

COMPLETENESS CHECKLIST for SITE PLANS and/or SUBDIVISIONS

§802A – Submissions required for all development applications, excluding Use Variances and Bulk Variances

Prior to the issuance of a Certificate of Completeness, the Administrative Officer shall determine that the following documents have been submitted:

- C I N/A W*** [C = Complete I = Incomplete N/A = Not Applicable W = Waiver Requested*]
- 1. **Twenty-five (25) copies of completed and signed application form, which must include the following:**
 - Identification of subject property/properties' Special Flood Hazard Area Zone.
 - Executed copy of "Authorization & Consent Form", part "C".
 - Certificate of Ownership, if applicable, part "D".
 - Executed copy of Escrow Agreement, part "E".
 - Verification of taxes paid (this will be further verified by the Administrative Officer).
 - 2. **Twenty-five (25) copies of the property deed(s).**
 - 3. **Twenty-five (25) copies of the Zoning Permit denial (not required for subdivisions of vacant land).**
 - 4. **Required plans, folded, no larger than 30" x 42".**
PLEASE NOTE: Only folded plans will be accepted, and all submitted plans must be to scale.
 - a. **Twenty-five (25) copies of current signed & sealed survey, prepared by a New Jersey Licensed Professional Land Surveyor.**
 - b. **Six (6) copies of Soil Erosion & Sediment Control Plans and proof of submission to Freehold Soil Conservation District, or letter of exemption from FSCD.**
 - c. **Five (5) copies with initial submission and with each subsequent submission, for completeness review.**
 - d. **Once the application is deemed complete, twenty (20) additional full-sized paper site plans/construction plans, plus one (1) reduced-size paper copy of the plans (no larger than 11" x 17"), and one (1) CD containing the plans in .pdf format.**
 - 5. **Six (6) copies of Tree Removal Application package in accordance with §525 (if applicable).**
 - 6. **Six (6) copies of Environmental Impact Statement (EIS).**
 - 7. **Six (6) copies of Stormwater Management Report.**
 - 8. **Proof of submission to Monmouth County Planning Board (if applicable).**
 - 9. **Copy of Letter of Interpretation (LOI) or Letter of Exemption or proof of submission to New Jersey Department of Environmental Protection regarding presence of wetlands.**
 - 10. **Proof of submission to CAFRA (if applicable).**
 - 11. **Six (6) copies of Circulation Impact Study.**
 - 12. **Community Impact Statement (for Major Site Plan and/or Major Subdivision only)..**
 - 13. **Application Fee \$ 6,116.28 Escrow Deposit \$ 16,750.00 in accordance with schedule.**
PLEASE NOTE: Application Fee and Escrow Deposit must be paid in separate checks.

*Any request for a waiver must include a written explanation for the request.

Should you have any questions or require assistance with the application process, please contact the Board Office either by phone (732-897-4162 .x. 204), or by email (kdickert@neptunetownship.org).

APPLICATION FOR DEVELOPMENT CHECKLIST – PART B: Plat Requirements

1. General Requirements:

- The site plan shall be signed and sealed by an architect, professional engineer, land surveyor, and/or professional planner licensed to practice in the State of New Jersey, provided, however, that the sanitary sewer, water distribution, and storm drainage plans and water and sewage treatment facility plans may only be signed and sealed by a professional engineer licensed to practice in the State of New Jersey. In addition, the following must be submitted:
 - Site plan shall not be drawn at a scale smaller than 1" = 50' and no larger than 1" = 10'
 - The site plan shall be based on a monumented, current certified boundary survey, prepared in accordance with New Jersey Administrative Code 13:40-5.1, "Preparation of Land Surveys" dated September 1984 and as amended. The date of that survey and the name of the individual who prepared the survey shall be shown on the site plan.

2. Title Block:

- The title block shall appear on all sheets in conformance with N.J.S.A. 45:8-27 et. Seq: (Map filing law) and include the following:
 - Title to read "SITE PLAN".
 - Name of the development, if any.
 - Tax map sheet, block and lot number(s) of the site, as shown on the latest Township Tax Map, the date of which shall also be shown.
 - Date of original and all subsequent revisions.
 - Names and addresses of owner and applicant/developer, so designated.
 - Name, signature, address and license number of the engineer, architect, land surveyor or planner who prepared the plan with their embossed seal.

