

## Application Addendum

### Background:

On February 2, 2022, as memorialized on March 2, 2022, Rite Aid of New Jersey, Inc. (the "Applicant"), as successor in interest to Eckerd Pharmacy, received approval from the Neptune Township Zoning Board (the "Board") for an amendment to West Grove Associate LLC's original site plan approval under Case #ZB21/18 pertaining to existing and proposed signage. The Board granted bulk variance relief from the Neptune Township Zoning Ordinance as follows:

1. §415.08D.2 allows for 2 internally illuminated menu boards not to exceed 12 SF in area within the building envelope, whereas Applicant proposes 5 drive thru elevation façade signs with a combined area of 11.6 SF.
2. §416.03A.3 dictates that internally illuminated signs shall not have a white or light-colored background or signboard, whereas Applicant's internally illuminated pharmacy sign is proposed with a white background.
3. §416.07A.1 permits one wall mounted sign, whereas Applicant proposes 5 drive thru elevation façade signs and 6 other façade signs, amounting to 11 façade signs.
4. §416.07A.1 allows for one wall mounted sign not to exceed an area of 48 square feet whereas Applicant's proposed Rite Aid sign is 59.4 SF.
5. §417.07A.2 allows for one freestanding type B sign not to exceed an area of 48 SF, a height of 15 feet, and a horizontal dimension of 10 feet, whereas Applicant proposed replacement sign for Rite Aid freestanding sign is 49.2 SF.
6. §416.07A.2 requires a minimum setback for one freestanding type B sign of ten (10) feet. To the extent Applicant's existing freestanding sign structure does not meet the setback, variance relief was granted.

While these variances granted by the Board are what Applicant had requested, the Resolution includes a condition for which Applicant is now seeking relief from. More specifically, the Board included, as a condition of approval, that the "Redi Clinic" sign on pylon to be removed and a revised signage package reflecting that change to be submitted to the Board. Applicant agreed to this condition during the hearing based on a misunderstanding of what the Board was requesting.

This misunderstanding was caused by the differences between the versions of Applicant's sign plan, or brandbook, that were submitted to the Board. Applicant's original brandbook depicted the pylon sign as including R9, the identifying and larger sign housing the Rite Aid Pharmacy logo, and a smaller cabinet sign identified as E5, housing a Hackensack Meridian "Redi Clinic" sign, which was shown as remaining on the pylon. Since the Redi Clinic was no longer located at this Rite Aid, the original brandbook correctly showed the other "Redi Clinic" signs as being removed, but mistakenly left the "Redi Clinic" sign on the smaller pylon sign. Relevant portions of the original brandbook are enclosed as Exhibit A. The second version was submitted to correct this error and other errors in the original brandbook. The second version of Applicant's brandbook identified R9 and E5 in the same way, but depicted E5 as a blank panel. Relevant portions of the second version of the brandbook are enclosed as Exhibit B. The third version of Applicant's brandbook identified the smaller cabinet sign as R10 and

depicted the proposed sign therein as containing a "Drive Thru" text. Relevant portions of the third brandbook are enclosed as Exhibit C.

The Board's updated planning and engineering review memo, dated February 1, 2022, was prepared in response to the third version of the brandbook. The memo notes an error in the Applicant's brandbook as two separate signs were labeled R10. The memo further notes that the sign dimensions for R10 on page 13 of the brandbook (depicting the "Drive Thru" pylon cabinet sign) are incorrect and that the brandbook should be revised to correct these errors. The February 1, 2022 review memo is enclosed as Exhibit D.

At the time of the hearing, Applicant agreed to the Board's request to remove the "Redi Clinic" sign and correct the errors on the brandbook as it intended to have the "Drive Thru" sign located in the smaller pylon sign rather than the "Redi Clinic" sign. The applicant was willing to comply with the revisions requested in the Board's planning and engineering review memo, including correcting the inconsistent dimensions of the Drive Thru sign. However, subsequent to the hearing and after discussions with the Board's professionals, it became clear that there was a misunderstanding between the Board and the Applicant as to what was requested at the hearing related to this condition. The Board's professionals have clarified to the Applicant that the Board intended this condition to mean that Applicant would be required to remove the smaller cabinet on the pylon sign identified as R10, while Applicant had only intended to have the "Drive Thru" sign instead of the "Redi Clinic" sign. Given this misunderstanding, Applicant is now seeking relief from the Board's condition of approval for Case #ZB21/18 that Applicant remove the smaller cabinet sign on the pylon.

