple**

4. **The Title is, at the Commitment Date, vested in:**

Neptune Plaza Shopping Center, LLC



under deed from Neptune Shopping Center Owner, LLC dated August 20, 2009 and recorded August 28, 2009 in the Monmouth County Clerk's Office in Book OR-8794 page 8334.

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File No: 094527

SCHEDULE A
continued

5. *The land is described as follows in Schedule C:
For reference purposes, land is commonly known as:*

**2200-2250 Route 66
Neptune, New Jersey**

BGM:jfg

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SCHEDULE B - SECTION I REQUIREMENTS

All of the following Requirements must be met:

- (a) *The Proposed Insured must notify the Company in writing of the name of any party not referred to in this Commitment who will obtain an interest in the Land who will make a loan on the Land. The Company may then make additional Requirements or Exceptions.*
- (b) *Pay the agreed amount for the estate or interest to be insured.*
- (c) *Pay the premiums, fees, and charges for the Policy to the Company.*
- (d) *Documents satisfactory to the Company that convey the Title or create the Mortgage to be insured, or both, must properly authorized, executed, delivered, and recorded in the Public Records.*
- (e) *The Company requires that a NOTICE OF SETTLEMENT in connection with the transaction to be insured be recorded, pursuant to NJS 46:26A-11 et. Seq., as nearly as possible to, but not more than, sixty (60) days prior to the anticipated date of recording of the closing documents. If the closing is postponed, another NOTICE OF SETTLEMENT may be recorded prior to the expiration of the first recorded NOTICE OF SETTLEMENT. (NOTICE OF SETTLEMENT to be filed by FJTS)*
- (f) *A continuation search (rundown) of the title must be ordered not less than 24 hours prior to closing of title.*
- (g) **Proposed second mortgage from Neptune Plaza Shopping Center, LLC by John M. Azarian, principal manager to Columbia Bank, its successors and/or assigns**
- (h) **Mortgagor's Affidavit of Title must be submitted and set forth that the Limited Liability Company is still in force and effect and has not been changed and/or amended.**
- (i) **In connection with the proposed mortgage by Neptune Plaza Shopping Center, LLC, this Company requires the following:**
 - 1) **Certificate of Good Standing from the Department of Treasury showing said LLC is in Good Standing, attached hereto.**
 - 2) **Satisfactory proof that the LLC has not classified itself as a corporation for federal income tax purposes. If it has, then a franchise tax report MUST and will be ordered. (Please advise as to the status prior to closing)**
 - 3) **LLC Resolution to be submitted for review prior to closing.**

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**SCHEDULE B - SECTION I
REQUIREMENTS
continued**

This Company reserves the right to raise further requirements upon receipt and review of the above mentioned items.

NOTE: Survey to be advised.

NOTE: The enclosed Privacy Policy Notices are to be distributed to the parties involved.

NOTE: In the event any of the judgments (Schedule B - Section II - Item No. 8) reported on the attached searches are liens against the subject premises, or the proceeds of sale are to be paid to heirs or devisees of a decedent's estate, please review P.L. 2000 Chapter 81, N.J.S.A. 2A: 17-56.23(b) (Regarding Judgment Satisfactions and the Priority of Child Support Obligations) in connection with the satisfaction of said judgments.

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File No: 094527

**SCHEDULE B - SECTION II
EXCEPTIONS**

THIS COMMITMENT DOES NOT REPUBLISH ANY COVENANT, CONDITION, RESTRICTION, OR LIMITATION CONTAINED IN ANY DOCUMENT REFERRED TO IN THIS COMMITMENT TO THE EXTENT THAT THE SPECIFIC COVENANT, CONDITION, RESTRICTION, OR LIMITATION VIOLATES STATE OR FEDERAL LAW BASED ON RACE, COLOR, RELIGION, SEX, SEXUAL ORIENTATION, GENDER IDENTITY, HANDICAP, FAMILIAL STATUS, OR NATIONAL ORIGIN.

The Policy will not insure against loss or damage resulting from the terms and provisions of any lease or easements identified in Schedule A and will include the following Exceptions unless cleared to the satisfaction of the Company:

- (1) Any defect, lien, encumbrance, adverse claim, or other matter that appears for the first time in the Public Records or is created, attaches, or is disclosed between the Commitment Date and the date on which all of the Schedule B, Part I - Requirements are met.
- (2) Notwithstanding any provision of the policy to the contrary, the Company will not pay loss or damage, costs, attorney's fees or expenses that arise by reason of any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land.
- (3) Rights or claims of parties in possession of the Land not shown by the public records.
- (4) Any lien or right to a lien, for services, labor or material heretofore and hereafter furnished, imposed by law and not shown by the public records.
- (5) Taxes, charges and assessments.
 - A. Tax Search - SEE ATTACHED TAX SEARCH
 - B. Assessment Search - SEE ATTACHED ASSESSMENT SEARCH
- (6) Easements or claims of easements not shown by the public records.
- (7) Subsurface conditions and/or encroachments not disclosed by an instrument of record. (Fee Policy Only)
- (8) **JUDGMENTS:** Upper Court: **CLEAR**

County: **CLEAR**

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201-791-4200

Fax: 201-791-9050

www.FirstJerseyTitle.com

File No: 094527

**SCHEDULE B - SECTION II
EXCEPTIONS
continued**

(9) MORTGAGES:

A. Mortgage in Book OR-9002 page 3316 made by Neptune Plaza Shopping Center, L.L.C. to Columbia Bank, 19-01 Route 208 North, Fair Lawn, NJ, dated March 14, 2013, recorded March 15, 2013, secures \$24,500,000.00.

TO REMAIN OPEN OF RECORD

B. Assignment of Leases and Rents in Book OR-9002 page 3327 between Neptune Plaza Shopping Center, L.L.C. and Columbia Bank, 19-01 Route 208 North, Fair Lawn, NJ, dated March 14, 2013, recorded March 15, 2013.