3. The following table shall be included on the first (1st) sheet of all plans submitted to the Planning Board or Board of Adjustment for Major Site Plan, Minor Site Plan, Major Subdivision, or Minor Subdivision.

- Please include information for each zone/block/lot involved and attach additional sheets as necessary.
- NOTE: Any items not applicable to a particular application shall be marked with "N/A".

ZONE DISTRICT:

| | REQUIRED and/or PERMITTED | EXISTING | PROPOSED |
|---|---|------------|------------|
| Minimum lot area | LI: 40,000 SF; R-2: 10,000 SF | 811,461 SF | 811,461 SF |
| Maximum density | LI: N/A; R-2: 4.3 | N/A | N/A |
| Maximum floor area ratio (FAR) | LI: 1.6; R-2: N/A | 0.03 | 0.04 |
| Minimum lot width | LI: 150'; R-2: 100' | 882' | 882' |
| Minimum lot frontage | LI: 150'; R-2: 100' | 1,151' | 1,151' |
| Minimum lot depth | LI: 200'; R-2: 100' | 1,247' | 1,247' |
| Minimum front yard setback | LI: 40'; R-2: 25' | 49.07' | 49.07' |
| Minimum side yard setback | LI: 25'; R-2: 10' | 11.81' | 11.81' |
| Minimum combined side yard setback | LI: 50'; R-2: 25' | 113.58' | 85.4' |
| Minimum rear yard setback | LI: 25'; R-2: 30' | 199.25' | 199.25' |
| Maximum percent building cover | LI: 40%; R-2: 30% | 2.99% | 4.39% |
| Maximum percent lot cover | LI: 70%; R-2: 40% | 16.5% | 17.8% |
| Maximum number of stories | LI: 4; R-2: 2.5 | 2 | 2 |
| Maximum building height | LI: 60'; R-2: 35' | <35' | <35' |
| Minimum improvable area | LI: 16,800 SF; R-2: 2,400 SF | 292,736 SF | 292,736 SF |
| Minimum improvable area – diameter of a circle (feet) | LI: 84'; R-2: 32' | 610' | 610' |
| Off-street parking spaces | LI: EX. 10, PROP. 15; R-2: N/A | 14 | 18 |
| Loading spaces | LI: 1 SF; R-2: N/A | 1 | 1 |
| Signs | N/A | N/A | N/A |
| Existing use or uses: | PUBLIC UTILITY FACILITY - WATER TREATMENT PLANT | | |
| Proposed use or uses: | PUBLIC UTILITY FACILITY - WATER TREATMENT PLANT | | |
| Existing floor area | 24,290 SF | | |
| Proposed floor area: | 35,650 SF | | |

4. North arrow and written graphic scale.
5. The tops of the banks and boundaries of the floodways and flood hazard areas of all existing water courses, where such have been delineated or the limits of alluvial soils where the boundaries of floodways and flood hazard areas have not been determined, and/or such other information as may assist the Planning and/or Board of Adjustment in the determination of floodway and flood hazard area limits.
6. Paving and right of way widths of existing streets within two hundred (200') feet of the site.

