

May 21, 2024

Neptune Township Planning Board  
25 Neptune Boulevard  
PO Box 1125  
Neptune, NJ 07754-1125

**Re: 3501 State Route 66 Redevelopment  
Preliminary and Final Major Site Plan  
Minor Subdivision Application  
Lots 12 & 13, Block 3903  
Our File: NTPB 24-07**

Dear Board Members:

Our office has received and reviewed an application for Preliminary and Final Major Site Plan approval in conjunction with the above referenced project. The following documents have been reviewed:

1. **Submitted Documents**

- Preliminary & Final Major Site Plan for 3501 State Route 66 Redevelopment, Block 3903, Lots 12 & 13, consisting of forty-eight (48) sheets prepared by John Cote, P.E., of Langan Engineering and Environmental Services, LLC, dated May 23, 2024, with no revision date.
- Steep Slope Analysis Plan for 3501 State Route 66 Redevelopment, Block 3903, Lots 12 & 13, consisting of one (1) sheet prepared by John Cote, P.E., of Langan Engineering and Environmental Services, LLC, dated May 3, 2024, with no revision date.
- Overall Tree Removal Plan for State Route 66 Redevelopment, Block 3903, Lots 12 & 13, consisting of three (3) sheets prepared by John Cote, P.E., of Langan Engineering and Environmental Services, LLC, dated May 3, 2024, with no revision date.
- Minor Subdivision Plan for 3501 State Route 66 Redevelopment, Block 3903, Lots 12 & 13, consisting of nine (9) sheets prepared by John Cote, P.E., of Langan Engineering and Environmental Services, LLC, dated May 3, 2024, with no revision date.

- Architectural Plan for Warehouse Facility, consisting of three (3) sheets prepared by Louis W. Vandeloecht, AIA, of Arco Murray, dated May 2, 2024, with no revision date.
- Architectural Plan for Proposed Retail Building for 3501 Route 66, Block 3903, Lots 12 & 13, consisting of two (2) sheets prepared by Charles P. Dietz, of The Dietz Partnership, dated May 3, 2024, with no revision date.
- Exhibit Plans for 3501 State Route 66 Redevelopment, Block 3903, Lots 12 & 13, consisting of seven (7) sheets prepared by Langan Engineering and Environmental Services, LLC, dated January 18, 2024, with no revision date.
- Stormwater Management Report for 3501 State Route 66 Redevelopment, Block 3903, Lots 12 & 13, prepared by Michael Vitello, P.E. and John Cote, P.E., of Langan Engineering and Environmental Services, LLC, dated August 26, 2022, last revised May 3, 2024.
- Stormwater Operation and Maintenance Manual for 3501 State Route 66 Redevelopment, Block 3903, Lots 12 & 13, prepared by Michael Vitello, P.E. and John Cote, P.E., of Langan Engineering and Environmental Services, LLC, dated August 26, 2022, last revised May 3, 2024.
- Circulation Impact Statement for 3501 State Route 66 Redevelopment, Block 3903, Lots 12 & 13, prepared by Langan Engineering and Environmental Services, LLC, dated May 3, 2024, with no revision date.
- Environmental Impact Statement for 3501 State Route 66 Redevelopment, Block 3903, Lots 12 & 13, prepared by Sean F. Moroski, P.P., AICP, of Langan Engineering and Environmental Services, LLC, dated September 15, 2023, with no revision date.
- Community Impact Statement for 3501 State Route 66 Redevelopment, Block 3903, Lots 12 & 13, prepared by Sean F. Moroski, P.P., AICP, of Langan Engineering and Environmental Services, LLC, dated September 15, 2023, with no revision date.
- Evaluation of Site Sound Emissions for 3501 State Route 66 Redevelopment, prepared by Albert Moawad and Benjamin C. Mueller, P.E., of Ostergaard Acoustical Associates, dated December 22, 2023, with no revision date.
- Traffic Impact Study for 3501 Route 66 Neptune Redevelopment, prepared by Daniel D. Disario, P.E. and Alan W. Lothian, P.E., of Langan Engineering and Environmental Services, LLC, dated June 1, 2023, with no revision date.

We have completed our engineering and planning review of submitted documents and offer the following comments:

2. **Completeness Review**

The Applicant has requested the following completeness waivers from the Township's Land Use Ordinance Completeness Checklist.

Testimony to be provided

- A. Ordinance Section 802.A.4.b, Soil & Erosion Sediment Control Plans and Proof – Applicant has requested a temporary waiver pending Township technical review from the Planning Board.
- B. Ordinance Section 802.A.8, Submission to Monmouth County Planning Board – Applicant has requested a temporary waiver pending Township technical review from the Planning Board.

3. **Redevelopment Plan and Agreement**

The property (±47 acres) sits at the intersection of Green Grove Road and Route 66 in the C-1 zone (with H-S Hospital Support Zone Overlay). It currently contains two commercial office structures that have been vacant for approximately 20 years. For that reason, the property is also subject to the Block 3903 Redevelopment Plan (the "Redevelopment Plan"), which was adopted by Neptune Township ("Township") Ordinance No. 21-54 on December 20, 2021.

Following the adoption of the Redevelopment Plan, the Applicant was designated as the Redeveloper of the Property by "Redevelopment and Land Transfer Agreement" dated May 3, 2024 (the "Redevelopment Agreement"). The Applicant now proposes to demolish the vacant office structures and to subdivide the property into Proposed Lot 12.01, Proposed Lot 13.01 and Proposed Lot 13.02, Block 3903, as shown on the enclosed subdivision plan. The Applicant would like to then build a warehouse on Proposed Lot 12.01, retail space on Proposed Lot 13.01, and a park on Proposed Lot 13.02, which park would be deeded to the Township for \$1.00 in a accordance with the Redevelopment Agreement.

Key comments of the Redevelopment Agreement as defined under Article III (Projection Description) page 25.

Section 3.1.4 Structures

- Retail component 15,000 square feet

- Class A storage, distribution and logistics facility comprising one (1) building which shall no more than 251,022 square feet (approximately 237,022 square storage space and 14,000 square office space).

#### **Section 3.1.4.a Sustainable Elements**

Sustainable elements such as white or reflective roofing systems, LED lighting, car charging stations, bike racks and sun shades.

#### **Section 3.1.4.b Parking**

Distribution center Facility comprising approximately 144 spaces for automobiles, 25 spaces for truck trailers and 32 loading docks to be located on the Distribution Center. The Retail Facility will have approximately 100 spaces.

#### **Section 3.4.1.c Pedestrian Route Plan**

Pedestrian walkway throughout a portion of the overall project site.

#### **Section 3.4.1.d Sidewalk**

Future sidewalk and lighting along NJ State Highway Route 66. Community benefit contribution of \$440,000.00.

#### **Section 3.1.8 Safety Features**

Installing safety fencing and gates in the public park.

#### **Section 3.1.13 Community Benefit Contributions**

Installation of a public park with playground and various equipment along with five parking spaces.

#### **Section 3.1.13.b Walkway**

Construction of a 6 foot wide walkway along Green Grove Road to provide access to park and retail area.

#### **Section 3.2 Traffic**

Truck Routing Plan to address no trucks along Green Grove Road.



4. **Site Analysis and Projection Description**

- A. The subject property, know as Lots 12 & 13, Block 3903, (formerly Block 10017, Lots 6,7 & 8) consisting of 2,063,759 square feet or 47.377 acres with frontage on Green Grove Road and NJ State Highway Route 66.
- B. The property is currently developed and contains two commercial office structures that have been vacant for approximately 20 years.
- C. The Applicant is proposing the following:

1) Warehouse on Proposed Lot 12.01

The warehouse would be used as a storage, distribution, and logistics center. It would have a footprint of  $\pm$  251,022 square feet, consisting of  $\pm$  237,022 square feet of warehouse space and  $\pm$  14,000 square feet of office space. The warehouse would include 32 loading docks, 25 trailer parking spaces, 144 non-trailer parking spaces, and other appurtenances. A loop road surrounding the warehouse would provide driveways to Route 66. The warehouse would also be enveloped by landscaping that includes both trees and a berm to serve as a buffer between the warehouse and the surrounding area.

2) Retail Space on Proposed Lot 13.01

The retail space would have a footprint of  $\pm$  15,000 square feet fronting on Route 66. It would be served by 100 parking spaces, and would be connected by driveways on both Route 66 and Green Grove Road. The current plan indicates nine (9) proposed individual retail spaces.

3) Municipal Park on Proposed Lot 13.02

The park would be for the use and enjoyment of the surrounding community and the public at large and be no less than 79,000 square feet (approximately 1.8 acres). It would be served by five parking spaces and contain a playground area and adjacent picnic area. The Applicant would also install an improved, 6-foot-wide walkway along Green Grove Road for access to the park, along with landscaping, lighting, and seating.

5. **Surrounding Uses**

Properties to the north, south and west of the site are zoned C-1 and C-3, which contains a mix of commercial land uses. Properties east of the site are zoned R-2 and contain a mix of single-family residential uses.

6. **Zoning and Land Use**

- A. In accordance with the Redevelopment Plan adopted by Ordinance No. 21-54 of the Township Committee on December 20, 2021, the Township of Neptune has determined the need of redevelopment of Block 3903, Lots 12 & 13, more commonly known as 3501 Route 66.
- B. Zoning regulations and design standards referenced from Block 3903, Lots 12 & 13 Redevelopment Plan, adopted December 2021. The Redevelopment Plan splits the subject project site into Section A (the site frontage along Route 66) and Section B (the remaining portion of the site). Per the Redevelopment Plan, the bulk requirements for Section A shall be governed by the existing requirements set forth with C-1 Planned Commercial Development Zone District and the H-S Hospital Support Zone Overlay, while the bulk requirements for Section B shall be governed by the requirements set forth within the Redevelopment Plan. Please note that portions of the development design have been governed by the process associated with the adoption of a Redevelopment Agreement for the project site.
- C. In accordance with the Redevelopment and Land Transfer Agreement dated May 3, 2024, page 4 (witnesseth) whereas (#13) the developer has agreed to the following:
- Section A Parcel into no less than 15,000 square feet of retail
  - Section B Parcel into a storage, distribution and logistics facility comprising no more than 251,022 square feet, including office space.
  - Community benefit contributions consisting of a public park and an improved walkway. As outlined in whereas (#15) the developer will subdivide and redevelop a portion of the overall project into a park for the use and enjoyment of the surrounding community and the public at large comprising no less than 79,000 square feet, (approximately 1.8 acres).