TO REMAIN OPEN OF RECORD

(10) Street dedication as set forth in Deed Book 3475 page 194.

(11) Deed of easement and right of way in favor of Monmouth Consolidated Water Company as set forth in Deed Books 3127 page 237 and 3160 page 435 and as shown on Filed Map No. 229-28.

(12) Easement in favor of Jersey Central Power & Light Company as set forth in Deed Books 1509 page 7, 1840 page 116 and 1731 page 181.

(13) Easement for driveway area as set forth in Deed Book 4727 page 726 and as modified in Deed Book 5188 page 852.

(14) Right of way agreement in favor of New Jersey Bell Telephone Company and Jersey Central Power & Light Company as set forth in Deed Books 5219 page 758 and 4182 page 463.

(15) Deed of easement and right of way in favor of the Township of Neptune for sanitary sewer line as set forth in Deed Book 4869 page 474 and as shown on Filed Map No. 229-28 and as replaced in Book OR-8019 page 4435.

(16) Easement in favor of the New York & New Jersey Telephone Company as set forth in Deed Book 803 page 419.

(17) Easement in favor of New Jersey Central Power & Light Company as set forth in Deed Book 1937 page 1.

(18) Right of way in favor of Jersey Central Power & Light and New Jersey Bell Telephone Company as set forth in Deed Book 3354 page 382.

(19) Easement in favor of New York Telephone Company as set forth in Deed Book 998 page 204.

(20) Rights of Foodarama Supermarkets Inc. as tenant under a Memorandum of Lease agreement as set forth in Deed Book 5392 page 339. Together with and subject to Leasehold Mortgage and Security Agreement between Foodarama Supermarkets Inc. and NatWest Bank, N.A. in Mortgage Book 5761 page 419, as assigned and modified in Books 777 page 947, 6200 page 691, 847 page 366, 7010 page 627 and Books OR-8154 page 58, OR-8594 page 566, OR-8770 page

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Old Republic National Title Insurance Company

400 Second Avenue South, Minneapolis, Minnesota 55401

Issuing Agent

First Jersey Title Services, Inc.

P.O. Box 2525 (25-00 Broadway) Fair Lawn, NJ 07410

201-791-4200

Fax: 201-791-9050

www.FirstJerseyTitle.com

File No: 094527

SCHEDULE B - SECTION II EXCEPTIONS

continued

*Home goods
Marshalls
not operators
this is
opinion
BL is
get into*

5026 and OR-9002 page 3327 and Leaschold Mortgage and Security Agreement between Foodrama Supermarkets, Inc. and NatWest Bank, N.A. in Mortgage Book 5761 page 461, as assigned and modified in Book 777 page 944, 6200 page 700, 847 page 370, 7010 page 635, OR-8154 page 68, OR-8594 page 566, OR-8770 page 5026 and OR-9002 page 3327.

- (21) Rights of IHOP Properties Inc. as tenant under a Short Form Lease as set forth in Book OR-8048 page 7051.
- (22) Rights of Marshalls of MA, Inc. as tenant under a Memorandum of Lease as set forth in Books OR-8305 page 89 and OR-8370 page 9004 and as amended in Book OR-8370 page 9027.
- (23) Rights of Homegoods, Inc. as tenant under a Memorandum of Lease set forth in Book OR-8452 page 9799.
- (24) Rights of the Township of Neptune under Ordinance vacation portions of Meadow Road, together with rights of utilities within that portion of subject premises lying within the bed of same as set forth in Book 2 page 442.
- (25) Easement agreement for parking, access and driveway as set forth in Deed Books 4969 page 14 and 4291 page 497 and as amended and restated in Deed Book 5364 page 64.
- (26) Declaration of Restrictions as set forth in Deed Book 5739 page 480.
- (27) Outstanding rights of the State of New Jersey to regulate access to New Jersey State Highway Route 66.
- (28) Rights of tenants in possession, if any.
- (29) Pending disbursements of the full proceeds of the loan secured by the mortgage insured, this policy insures only to the extent of the amount actually disbursed, but increases as each disbursement is made in good faith for the payment of construction costs up to the face amount of the policy. At the time of each disbursement of the proceeds of the loan, the title examination must be continued down to such time for possible liens, defects and encumbrances, including Notices of Unpaid Balance and Rights to File Lien and Construction Lien Claims, intervening between the date hereof and the date of such disbursement. Any such disclosed intervening items, including Notices of Unpaid Balance and Right to File Lien and Construction Lien Claims, must be discharged of record or subordinated, released or postponed to the lien of the mortgage prior to each advance of the loan proceeds.

NOTE: Tidelands/Riparian Search attached; shows UNCLAIMED.

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File No: 094527

SCHEDULE C **Legal Description**

All that certain lot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the Township of Neptune, County of Monmouth, State of New Jersey.

BEGINNING at a point in the southerly sideline of New Jersey State Highway Route No. 66, 120.00 feet right of way, said point being distant 51.34 feet as measured on a bearing of South 74°51'20" East from the extended intersection of the said southerly line of New Jersey State Highway Route No. 66 and the extended easterly line of Neptune Boulevard 109.00 feet right of way, thence