7. The boundary, nature, and extent of wooded areas, swamps, bogs, and ponds within the site and within two hundred (200') feet thereof and delineated of all wetlands soils as defined by the New Jersey Department of Environmental Protection and the U.S. Army Corps of Engineers.
8. Existing and proposed manholes, sewer lines, fire hydrants, water lines; utility poles and all other topographic features of a physical or engineering nature within the site and within two hundred (200') feet thereof.
9. All existing structures on the site and within two hundred (200') feet thereof including their use, indicating those to be destroyed or removed and those to remain.
10. Location, use, finished grade level, ground coverage, first floor and basement elevations, front, rear, and side setbacks of all buildings and other pertinent improvements.
11. Existing and proposed public easements or rights-of-way and the proposed use thereof, including conservation easements.
12. A grading plan showing existing and proposed grading contours at one (1') foot intervals throughout the tract, except if slopes exceed five (5%) percent, a two (2') foot interval may be used. If the exceed ten (10%) percent, a five (5') foot interval is permissible. Datum shall be United States Coast and Geodetic Survey Datum (MSL=O) and source of datum and bench marks shall be noted. In addition to proposed grading contours, sufficient additional spot elevations shall be drawn to clearly delineate proposed grading.
13. **On Site Drainage Plan:**
 - The drainage plan shall be presented in graphic form which shall clearly show the street and site layout and those terms which are pertinent to drainage including existing and proposed contours as previously required.
 - The plan shall outline each area contributing to each inlet.
 - All proposed drainage shall be shown with pipe type and sizes, invert and grade or rim elevations, grades and all direction of flow. The direction of flow of all surface waters and of all streams shall be shown.
 - The drainage shall be accompanied by complete drainage calculations made in accordance with the Soil Conservation Service method.
14. **Off Site Drainage Plan:** N/A
The plan shall also be accompanied by an off site drainage plan prepared in accordance with the following standards:
 - The plan shall consist of an outline of the entire drainage basin in which the site is located. The terminus of the basin and existing ground contours or other basis for determining basin limits shall be shown.
 - The pertinent off site existing drainage shall be shown with elevations of inverts and grates to the nearest one tenth (1/10) of a foot.
 - To the extent that information is available and may be obtained from the County or Township Engineer, any existing plans for drainage improvements shall be shown.
 - In the event a temporary drainage system is proposed, full plans of that system shall be shown.
 - The off site drainage plans shall be accompanied by profiles of all proposed drainage, showing existing details, pipe sizes, type inverts, crowns, slopes, all proposed structures and connections and design hydraulic grade lines for all conduits designed to carry forty (40) or more cubic feet per second. Cross sections at intervals not exceeding one hundred (100') feet shall be shown for all open channels.

- N/A** 15. If required by the Township Engineer, center line profiles of streets bordering the site, internal roadways, and major circulation aisles showing existing and final grades and slopes, and pipe sizes, tyoe, inverts and grate or rim elevations of drainage and sanitary sewage facilities.

16. Soil Boring Logs:

Unless the Township shall determine that a lesser number of boring logs is required or that some or all of the boring logs may be deferred to the final plan stage, the site plan shall be accompanied by a set of boring logs and soil analyses for borings made in accordance with the following:

- One boring not less than fifteen (15') feet below grade or twenty (20') minimum depth shall be made for every five (5) acres (or portion thereof) of land where the water table is found to be ten (10') feet or more below proposed or existing grade at all boring locations.
- One additional boring shall be made per acre (or portion thereof) in those areas where the water table is found to be less than ten (10') feet below proposed or existing grade.

- N/A** In addition to the above, in those areas where the water table is found to be five (5') feet or less below existing or proposed grade, two additional borings per acre (or portion thereof) will be required if construction of basement is contemplated. Borings shall be located where such basements are proposed.

- Boring logs shall show soil types and characteristics encountered, ground water depths, the methods and equipment used, the name of the firm, if any, making the borings and the name of the person in charge of the boring operation. The boring logs shall also show surface elevations to the nearest one tenth (1/10) of a foot.

- Based on the borings, the site plan shall clearly indicate all areas having a water table within two (2') feet of the existing surface of the land, or within two (2') feet of proposed grade, of all areas within two (2') feet or more of fill is contemplated or has previously been placed.

- Certified soil tests as a basis for design standards for pavement, pipe, bedding, etc.

17. Zone boundaries and the tax map sheet, lot and block numbers and the names of owners of all properties within two hundred (200') feet of the site.

18. A key map, at a scale of not less than one (1") inch equals one thousand (1000') feet, showing the location of the site with reference to surrounding areas, existing streets, the names of all such streets and any zone boundary or municipal boundary which is within two hundred (200') feet of the site.

- N/A** 19. The location, area, dimensions and proposed disposition of any area or areas of the site proposed to be retained as common open space, indicating the facilities to be provided in such areas.

- N/A** 20. The capacity of off-street parking areas, and the location and dimensions of all access drives, aisles and parking stalls. The location and treatment of existing and proposed entrances and exits to public rights of way, including the possible utilization of traffic signals, channelization, acceleration and deceleration lanes, additional width and any other device necessary for traffic safety and/or convenience, and the estimated average number of passenger vehicles, single-unit trucks or buses and semi-trailers that will enter the site each day.

- N/A** 21. Graphic depiction of the anticipated routes and details of the system of on-site vehicular and pedestrian circulation.

- N/A** 22. The location and size of proposed loading docks.