7. **Minor Subdivision**

- A. Under this application the Applicant proposes the following subdivision of Lots 12 & 13:

Existing Area

<b>Lot</b>	<b>Area (sq ft)</b>	<b>Area (ac)</b>
12	506,961	11.638
13	1,556,821	35.740
<b>Total</b>	<b>2,063,782</b>	<b>47.378</b>

Proposed Area Summary

<b>Lot</b>	<b>Area (sq ft)</b>	<b>Area (ac)</b>
12.01	1,637,472	37.591
13.01	347,227	7.971
13.02	79,083	1.815
<b>Total</b>	<b>2,063,782</b>	<b>47.378</b>

B. The new lots will be utilized as follows:

Lot	Use
12.01	Warehouse
13.01	Retail
13.02	Public Park

C. In addition to the minor subdivision the following easements will be created for access, storm water features, and utilities:

1) Lot 12.01

- Proposed pedestrian access easement to Neptune Township area = 10,681 sq ft or 0.245 ac.
- Proposed emergency access easement to Neptune Township area = 972 sq ft or 0.022 ac.

2) Lot 13.01

- Common access drive easement for Lot 13.02 utility and emergency access to Lot 12.01 area = 31,115 sq ft or 0.714 ac.
- Proposed pedestrian access easement to Neptune Township area = 2,235 sq ft or 0.051 ac.
- Proposed 6 ft wide pedestrian access easement to Neptune Township area 144 sq ft or 0.003 ac.
- Common access drive easement for Lots 12.01 & 13.02 area = 6708 sq ft or 0.154 ac.

3) Lot 13.02

- Proposed utility easement to Lot 12.01 & 13.01 area = 2,382 sq ft or 0.055 ac.

- D. Proposed lot and block numbers have been assigned by the Neptune Township Tax Assessor.
- E. Ordinance Section 512.B – requires as part of the minor subdivision, metal alloy pins of a permanent character shall be installed at all lot corners of all approved lots. The plan shall be revised to reflect this requirement.
- F. If the Applicant is proposing to perfect this subdivision by deed, the deeds and easement descriptions shall be reviewed and approved by the Board Attorney and Engineer prior to filing.

8. **Variance and Design Waivers**

- A. As outlined in the table below are the proposed bulk conditions for the site:

**Lot 12.01**

Item	Required/ Allowable	Proposed	Regulation <sup>1</sup> Reference	Condition
<b>Land Use</b>				
Principal Use	General Warehousing	General Warehousing	Redevelopment Plan Section VII	(C)
<b>Area, Bulk &amp; Yard Requirements</b>				
Min. Lot Area (AC)	2.5 AC	37.59± AC	Redevelopment Plan Section VII	(C)
Max. Floor Area Ratio	1.0	0.31	Redevelopment Plan Section VII	(C)
Min. Lot Width (FT)	500 FT	1,057.2 FT	Redevelopment Plan Section VII	(C)
Min Lot Frontage (FT)	500 FT	1,057.2 FT	Redevelopment Plan Section VII	(C)
Min. Lot Depth (FT)	600 FT	1,522 FT	Redevelopment Plan Section VII	(C)
Min. Front Yard Building Setback (FT)	30 FT	110 FT	Redevelopment Plan Section VII	(C)
Min. Side Yard Building Setback (FT)	50 FT	50.6 FT	Redevelopment Plan Section VII	(C)
Min. Combined Side Yard Building Setback (FT)	50 FT	376.5 FT	Redevelopment Plan Section VII	(C)
Min. Rear Yard Building Setback (FT)	40 FT	1,022.2 FT	Redevelopment Plan Section VII	(C)
Max. Building Coverage (%)	30%	15.3%	Redevelopment Plan Section VII	(C)
Max. Lot Coverage (%)	65%	29.3%	Redevelopment Plan Section VII	(C)
Max. Number of Stories	3	1	Redevelopment Plan Section VII	(C)
Max. Building Height (FT)	50 FT		Redevelopment Plan Section VII	(C)

**(C) Compliant (V) Variance Required (NC) Existing Non-conformity (NA) Not Applicable**

**Lot 13.01**

Item	Required/ Allowable	Proposed	Regulation <sup>1</sup> Reference	Condition
<b>Land Use:</b>				
Principal Use	Retail Stores	Retail Stores	404.04.B	(C)
Accessory Use	Parking for Principal Use	Parking for Principal Use	404.04.D	(C)
<b>Area, Bulk &amp; Yard Requirements</b>				
Min. Lot Area (AC)	2.5 AC	7.97 AC	404.04.E	(C)
Max. Floor Area Ratio	0.8	0.10	Ordinance No. 16-20	(C)
Min. Lot Width (FT)	500 FT	1,548.7 FT	404.04.E	(C)
Min Lot Frontage (FT)	500 FT	1,562.6 FT	404.04.E	(C)
Min. Lot Depth (FT)	600 FT	219 FT	404.04.E	(V)
Min. Front Yard Building Setback (FT)	50 FT	119 FT	404.04.E	(C)
Min. Side Yard Building Setback (FT)	30 FT	146.7 FT	404.04.E	(C)
Min. Combined Side Yard Building Setback (FT)	60 FT	1,222.6 FT	404.04.E	(C)
Min. Rear Yard Building Setback (FT)	40 FT	40 FT	404.04.E	(C)
Max. Building Coverage (%)	30%	4.3%	404.04.E	(C)
Max. Lot Coverage (%)	65%	26.4%	404.04.E	(C)
Max. Number of Stories	2	1	404.04.E	(C)
Max. Building Height (FT)	40 FT	26.3 FT	404.04.E	(C)
Min. Improvable Lot Area (SF)	84,900 SF	91,444 SF	404.04.E	(C)
Min. M.I.A. Diameter of Circle (SF)	189 FT	159 FT	404.04.E	(V)

**(C) Compliant (V) Variance Required (NC) Existing Non-conformity (NA) Not Applicable**

**Lot 13.02**

Item	Required/ Allowable	Proposed	Regulation <sup>1</sup> Reference	Condition
<b>Land Use:</b>				
Principal Use	Public Park	Public Park	404.04.B	(C)
Accessory Use	Parking for Principal Use	Parking for Principal Use	404.04.D	(C)
<b>Area, Bulk &amp; Yard Requirements</b>				
Min. Lot Area (AC)	2.5 AC	1.82 AC	404.04.E	(V)
Max. Floor Area Ratio	0.8	(NA)	Ordinance No. 16-20 <sup>4</sup>	(NA)
Min. Lot Width (FT)	500 FT	366.1 FT	404.04.E	(V)
Min Lot Frontage (FT)	500 FT	403.7 FT	404.04.E	(V)
Min. Lot Depth (FT)	600 FT	195.0 FT	404.04.E	(V)
Min. Front Yard Building Setback (FT)	50 FT	(NA)	404.04.E	(NA)

Min. Side Yard Building Setback (FT)	30 FT	(NA)	404.04.E	(NA)
Min. Combined Side Yard Building Setback (FT)	60 FT	(NA)	404.04.E	(NA)
Min. Rear Yard Building Setback (FT)	40 FT	(NA)	404.04.E	(NA)
Max. Building Coverage (%)	30%	(NA)	404.04.E	(NA)
Max. Lot Coverage (%)	65%	5.2%	404.04.E	(C)
Max. Number of Stories	2	(NA)	404.04.E	(NA)
Max. Building Height (FT)	40 FT	(NA)	404.04.E	(NA)
Min. Improvable Lot Area (SF)	84,900 SF	34,610 SF	404.04.E	(V)
Min. M.I.A. Diameter of Circle (SF)	189 FT	135 FT	404.04.E	(V)

(C) Compliant (V) Variance Required (NC) Existing Non-conformity (NA) Not Applicable

B. The Applicant is seeking the following bulk variances:

- 1) Proposed Lot 13.01 – A minimum of 189 ft MIA Diameter of Circle is required, where 159 feet is proposed. **A variance is required.**
- 2) Proposed Lot 13.02 – A minimum lot area of 2.5 acres is required, where 1.82 acres is proposed. **A variance is required.**
- 3) Proposed Lot 13.02 – A minimum lot width of 500 feet is required, where 366.1 feet is proposed. **A variance is required.**
- 4) Proposed Lot 13.02 – A minimum lot frontage of 500 feet is required, where 403.7 feet is proposed.
- 5) Proposed Lot 13.02 – A minimum lot depth of 600 feet is required, where 195 feet is proposed. **A variance is required.**
- 6) Proposed Lot 13.02 – A minimum improvable lot area of 84,900 square feet is required, where 34,610 square feet is proposed. **A variance is required.**
- 7) Proposed Lot 13.02 – A minimum of 189 feet MIA Diameter of Circle is required, where 135 feet is proposed. **A variance is required.**

C. The Applicant is seeking the following variance from the Redevelopment Plan:



- 1) Proposed Lot 12.01, the minimum/maximum warehouse driveway width of 35 ft/80 ft is permitted. The Applicant proposed 30 ft/75 ft. **Two variances are required.**