1. South 74°51'20" East along the southerly line of New Jersey State Highway Route No. 66, a distance of 551.72 feet to a point, thence
2. Along the westerly line of Lot 6.01 Block 1007, South 15°08'40" West a distance of 286.20 feet to a point, thence
3. Still along said Lot 6.01, South 06°53'40" West a distance of 13.94 feet to a point, thence
4. Still along said Lot 6.01, South 74°51'20" East a distance of 55.00 feet to a point, thence
5. Still along said Lot 6.01, South 06°53'40" West a distance of 164.18 feet to a point, thence
6. Still along said Lot 6.01, South 74°51'20" East a distance of 164.80 feet to a point, thence
7. Still along said Lot 6.01, South 15°08'40" West a distance of 312.57 feet to a point in the northerly line of Lot 60 Block 1007, thence
8. Along the northerly line of said Lot 60, North 74°51'20" West a distance of 54.76 feet, thence
9. Still along said Lot 60, South 15°08'40" West a distance of 331.62 feet to a point, thence
10. Along the northerly line of said Lot 60, North 74°51'20" West a distance of 874.13 feet to a point, thence
11. Still along said Lot 60, South 74°32'58" West a distance of 175.04 feet to a point in the easterly sideline of Neptune Boulevard, thence
12. Along the easterly sideline of Neptune Boulevard, northerly and northeasterly on a curve to the right having a radius of 340.00 feet an arc distance of 325.48 feet to a monument at a point of tangency, thence
13. Still along the easterly sideline of Neptune Boulevard, North 42°23'53" East a distance of 48.51 feet to a point of curvature, thence
14. Still along the easterly sideline of Neptune Boulevard, northeasterly-easterly on a curve to the right having a radius of 46.00 feet, an arc distance of 55.27 feet, thence
15. Still along the easterly sideline of Neptune Boulevard, North 42°23'53" East a distance of 77.11 feet, thence
16. Still along the easterly sideline of Neptune Boulevard, westerly northwesterly on a curve to the right having a radius of 20.00 feet, an arc distance of 30.01 feet to a point of tangency, thence
17. Still along the easterly sideline of Neptune Boulevard, North 28°22'32" East a distance of 134.71 feet to an angle point in the same, thence
18. Still along the easterly sideline of Neptune Boulevard, North 42°23'53" East a distance of 73.27 feet to a monument at a point of curvature, thence

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Old Republic National Title Insurance Company

400 Second Avenue South, Minneapolis, Minnesota 55401

Issuing Agent

First Jersey Title Services, Inc.

P.O. Box 2525 (25-00 Broadway) Fair Lawn, NJ 07410

201-791-4200 Fax: 201-791-9050

www.firstjerseytitle.com

File No: 094527

SCHEDULE C
Legal Description

19. Still along the easterly sideline of Neptune Boulevard northeasterly northerly on a curve to the left having a radius of 385.00 feet an arc distance of 101.54 feet to a point of non tangency, thence
20. Still along the easterly sideline of Neptune Boulevard, North 35°28'51" East a distance of 62.19 feet to a point, thence
21. Still along the easterly sideline of Neptune Boulevard, North 15°08'53" East a distance of 318.65 feet to a point of curvature, thence
22. Still along the easterly sideline of Neptune Boulevard, northerly, northeasterly on a curve to the right having a radius of 51.34 feet, an arc distance of 80.64 feet to a point or place of BEGINNING.

Commonly known as:

2200-2250 Route 66
Neptune, New Jersey

IN COMPLIANCE with Chapter 157, Laws of 1977, premises herein are Block 802 Lot 1, on the tax map of the above municipality.

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ALTA Endorsement 9.10-06
(Restrictions, Encroachments, Minerals - Current Violations - Loan Policy)
New Jersey Variation