#### Variance Requested

As per §416.07A.2, one freestanding type B sign not to exceed an area of 48 sq. ft., a height of 15 feet, a horizontal dimension of 10 feet. Applicant previously received approval for a type B sign identified as R9 on its third brandbook with an area of 49.2 square feet. Enclosed as Exhibit E, is a new brandbook showing the proposed "Drive Thru" sign. Applicant now requests approval for the cabinet sign on the same pylon structure shown as R11 in its new brandbook with an area of 12.5 square feet. The total signage for this freestanding type B sign is 61.7 square feet.

The same justifications that supported the Board's variance relief under ZB#21/18 support the instant application. No change to the structure of the existing signage is proposed. The existing cabinet that has been present since the parcel was developed will house a "Drive Thru" sign that will identify the drive through component of the existing pharmacy for pedestrians and motorists and will not have any substantial negative impact on the surrounding community, zoning ordinance, or master plan.

EXHIBIT A



EXHIBIT B



EXHIBIT C





# EXHIBIT D

February 1, 2022

Mrs. Kristie Dickert, Administrative Officer  
Zoning Board of Adjustment  
Neptune Township  
P.O. Box 1125  
Neptune, NJ 07754-1125

Re: **Rite Aid (West Grove Square) (ZB#21/18)**  
**25-75 So. Main Street**  
**Block 306, Lot 7**  
**Bulk Variance for Signage**  
**Our File: NTBA 21-18**

Dear Mrs. Dickert:

Our office received and reviewed materials that were submitted in support of an application for bulk variance approval for signage for the above referenced project. We have provided *new comments in bold and italicized text* and ~~struck out~~ comments that are no longer relevant. The following documents were reviewed:

1. **Documents Reviewed:**

- Neptune Township Zoning Approval dated December 6, 2016
- Neptune Township Zoning Denial dated September 11, 2020.
- Neptune Township Zoning Denial dated May 7, 2021.
- Neptune Township Zoning Determination Letter from George Waterman, Zoning Officer, dated August 22, 2018.
- ***Submittal letter prepared by William F. Harrison of Genova Burns, dated December 30, 2021.***
- Rite Aid Sign Package, consisting of 16 sheets, prepared by Stratus Unlimited, dated last revised ~~June 3, 2021~~ ***December 20, 2021.***
- Comparison of existing, current, and proposed signage, consisting of three (3) sheets.
- Application Addendum.
- Neptune Township Application for Use and/or Bulk Variances and Completeness Checklist, dated August 3, 2021.

- *Copy of Preliminary and Final Site Plans for West Grove Square consisting of two (2) sheets, prepared by Richard V. Kenderian, PE, of Kenderian Zilinski, dated last revised October 11, 2001.*
- *Sign Elevations consisting of three (3) sheets, received January 3, 2022.*

## 2. Site Analysis and Project Description

The subject property, Block 306, Lot 7, a 6.93-acre lot located along Route 71 between Route 33 and Springwood Ave, in the B-1 Town Commercial Zoning District. The site is currently developed with retail shopping center and pad sites, including a PNC Bank, 7-11, Luigi's Pizza, Yummy Yummy Chinese, UPS Store, Bagel Talk, and a Burger King. Commercial uses are located to the south, across Route 33, the Asbury Park Public Works Facility is located to the north, commercial, residential, and public uses are located to the east across Route 71, and industrial and commercial uses are located to the west across the North Jersey Coast Line Railroad.

The site was previously owned by West Grove Square Associate LLC, which received site plan approval in 2000 to construct a commercial development containing the Eckerd Pharmacy. The previous applicant obtained a number of signage variances for the Eckerd building, including a variance permitting seven (7) façade signs, a variance permitting one (1) façade sign on the northern elevation where no signage was permitted, and a third variance for the total sign area of signage permitted. Variances were not needed for the pylon sign and the directional signs.

Subsequently, the original pharmacy was bought by Rite Aid (the "Applicant"), which replaced the seven (7) Eckerd façade signs with nine (9) façade signs without Planning or Zoning Board approval. The last sign construction approved by the Zoning Board was in 2016 to replace the outdated "Photo" and "Food Mart" signs with new "Hackensack Meridian Health/RediClinic" signs. Per the Zoning Determination Letter, there have been no zoning violations since August of 2018.