Article IV Zoning District Regulations

- D. Ordinance Section 412.06.A states – *No non-residential driveway shall be located within ten (10) feet of an existing adjacent residential property nor within five (5) feet of any other property line unless otherwise regulated in this Chapter.*

The Applicant proposes a commercial driveway on Lot 13.01 with a zero setback from adjacent Lots 12.01 & 13.02. **Two variances are required.**

- E. Ordinance Section 412.06.D states – *No driveway shall serve any use other than the permitted use on the lot upon which the driveway is located.*

The Applicant proposes common access driveway located on Lot 13.01 to serve adjacent Lots 12.01 & 13.02. **Two variances are required.**

- F. Ordinance Section 412.17.F states – *For uses 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. The restriction shall not apply to single-family dwelling units.*

The Applicant proposes 15,000 sq ft of retail space for proposed Lot 13.001. Under Table 4.2 Parking Regulations, retail sales and service requires one (1) space per 250 sq ft of gross floor area, (15,000 sq ft/250 = 60 spaces). The ordinance requires 60 spaces with a maximum of 72 spaces (60 x 0.20 = 12). The Applicant proposes 100 spaces which exceeds the 20% rule. **A variance is required.**

- G. Ordinance Section 412.07.B.2(c) states – *Chain link fences shall be prohibited in front yards in all zone districts.*

The Applicant proposes a chain link fence within proposed Lot 12.01 along Green Grove Road. **A variance is required.**

The Applicant proposes a chain link fence within proposed Lot 13.02 along NJ State Highway Route 66. **A variance is required.**

- H. Ordinance Section 412.12.B states – *Loading space dimensions. Standard institutional and light industrial/warehouse loading spaces shall measure*

*at least fifteen (15) feet wide by sixty (60) feet long, with a height clearance of not less than twenty (20) feet. All other loading spaces shall measure at least fifteen (15) feet wide by forty-five (45) feet long, with a height clearance of not less than fifteen (15) feet.*

The Applicant propose loading space at 13.5 feet by 60 feet for Lot 12.01. **A variance is required.**

- I. Ordinance Section 412.11 states – *Lighting shall be provided by fixtures with a mounting height not more than fourteen (14) feet or the height of the building, whichever is less, measured from the ground level to the centerline of the light source.*

The Applicant proposes a light fixture of 25 feet in height for Lot 12.01. **A variance is required.**

- J. Ordinance Section 08-44, Section 416.07.SA.1 states – *Where a lot has multiple street frontages, then two (2) freestanding signs subject to the following standards shall be permitted. Where two (2) freestanding signs are permitted by virtue of multiple street frontage, each permitted sign shall be allowed to have the maximum square footage allowed based on the formulas shown below. In addition, the sign area allowed may be transferred from one (1) sign to another; provided, that no freestanding sign shall exceed four hundred (400) square feet in area.*

The Applicant proposes three (3) freestanding signs where only one (1) would be permitted for frontage along NJ State Highway Route 66. **Two variances are required.**

- K. Ordinance Section 421.D.(a) states – *Within any development, construction on steep slopes, as defined herein, shall be in accordance with the following provisions:*

- 1) *Construction on steep slopes of fifteen (15) percent or greater, but less than twenty-five (25) percent, shall be permitted in accordance with the following regulations:*
  - a) *A maximum of thirty (30) percent of the total lot area, in this slope category may be used for construction purposes; and,*

The Applicant requires the following variances:

<b>Lot</b>	<b>Required</b>	<b>Proposed</b>	<b>Compliance</b>
12.01	30%	39.8%	Variance
13.01	30%	64.4%	Variance
13.02	30%	18.9%	Complies

The Applicant shall provide testimony on total areas.

L. Ordinance Section 421.D.1.(b) states – *Within any development, construction on steep slopes, as defined herein, shall be in accordance with the following provisions:*

- 1) *Construction on steep slopes of fifteen (15) percent or greater, but less than twenty-five (25) percent, shall be permitted in accordance with the following regulations:*
  - b) *Construction shall not result in the creation of critical slope areas.*

The Applicant requires the following variances:

<b>Lot</b>	<b>Required</b>	<b>Proposed</b>	<b>Compliance</b>
12.01	No	Yes	Variance
13.01	No	Yes	Variance
13.02	No	Yes	Variance

The Applicant shall provide testimony on the total areas to be disturbed. The map shall highlight these areas in different shade, to delineate from the areas of the map that are in wetlands.

M. Ordinance Section 421.D.2 states – *Within any development, construction on steep slopes, as defined herein, shall be in accordance with the following provisions;*

- 2) *No construction shall be permitted in critical slope areas (slopes of twenty-five (25%) percent or greater) unless all of the following criteria are met:*
  - a) *The total soil disturbance in the critical slope area of the lot is no greater than (1) cubic yard;*
  - b) *The total area of removal or disturbance of vegetation in the critical slope area of the lot is not greater than twenty-five (25) square feet;*
  - c) *The increase in impervious ground cover in the critical slope area of the lot is no greater than twenty-five (25) square feet;*
  - d) *The construction does not include the removal of any tree, having a diameter at point of measurement greater than eighteen (18) inches;*

- e) *The Applicant must demonstrate that the proposed slope disturbance is essential to a reasonable use of property.*

The Applicant requires the following variances:

<b>Lot</b>	<b>Required</b>	<b>Proposed</b>	<b>Compliance</b>
12.01	0 sq ft	13,964 sq ft	Variance
13.01	0 sq ft	12,533 sq ft	Variance
13.02	0 sq ft	0 sq ft	Complies

As outlined within the steep slope section. Testimony to be provided. The plans shall indicate where this disturbance will occur.

- N. Ordinance Section 421.E.2.a – states – *Where construction will disturb steep sloped areas and areas abutting steep slopes, the plan shall provide the following design features, as applicable to the situation:*

- 2) *An area abutting a steep slope may be disturbed or completely removed, provided:*

- a) The final grading does not result in a net increase in the total steep slope areas on the lot; and

The Applicant requires the following variances:

<b>Lot</b>	<b>Required</b>	<b>Proposed</b>	<b>Compliance</b>
12.01	No	No	Complies
13.01	No	No	Complies
13.02	No	Yes	Variance

The steep slope plan shall be updated to indicate the area that will require a variance. **Testimony to be provided.**

- O. Ordinance Section 421.G.1 states – *Maximum Height of Structural Retaining Walls. The maximum height of any structural retaining wall, section of the structural retaining wall, or tier of a structural retaining wall, shall be no greater than eight (8) feet, unless in a front yard setback area, in which case the maximum height shall be no greater than four (4) feet.*

The Applicant requires the following variances:

Maximum Retaining Wall Height

Lot	Required	Proposed	Compliance
12.01	8 ft	10 ft	Variance
13.01	8 ft	5.1 ft	Complies
13.02	8 ft	6.7 ft	Complies

Maximum Retaining Wall Height in Front Yard Setback

Lot	Required	Proposed	Compliance
12.01	4 ft	7.6 ft	Variance
13.01	4 ft	4.5 ft	Variance
13.02	4 ft	(NA)	(NA)

**(NA) not applicable**

**Testimony to be provided.**

- P. Ordinance Section 421.G.4 states – *Any combination of structural retaining wall(s) and a safety fence shall not exceed twelve (12) feet.*

Lot	Required	Proposed	Compliance
12.01	12 ft	14 ft	Variance
13.01	12 ft	9.1 ft	Complies
13.02	12 ft	10.7 ft	Complies

**Testimony to be provided.**

- Q. Ordinance Section 421.H.1 states – *Location of Structural Retaining Walls. A structural retaining wall (top or bottom) shall be located no closer to a property line than the height of the wall or wall segment closest to the property line, and the Applicant’s engineer shall certify that a failure of the structural retaining wall will not have an adverse impact on any adjoining property or public right-of-way.*

The Applicant requires the following variances:

Lot	Required	Proposed	Compliance
12.01	Height of retaining wall	0 ft	Variance
13.01	Height of retaining wall	0 ft	Variance
13.02	Height of retaining wall	5 ft	Variance

The Applicant proposes structural retaining walls along the common access roads between the various three lots. **Testimony on grading changes and need of wall shall be provided.**

Article – Performance and Design Standards

R. Ordinance Section 503.B.1 states – *Driveway and Parking Lots. All driveways and parking lots shall be suitably buffered and screened to minimize the impacts of noise, lighting and glare, exhaust fumes, views of parked vehicles and other nuisances. Buffering and screening shall minimize such impacts both from within the site itself, as well as from adjacent and nearby properties and public right-of-way as follows:*

- 1) *Buffering shall consist of a minimum ten (10) foot wide area surround all sides of a parking lot exposed to view.*

The Applicant requires the following design waivers:

<b>Lot</b>	<b>Required</b>	<b>Proposed</b>	<b>Compliance</b>
12.01	10 ft	8.3 ft	Design Waiver
13.01	10 ft	6.5 ft	Design Waiver
13.02	10	0 ft	Design Waiver

**Testimony to be provided.**

S. Ordinance Section 503.C.1 state – *Loading areas. All loading areas, including loading dock areas of buildings and driveways providing access to the same, shall be suitably buffered and screened to minimize the impacts of noise, loading and unloading activities, lighting and glare, exhaust fumes, views of loading and unloading vehicles and other nuisances. Buffering and screening shall minimize such impacts both from within the site itself, as well as from adjacent and nearby properties and public right-of-way, as follows:*

- 1) *Buffering shall consist of a minimum ten (10) foot wide area surrounding all sides of a loading area exposed to view. Where such loading area is located on a tract adjacent to a residential use or district, such buffering shall consist of a minimum twenty-five (25) foot wide area surrounding all sides of a parking lot exposed to view.*

The Applicant requires the following design waivers:

<b>Lot</b>	<b>Required</b>	<b>Proposed</b>	<b>Compliance</b>
12.01	10 ft	14.8 ft	Complies
13.01	10 ft	0 ft	Design Waivers
13.02	(NA)	(NA)	(NA)