Issued by

OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY

Attached to Policy No. *****

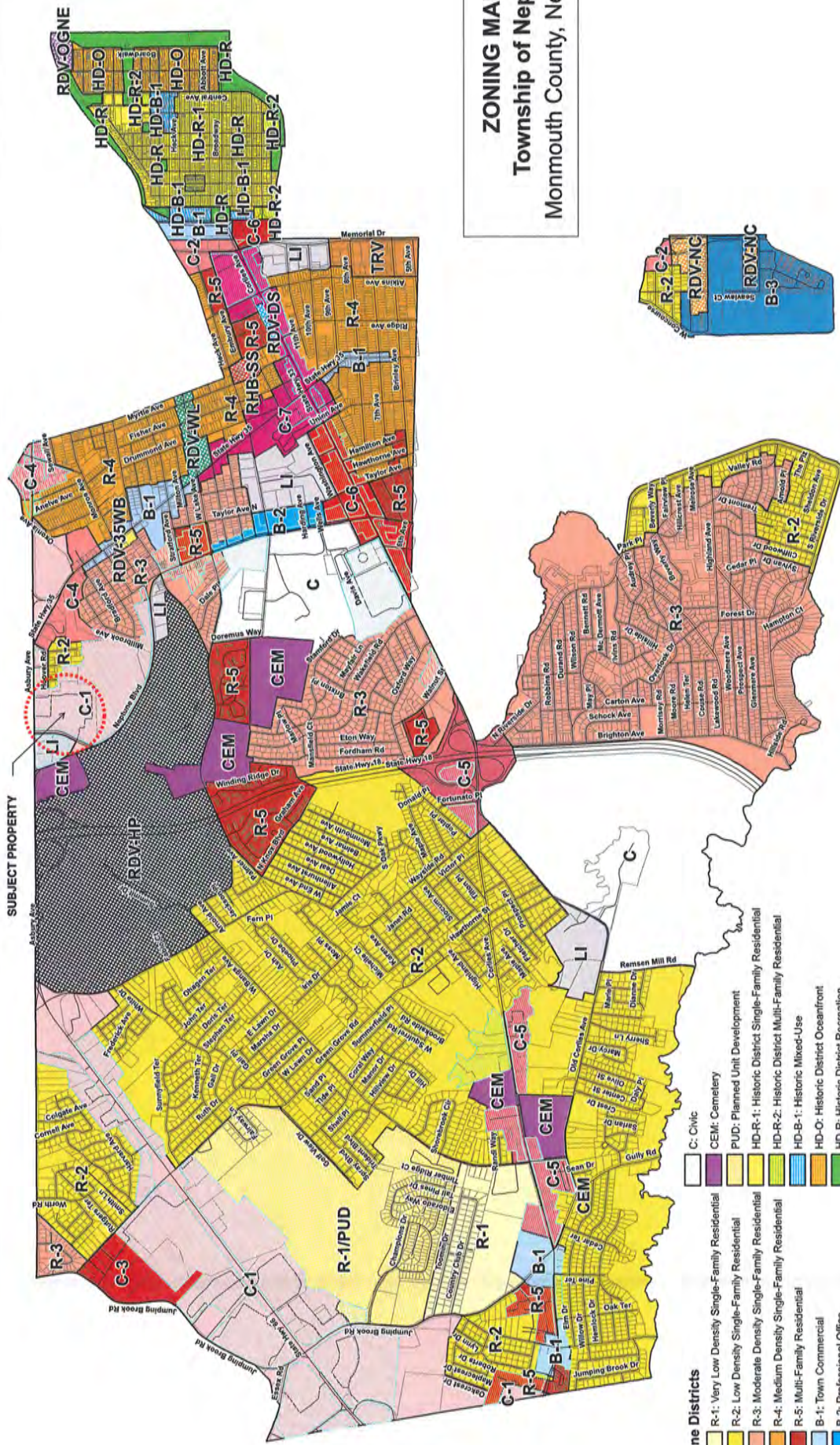
1. The insurance provided by this endorsement is subject to the exclusions in Section 5 of this endorsement; and the Exclusions from Coverage, the Exceptions from Coverage contained in Schedule B, and the Conditions in the policy.
2. For the purpose of each of these endorsements only:
 - a. "Covenant" means a covenant, condition, limitation or restriction in a document or instrument recorded in the Public Records at Date of Policy.
 - b. "Improvement" means an improvement, including any lawn, shrubbery, or trees, affixed to either the Land or adjoining land at Date of Policy that by law constitutes real property.
3. The Company insures against loss or damage sustained by the Insured by reason of:
 - a. A violation at Date of Policy of a Covenant that:
 - i. divests, subordinates, or extinguishes the lien of the Insured Mortgage,
 - ii. results in the invalidity, unenforceability or lack of priority of the lien of the Insured Mortgage, or
 - iii. causes a loss of the Insured's Title acquired in satisfaction or partial satisfaction of the Indebtedness;
 - b. A violation on the Land at Date of Policy of an enforceable Covenant, unless an exception in Schedule B of the policy identifies the violation;
 - c. Enforced removal of an Improvement located on the Land as a result of a violation, at Date of Policy, of a building setback line shown on a plat of subdivision recorded or filed in the Public Records, unless an exception in Schedule B of the policy identifies the violation; or
 - d. A notice of a violation, recorded in the Public Records at Date of Policy, of an enforceable Covenant relating to environmental protection describing any part of the Land and referring to that Covenant, but only to the extent of the violation of the Covenant referred to in that notice, unless an exception in Schedule B of the policy identifies the notice of the violation.
4. The Company insures against loss or damage sustained by reason of:
 - a. An encroachment of:
 - i. an Improvement located on the Land, at Date of Policy, onto adjoining land or onto that portion of the Land subject to an easement; or
 - ii. an Improvement located on adjoining land onto the Land at Date of Policyunless an exception in Schedule B of the policy identifies the encroachment otherwise insured against in Sections 4.a.i. or 4.a.ii.;
 - b. A final court order or judgment requiring the removal from any land adjoining the Land of an encroachment identified in Schedule B; or

- c. **Damage to an Improvement located on the Land, at Date of Policy:**
 - i. that is located on or encroaches onto that portion of the Land subject to an easement excepted in Schedule B, which damage results from the exercise of the right to maintain the easement for the purpose for which it was granted or reserved; or
 - ii. resulting from the future exercise of a right to use the surface of the Land for the extraction or development of minerals or any other subsurface substances excepted from the description of the Land or excepted in Schedule B.
- 5. This endorsement does not insure against loss or damage (and the Company will not pay costs, attorneys' fees, or expenses) resulting from:
 - a. any Covenant contained in an instrument creating a lease;
 - b. any Covenant relating to obligations of any type to perform maintenance, repair, or remediation on the Land;
 - c. except as provided in Section 3.d., any Covenant relating to environmental protection of any kind or nature, including hazardous or toxic matters, conditions, or substances;
 - d. contamination, explosion, fire, flooding, vibration, earthquake or subsidence;
 - e. negligence by a person or an Entity exercising a right to extract or develop minerals or other subsurface substances; or
 - f. any Covenant excepted in Schedule B related to, or rules or regulations promulgated by, the Department of Community Affairs ("DCA") or Council on Affordable Housing ("COAH") or any other federal, state or local governmental body or agency or any federal or state laws with regard to affordable housing or matters related thereto.

This endorsement is issued as part of the policy. Except as it expressly states, it does not (i) modify any of the terms and provisions of the policy, (ii) modify any prior endorsements, (iii) extend the Date of Policy, or (iv) increase the Amount of Insurance. To the extent a provision of the policy or a previous endorsement is inconsistent with an express provision of this endorsement, this endorsement controls. Otherwise, this endorsement is subject to all of the terms and provisions of the policy and of any prior endorsements.

Old Republic National Title Insurance Company

By: * *COPY* *
Authorized Countersignature



ZONING MAP

Township of Neptune

Monmouth County, New Jersey



REVISIONS:
3-24-21

DRAWN BY:
CLB

LEON S. AVAKIAN, Inc.
Consulting Engineers

- Zone Districts**
- R-1: Very Low Density Single-Family Residential
 - R-2: Low Density Single-Family Residential
 - R-3: Moderate Density Single-Family Residential
 - R-4: Medium Density Single-Family Residential
 - R-5: Multi-Family Residential
 - B-1: Town Commercial
 - B-2: Professional Office
 - B-3: Marina Mixed-Use
 - C-1: Planned Commercial Development
 - C-2: Corridor Commercial
 - C-3: Route 66W Commercial
 - C-4: Route 66E Commercial
 - C-5: Route 33W Commercial
 - C-6: Route 33E Commercial
 - C-7: Route 35 Commercial
 - LI: Light Industrial
 - C: Civic
 - CEM: Cemetery
 - PUD: Planned Unit Development
 - HD-R-1: Historic District Single-Family Residential
 - HD-R-2: Historic District Multi-Family Residential
 - HD-B-1: Historic Mixed-Use
 - HD-O: Historic District Oceanfront
 - HD-R: Historic District Recreation
 - TRV: Transit Village
 - RDV-HP: High Points - Rt. 18 Redevelopment Area
 - RDV-35WB: Rt. 35 and West Bangs Avenue Redevelopment Area
 - RHB-SS: Schoolhouse Square Rehabilitation Area
 - RDV-DS: Division Street Redevelopment Area
 - RDV-WL: West Lake Redevelopment Area
 - RDV-OGNE: Ocean Grove North End Redevelopment Area
 - RDV-NC: North Channel Redevelopment Area
 - Hospital Support Overlay