The Applicant is seeking bulk variance approval to do the following:

- Remove six (6) façade signs (E11, E13, E15, E17, E18, E20); *E11 and E15 (the "Hackensack Redi Clinic" shown on the August 26, 2021 submittal) have been removed.*
- Remove and replace five (5) façade signs and one (1) directional sign (E4, E10, E12, E14, E16, E20); and
- Add five (5) new façade signs

The existing eight (8) regulatory signs and one (1) tenant sign will remain as is. The applicant has provided construction details for a total of 11 signs (R1 through R11). All of the proposed signs will be of the same size or smaller than those they intend

to replace, and all proposed signs will remain in the same location as those they are replacing. There are 20 existing signs in total, and 20 signs will remain after the proposed removal, replacement, and addition of signs.

3. Consistency with the Zone Plan

The subject property is located in the B-1 Town Commercial Zone District. The B-1 Zone District is intended 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. Permitted uses within the B-1 Zone District include furniture and home furnishing stores, electronics and appliance stores, musical instrument stores, sporting goods, hobby and book stores, food and beverage stores, health and personal care stores, clothing and clothing accessories stores, general merchandise stores, miscellaneous store retailers, credit intermediation and related activities, securities, commodity contracts, and other financial investments and related activities, insurance carriers and related activities, real estate, rental and leasing services, educational services, ambulatory health care services, social assistance, performing arts and related industries, food services and drinking places, personal laundry services, repair and maintenance, administrative and support services, professional, scientific and technical services, and funeral homes. Mixed use (residential over retail) is permitted as a conditional use within the zone district. **This application will require bulk variance relief related to the proposed number, type, and size of proposed signage.**

4. Zoning Requirements

- A. As per §415.08D.2, two (2) internally illuminated menu boards not to exceed twelve (12) square feet in area may be provided within the building envelope, whereas the applicant is proposing five (5) drive-thru elevation façade signs with a combined sign area of 11.6 sq. ft. **A variance is needed.**
- B. As per §416.03A.3, internally illuminated signs shall not have a white or light-colored background or signboard, whereas the pharmacy sign is internally illuminated with a white background. **A variance is needed.**
- C. As per §416.07A.1, one wall-mounted sign is permitted, whereas five (5) drive-thru elevation façade signs and six (6) other façade signs are proposed, amounting to 11 façade signs. **A variance is needed.**
- D. As per §416.07A.1, one wall-mounted sign not to exceed an area of 48 sq. ft. is permitted, whereas the proposed Rite Aid sign (R2) is 59.4 sq. ft. **A variance is needed.**

- E. As per §416.07A.2, one freestanding type B sign not to exceed an area of 48 sq. ft., a height of 15 feet, a horizontal dimension of 10 feet, whereas the proposed Rite Aid freestanding sign (R9) is 49.2 sq. ft. **A variance is needed.**
- F. As per §416.07A.2, the minimum required setback for one freestanding type B sign is 10 feet, whereas the setback for the proposed Rite Aid freestanding sign (R9) has not been provided. The applicant should update the plan to indicate the required setback. **A variance may be needed.** *The copy of the plans submitted to show the required setback are illegible. A new copy of the plans should be submitted to show the 10-foot setback.*
- G. ~~As per §416.07E, directional signs shall not exceed three (3) sq. ft., whereas the proposed directional sign (R10) is four (4) sq. ft. **A variance is needed.**~~ *The plans have been updated to comply with this requirement. A variance is no longer needed.*
- H. ~~As per §416.07E, directional signs shall not exceed three (3) feet in height, whereas the proposed directional sign (R10) is 4 feet, 4 inches tall. **A variance is needed.**~~ *The plans have been updated to comply with this requirement. A variance is no longer needed.*

## 5. Required Proofs for Variance Relief

### A. *C Variances*

**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.”

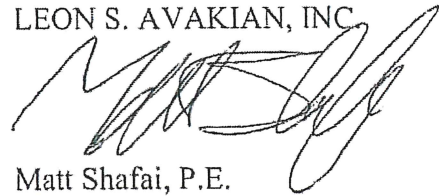
- 3) C variances must also show consistency with the negative criteria as well.

