



October 16, 2025

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

**Re: B&B Commercial, LLC
404 Hwy 35 South
Preliminary and Final
Major Site Plan Application
Lot 1, Block 407
Our File: NTPB 25-10**

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

- A preliminary and final major site plan consisting of thirteen (13) sheets prepared by Mark A. Whitaker, P.E., of Dynamic Engineering, PC, dated June 16, 2025, with no revision date.
- Topographic Survey consisting of one (1) sheet prepared by Charles Surmonte, P.E., P.L.S., dated February 16, 2024, with no revision date.
- Architectural Plans consisting of two (2) sheets prepared by Joseph Primiano, RA, of Primiano Architecture, dated June 4, 2025, with no revision date.
- Drainage Statement for B&B Commercial, LLC prepared by Mark A. Whitaker, P.E., of Dynamic Engineering, PC, dated July, 2025, with no revision date.
- Traffic Impact and Parking Assessment prepared by Justin Taylor, P.E., P.T.O.E., and Nicole Dahl, P.E., of Dynamic Traffic, LLC, dated July 3, 2025, with no revision date.

- Community Impact Statement for B&B Commercial, LLC prepared by Mark A. Whitaker, P.E., of Dynamic Engineering, PC, dated July, 2025, 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 is requesting the following waivers from the ordinance checklists as outlined below:

Completeness Checklist for Site Plans and/or Subdivisions in compliance with the development application completeness checklist

- Ordinance 802A.6 – Six (6) copies of Environmental Impact Statement (EIS)

Application for Development Checklist – Part B: Plat Requirements in compliance with the Major Site Plan and Major Subdivision Checklist:

- Ordinance 812.02.B.16 – Soil Borings Log

3. Site Analysis and Project Description

- A. The subject property, known as Lot 1, Block 407 consisting of approximately ±12,686 square feet (0.29 acres) with frontages on NJ-35 South and 9th Avenue.
- B. The Applicant is proposing to expand the existing parking lot and construct a lot containing (11) parking spaces with (1) associated handicapped parking stall for the current healthcare service firm building. Site improvements are to include parking lot reconfiguration, driveway apron installation, underground basin and drainage system installation, proposed building window canopy, and other associated handicap and striping improvements.
- C. The Applicant indicates the proposed parking lot expansion and reconfiguration will utilize the existing open space on the property.

4. Surrounding Uses

The property is bounded by NJ-35 South to the west, 9th Avenue and residential properties to the north, and residential properties to the east.

5. Zoning and Land Use

A. The property is located in the B-1 – Town Commercial Zone District. As outlined under Ordinance Section 404.01.A., the purpose of the B-1 Zone District intends to serve the needs of specific surrounding residential neighborhoods by providing for retail sale and service uses. The need to complement and preserve the character of the surrounding residential neighborhoods is paramount.

B. The Applicant under the application proposes the following:

- 1) Construct and expand the existing parking lot to contain a total of (11) parking spaces for the existing healthcare service firm building.
- 2) The site improvements include existing parking lot expansion and reconfiguration, two (2) building window canopies, an underground basin and drainage system, and other associated site improvements.

6. Variances and Design Waivers

A. The following table indicates proposed bulk variances:

B-1 District Bulk Standards

	Required	Existing	Proposed
Minimum Lot Area	15,000 sf	12,686 sf (NC)	No Change
Minimum Lot Width	100 ft.	61.60 ft. (NC)	No Change
Minimum Lot Frontage	100 ft.	60.63 ft. (NC)	No Change
Minimum Lot Depth	100 ft.	189.90 ft.	No Change
Minimum Front Yard Setback:			
9 th Avenue	15 ft.	150.90 ft.	147.90 ft.
NJ-35 South	15 ft.	7.20 ft. (NC)	4.20 ft. (V)
Minimum Rear Yard Setback	20 ft.	0.20 ft. (NC)	No Change
Minimum Side Yard Setback	10 ft.	0.90 ft. (NC)	No Change
Minimum Combined Side Yard Setback	25 ft.	0.90 ft. (NC)	No Change
Maximum Building Height	48 ft. 3 Stories	17 ft 1 Story	No Change No Change
Maximum Percent Building Coverage	35%	14.80%	No Change
Maximum Floor Area Ratio	0.60	0.148	No Change
Maximum Percent Lot Coverage	80%	37.90%	64.60%
Minimum Improvable Area	7,200 sf	7,222 sf	No Change
Minimum Improvable Area (Diameter)	55 ft.	43.30 ft. (NC)	No Change