23. The location of curbs and sidewalks.

- 24. Cross sections showing the composition of pavement areas, curbs, and sidewalks.
- 25. Exterior lighting plan, including the location, direction of illumination, amount of illumination expressed in horizontal foot candles, wattage and drawn details of all outdoor lighting standards and features.
- 26. Landscaping and screening plan showing the location, type, spacing and number of each type of tree or shrub and the location, type and size, spacing, and number of each type of ground cover to be utilized and planting details for trees, shrubs, and/or ground cover.
- 27. Drawn details of the type of screening to be utilized for refuse storage areas, outdoor equipment and bulk storage areas.
- 28. Floor plans and building elevation drawings of any proposed structure or structures or existing structures to be renovated.
- 29. Location of facilities for the handicapped, including parking spaces and ramps (where applicable), and including construction details for ramps for the handicapped.

Sectionalization and staging plan:

- 30. Developers of large uses such as shopping centers, multifamily dwellings, industrial parks or other such uses proposed to be developed in stages shall submit sectionalization and staging plan showing the following:
 - The anticipated date of commencing construction of each section or stage.
 - Plans for separate construction emergency access for the project in order to avoid occupancy conflict
- 31. Written description of the proposed operations in sufficient detail to indicate the effects of the use in producing traffic congestion, noise, glare, air pollution, fire hazards or safety hazards. The written description shall also include the hours of operation of the use, the number of shifts to be worked, the number of employees in each shift, the number of vehicles to be stored or parked on the site and provisions to be made for site maintenance.
- 32. Traffic analysis report and recommendations from a qualified traffic engineer.
- 33. Such other information as the Municipal Agency and/or Township Engineer may require during site plan review.
- 34. Use Group Classification of the building or structure.
- 35. Type of construction classification of building or structure to be erected, altered or extended, as defined by the International Residential Code or the International Building Code, New Jersey Edition.

§ 1000 Application and Escrow Fees

A. Fee schedule. Every application for development shall be accompanied by a check payable to the municipality in accordance with the following schedule:

TABLE 10.1: APPLICATION FEES

| Type of Application | | | Administrative Fee | |
|---|-----------------|-----------------|--|--|
| Appeals and Interpretations | | | \$100.00 | |
| Appeal to Governing Body | | | \$250.00 | |
| Conceptual/Informal Reviews | | | \$50.00 | |
| Bulk Variances | Residential | | \$100.00 | |
| | Nonresidential | | \$250.00 per variance | |
| Use Variances | | | \$750.00 | |
| Conditional Use | | | \$500.00 | |
| Subdivision | Minor | | \$750.00 | |
| | Major | Preliminary | \$750.00 plus \$75.00 per lot. | |
| | | Final | \$500.00 plus \$40.00 per lot. | |
| Site Plan | Minor Site Plan | | \$500.00 | |
| | Major Site Plan | Residential | Prelim | \$750.00 plus \$60.00 per dwelling unit |
| | | | Final | 50% of Preliminary |
| | | Non-residential | Prelim | \$1,500.00 plus \$50.00 per acre, plus \$0.08 per square foot of proposed building area. |
| | | | Final | 50% of preliminary |
| General Development Plan | | | \$2,000.00 | |
| Certified List per MLUL 40:55D-12c. | | | \$10.00 or \$0.25/name, whichever is greater | |
| Special Meeting | | | \$1,500.00 | |
| Resubmission or Revision Fee | | | \$100.00 or 40% of original fee, whichever is greater | |
| Tax Map Revisions | | | \$300.00 plus \$25.00 per lot or unit. | |
| Zone Change Request | | | \$250.00 | |
| Appeal to the Township Committee | | | \$250.00 | |
| Tree Removal Permit | | | For new residential building lots, \$25.00 dollars per tree, up to a maximum of \$300.00 per lot; For all other properties, \$25.00 per tree up to a maximum of \$600.00 for each acre. | |
| Zoning Permit | | | \$35.00 | |
| Historic Preservation Commission Certificate of Appropriateness | | | \$10.00 | |
| Certification of Pre-existing Nonconforming Use (from Administrative Officer or Zoning Board of Adjustment) | | | \$100.00 per use. | |
| Research Letter (from Administrative Officer) | | | \$75.00 | |
| Extension of Approvals | | | \$250.00 | |
| Soil Removal | | | \$100.00 per lot. | |
| Historic Preservation Commission Demolition (partial or total) | | | \$25.00 | |