The loading area on Lot 13.01 is set behind the retail space along the common roadway. **Testimony to be provided.**



T. Ordinance Section 509.I.1 states – *Parking Lot Landscaping. The interior area of all parking lots shall be landscaped to provide visual relief from the undesirable and monotonous appearance of extensive parking areas, and to provide shading that will reduce solar heat gain to both the surface of the parking lot and vehicles parked thereon. Such landscaped areas shall be provided in protected planting islands or peninsulas within the perimeter of the of the parking lot and shall be placed so as not to obstruct the vision of motorists. The area and types of plantings shall be provided based on the number of parking spaces in the lot, as follows:*

- 1) *The perimeter of all parking lots shall be setback from all rear and side lot lines by a minimum of ten (10) feet. Per Section 412, no individual parking space may be located within a required front setback area. Perimeter areas shall be landscaped as follows:*

For Lot 13.02, the ordinance requires minimum side and rear yard parking setback of ten (10) feet. Zero feet will be provided. The parking has been designed along the common access road. **A design waiver is required.**

U. Ordinance Section 505.B.4 states – *Design Standards. The following standards shall be used to prepare and review any development plan that involves the construction of a new driveway or the expansion or repair of an existing driveway.*

- 1) *Width. The width of driveways shall be based on the following:*

Land Use Type	One Way Traffic		Two Way Traffic	
	Minimum Width (FT)	Maximum Width (FT)	Minimum Width (FT)	Maximum Width (FT)
Single & two-family dwellings	9	18	9	18
Townhouses & apartments	15	18	18	22
All other residential	10	15	18	20
Nonresidential uses	15	18	20	24
Warehouse & light industrial uses	18	22	26	30

For Lot 13.01, the ordinance requires two-way traffic for nonresidential uses to be sett at 20 feet minimum width and 24 feet maximum width. The Applicant proposes 24 feet and 36.3 feet. **Two design waivers are required.**

- V. Ordinance Section 505.B.5 states – *Design Standards*. *The following standards shall be used to prepare and review any development plan that involves the construction of a new driveway or the expansion or repair of an existing driveway.*

1) *Grading. Driveway grades shall not exceed 6% at any point along the entire length of the driveway.*

For Lot 13.01, the ordinance requires a maximum driveway grade not to exceed 6%. The Applicant is proposing 7%. **Testimony to be provided. A design waiver is required.**

- W. Ordinance Section 509.I.1.(a) states – *Parking and Landscaping*. *The interior area of all parking lots shall be landscaped to provide visual relief from the undesirable and monotonous appearance of extensive parking areas, and to provide shading that will reduce solar heat gain to both the surface of the parking lot and vehicles parked thereon. Such landscaped areas shall be provided in protected planting islands or peninsulas within the perimeter of the parking and shall be placed so as not to obstruct the vision of motorists. The area and types of plantings shall be provided based on the number of parking spaces in the lot, as follows (see also Appendix E):*

1) *The perimeter of all parking lots shall be setback from all rear and side lot lines by a minimum of ten (10) feet. Per Section 412, no individual parking space may be located within a required front setback area. Perimeter areas shall be landscaped as follows:*

a) *Side and rear yards shall be landscaped with a combination of evergreen shrubs and deciduous trees to form a screen a minimum of six (6) feet tall at the time of planting. Buffer tree spacing for foliage similar to the White Pine shall be five (5) feet on center and similar to the Arborvitae shall be three (3) feet on center.*

For Lot 13.02, the ordinance requires a parking lot be buffered within side and rear yards with 6 feet high evergreens at three (3) feet on center. No buffer is provided for the five (5) parking spots along the common roadway. **A design waiver is required.**

- X. Ordinance Section 509.I.1.(a) states – *Parking and Landscaping*. *The interior area of all parking lots shall be landscaped to provide visual relief from the undesirable and monotonous appearance of extensive parking areas, and to provide shading that will reduce solar heat gain to both the surface of the parking lot and vehicles parked thereon. Such landscaped areas shall be provided in protected planting islands or peninsulas within the perimeter of the parking and shall be placed so as*

*not to obstruct the vision of motorists. The area and types of plantings shall be provided based on the number of parking spaces in the lot, as follows (see also Appendix E):*

- 1) *For parking lots with one-hundred (100) or more spaces, a minimum of five percent (5%) of the interior area of the parking lot shall be provided with planting islands containing a minimum of one (1) deciduous tree planted for every five (5) parking spaces. Planting islands in such parking lots shall conform to the following requirements:*
  - a) *Diamond-shaped tree islands shall be utilized between parking bays (head-to-head parking) and shall contain a minimum of thirty-six (36) square feet.*

For Lot 12.01, the ordinance requires diamond-shaped tree islands utilized between head-to-head parking bays with a minimum size diamond-shaped tree islands of 36 square feet. The Applicant proposes different style islands within the parking lot, (pill shape). **A design waiver is required.**

- Y. Ordinance Section 509.I.4(b) states – *For parking lots with one-hundred (100) or more spaces, a minimum of five percent (5%) of the interior area of the parking lot shall be provided with planting islands containing a minimum of one (1) deciduous tree planted for every five (5) parking spaces. Planting islands in such parking lots shall conform to the following requirements:*

- 1) *A landscaped island strip with a minimum width of four (4) feet shall be placed at the end of each row of parking.*

For Lot 12.01, the ordinance requires separate entrances and exits for parking areas with more than twenty-five (25) spaces. Under the developer's agreement the access for the site was established. **A design waiver is required.**

- Z. Ordinance Section 514.B.1 states – *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.*

For Lots 12.01 and 13.01 the ordinance requires separate entrances and exits for parking areas with more than twenty-five (25) spaces. Under the developer's agreement, the access for the site was established. **A design waiver is required.**

- AA. Ordinance Section 514.B.3 states – *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.*

For Lot 13.01 the ordinance requires a 10 foot setback for buildings from driveways, parking spaces and private streets. The Applicant proposed nine (9) feet within the front retail area. **A design waiver is required.**

- BB. Ordinance Section 515.A.1 states – *All nonresidential 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 minimum of a 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.*

For Lot 12.01, the ordinance requires a ten (10) foot minimum buffer surrounding all sides of the trash enclosure. The west side of the trash enclosure does not propose landscaping. **A design waiver is required.**

- CC. Ordinance Section 519.B.3(a) states – *In general, sidewalks shall be placed in the right-of-way, parallel to the street unless an exception has been permitted to preserve topographical or natural features, or to provide visual interest, or unless the Applicant shows that an alternative pedestrian system provides equally safe and convenient circulation. Sidewalks may be placed in a public access easement adjoining the right-*

*of-way in order to provide sufficient room for various functions within the right-of-way, as follows:*

- 1) *In commercial areas, the sidewalk area may abut the curb incorporating additional width for street furniture such as bus stops and shelters, planters, signage, benches, street tree planting holes and grates, newspaper vending machines, traffic control devices, light poles and similar items, provided as such items may not be set back more than four (4) feet from the curbline. A continuous clear pedestrian passageway of seven and one half (7 ½) feet in width is to be maintained when such items are utilized.*

The Applicant requires the following design waivers:

**Maximum Setback of Street Furniture from Curbline**

<b>Lot</b>	<b>Required</b>	<b>Proposed</b>	<b>Compliance</b>
12.01	4 ft	10 ft	Design Waiver
13.01	4 ft	11.3 ft	Design Waiver
13.02	4 ft	(NA)	(NA)

**(NA) not applicable**

**Testimony to be provided.**

**Minimum Clear Passageway in Front of Street Furniture**

<b>Lot</b>	<b>Required</b>	<b>Proposed</b>	<b>Compliance</b>
12.01	7.5 ft	6 ft	Design Waiver
13.01	7.5 ft	6 ft	Design Waiver
13.02	7.5 ft	(NA)	(NA)

**(NA) not applicable**

**Testimony to be provided.**

- DD. Ordinance Section 519.B.1 states – *Sidewalks. The following section provides standards for sidewalk placement and minimum sidewalk widths. The Board of Jurisdiction may require wider sidewalk widths where anticipated pedestrian traffic volumes would necessitate additional capacity. Calculations of required sidewalk widths that differ from the standards as set forth herein shall be made using the Highway Capacity Manual, latest edition, published by the Transportation Research Board.*

- 1) *Sidewalks shall be required on both sides of the street for all major arterials, minor arterial roads, collector roads and local roads in association with nonresidential development.*

For Lot 13.01, the ordinance states sidewalk shall be provided for both sides of the roadway. Under the development agreement the common

access road will have only sidewalk on one side. **A design waiver is required.**

- EE. Ordinance Section 519.B.6 states – *Handicapped passage. Sidewalks and walkways less than six (6) feet sufficient to permit the passage of two wheelchairs in opposite directions. The widened area shall be at least six (6) feet wide. In general, this requirement may be met through the intersection of driveway’s paved surfaces with sidewalks.*

For lot 13.02, the ordinance requires widening for handicap access. The Applicant does not provide ADA access widening within the park. **A design waiver is required.**

- FF. The following Section 519.B.7 states – *The following sidewalk widths for retail development shall be required:*

- 1) *Along nonresidential streets separated from the curb by at least 5 feet:* 6 feet
- 2) *Along nonresidential streets adjacent to the curb* 8 feet
- 3) *Between a main building entrance and its closest parking* 10 feet\*
- 4) *Where vehicles overhang the sidewalk* 6 feet
- 5) *Within parking areas* 4 feet
- 6) *Between buildings* 6 feet

\* *This width may be reduced to six (6) feet provide an area of at least four (4) feet in width is provided at all building foundations for landscaping.*