(NC) – Existing Non-Conformities

(V) – Variance Required
N/A not applicable

B. The Applicant is seeking the following bulk variances:

- 1) A minimum front yard setback of (15) feet is required, where 4.20 feet is proposed along NJ-35 South. **A variance is required.**

Variance Section 400 of the Land Use Ordinance

C. Ordinance Section 412.07.B.1(b-i), states for non-residential uses, fences and decorative walls may be erected in the front yard extending to the rear or side lot lines, provided: When such fences and walls are located within 15 feet of a street line they shall not exceed four feet in height, as measured from the ground level. Fence posts, corners, gateways, and wall piers and entryways shall not exceed five feet in height.

The Applicants plans indicate the 6' high solid vinyl fence may be proposed within 15 feet of the front property line. A precise delineation between the 3' high and 6' high fences shall be provided in order to also satisfy requirements per ordinance section 503.B.2 (Buffering and Screening). **Testimony to be provided or a variance is required.**

D. Ordinance Section 412.17.B states standard parking spaces shall measure nine (9) feet wide by eighteen (18) feet long. Handicapped parking spaces shall measure twelve (12) feet wide by eighteen (18) feet long.

The Applicants plans indicate standard parking space size shall conform to the above referenced ordinance.

The Applicants plans indicate handicapped parking space size of eight (8) feet in width by eighteen (18) feet in length with two (2) adjacent access isles, measuring eight (8) feet and nine (9) feet in width. Our office notes the proposed accessible handicapped parking space is in compliance with ADA requirements. **Applicant to provide testimony.**

E. Ordinance Section 412.17.D, states in all zone districts, except for uses in designated historic zone districts, there shall be provided, at the time that any building or structure is erected, enlarged, increased in capacity or has a change of use, parking spaces in accordance with the requirements in Table 4.2: Parking Regulations.

Per the above referenced ordinance, 1 space per 300 square feet of gross floor area is required for administrative support service/office uses. The plans indicate the existing building contains a total of 1,876 square feet thus requiring a total of ±7 parking spaces.

Proposed parking is approximately a total of ± 11 parking spaces, with ± 1 handicapped parking space, thus in compliance with parking quantity requirements. **Applicant to provide testimony.**

F. Ordinance Section 412.17.F, states for uses not specifically described herein, parking requirements shall be determined by the approving authority during a public hearing. These requirements are considered minimum standards, and parking may be provided in excess of these requirements, but in no case shall the provided parking for non-residential uses exceed these minimum requirements by more than 20%. This restriction shall not apply to single-family dwelling units.

The Applicants plans indicate parking shall exceed the minimum requirements by more than 20%. **A variance is required.**

G. Ordinance Section 412.18, states parking is prohibited within front yard setback for all properties fronting along State Highway 35 and West Lake Avenue.

The Applicants plans indicate parking within the front yard setback along State Highway 35. **A variance is required.**

Design Waiver Section 500 of the Land Use Ordinance

H. Ordinance Section 503.A states, any residential use shall be suitably buffered and screened from all uses other than single-family dwellings in order to minimize the impacts of noise, glare, vibration, vehicular traffic, pedestrian activity and other potential nuisances. Unless otherwise provided in this Chapter, the width of buffering and height of screening shall be provided based on the type of use that is being buffered as follows:

Buffer Requirements – Office Use

REQUIRED BUFFERS TO RESIDENTIAL USES		
Type of Use/Subject Buffering and Screening Requirements	Width of Buffering (Feet)	Height of Screening at the Time of Planting (Feet)
Nonresidential Uses	10	6

The Applicants plans indicate (3) ornamental trees with a height of (8'-10') feet and (22) evergreen shrubs with a height of (3'-4') separating the proposed parking lot expansion and adjacent residential dwellings along 9th Avenue. A few smaller shrubs are proposed towards the parking lot entrance from 9th Avenue as well.

Additional buffering improvements are proposed along State Highway 35. **Applicant to provide testimony.**

I. Ordinance Section 503.B.2 states, 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 rights-of-way as follows: Where such parking area is located on a tract adjacent to a residential use or district, such screening shall consist of a minimum six-foot-high visually impervious screen. The height of any required screen shall decrease to a maximum of three feet in height where driveways approach sidewalks or walkways, in order to provide adequate visibility of pedestrians from motor vehicles and police visibility into the lot.