TABLE 10.2: ESCROW FEES

| Type of Application | | | | Escrow |
|--|--|-----------------------|---------------------|---|
| Appeals and Interpretations | | | | \$750.00 |
| Conceptual/Informal Board Review | | | | \$750.00 |
| Conceptual/Informal Technical Review | | | | \$1,500.00 |
| Bulk Variances | Residential | | | \$200.00 |
| | Residential Requiring Engineering Review | | | \$750.00 |
| | Nonresidential | | | \$1,250.00 |
| Use Variances | | | | \$1,500.00 |
| Conditional Use | | | | \$2,000.00 |
| Subdivision | Minor | | | \$4,500.00 |
| | Major | Preliminary | 0-5 lots - \$4,500 | |
| | | | 6-24 lots - \$6,000 | |
| | | 25-100 lots - \$8,000 | | |
| | 101+ - \$10,000 | | | |
| | Final | | 50% of Preliminary | |
| Site Plan | Minor Site Plan | | | \$1,500.00 |
| | Major Site Plan | Residential | Prelim | \$2,500.00 plus \$25.00 per dwelling unit |
| | | | Final | 50% of preliminary |
| | | Non-residential | Prelim | \$2,500.00 plus 0-5,000 sf - \$1,500.00 5,001-10,000 sf - \$3,500.00 10,001 - 25,000 sf - \$6,500.00 25,001-75,000 sf - \$8,500.00 75,000 sf + - \$10,000.00 |
| | | | Final | 50% of preliminary |
| | General Development Plan | | | |
| Certified List | | | | None |
| Special Meeting | | | | \$500.00 |
| Resubmission or Revision Fee | | | | 40% of original fee. |
| Administrative Approval of Changes | | | | \$500.00 per change. |
| Appeal to the Township Committee | | | | None |
| Issuance of a Permit in Certain Areas | | | | \$200.00 |
| Tree Removal Permit | | | | \$500.00 |
| Zoning Permit/Certificate of Appropriateness | | | | None |
| Historic Preservation Commission Demolition | | | | \$1,800.00 |
| Review of Architectural elevations by Township Architect (if required by Planning or Zoning Board Officials) | | | | \$1,500.00 |
| Certification of Pre-existing Nonconforming Use (from Administrative Officer or Zoning Board of Adjustment) | | | | None |
| Extension of Approvals | | | | \$1,000.00 |
| Treatment Works Approval | | | | \$500.00 |
| Soil Removal | | | | \$100.00 for review of an application by the Township Engineer and inspection of the site, plus \$0.05 per sq. foot of area disturbed due to the removal of soil |
| Plot Plan/Grading Plan and As-built Survey Review | | | | \$750.00 per lot |

B. Purpose of fees. The application charge is a flat fee to cover direct administrative expenses and is non-refundable. The escrow account is established to cover the costs of professional services including engineering, legal, planning and other expenses connected with the review of the submitted materials. In accordance with N.J.S.A. 40:55D-53 and N.J.S.A. 40:55D-53.1, sums not utilized in the review process shall be returned to the applicant upon written request. If additional sums are deemed necessary, the applicant shall be notified by certified mail or personal service of the required additional amount and shall add such sum to the escrow. Payment shall be due from the applicant within fifteen (15) days of receipt of the notice. If payment is not received within fifteen (15) days, the applicant shall be considered to be in default, and such default may be grounds for denial of the application.

C. More than one request. Where one application for development includes several approval requests, the sum of the individual required fees shall be paid.

D. Costs of review and inspection. Each applicant for subdivision or site plan approval shall agree in writing to pay all reasonable costs for professional review of the application, including costs incurred with any informal review of a concept plan which may have preceded the submission of a preliminary application. Additionally, each applicant shall agree in writing to pay all reasonable costs for the municipal inspection of the constructed improvements. All such costs for review and inspection must be paid before any construction permit is issued and all remaining costs must be paid in full before any occupancy issued or bonding is released.

E. Court reporter. If an applicant desires a court reporter, the cost of taking testimony and transcribing it and providing a copy of the transcript to the municipality shall be at the expense of the applicant who shall arrange for the reporter's attendance. The municipality provides for the tape recording of the proceedings before the Board.