For Lot 13.01, the ordinance states that sidewalk width between retail and the parking shall be ten (10) feet. The Applicant proposes nine (9) feet for the front parking along the retail building. **A design waiver is required.**

- GG. Ordinance Section 521.B.4 states – *Decorative Lampposts. The exterior of a site with greater than 100 feet of street frontage shall provide decorative lampposts approximately ten (10) feet to twelve (12) feet high, spaced at intervals of approximately thirty (30) feet to forty (40) feet. The style, size, color and type of light source of such lampposts shall be determined by the Board based on existing fixtures located in other similar type developments in the Township. Lighting levels from such fixtures shall be provided pursuant to Section 511.*



For Lot 13.02, the ordinance requires decorative lamppost spacing between thirty (30) to forty (40) feet along interior walkways. The Applicant proposes to exceed the requirement with placement greater than forty (40) feet. **Testimony to be provided. A design waiver is required.**

9. **Variance Proofs**

- A. A number of “c” variances are required. There are two types of c variances with different required proofs.
- 1) Boards may grant a c (1) variance upon proof that a particular property faces hardship due to the shape, topography, or extraordinary and exceptional situation uniquely affecting the specific property.
  - 2) Boards may grant a c (2) variance based upon findings that the purposes of zoning enumerated in the MLUL are advanced by the deviation from the ordinance, with the benefits of departing from the standards in the ordinance substantially outweighing any detriment to the public good. The Supreme Court’s ruling in Kaufmann v. Planning Board for Warren Township provides additional guidance on c (2) variances, stating that “the grant of approval must actually benefit the community in that it represents a better zoning alternative for the property. The focus of the c (2) case, then, will be...the characteristics of the land that present an opportunity for improved zoning and planning that will benefit the community.”
  - 3) The Applicant must also show proof of the negative criteria for “c” variances, which requires evidence that the variance conditions do not substantially impair the intent of the zone plan or ordinance, nor cause substantial impairment of the public good.
- B. **A number of design waivers are required.** The Board has the power to grant design waivers as “exceptions” from the requirements of the Borough’s Land Use Ordinance as part of site plan review under N.J.S.A. 40:55D-51(b), as long as the exceptions are reasonable and within the general purpose and intent of the provisions for site plan review and approval, if the literal enforcement of one or more provisions is impracticable or will exact undue hardship because of peculiar conditions pertaining to the land in question.

10. **Site Plan Review**

A. **General Site Improvements**

- 1) The following General Notes shall be added to the plan.
  - a) “All proposed improvements are in accordance ADA requirements.”
  - b) “All construction shall be in accordance with Neptune Township Design Standards and Details.
  - c) “No soil shall be removed from the site without the written approval of the Director of Engineering and Planning.”
  - d) “All proposed utilities shall be placed underground.”
  - e) “All construction permits for the demolition of the structures will be obtained prior to demolition.”
  - f) “During construction, Developer shall comply with solid waste, public health and noise codes.”
  - g) A note should be added to the site plan indicating that “Any fill to be imported shall be certified clean.”
- 2) Signage
  - a) The Applicant has provided the total square footage of the proposed freestanding and wall mounted signs.
  - b) Freestanding:
    - All three (3) signs will be ten (10) feet high by twelve (12) feet four (4) inches tall.
    - Internally illuminated sign cabinet (10) feet by ten (10) feet (100 sq ft) both sides.
    - Two will be located along the driveways of Lot 13.01 (NJ State Highway Route 66).
    - The third freestanding sign will be located along the driveway of Green Grove Road, (Lot 12.01).
  - c) Wall mounted signs
    - The Applicant anticipates nine (9) retail tenant spaces along NJ State Highway Route 66 frontage.

- End cap stores will have two (2) signs at ten (10) feet in length by three (3) feet high, totaling thirty (30) square feet.
  - Internal stores will have (1) sign at eight (8) feet four (4) inches in length by three (3) feet high, totaling twenty-five (25) square feet.
  - Middle anchor store will have one (1) sign at sixteen (16) feet in length by three (3) feet high, totaling forty-eight (48) square feet.
- d) Under Ordinance Section 416.07.B Sections 1, 2 and 3, Multi-tenant retail requires the following:

Quantity = one (1) sign per tenant  
Vertical sign dimension = three (3) feet maximum  
Horizontal sign dimension = sixteen (16) feet maximum

**Testimony shall be provided. Endcap stores will require a variance to provide two (2) signs.**

- e) Secondary wall mounted signs

*Ordinance Section 411.6.07.B.3(a) – Business uses that have a side or rear building façade fronting on parking lot or face a secondary street frontage may have a secondary wall mounted sign not to exceed fifty (50%) percent 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.*

Within Lot 13.01, the two endcap retail spaces will have two (2) equal sized signs. The secondary signs will not face a public street. **Two (2) variances will be required.**

- f) Testimony shall be provided to address if the site will require directional or permanent window signs in accordance with Ordinance Section 416.07 parts E and F.

The Applicant shall provide testimony on all signs to address compliance with the ordinance.

- 3) Architectural design standards
  - a) The Applicant shall provide testimony on the following standards:
    - (1) Ordinance Section 502.B.1 Massing (a)
      - Building wall offsets shall equal a minimum of ten (10) percent of the building wall length.
      - Maximum spacing of offsets shall be forty (40) feet.
      - Minimum projection or depth of any individual offset shall not be less than two feet.
      - Roofline offsets shall be provided along any roof measuring longer than seventy-five (75) feet.
    - (2) Ordinance Section 502.B.2 Horizontal Courses
      - Building course shall be considered an integral part of the design of a building and shall be architecturally compatible with the style, materials and color should be provided.
    - (3) Ordinance Section 502.B.10 – Lighting
      - Light fixtures attached to the exterior of a building shall be designed to be architecturally compatible with the style, materials, colors, and details of such building and other lighting fixtures used on the site.
    - (4) Ordinance Section 502.B.14 – Corner Buildings
      - A building on a corner lot shall be considered a more significant structure from an urban design standpoint since such building has at least two front facades visibly exposed to the street. Such building may be designed to have additional height and architectural embellishments relating to its location on a corner lot, if deemed appropriate by the Board.

(5) Ordinance Section 515.A.5 – Refuse and Recycling

- 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 collection and any necessary storage equipment.

(6) Ordinance Section 502.B.12 – Awnings and Canopies

- The ground level of a building in a business district shall have awnings or canopies, where appropriate to complement the architectural style of a building. Awnings may also be used on the upper levels of a building, where appropriate. The design of awnings shall be architecturally compatible with the style, materials, colors, and details of such building. All signage on awnings or canopies shall conform to Article IV of this chapter.

- b) The Applicant should provide testimony as to the proposed number of tenants, the types of business, the hours of operation, and the estimated number of employees within the proposed retail site pad.

4) Retaining wall standards

The Ordinance sections 421 and 527 outline the following design standards for the proposed retaining wall to be utilized within the east side of the parking field. Testimony addressing compliance should be provided.

- a) Ordinance Section 421.I states, safety requirements of structural retaining walls. The top of any structural retaining wall, or tiered wall, with a height of greater than

four (4) feet, shall be protected through the use of fencing with a minimum height of three (3) feet or, in the alternative provide safety concerns are adequately addressed, densely planted vegetation at 50% of the full growth screening.

- b) The applicant shall provide details on fencing and/or safety landscaping proposed along the entire length of the wall. No information has been provided with the site development plans.
- c) Ordinance Section 421.J states, Design. A licensed structural or civil engineer shall design all structural retaining walls, with signed and sealed plans submitted for review and approval by the Construction Official, Borough Engineer, Planning Board Engineer or Zoning Board of Adjustment Engineer, whatever the case may be.

The applicant shall submit signed and sealed structural plans for the retaining wall in accordance with the ordinance. This shall be a condition of the approval.

- d) Ordinance Section 421.K states, Inspection. A licensed structural or civil engineer, at the cost of the applicant, shall inspect the construction of all structural retaining walls, and a signed and sealed certification that the wall has been properly constructed shall be submitted to the Construction Official upon completion of the wall.

Our office recommends this be made a condition of the approval.

- e) The applicant shall develop a design and maintenance plan following the standards outlined in Ordinance Section 527.

**B. Traffic Circulation and Parking**

- 1) The Applicant has provided a Traffic Impact Assessment in accordance with Ordinance Section 811. The Applicant shall provide testimony with regards to peak traffic impacts to local roadways prior to and after build conditions. Testimony should include the number of daily trips and level of service.
- 2) The Applicant proposes the following traffic access for the development.



The proposed site access is via two right-in/right out, stop-controlled driveways along Route 66, with alternative access on Green Grove Road via one stop-controlled driveway, which would provide full ingress and right-out only egress. The westernmost driveway along Route 66 will serve as the primary truck access for the warehouse. The proposed right-in/right-out driveway configuration along Route 66 is consistent with the New Jersey Department of Transportation (NJDOT) Route 66, Section 1 project that includes future widening across the site frontage.

3) Proposed Street System

The project does not propose new streets. Common access driveways have been established and truck traffic will be prohibited along Green Grove Road. The Master Plan Re-examination Report has identified Route 66 and Green Grove Road as follows:

- Route 66: Classified by the Circulation Element as a major arterial that is under the NJDOT jurisdiction. Major arterials function as high-volume roadways that link various destinations in the Township and neighboring municipalities. Route 66 has a general east-west orientation and provides one travel lane in each direction. The posted speed limit is 50 miles per hour (mph).
- Green Grove Road: A Township roadway classified by the Circulation Element as a collector road. The roadway has a general north-south orientation and provides one travel lane in each direction. The posted speed limit is 25 mph.

4) The following peak trip generation is proposed for the development.

**Existing Office Trip Generation Estimates**

Use	Weekday AM Peak Hour			Weekday PM Peak Hour		
	In	Out	Total	In	Out	Total
114,000 SF Office Space	148	20	168	28	134	162

The above chart is currently for the 114,000 square foot of office space.