The Applicants plans indicate proposed 6' high solid vinyl fence and 3' high solid vinyl fence in addition to landscaping buffering separating the proposed parking lot expansion and adjacent residential dwellings along 9th Avenue. **Applicant to provide testimony.**

J. Ordinance Section 504.B.5, states the area located between curbs and sidewalks or walkways shall be either planted with grass or another type of ground cover plant material. Planting strips located in the public right-of-way may be paved with bricks or other similar type decorative paving materials as specified by the Township Engineer. In no instance, however, shall a planting strip be permitted to be covered with asphalt or loose stones of any variety.

The Applicants plans do not indicate any ground cover plant material for the planting strips adjacent to the new proposed sidewalk. **Applicant to provide testimony.**

K. Ordinance Section 502.B.2.(a), states a driveway on a corner lot shall be set back a minimum of 40 feet from the intersecting lot lines at the corner.

The Applicants plans indicate the proposed driveway is setback 27.1 feet from the intersecting lot lines at the corner. **A design waiver is required.**

L. Ordinance Section 509.D., states deciduous trees shall have a minimum caliper of 3.5 inches at time of planting. Evergreen trees shall be a minimum of six feet in height at time of planting. Low-growing evergreen shrubs shall be a minimum of 2 ½ feet in height at time of planting. Size of other plantings shall depend on setting and type of plant material.

The Applicants plans indicate some proposed evergreen shrubs to have a height at time of planting of less than 2 ½ feet. **Applicant to provide testimony or a design waiver is required.**

M. Ordinance Section 509.I.1.(b), states front yards shall be landscaped with a combination of an alternating evergreen and deciduous hedge a minimum of three feet tall at the time of planting, with deciduous shade trees located a spacing of 30 feet on-center, said spacing to supplement and alternate with required street trees.

The Applicants plans indicate proposed evergreen shrubs along State Highway 35 to be less than (3) feet at the time of planting. **Applicant to provide testimony or a design waiver is required.**

N. Ordinance Section 514.B.2, states a parking lot shall be located to the rear of a building and/or the interior of the site where its visual impact to adjacent properties and the public right-of-way can be minimized. No parking lot shall be located in a required front yard.

The Applicants plans indicate proposed parking within front yards along State Highway 35 and 9th Avenue. **Applicant to provide testimony or a design waiver is required.**

O. Ordinance Section 515.A.1, states all non-residential refuse and recyclable disposal collection areas shall be suitably buffered and screened to minimize the impacts of noise, odors, disposal and collection activities and views of collection bins and dumpsters. Buffering and screening shall minimize such impacts both from within the site itself, as well as from adjacent and nearby properties and public rights-of-way. Buffering shall consist of a minimum four-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-foot area surrounding all sides of such facility exposed to view. Screening shall consist of a minimum six-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-foot-high evergreen hedge along the sides and rear of same.

The Applicants plans indicate a 4' high picket vinyl fence and a 6' high solid vinyl fence surrounding the south and east sides of the refuse and recyclable area, correspondingly. **Applicant to provide testimony or a design waiver is required.**

7. **Site Plan Review**

A. **Architectural Design Standards**

1) The Applicant shall provide testimony on the following building standards with regard to the newly proposed façade update:

(1) 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. Consideration shall also be given to the type of light source utilized and the light quality such produces. The type of light source used on buildings, signs, parking areas, pedestrian walkways and other areas of a site shall be the same or compatible. The use of low-pressure sodium or mercury vapor lighting either attached to buildings or to light the exterior of buildings shall be prohibited.

(2) 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.

(3) 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.

B. Traffic Circulation and Parking

- 1) The Applicant should be prepared to discuss the following:
 - a) Hours of operation and number of parking spaces needed for staffing/customers.
- 2) Electric Vehicle Parking P1 2021 c. 171
 - a) Section 3.c.-Minimum number of make-ready (MR) parking spaces with (50 or fewer) parking spaces is one (1), with one space being handicapped accessible.

The Applicants plans do not indicate any proposed make-ready EV spaces. **Applicant to provide testimony.**

- 3) The plans shall be submitted to the Neptune Fire Official to address fire lanes, hydrant connections (if required) and directional markings.
- 4) The Applicants plans indicate expansion and reconfiguration of the existing parking lot with associated striping, including, but not limited to, parking striping, stop bars, parking signage, etc.
- 5) Handicap parking spaces and accessible routes are required to be firm, stable and slip resistant such as concrete or asphalt surface.

C. Drainage and Stormwater Management

- 1) The project disturbance consists of less than one (1) Acre of land disturbance and will not increase the amount of impervious coverage by more than 0.25 Acres. Therefore, the proposed project is not subject to the NJDEP Stormwater Management Rules & Regulations (NJAC 7:8).