name:	County of Essex	yr:	2000
state:	FL	yr:	2000
date:	11/11/00	yr:	2000

PROPOSED COUNTY WIDE WATER
 TREATMENT PLANT
 SCHEMATIC



- 1.000 - 1.000
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- 1.002 - 1.002
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(b) Maximum Permitted horizontal sign dimension: 75% of the wall face

ZONING NOTES:

- The applicant indicates the proposed construction of a wall mounted sign that occupies 10.33% of the horizontal wall face.

(e) Projection: Maximum

ZONING NOTES:

The applicant did not provide the appropriate plans displaying the parameters of proposed wall mounted signs projection.

The applicant does not demonstrate compliance with the Neptune Township Land Development Ordinance.

This zoning permit application is denied.

Planning Board approval is required.

Department	Reviewed	Date	Comments
Engineering	<input checked="" type="checkbox"/>		
Planning Board	<input checked="" type="checkbox"/>		
Zoning Board	<input type="checkbox"/>		
Municipal Clerk	<input type="checkbox"/>		
Code Enforcement	<input type="checkbox"/>		

BRANDBOOK CHECKLIST

BRANDBOOK

CLIENT: HOBBY LOBBY
 LOCATION: 2200 NJ 66
 Neptune, NJ 07753
 STORE #: N/A
 DATE: 08/10/22
 VARIANCE: YES

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 PAGE 2 - Cover
 PAGE 3 - Program Color Specifications
 PAGE 4 - Exterior Signage Site Plan
 PAGE 5 - S1 Existing / Proposed
 PAGE 6 - S1 Detail
 PAGE 7 - S2 Existing / Proposed
 PAGE 8 - S2 Detail
 PAGE 9 - S4 Detail
 PAGE 10 - S5 Detail
 PAGE 11 - Code Of Conduct / Safety Criteria

CONTACTS

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 Email: aallison@blairimage.com
 Phone: (814) 283-2052
 PjM: Ryan Shope
 Email: rshope@blairimage.com
 Phone: (814) 283-2029

DOCUMENT INFO

BLAIR PROJECT #: 101184
 SALES ORDER #: 73386
 DOC #: AD-HBY-101184-220810-0

REVISIONS

REV	DATE	DESCRIPTION
0	08/10/22	INITIAL RELEASE



DESIGNER CHECK (initials)	PJM CHECK (initials)	1. INFORMATION ACCURACY
<input type="text" value="RSF"/>	<input type="text"/>	a) Client Name
<input type="text" value="RSF"/>	<input type="text"/>	b) Site Address / Location
<input type="text" value="RSF"/>	<input type="text"/>	c) Project and Sales Order Number
<input type="text" value="RSF"/>	<input type="text"/>	d) Date and Rendering Revisions w/ Revision Note(s)
<input type="text" value="RSF"/>	<input type="text"/>	e) Required Item Notes or N/A
		2. BRANDING ELEMENTS
<input type="text" value="RSF"/>	<input type="text"/>	a) Brand Standard document number and revision or N/A
<input type="text" value="RSF"/>	<input type="text"/>	b) Branding Elements and / or services meet current revision of Brand Standard identified
<input type="text" value="RSF"/>	<input type="text"/>	c) Branding Elements and descriptions contained in Rendering match Branding Elements and descriptions in Proposal / Quote
DATE CHECKED	DATE CHECKED	
<input type="text" value="08/10/22"/>	<input type="text"/>	

CUSTOMER APPROVAL

Approved Approved as Noted Not Approved
Resubmit with Changes

Print Name _____

Title _____

Signature _____

Date _____

HOBBY LOBBY

BRANDBOOK

CLIENT: HOBBY LOBBY
LOCATION: 2200 NJ 66
Neptune, NJ 07753

STORE #: N/A
DATE: 08/10/22
VARIANCE: YES

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PAGE 7 - S2 Existing / Proposed
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PAGE 9 - S4 Detail
PAGE 10 - S5 Detail
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Phone: (814) 283-2052

PjM: Ryan Shope
Email: rshope@blairimage.com
Phone: (814) 283-2029

DOCUMENT INFO

BLAIR PROJECT #: 101184
SALES ORDER # 73386
DOC #: AD-HBY-101184-220810-0




REVISIONS

REV	DATE	DESCRIPTION	INITIAL RELEASE
0	08/10/22		

- BRAND STANDARD REVISION DATE: _____
- All provided image elements and / or services meet the current brand revision.
 - The following image elements and / or services do not meet the current brand standard due to _____
municipal code and / or specific site conditions. _____