6. Additional Comments

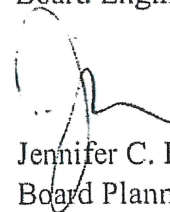
- A. The Applicant should provide testimony on all required variances and clarify all points where additional information is needed.
- B. The applicant should indicate if any improvements to the site are proposed.
- C. The applicant should include North Arrows in the Site Overview to better indicate the location of the existing and proposed signage.
- D. The applicant has indicated existing "RediClinic" sign (E5) will remain as is, yet a comment on page 12 of the sign package indicates the existing faces are to be removed and replaced. The applicant should confirm if E5 will be renovated, and if so, include details of such. *The plans have been revised to indicate details of the proposed renovations for sign E5 (proposed as sign R10). However, the applicant should revise such sign label for clarity, given there are now two (2) different signs both labeled as R10 (one on page 11 & 13 and one on page 14).*
- E. *The sign dimensions for R10 on page 13 are incorrect. The plans should be revised to indicate the correct dimension of 12.5 sq. ft.*

Very truly yours,

LEON S. AVAKIAN, INC



Matt Shafai, P.E.  
Board Engineer



Jennifer C. Beahm, P.P.  
Board Planner

MS:ir:clb:mcs

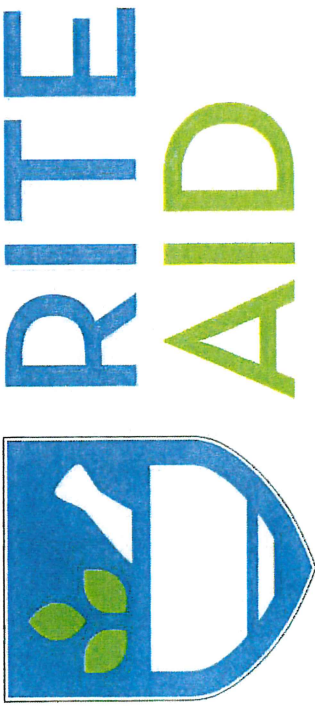
cc: All Board Members

Monica Kowalski, Esq., Board Attorney

William F. Harrison, Esq., Applicant's Attorney

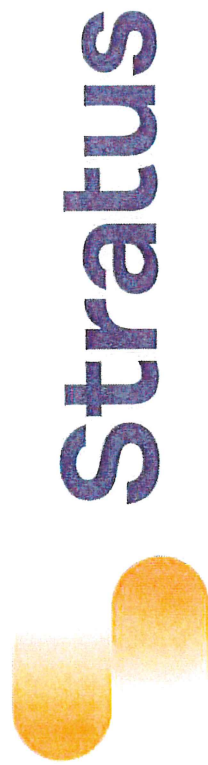
NTBA/21/21-18b

# EXHIBIT E



**SITE ADDRESS:**

Store #10424  
75 South Main Street  
Neptune, NJ 07753-5032



stratusunlimited.com  
888.503.1569









**FACE REPLACEMENTS**

**RA-FA-FL1**

**R11**

Scale: 3/4" = 1'-0"

12.8 Square Feet



VISUAL OPENING: 1'-11" H x 5'-10" L

**CABINET:**

Existing cabinet w/ ±1-3/4" retainers

**FACES:**

.150 flat white polycarbonate faces

**GRAPHICS:**

Surface applied vinyl graphics to match colors shown

**QUANTITY:**

(2) two faces required for d/f illuminated monument sign

**JOB NOTE:** Existing pole and cabinet to be painted March Wind prior to install



**BACKGROUND:**

3M 3630-157 Sultan Blue



**CABINET/POLE/RETAINERS:**

SW 7668 - March Wind

**Stratus™**  
stratusunlimited.com  
8959 Tyler Boulevard  
Mentor, Ohio 44060  
888.503.1569

**CLIENT:** RITE AID  
**ADDRESS:** 75 SOUTH MAIN STREET  
NEPTUNE, NJ 07753-5032  
**PHONE NO.:** 5

**P.O. NUMBER:** 584653  
**SITE NUMBER:** 10424  
**ELECTRONIC FILE NAME:** ACCOUNTS\WHITE AID\2020\NJ\10424\_Neptune10424\_Neptune\_DT Pylon

**PROJECT NUMBER:** N/A  
**PROJECT MANAGER:** REGINA BALTZEGAR

Rev	Revis	Date/Rev	Description	Rev	Revis	Date/Rev	Description
Original	375230	08/20/22	JB				

PRINTING THE EXCLUSIVE PROPERTY OF STRATUS. THIS MATERIAL SHALL NOT BE COPIED, REPRODUCED, OR OTHERWISE REPRODUCED WITHOUT THE WRITTEN CONSENT OF STRATUS.