The proposed development proposes a disturbance of greater than 5,000 square feet and will increase the impervious coverage by approximately 3,502 square feet.

The project must comply with New Jersey Standards for Soil Erosion & Sediment Control. Accordingly, the project must meet the runoff rate reductions for the 2 and 10-year storms.

- 2) The Applicant has designed the stormwater management system to address the Township of Neptune Stormwater Management Ordinance 21-07, Section III.A.
- 3) The Applicant is proposing the following design: one (1) underground infiltration basin. The stormwater runoff will be collected by two (2) proposed inlets within the proposed parking lot area. Stormwater conveyance has been designed with 15" HDPE pipe, which conveys stormwater to the proposed underground basin.

The underground basin is designed with an overflow weir, in the event the rate of infiltration into underlying soil is exceeded by the rate of inflow and the capacity of the system. Stormwater from the system will bubble up through an overflow grate on the north side of the site and drain to 9th Avenue.

- 4) The Applicant has complied with the 2- and 10-year pre. vs. post construction stormwater runoff rates. The Applicant's stormwater report indicates the following NOAA data set (baseline values).
 - a. 2 year storm – 3.38 in/ 24 hours
 - b. 10 year storm – 5.23 in/ 24 hours
- 6) 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:
 - a) Grading Plan
 - b) Drainage and Utility Plan
 - c) Landscape Plan and Details
 - d) Soil Erosion Seeding Notes
- 7) The following notes shall be added to the Grading and Drainage Plan:
 - a) 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.
 - b) 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.

- c) 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.
- 8) 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.
- 9) Ordinance 21-07, Section IX, Part A, (1) requires whenever an Applicant seek municipal approval of a development subject to this ordinance, the Applicant shall submit all of the required components of the checklist for the Site Development Stormwater Plan in Section IX.C below as part of the submission of the application for approval. The Applicant shall submit a compliance check as required.
- 10) The Applicant shall comply with ordinance No. 07-11 section 529 (Township acceptance of Stormwater Management System) and section 530 (Stormwater Management Maintenance fee).

D. Environmental Impact

- 1) The Applicant shall address Environmental Impact in compliance with the Township of Neptune Land Development Ordinance No. 4-23; Section 2 entitled “Environmental Impact Statement”.
 - a) Testimony shall be provided to address recycling and solid waste disposal for the site.
- 2) The Applicant shall provide testimony to address related key elements of the Environmental Impact with regards to noise, lighting, air pollution and impacts of water quality from the proposed improvements.

E. Lighting and Landscaping

- 1) The Applicant shall address existing and proposed site lighting and landscaping.

- 2) The proposed lighting pattern for the property is provided by both freestanding light poles (4), mounted at 14 feet, and wall mounted lighting fixtures (5), mounted at 8.5 feet on the building. **Applicant to provide testimony.**

F. Utilities

- 1) The Applicant shall provide testimony for the following proposed utility services for the building.
 - a) Domestic water service
 - b) Sewer service
 - c) Gas Service
- 2) The Applicant shall provide testimony and construction details with regards to housing for the domestic and fire backflow preventers, if required. **Applicant to provide testimony.**

G. General Site Improvements

- 1) The following General Notes shall be added to the plan:
 - a) “All construction shall be in accordance with Neptune Township Design Standards and Details.”
 - b) “No soil shall be removed from the site without the written approval of the Director of Engineering and Planning.”
 - c) “During construction, the Applicant shall comply with solid waste, public health and noise codes.”
 - d) “Any fill to be imported shall be certified clean.”

8. Conditions of Approval

- A. Neptune Township Developer’s Agreement
- B. Neptune Township Fire Official
- C. Neptune Sewer
- D. New Jersey American Water
- E. Performance guarantees and engineering inspection fees

F. Payment of Affordable Housing Contribution in accordance with Ordinance
Section 1001.

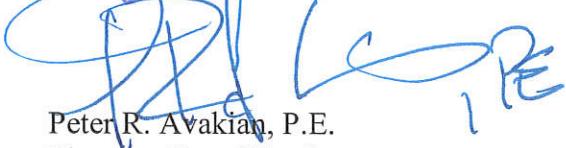
Please be advised that additional comments may follow upon completion of testimony and/or submission of further revisions by the Applicant.

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


Peter R. Avakian, P.E.
Planning Board Engineer

JOG

cc: Heather Kepler, Board Administrator
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NTPB/25/10