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Heather Kepler, Citizen Board Administrator
Neptune Township Planning Board
25 Neptune Blvd, PO Box 1125
Neptune, New Jersey 07753
732-988-5200 Ext. 270
hkepler@neptunetownship.org

November 14, 2025

Sent Via e-mail jsk@ansell.law and First Class Mail

Jennifer S. Krimko, Esq.
Ansell Grimm & Aaron
1500 Lawrence Avenue
Ocean, New Jersey 07712

**Re: Application PB25/09 – 404 Highway 35 SO
Application Deemed Complete ~ Planning Board
Hearing Scheduled for January 28, 2025 at 7:00
PM Preliminary, Final, Major Site Plan – B&B
Commercial LLC Block(s) 407, Lot(s) 1 – 404
Highway 35 SO**

Dear Ms. Krimko:

You are hereby notified that your client's application has been deemed complete and has been scheduled for a public hearing before the Neptune Township Planning Board. Your hearing has been scheduled for Wednesday, January 28, 2025 to begin at 7:00 P.M. and will be held in the Municipal Complex, 2nd floor Committee Meeting Room, 25 Neptune Blvd, Neptune New Jersey. You must be present at the hearing.

It is recommended that you consult and/or retain the proper professionals (i.e., engineers, planners, architects, etc.) in order to provide the Board with sufficient testimony in order for the Board to make an informed decision on your application.

Briefly, you are required to:

1. Notify all property owners within 200 feet of your property (please refer to the list enclosed), at least ten [10] days prior to the public hearing date in accordance with MLUL Section 40:55D-12. The property owner list may be obtained by submitting your request for same to the Municipal Clerk along with the required \$10.00 fee for processing.
2. Failure to give notice to any property owner not on the list furnished by the Neptune Tax Assessor will not invalidate the hearing or proceeding; however, failure to give notice to the property owners on the list will invalidate the hearing.
3. Public hearing notice and notice to homeowners/property owners must specify all variances requested such as: front, rear, or side yard setbacks, and/or proposed use of the property. List proposed setbacks and setbacks that are required by the Land Use Ordinance. Block(s) and Lot(s) of the property, street address, and any pertinent information in connection with the application before the Board must be stated. Notice is not acceptable with vague information; your proposal should be clearly understood in its entirety as set forth in your application.

4. Publish a notice in one of the official newspapers, which are the Asbury Park Press or the Coaster (located at 1011 Main Street, Asbury Park, NJ 07719), at least ten (10) days prior to the public hearing. We recommend notice be provided prior to the ten (10) day period so it may be inspected by the Board Attorney for deficiencies which may allow you ample time to correct same and still be heard at your regularly scheduled hearing. Please note the Coaster only publishes weekly. Please contact the Asbury Park Press and/or the Coaster for their deadline schedule. This is the responsibility of the applicant. Enclosed are samples for your assistance which must be modified to suit your individual application.

As required by NJSA 40:55D-12(h), applications before the Board for major and/or minor site plans, minor and/or major subdivision, applicants must notify public utility companies within 200 feet of your property. You are also required to submit a sworn affidavit of proof of service to this office (see enclosed). All information regarding the noticing of the property owners and the publication must be filed with the Land Use Office by January 18, 2025.

The items that must be included are:

- A. original affidavit of publication provided by the newspaper;
- B. all green and white certified mailing slips (return receipts are recommended but not required);
- C. a copy of the actual notice sent to the homeowners/property owners within 200 feet of the property;
- D. a list of the homeowners/property owners with original signatures (if you wish to utilize this option).

5. NJSA 40:55d-9(l) further requires that you publish a brief "Notice of Decision of the Board" in the official newspapers of the Township, after a decision has been made and your Resolution has been memorialized. There will be additional information supplied to you regarding this notice after the Board has made its decision.
6. All taxes property and/or sewer rent must be current at the time of the hearing. This also applies to payment of any and all invoices submitted by the Board's Professionals regarding the review of your application.
7. Please review the comments and or suggestions that may be enclosed from the internal agencies who reviewed your proposal/application.

Please be advised that if there are any outstanding escrow fees that have been requested and have not been satisfied prior to the hearing, your application will be postponed. a new date will not be scheduled until all escrow fees have been satisfied. This applies to any and all outstanding tax or sewer bills as well.

Submissions requirements:

Ten (10) days prior to the hearing please submit the following as applicable:

Witness List:

A complete list of all proposed witnesses scheduled to appear before the Board who will testify on behalf of the applicant. Such list shall include the name, address, and in the case of a professional their business telephone number.