**Trip Generation Estimate**

Use		Weekday AM Peak Hour			Weekday PM Peak Hour		
		In	Out	Total	In	Out	Total
251,000 SF Warehouse	Passenger Vehicle	35	18	53	12	40	52
	Truck*	3	2	5	4	4	8
		8	6	14	63	15	144
<b>Total Trips</b>		<b>46</b>	<b>26</b>	<b>72</b>	<b>85</b>	<b>119</b>	<b>204</b>
Retail Pass-By Trips		--	--	--	-24	-25	-49
<b>Total New Trips</b>		<b>46</b>	<b>26</b>	<b>72</b>	<b>61</b>	<b>94</b>	<b>155</b>

\* Truck peak hour rates from the ITE Supplement – 0.02 AM peak hour and 0.03 PM peak hour.

The Applicant has noted that the above calculated rates utilize trip generation estimates for the truck trip and pass-by percentages of 0% for the weekday morning peak hour and 34% for the weekday evening peak hour for the retail portion of the site. **Testimony to be provided.**

- The Applicant has provided a comparison of the existing development to the proposed redevelopment. The comparison shows the trip that will be generated with the new uses.

**Trip Generation Comparison**

Use	Weekday AM Peak Hour			Weekday PM Peak Hour		
	In	Out	Total	In	Out	Total
114,000 SF Office Space	148	20	168	28	134	162
Proposed Redevelopment	46	26	72	85	119	204
<b>Difference</b>	<b>-102</b>	<b>+6</b>	<b>-96</b>	<b>+57</b>	<b>-15</b>	<b>+42</b>

The weekday AM peak hour will be 96 trips less than the existing use, likewise the weekday PM peak hour will have 42 more trips than the existing use. **Testimony to be provided.**

- The Traffic Impact Study has indicated the proposed level of service for the site.

**Intersection Capacity Analysis Summary**

Location	Movement	2025 No-Build Condition		2025 Build Condition		
		AM	PM	AM	PM	
<b>Signalized Intersections</b>						
NJ Route 66 and Green Grove Road	EB	L	C (24.9)	E (56.9)	C (24.0)	E (58.8)
		T,R	C (32.3)	C (29.5)	C (32.9)	C (26.5)
	WB	L	A (9.4)	A (9.4)	A (9.4)	A (8.3)

		T,R	B (19.0)	C (31.6)	B (18.3)	C (28.9)
	NB	L	D (45.8)	D (46.2)	D (46.3)	D (54.9)
		T,R	D (35.2)	C (30.0)	C (34.0)	C (32.7)
	SB	L	C (24.6)	C (24.5)	C (24.7)	C (27.2)
		T,R	C (21.8)	C (27.3)	C (22.3)	C (30.8)
	<b>Overall</b>		<b>C (26.7)</b>	<b>C (30.9)</b>	<b>C (26.7)</b>	<b>C (30.1)</b>
<b>Unsignalized Intersections</b>						
NJ Route 66 and WaWa Driveway/ Site Driveway West	EB	L	A (9.1)	B (10.6)	--	--
	WB	L	A (9.8)	A (9.5)	A (9.6)	A (9.5)
	NB	L,R	C (17.5)	D (31.2)	C (16.5)	E (36.4)
	SB	L,R	B (13.6)	F (60.5)	--	--
		R	--	--	B (14.3)	C (21.4)
NJ Route 66 and Holiday Inn Driveway/ Site Driveway East	EB	L	A (9.7)	B (10.7)	--	--
	WB	L	A (9.4)	A (9.3)	A (9.4)	A (9.3)
	NB	L,R	D (26.0)	D (30.1)	C (23.1)	D (27.5)
	SB	L,R	B (14.7)	C (21.4)	--	--
		R	--	--	B (14.6)	C (19.7)
Green Grove Road and Site Driveway North	EB	L,R	B (11.3)	B (11.1)	--	--
	NB	L	A (7.8)	A (7.7)	--	--
Green Grove Road and Site Driveway South	EB	L,R	A (9.3)	A (9.7)	--	--
		R	--	--	A (9.4)	A (9.8)
	NB	L	A (7.7)	A (7.7)	A (7.7)	A (7.8)

Within the build condition of north bound unsignalized intersection at NJ Route 66 and WaWa driveway/site driveway west will operate at a level service of E post construction. **Testimony to be provided.**

- 7) The Applicant shall provide testimony on the tentative truck delivery for the site. Testimony should be provided to address the effects on traffic circulation, schedule time of deliveries, and loading zone operations for each site pad in accordance with Ordinance Section 412.12.A.
- 8) The Applicant should be prepared to discuss the following:
  - a) Unloading area, effects on traffic circulation, schedule time of deliveries, and shipments
  - b) Hours of deliveries
  - c) Type of delivery truck
  - d) During delivery, testimony should be provided whether or not trucks remain idle or if the engine is running.

- e) Hours of operation
- 9) Site triangles and associated easements in accordance with the NJDOT shall be shown on the plans. All proposed site triangles and associated easements will be required to comply with the Township of Neptune regulations in Ordinance Section 520.b and the NJDOT.
- 10) In accordance with Ordinance Section 412.17, Table 4-2, the following parking spaces are required:

Use	Required	Square Footage on Site	Required	Provided
Office Lot 12.01	1 space per 300 sq ft	14,000 sq ft	47	--
Warehouse Lot 12.01	1 space per 2,500 sq ft	237,022 sq ft	95	--
Lot 12.01	--	--	142	144
Retail Lot 13.01	1 space per 250 sq ft	15,000 sq ft	60	100
Parking Lot 13.02	(NA)	(NA)	(NA)	5
		<b>Total</b>	<b>202</b>	<b>249</b>

The Applicant provides 100 parking spaces for the retail site pad, where 60 spaces are required and a 72 space overage is allowed. **A variance is required under Ordinance Section 412.17.F as outlined within the variance and design waiver section of this report.**

- 11) The plans shall be submitted to the Neptune Township Fire Officials to address the fire lanes, hydrant connections (if required) and directional markings.
- 12) The Applicant shall provide testimony to address the truck routing plan that was developed within the redevelopment agreement.

**C. Drainage and Stormwater Management**

- 1) The proposed redevelopment includes the construction of:
  - A 251,022 ± square foot warehouse with 32 loading docks and 25 trailer parking spaces;
  - A 15,000 square foot retail building with an open space amenity area; and,

- Associated driveways, sidewalks, car parking areas, stormwater and utility infrastructure, and landscaping.

The proposed redevelopment increases regulated motor vehicle surfaces by more than one-quarter acre and disturbs more than one acre of land; therefore, this project is considered a “major development” from a stormwater management perspective, and the proposed design is required to address stormwater quantity, quality, and groundwater recharge requirements. The proposed stormwater management system consists of the following:

- A subsurface conveyance system consisting of inlets, manholes, and pipes to convey stormwater runoff from the 25-year design storm event.
- 4 small-scale bioretention basins;
- 2 small-scale infiltration basins
- 1 large-scale infiltration basin; and
- 1 porous asphalt pavement system.

In accordance with the New Jersey Department of Environmental Protection Stormwater rules (NJAC 7:8), the project must comply with Best Management Practices and Neptune Township Stormwater Ordinance in regard to meeting the goal of maintaining natural hydrology to reduce stormwater runoff volume, reduce erosion, encourage infiltration and groundwater recharge and reduce pollution.

- 2) The Applicant has designed the Stormwater Management System to address the NJDEP BMP Manual and Neptune Township Stormwater Management Ordinance, Section 528, (amended under Ordinance No. 21-07), adopted on March 8, 2021. The Applicant must address.
  - a) Stormwater Runoff Quantity Standards – under Ordinance Section 529.F.B.(3)c(1) and amended Ordinance No. 21-07. Section IV, Part R, the Applicant proposes the following stormwater pre vs. post construction runoff rates:

Point of Analysis	Existing Peak Discharge			Allowable Peak Discharge			Propose Peak Discharge		
	2 yr	10 yr	100 yr	2 yr	10 yr	100 yr	2 yr	10 yr	100 yr
POA – 1A	19.47	30.31	55.03	19.47	30.31	55.03	7.96	12.30	22.15
POA – 1B	11.33	17.64	31.46	11.33	17.64	31.46	4.62	10.02	31.19

POA – 1	30.86	48.05	86.67	15.43	36.03	69.37	12.14	21.45	52.47
POA – 2	0.99	1.54	3.29	0.99	1.54	3.29	0.72	1.11	2.76
POA – 3	0.12	0.19	1.09	0.12	0.19	1.09	0.12	0.19	0.68
POA – 4	0.14	0.21	0.47	0.14	0.21	0.47	0.00	0.01	0.24

- b) Two small-scale infiltration basins, 4 small-scale bioretention basins, and 1 large-scale infiltration basin are proposed in order to meet the stormwater quantity requirements. According to N.J.A.C. 7:8-5/2/(f) small-scale infiltration bioretention basins qualify as green infrastructure BMP's that may be utilized for stormwater quantity, stormwater runoff quality, and groundwater recharge without a waiver or variance, while large-scale infiltration basins qualify as green infrastructure BMP's that may be utilized for stormwater quantity without a waiver or variance.

Routing calculations have been provided in order to demonstrate that the basins have adequate storage capacity to safely convey storm events up to the 100-year design storm. Emergency spillway calculations have also been provided to demonstrate that there is a clear means of safely directing and passing the 100-year design storm event should there be a complete failure of the outlet control structure. **Testimony to be provided.**

- c) Quality Control BMP Summary

For small-scale infiltration basins, the following parameters must be met as part of the system design as per Chapter 9.8 of the New Jersey BMP Manual; all design criteria has been met - refer to calculations in the appendices of this report as well as the design drawings;

- Maximum contributory drainage area 2.5 acres
- Minimum distance between basin bottom and seasonal high groundwater/bedrock; 2 feet
- Maximum water quality design storm event water depth: 24 inches
- Maximum design storm drain time: 72 hours

Exfiltration credit is not being taken for the design of the small-scale infiltration basins; therefore, pre-treatment of stormwater runoff is not required.