COLOR SPECIFICATIONS

	#2119 ORANGE ACRYLIC ARLON #2119 ORANGE VINYL
	WHITE
	BLACK
	#2114 BLUE ACRYLIC 3M 3630-157 SULTAN BLUE VINYL

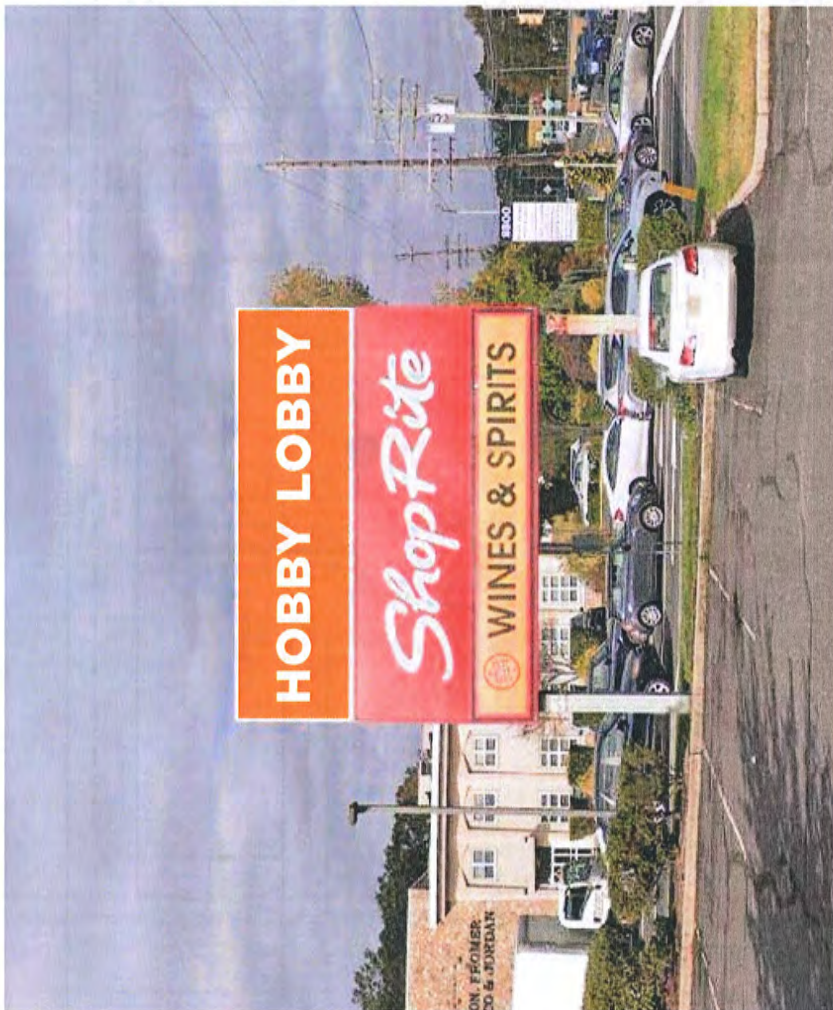
HOBBY LOBBY

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<p>HOBBY LOBBY Hobby Lobby 2200 NJ 66 Neptune, NJ 07753</p>	<p>STORE # N/A</p>	<p>Issue Date: 08/30/22 Drawn By: RSF REV. DATE D. 08/30/22</p> <p>DESCRIPTION INITIAL RELEASE</p>	<p>PROGRAM COLOR SPECIFICATION</p> <p>Page 3</p>	<p>Rev: 0 Date: 08/10/22 Doc #: AD-HBY-101184-220810-0 Blair Project #: 101184 Blair Sales Order #: 73386</p>	<p>Blair Image Elements 5107 Kissell Avenue Altoona, PA 16601 P: (814) 949.8287 blairimage.com</p> <p>blair IMAGE ELEMENTS</p>
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SCOPE OF WORK

1. REPLACEMENT FACES FOR D/F PYLON - DIMENSIONS PENDING SURVEY
2. LANDLORD TO PAINT THE PYLON



PROPOSED SIGNAGE



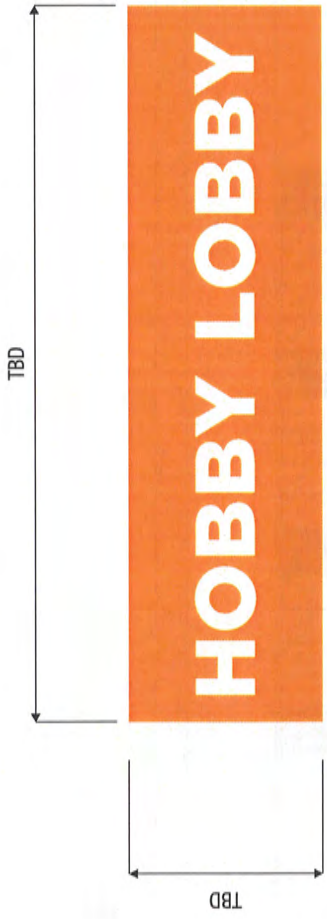
EXISTING SIGNAGE

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blair
IMAGE ELEMENTS

Rev: 0
Date: 08/10/22
Doc #: AD-HBY-101184-220810-0
Blair Project #: 101184
Blair Sales Order #: 73386



TWO (2) FACE REPLACEMENTS FOR EXISTING D/F PYLON SIGN
 DIMENSIONS PENDING SURVEY



ARLON 2119 Orange Vinyl

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STORE # N/A	HOBBY LOBBY 2200 NJ 66 Neptune, NJ 07753		