Exhibit Package

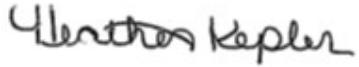
1. One [1] copy of your LIST OF PROPOSED EXHIBITS (if applicable).
2. Twenty [20] sets of proposed exhibits. This shall include legible sets of any plans which will be presented and that have not already submitted with your original application.
3. **If you have only submitted the required sets for completeness determination, now is the time to submit the remainder of the sets in accordance with the Completeness Checklist so they may be distributed to the Board Members and Advisory Boards for review prior to the hearing.**

4. **Exhibit boards must be foldable. While the presentation boards are very impressive, storage space at our facility is extremely limited. Please tape or clip your paper exhibits to the white core-board so they may be easily removed and stored after the hearing. Electronic Adobe .pdf form is preferred for use at the hearing.**
5. **ALL APPLICATION DOCUMENTS AND EXHIBITS MUST BE FORWARDED TO HKepler@neptunetownship.org IN ADOBE .PDF FORMAT FOR POSTING ON THE TOWNSHIP WEBSITE AS WELL AS FOR USE WITH THE PROJECTOR SYSTEM AT THE HEARING**

The Zoning Ordinance of the Township of Neptune explains all the requirements necessary to process your application. You may access the Ordinance online here: <https://ecode360.com/NE0517>.

If you have any questions, comments or need assistance regarding your application, please do not hesitate to contact this office at the number listed above or send an e-mail to the address shown.

Sincerely,



Heather Kepler, Citizen Board Administrator
Neptune Planning Board

c: Peter R. Avakian, PE, PP, CME - Board Engineer (avakian@leonsavakian.com)
Jake Guertin (jguertin@leonsavakian.com)
Jennifer Beahm, PP, AICP – Board Planner (jbeahm@leonsavakian.com)
Mark G. Kitrick, Esq. – Board Attorney (mkitrick@kkjmlawfirm.com)

(Notice to Homeowners)

NOTICE OF PUBLIC HEARING TO PROPERTY OWNERS
~ Neptune Township Planning Board

Notice is hereby given that the undersigned has applied to the Neptune Township Planning Board for the following:

and any additional variances deemed necessary by the Board.

The property is known as **Block _____, Lot _____** property address is _____ in the Township of Neptune, New Jersey. You are in receipt of this notice because the above-referenced property is within 200 feet of your property.

A hearing will be held on this application by the Planning Board of the Township of Neptune, 25 Neptune Blvd, Neptune, NJ. The meeting will be held in the 2nd floor Committee Meeting Room of the Municipal Complex. Meeting will be held on, **Wednesday, January 28, 2025** to begin at 7:00 PM.

All members of the public will have an opportunity to offer comments and /or ask questions regarding the proposal. For those who are in opposition of the proposal, you have the right to obtain an attorney to represent you, although this is not a requirement.

The file and plans of the proposal/application may be inspected in the office of the Planning Board, located at 25 Neptune Blvd., Neptune NJ 07753, during the hours of 9:00 A.M. to 3:00 P.M. Monday through Thursday and 9:00 AM to 1:00 PM on Friday, or if you would prefer to have the documents e-mailed you may contact the Board Office at HKepler@neptunetownship.org or 732-988-5200 Ext. 270.

Date: _____

Applicant's Name: _____

Address: _____

*** It is recommended for those members of the public who plan on attending the public hearing on a specific application that you contact the Board Office the day of the hearing to inquire of any changes to the schedule, due to any possible postponements.

(Notice To Be Placed in the Newspaper)

NOTICE OF PUBLIC HEARING ~
Neptune Township ~ Planning Board

NOTICE is hereby given that the undersigned has applied to the Planning Board of the Township of Neptune for:

and any additional variances deemed necessary by the Board.

The property in question is known as Block _____, Lot _____, property street address of _____ located in the Township of Neptune, New Jersey 07753.

A hearing will be held on this application by the Planning Board of the Township of Neptune, 25 Neptune Blvd, Neptune, NJ. The meeting will be held in the 2nd floor Committee Meeting Room of the Municipal Complex. Meeting and will be held on, Wednesday, January 28, 2025 to begin at 7:00 PM.

The file and plans of the proposal/application may be inspected in the office of the Planning Board, located at 25 Neptune Blvd., Neptune NJ 07753, during the hours of 9:00 A.M. to 3:00 P.M. Monday through Thursday and 9:00 AM to 1:00 PM on Friday, or if you would prefer to have the documents e-mailed you may contact the Board Office at HKepler@neptunetownship.org or 732-98-5200 Ext. 270.

Date:

Applicant: _____

Address : _____

**Affidavit of Service ~
Planning Board**

Attach to the affidavit a list of the property owners served, showing the method of service and date of service.

____ of full age, being duly sworn according to law, deposes and
[Name of applicant or his attorney]
says that he/she resides at:

____, in the town of _____
[Street address] **[List town you reside in]**

in the state of New Jersey, that the applicant has submitted an application to the
Office of Land Use ~ Planning Board for

[Type of relief / application requested]

in connection with the property known as Block _____ Lot _____

also known as Street Address _____.

And that he/she gave written notice of the hearing for this application to any/and all of the property owners affected, in the form attached, and according to the attached list, and in the manner, on the date indicated there on.

Date: _____ / _____ / _____

[Signature]

Sworn to and subscribed before me

on this _____ day of _____ 20____

[Notary public - signature]