For small-scale bioretention basins, the following parameters must be met as part of the system design as per

Chapter 9.7 of the New Jersey BMP Manual; all design criteria has been met – refer to calculations in the appendices of this report as well as the design drawings:

- Maximum contributory drainage area: 2.5 acres
- Minimum distance between basin bottom and seasonal high groundwater/bedrock: 1 foot
- Maximum water quality design storm event water depth: 12 inches
- Maximum design storm drain time: 72 hours

The bioretention basins will be under-drained due to soils that are mostly unsuitable for infiltration due to poor field-tested percolation test results of less than 1 inch per hour in various areas across the site.

For large-scale bioretention basins, the following parameters must be met as part of the system design as per Chapter 10.2 of the New Jersey BMP Manual; all design criteria has been met – refer to calculations in the appendices of this report as well as the design drawings:

- Minimum storage volume below first orifice: entire water quality design storm volume
- Minimum distance between basin bottom and seasonal high groundwater/bedrock: 2 feet
- Maximum design storm drain time: 72 hours

Per NJDEP stormwater rules, the large-scale infiltration basin is only being utilized to meet quantity control standards; although the basin is being designed to meet applicable water quality standards, will provide groundwater recharge, and has been analyzed for groundwater mounding impacts, no water quality treatment or groundwater recharge volume credit area being taken for this BMP. Furthermore, per BMP Manual guidelines, exfiltration cannot be used in routing calculations.

The proposed porous pavement system consists of a porous asphalt surface, a choker course that will filter pollutants, and an underlying stone storage bed subbase. The stone storage bed layer of the porous pavement system has been adequately sized to route the 100-year design storm event; therefore, there is more than adequate capacity to store the water quality storm event runoff volume, this meeting the criteria to achieve 80% TSS removal. Each porous pavement system has been designed to meet the criteria set forth in Chapter 9.6 of the BMP manual. The maximum area of additional inflow into each system is less than three



times the bottom area of the system. Each porous pavement system will be designed with an underdrain, rather than infiltrate into the underlying soil; therefore, the minimum distance required between the bottom of the system and the groundwater table and bedrock is 1 foot per Chapter 9 of the BMP Manual. The underdrain systems have been sized so that the storage beds drain well under the maximum allowable 72 hour drawdown time.

**Testimony to be provided**, the Applicant has provided the following chart for compliance:

<b>Proposed BMP Design Summary</b>					
<b>BMP</b>	<b>Contributory Drainage Area<sup>1</sup>(AC)</b>	<b>WQDS Water Depth (FT)</b>	<b>Test Pits &amp; Borings<sup>2</sup></b>	<b>Bottom of BMP EL.<sup>3</sup></b>	<b>Groundwater or Mottling EL.</b>
SSIB-1A	2.41	0.60	TP-1, B1	88.50	76.0
SSBB-1B	2.40	0.95	B-2, B-3	91.25	82.0 <sup>4</sup>
SSIB-1D	1.21	1.05	B-7, B-8	90.75	88.0
SSBB-1E	0.73	0.80	B-9, B-10	81.75	73.0
SSBB-1F	0.62	0.85	B-11, B-12	82.25	78.0
SSBB-1G	2.16	1.00	TP-3, B-19, B-20	80.25	77.0
LSIB-1H	4.71	0.80	B-21, B-22, B-23, B-24, B-25, B-26, B-27, B-28	83.50	78.0
Porous Asphalt System 1	0.46	(NA)	B-15, B-16	85.25	81.0

**D. Stormwater Quality Treatment**

The project site is not subject to water quality treatment requirements as the development results in a decrease in regulated motor vehicle surface coverage. In accordance with N.J.A.C. 7:8-5.5(a), major developments are subject to providing water quality treatment when the development results in an increase of one-quarter acre or more of regulated motor vehicle surface. In the existing condition, there area approximately 7.48± acres of regulated motor vehicle surface, and in the post-construction condition, there are approximately 6.93± acres of regulated motor vehicle surface; refer to Figure 8 – Existing Regulated Motor Vehicle Surface Map and Figure 9 – Proposed Regulated Motor Vehicle Surface Map for delineations.

Although the project is not subject to providing water quality treatment, the stormwater BMPs for the project site must nevertheless be designed in

accordance with the standards and regulations set forth in Chapter 9 of the BMP Manual and provide water quality treatment. **Testimony to be provided.**

E. **TSS Removal**

The proposed stormwater quality BMPs that have been chosen for the project design consist of small-scale bioretention basins, small-scale infiltration basins, and a porous asphalt pavement system. Each of these BMPs achieves 80% TSS removal according to Chapter 9 of the BMP Manual.

The small-scale bioretention basins have been designed to achieve 80% TSS removal, meaning that they have designed to store the entire water quality design storm event runoff volume below the first orifice opening of the outlet control structure, with the water surface elevation not exceeding 12 inches. The basins have been designed in an online configuration, and routing calculations have been provided for the 2-, 10- and 100-year design storm events to show that the basins have been adequately sized to pass the larger design storm events safely through.

Each bioretention basin meets the criteria set forth in Chapter 9.7 of the BMP Manual for receiving TSS removal credit; refer to calculations in Appendix E.

The small-scale infiltration basins have also been designed to achieve 80% TSS removal, meaning that they have been designed to store the entire water quality design storm event runoff volume below the first orifice opening of the outlet control structures, with the water structure elevations not exceeding 24 inches. The basins meet the criteria set forth in Chapter 9.8 of BMP Manual for receiving TSS removal credit; refer to calculations in Appendix E.

The porous asphalt pavement system has been designed to achieve 80% TSS removal, meaning that the inflow drainage area is less than three times the area of the porous asphalt, and that the stone storage bed has adequately sized to store the volume of the water quality design storm event. The porous asphalt pavement system meets all of the design criteria set forth in Chapter 9.6 of the BMP Manual. **Testimony to be provided.**

F. **Groundwater Recharge Volume Analysis**

The post-development annual groundwater recharge deficit for the project site is calculated to be 22,832 cubic feet.

For the project site, combined proposed annual post-construction groundwater recharge volume between small-scale infiltration basin 1A and small-scale basin 1D was calculated to be approximately 282,045 cubic feet, which exceeds to the post-development annual groundwater recharge volume deficit of 224,832 cubic feet. **Testimony to be provided.**

G. **Non-Structural Stormwater Management Strategies**

Nonstructural strategies were analyzed and implemented to the maximum extent practical for this project.

As per NJAC 7:8-5.3(b), there are nine nonstructural strategies:

- 1) Protect areas that provide water quality or are susceptible to erosion;
- 2) Minimize, break up and/or disconnect impervious surfaces;
- 3) Maximize protection of natural drainage features and vegetation;
- 4) Minimize decrease in time of concentration;
- 5) Minimize land disturbance, clearing and grading;
- 6) Minimize soil compaction;
- 7) Provide low maintenance vegetation;
- 8) Provide vegetated conveyance systems; and,
- 9) Provide pollutant source controls.

H. The Applicant shall provide a stormwater maintenance manual in accordance with NJDEP BMP standards. Within the manual, the following maps (11" x 17") shall be provided:

- 1) Utility Plan
- 2) Landscape Plan and Details
- 3) Soil Erosion Seeding Notes
- 4) Porous Asphalt Maintenance

The report should also address the use of fertilizer, riparian areas, and vegetation.

I. The following notes shall be added to the Grading and Drainage Plan:

- 1) Stormwater management facilities shall be regularly maintained to ensure they function at design capacity and to prevent health hazards associated with debris buildup and stagnant water.
- 2) Responsibility for operation and maintenance of the stormwater facilities, including periodic removal and disposal of accumulated particulate material and debris, shall remain with the owners or

owners of the property. Maintenance shall follow the operations maintenance manual approved by the Neptune Township Planning Board.

- 3) In the event that the facility becomes a danger to public safety or public health, or if it is in need of maintenance. The owner shall affect such maintenance and repair of the facility in a manner that is approved by the Township Engineer.

J. As outlined under Ordinance 21-07, Section IV, Part M – Any stormwater Management Measure authorized under the Municipal Stormwater Management Plan or Ordinance shall be reflected in a deed notice recorded in the Office of the Clerk of the County of Monmouth. The Township will require quarterly reports of drainage maintenance as compliance of this approval and Maintenance Manual.

**K. Utilities**

- 1) The Applicant has provided the following proposed utility schematics with the Utility Plan Sheet:
  - a) Domestic water service
  - b) Gas service
  - c) Sewer service
- 2) In accordance with Ordinance Section 526, all utility services shall be placed underground.
- 3) The Applicant shall provide testimony and construction details with regard to housing for the domestic and fire backflow preventers.
- 4) The regard to sanitary sewer improvements, the Applicant shall comply with the following:
  - a) The Applicant should obtain Township of Neptune Sewerage Authority (TNSA) approval for proposed sewer connection.
  - b) Flow calculations should be provided for the facility, calculations shall be submitted regarding proposed flow and capacity of existing system.