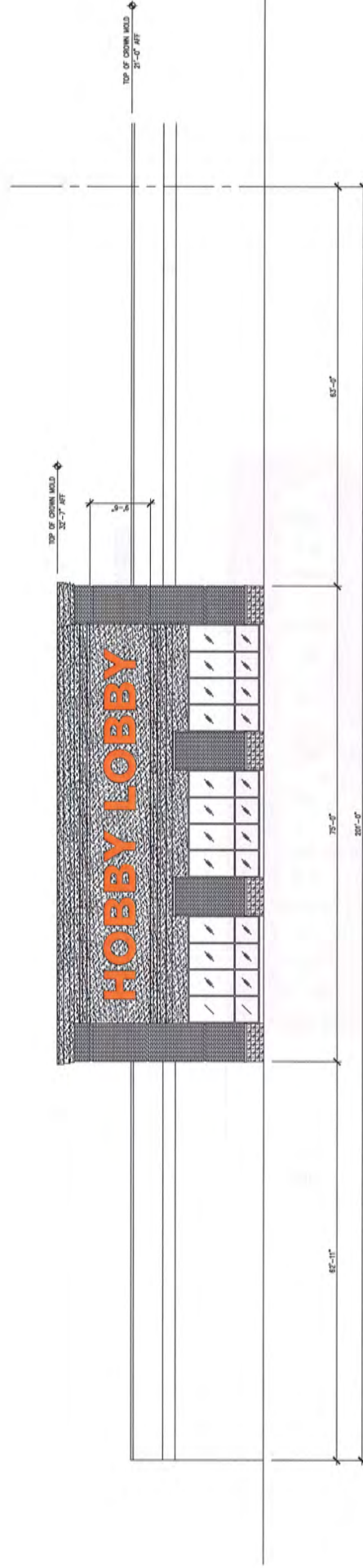


EXISTING SIGNAGE

SCOPE OF WORK

1. INSTALL NEW 5'-0" CHANNEL LETTERS AS SHOWN

NOTE: CODE ALLOWS 48 SQ FT - VARIANCE PROCESS 2-3 MONTHS

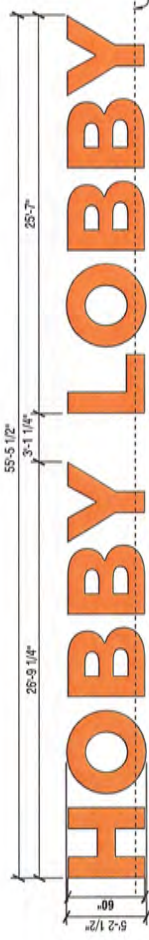


PROPOSED SIGNAGE

SCALE: 1/16" = 1'

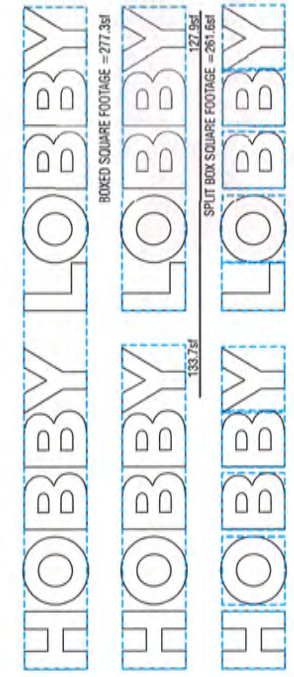
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Mfg. & Install (1) 60" "HOBBY LOBBY" REMOTE LED CHANNEL LETTER SET
 scale: 1/8" = 1'-0"
NOTE: GOTHAM BLACK FONT - DO NOT TYPE or MODIFY

<p>1 FACE: MATERIAL: .177 TUFF-GLASS COLOR: #2119 ORANGE</p>	<p>2 RETURNS: MATERIAL: PRE-PAINTED BLACK .050 ALUM. SIZE: 5" COLOR: Semi-Gloss Black (Outside) White (Inside)</p>	<p>3 ILLUMINATION: MATERIAL: GE SIZE: TBD COLOR: Red/Orange (TBD) ROW of LED'S PER LTR</p>	<p>7 LEDS: EXTERNAL DISCONNECT SWITCH IN HOBBY</p> 
<p>4 RETAINERS: MATERIAL: RETAINER SYSTEM COLOR: BLACK</p> 	<p>5 BACKS: MATERIAL: 3mm ACM COLOR: Semi-Gloss White (Both Sides) BACKS ARE RIVETED TO RETURNS</p>	<p>6 ELECTRICAL: TRANSFORMERS: (4) 12-50U TOTAL amps: 2.6 AMPS</p>	



APPROVED FASTENER SCHEDULE	
	FOR USE WITH WOOD OR EIFS WALL SYSTEMS 1 1/2\"/>
	FOR USE WITH METAL, WOOD, CONCRETE BLOCK OR EIFS WALL SYSTEMS
	FOR USE WITH CONCRETE BLOCK, BRICK OR CONCRETE. EMBED A MIN. OF 2 1/2\"/>
	FOR USE WITH CONCRETE, MASONRY AND BRICK. EMBED A MIN. OF 3 3/8\"/>
	FOR USE WITH CONCRETE, MASONRY AND BRICK - EMBED A MIN. OF 2\"/>
	USE WITH CONCRETE, MASONRY & BRICK. FOR USE WITH SMALL/LIGHTWEIGHT LETTERS & CABINETS



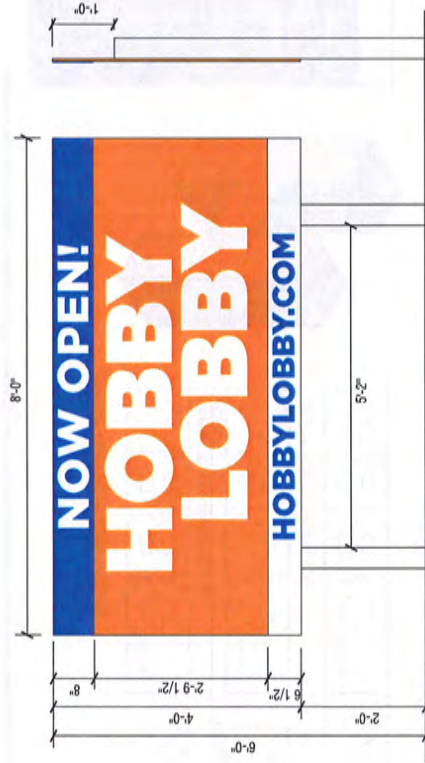
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SCOPE OF WORK

1. TEMPORARY GROUND SIGN



S/F TEMPORARY SITE SIGN

Scale: 1/2" = 1'-0"