L. **Environmental Impact**

- 1) The Applicant is required to provide testimony for the Environmental Impact Statement in compliance with the Township of Neptune Land Development Ordinance No. 4-23; Section 2 entitled “Environmental Impact System”. The Applicant shall provide testimony with regard to the following:
  - a) Testimony shall be provided to address recycling and solid waste disposal for the site.
  - b) 100 foot wide Jersey Central Power and Light Co., utility right-of-way. Construction, improvements and agreements within the right-of-way should be discussed. A copy of the agreement between the Applicant and utility company should be provided.
  - c) The project site is in the Jumping Brook HUC.14 watershed – Jumping Brook traverses the southwest corner of the project site and along its western lot line according to its Surface Water Quality Standards, the New Jersey Department of Environmental Protection classifies Jumping Brook as a freshwater non-trout water.
  - d) The western section of the project site is in Zone AE, a 100-year flood associated with Jumping Brook, at elevation E1 71.4 NAVD 1988. Based on the Route 66 elevation and assumed grading based on the future Route 66 widening, the western driveway on Route 66 will be more than one foot below the flood hazard area elevation.
  - e) According to the NJDEP Natural Heritage Program’s (NAP) landscape project data, potential foraging habitat for black-crowned night-heron is mapped in the western section of the project site along the Jumping Brook riparian corridor. NJDEP has confirmed habitat mapping.
  - f) The southwest corner of the project site, where no improvements are proposed, is in Historic Archaeological Site Grid EX157. **Testimony to be provided.**
  - g) The Applicant should also provide testimony to address relaxed key elements of the Environmental Impact Ordinance Section 811.01 with regards to noise, lighting, air pollution and impacts of water quality from the proposed parking lot.

- h) The environmental report does not address the removal of the existing building and any environmental findings of material removed from the site.
- i) The Applicant shall address proposed work within the wetlands buffer and provide permitting approval from the NJDEP. compliance with Ordinance Section 510.B should be addressed.

**M. Lighting and Landscaping**

- 1) The following notes shall be added to the Lighting Plan:
  - a) Security lighting with times shall be provided on all or a portion of the site reducing the average illumination to the minimum requirements of the ordinance within one hour after close of business or before midnight, whichever occurs earlier.
  - b) The use of high-pressure sodium lighting shall be prohibited for all fixtures.
  - c) All lighting shall provide for non-glare lights focused downward.
- 2) The landscaping table shall be revised to address fall planting hazard per Ordinance 509.G.
- 3) A tree removal permit shall be obtained from the Township Conservation Office prior to any tree removal. Applicant's compliance with replacement tree requirements shall be provided during testimony.
- 4) The Applicant shall address the Environmental and Shade Tree Commission concerns on non-native invasive plants and trees that will require higher maintenance issues.
- 5) Testimony should be provided to address the effects of off-premise lighting in accordance with Ordinance Section 511.C. The plan indicates lighting level intensity beyond the project limits.
- 6) Additional driveway buffering shall be provided in accordance with Ordinance Section 503.B.

- 7) The Applicant's Landscape Architect shall discuss compliance with ordinance section 509.L in regard to windbreaks and reduced solar heat gain during summer months.
- 8) The Applicant shall shield all parking lot lighting spillage from adjacent properties.
- 9) The following notes shall be added to the Landscape Plan:
  - a) "Only nursery-grown plant material shall be utilized" per Ordinance Section 509.E.
  - b) "All landscaped areas shall be well maintained and kept free of all debris, rubbish, weeds, tall grass, other overgrown conditions and storage of any equipment or materials" per Ordinance 509.E.
  - c) "The developer shall be required to replace dead or dying plant material for a period of two zoning permits for occupancy and shall post a maintenance guarantee for such pursuant to Article X of this ordinance" per Ordinance Section 509.F.
  - d) "All plantings shall be installed free from disease in a manner that ensures the availability of sufficient soil and water for healthy growth is not intrusive to underground utilities.

**N. General Site Improvements**

- 1) The Applicant shall revise the coversheet to address the following:
  - a) The authorized agent for the Owner/Applicant notarized signature block should appear on the cover sheet.
- 2) The following General Notes shall be added to the plan:
  - a) "All proposed improvements are in accordance with ADA requirements."
  - b) "All construction shall be in accordance with Neptune Township Design Standards and Details."
  - c) "No soil shall be removed from the site without the written approval of the Director of Engineering and Planning.



- d) “All proposed utilities shall be placed underground”
  - e) “Any existing sidewalk damaged during construction will be replaced by the Applicant as directed by the Township Engineer.”
  - f) “During construction, the Applicant shall comply with solid waste public health noise codes.”
  - g) All concrete shall be specified at 4500 psi at 28 days.
- 3) The Applicant shall address the need for a dumpster enclosure in accordance with Ordinance 515.
  - 4) The plans indicate the site has trailers, please address use in accordance with Ordinance 07-25 and Ordinance 16-23.

11. **Community Impact Analysis**

- A. The Community Impact Statement has identified the following:
  - 1) The report utilizes the FY2023 Township tax rates and budget information. The estimated assessed value of the project was determined using the equalization ratios for the Monmouth County Board of Taxation.
  - 2) The project is nonresidential, with no residents directly attributable to the project.

**USE 1A Estimated Number of Employees**

Use Type	Mean Sq ft	Sq Ft	Estimated Employees
Warehouse Including Office	2,222	251,022	113 (125)
Retail	992	15,000	16 (25)
		<b>Total</b>	<b>129 (150)</b>

150 employees will serve as the baseline to determine service costs.

3) **Current 2022 Tax Rate:**

Tax Type	Tax Rate	Tax Amount
Municipal General Purpose	\$0.643	\$36,971
Municipal Library	\$0.031	\$1,782
School District	\$0.927	\$53,301

County General Purpose	\$0.197	\$11,327
County Health	\$0.004	\$230
County Open Space	\$0.026	\$1,495
General Tax Rate	\$2.680	\$105,106

4) **Estimated Property Tax Rate**

Tax Type	Tax Rate	Tax Revenue
Municipal General Purpose	\$0.643	\$324,554
Municipal Library	\$0.031	\$15,647
School District	\$0.927	\$467,903
County General Purpose	\$0.197	\$99,436
County Health	\$0.004	\$2,019
General Tax Rate	\$2.680	\$922,683

5) **Community Impact (Neptune Township)**

Municipal General Tax Revenue	\$324,554
Municipal Service Cost	-( \$27,000)
Municipal Library Tax Revenue	\$ 15,647
Fiscal Impact	+\$313,201
School District Tax Revenue	+\$467,903
Fiscal Impact	+\$467,903
<b>Total Benefit</b>	<b>\$781,104</b>

**Testimony of Community Impact shall be provided.**

12. **Noise Sound Emission Impact**

- A. The Applicant has to provide a noise study to address onsite operations for the proposed warehouse. **Testimony to be provided.**
- 1) Future tenants are unknown, but the site has potential to operate around the clock.
  - 2) Site will contribute a steady sound from rooftop HVAC and intermittent sound from truck activity.
  - 3) State of New Jersey Noise Control Regulation found at NJAC 7:29 generally requires that steady sound from commercial or industrial properties contribute no more than 65 dB(A) at or within the property line of any residential or commercial receptor.
  - 4) During the nighttime hours (2200 to 0700 hours) the limit drops to 50 dB(A) at residential receptors, while the limit for commercial receptors remains the same.

- 5) Neptune Township Police Regulations Section 3-1 specifically prohibited acts that pertain to the site include excessive noise in connection with construction before 0800 hours or after 1900 hours and 1600 on specific Saturdays.
- 6) State noise codes should not exceed 50 dB(A) limit during nighttime hours at the façade of nearby residential dwellings, and 65 dB(A) at residences during the daytime and at nearby commercial properties at all times.
- 7) Report findings:
  - a) HVAC sound levels off-site receptors are in the range of 35 to 45 dB(A).
  - b) Truck – maximum off-site sound levels at residential receptors and noise sensitive receptors are at or below the daytime noise codes limit for all locations with maximum sound level of 65 dB(A). **Testimony to be provided.**

13. **Conditions of Approval**

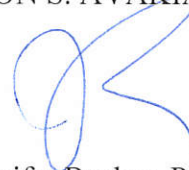
- A. NJDEP Wetlands
- B. NJDEP Flood Hazard Area Permit
- C. NJDOT Roadway Opening
- D. Freehold Soil Conservation
- E. Monmouth County Planning Board
- F. New Jersey American Water
- G. Neptune Township Developers Agreement
- H. Township of Neptune Sewerage Authority
- I. Neptune Township Sewer Department
- J. Neptune Township Tree Removal Permit/Replacement Tree Fees
- K. Neptune Township Fire Official
- L. The Applicant shall secure all Township permits, for road opening, water sanitary gas and electric.
- M. Performance guarantees and engineering inspection fees
- N. Payment of Affordable Housing Contribution in accordance with Ordinance Section 1001.
- O. Signed and sealed structural retaining wall plan
- P. structural retaining wall maintenance plan
- Q. Escrow to address inspection of structural retaining wall

Our office recommends the above completeness waivers be reviewed by the Planning Board prior to issuing our letter of completeness.

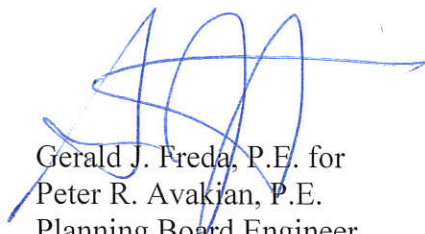
Should you have any questions or require additional information regarding this matter, please contact our office.

Very truly yours,

LEON S. AVAKIAN, INC.



Jennifer Beahm, P.P.  
Planning Board Planner



Gerald J. Freda, P.E. for  
Peter R. Avakian, P.E.  
Planning Board Engineer

MM/mcs

cc: Kristie Dickert, Administrative Officer  
Joanne Vos, Esq., Township Redevelopment Attorney  
Patrick J. McAuley, Esq., Applicant's Attorney  
John Cote, P.E., Applicant's Engineer  
Charles P. Dietz, AIA, Applicant's Architect  
Gregg Woodruff, P.P., AICP, Applicant's Planner  
Gregory Williams, Applicant

NTPB/24/24-07