PANEL: 1/2" MDO PLYWOOD - PAINTED WHITE
DIGITALLY PRINTED VINYL APPLIED TO PLYWOOD - DIGITAL PRINT
HAS UV OVERLAY

SUPPORTS: (2) 4" x 4" x 8'-0" PRESSURE TREATED WOOD POST
PAINTED WHITE - 3'-0" DIRECT BURIAL

REMOVABLE PANEL: D/F .040 PRE-PAINTED WHITE ALUM. PANEL
w/ 3M 3630-157 SULTAN BLUE VINYL w/ WEDED WHITE COPY



INSTALLATION EXAMPLE

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4'-0" x 8'-0" Banner



3'-0" x 12'-0" Banner

S/F TEMPORARY BANNERS

scale: 1/2" = 1'-0"

4'-0" x 8'-0" Banner
3'-0" x 12'-0" Banner

NOTE TO INSTALLERS:

Four (4) trips

- 1st trip: Install the 4' x 8' post & panel Hobby Lobby site sign.
- 2nd trip: Install COMING SOON banner on the building & put Hobby Lobby COMING SOON window cling on window.
- 3rd trip: Install on the day of Grand Opening (before 9:00 am) to change Coming Soon banner and window cling to GRAND OPENING & flip site sign panel from Coming Soon to NOW OPEN.
- 4th trip: Remove banner, window cling & site sign. Patch any holes left by install of banner. Repair landscaping.

SCOPE OF WORK

1. HOBBY LOBBY WILL BE SUPPLYING THE TEMPORARY BANNERS AND WINDOW CLINGS.
2. BLAIR IMAGE ELEMENTS RESPONSIBLE FOR INSTALLING THE BANNERS.



INSTALLATION EXAMPLE



INSTALLATION EXAMPLE

TEMPORARY WINDOW CLINGS

30" x 4'-0" - Temporary Window Clings

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S4 - DETAILS

STORE #	N/A
Issue Date:	08/10/22

HOBBY LOBBY
2200 NJ 66
Neptune, NJ 07753

Blair Image Elements
5107 Kissell Avenue
Altoona, PA 16601
P: (814) 949.8287
blairimage.com

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JOBSITE CODE OF CONDUCT and BASIC EXPECTATIONS

SUBCONTRACTOR recognizes and agrees, that while it is an Independent Contractor from BLAIR and OWNER, SUBCONTRACTOR is an extension of, and representing, the OWNER as perceived by the general public, SUBCONTRACTOR, and any and all Approved Subcontractors, shall abide by the following Code of Conduct while performing WORK for BLAIR to meet the collective professionalism required by SUBCONTRACTOR, BLAIR and OWNER.

- No profanity.
- No offensive clothing.
- No smoking unless in designated area away from the work area.
- No loud music.
- No Horseplay.
- Be respectful and courteous of the location and work site, customers, patrons and the general public,
- Notify location/site manager upon arrival to and departure from site/location.
- Review work and safety plan with location/site Manager.
- Mark off work areas with cones and caution tape.
- Use proper PPE (Personal Protective Equipment).
- Maintain a clean, organized and orderly work site.
- Dispose of trash properly; recycle as able.
- Do not bring pets or animals to work site.

Active site locations are not to be left unbranded at completion of daily work schedules. Temporary Banner(s) are to be installed at designated location(s).

INSTALLATION INSTRUCTIONS

Contact your Blair Image Elements' Project Manager for full product installation instructions.

Installation instructions will also be provided on the product crate upon delivery. They will typically be in a plastic sleeve attached directly to the product crate.

All necessary hardware to be provided by installer.

COMMUNICATION and WORK IN PROCESS and COMPLETION PHOTOGRAPHS

SUBCONTRACTOR and any and all Approved Subcontractors, will at a minimum, provide routine communication to BLAIR Project Manager with respect to WORK at the site/location, including but not limited to:

- confirmation text within 15 minutes of arrival at site/location
- mid-day text providing WORK status
- text within 15 minutes of leaving site providing completed WORK status and related photographs of completed WORK and work in process
- completion photographs of lit branding elements requires either night time photographs or photographs showing illuminated LEDs or bulbs.

This communication is required by OWNER who routinely expects daily updates to WORK progress at any given site/location.

SUBCONTRACTOR and any and all Approved Subcontractors, will not begin WORK at site/location, or leave WORK site/location without first communicating with BLAIR Project Manager.

In the event there are questions, concerns, or additional direction is needed, SUBCONTRACTOR and any and all Approved Subcontractors, while on site/location will contact BLAIR Project Manager over the site/location for assistance

Upon completion of WORK, SUBCONTRACTOR and any and all Approved Subcontractors, will obtain written acceptance of completed WORK from site/location Manager and provide a copy of such to BLAIR.

SAFETY CRITERIA

All installers working for Blair must complete the Blair Safety Certification Program.

All Blair subcontractors working on a petroleum site must have a valid API Certification, follow the established guidelines set forth by API as well as follow any local, state, or federal laws.

- Perform a Pre-Task Job Safety Analysis.
- Understand how and where to obtain First-Aid and medical treatment, including CPR.
- Use the proper level of PPE per the assigned task.
- Only use tools that are unsafe working order before using them.
- Always use tools for their intended purpose and never over their safe working limit.
- Employees operating vehicles must conform to all DOT requirements as well as API regulations.
- Use proper fall arrest equipment.
- Understand the requirements for working at height on a job site.
- Properly barricade the work area from the public in accordance with Section 8 of the API guidelines.
- Only competent and trained people using approved equipment in a manner in accordance with Section 10 of the API guidelines should perform lifting duties.

Examples of Equipment Include: Personal Protective Equipment, Barricade, Crane, Hoist, Bucket Truck, Scissor Lift, Ladder, Vinyl Applicators (Squeegee or Application Liquid), Welder/Torch, and Hand Tools/Power Tools

SERVICE CONTACT

Service Contact: (814) 283-2177
 Service Hours: 8:00 am to 4:30 pm EST, Monday - Friday
 website: www.blairimage.com/support
 email: service@blairimage.com

After hours / holiday emergencies, call (800) 563-9598

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