F. Waiver of fees for affordable housing. Notwithstanding any other provision of this Ordinance, a waiver of municipal subdivision and site plan application fees, and zoning permit fees may be granted by the approving municipal agency for all housing units being provided by the applicant for low and moderate income families.



Neptune Township Planning Board
2201 Heck Avenue Neptune NJ 07753
732-897-4162 :x, 204

Application # _____ / _____
Date Filed ____ / ____ / ____
Hearing Date ____ / ____ / ____

APPLICATION for SITE PLAN and/or SUBDIVISION

- Check all that apply: [x] Preliminary [] Minor Subdivision [] Minor Site Plan
[x] Final [] Major Subdivision [x] Major Site Plan
[] Other - Specify: _____

Please check one: [] Planning Board [x] Board of Adjustment

PROPERTY INFORMATION:

- 1. Property Address: 625 Old Corlies Avenue, Neptune, NJ 07753
Block: 3001 Lot: 12 Zone: LI and R-2 Acreage: 18.63

CONTACT INFORMATION:

- 2. Name of Applicant: NJ American Water Company, Inc.
Mailing Address: 625 Old Corlies Avenue, Neptune, NJ 07753
Phone #: 609-529-1067 Fax #: N/A Cell #: N/A
E-mail Address: joanna.diamond@amwater.com
3. Name of Owner: NJ American Water Company, Inc. - Donald C. Shields, V.P. Engineering
Mailing Address: 1 Water Street, Camden, NJ 08102
Phone #: 609-529-1067 Fax #: N/A Cell #: N/A
E-mail Address: joanna.diamond@amwater.com
4. Interest of Applicant, if other than Owner: Applicant owns the property
5. Name of Contact Person: NJ American Water Company, Inc. - Joanna Diamond, Project Engineer
Mailing Address: 149 Yellowbrook Road, Farmingdale, NJ 07727
Phone #: 609-529-1067 Fax #: N/A Cell #: N/A
E-mail Address: joanna.diamond@amwater.com
6. Applicant's Attorney: Niall J. O'Brien, Esq. Company: Archer & Greiner, P.C.
Mailing Address: 1025 Laurel Oak Road, Voorhees, NJ 08043
Phone #: 856-616-2696 Fax #: 856-795-0574 Cell #: N/A
E-mail Address: nobrien@archerlaw.com
7. Applicant's Engineer: Joseph Bongiovanni Company: Jacobs
Mailing Address: 412 Mt. Kemble Avenue, Suite 100, Morristown, NJ 07960
Phone #: 862-242-7026 Fax #: 973-267-3555 Cell #: [REDACTED]
E-mail Address: joseph.bongiovanni@jacobs.com
8. Applicant's Architect: Mark Ragucci Company: Jacobs
Mailing Address: 111 Corning Road, Suite 200, Cary, NC 27518
Phone #: 919-859-5000 Fax #: 919-859-5151 Cell #: [REDACTED]
E-mail Address: mark.ragucci@jacobs.com
9. Applicant's Surveyor: Jeffrey D. Bunce Company: Colliers Engineering and Design
Mailing Address: 331 Newman Springs Road, Suite 203, Red Bank, NJ 07701
Phone #: 732-383-1950 Fax #: N/A Cell #: N/A
E-mail Address: jeffrey.bunce@colliersengineering.com
10. Applicant's Planner: Tiffany A. Morrissey, PP, AICP Company: Tiffany A. Morrissey, PP, LLC
Mailing Address: 7 Equestrian Drive, Galloway, NJ 08205
Phone #: 856-912-4415 Fax #: N/A Cell #: N/A
E-mail Address: tamorrissey@comcast.net

DESCRIPTION OF PROPERTY:

11. Existing use of property: Public Utility Facility - Water Treatment Plant
12. Proposed use of property: Public Utility Facility - Water Treatment Plant
13. Special Flood Hazard Area: Yes

DETAIL PROPOSED INFORMATION:

14. Proposed number of lots, if applicable: N/A

| | REQUIRED and/or PERMITTED | EXISTING | PROPOSED |
|-----------------------|-------------------------------|------------|------------|
| LOT SIZE | LI: 40,000 SF; R-2: 10,000 SF | 811,461 SF | 811,461 SF |
| LOT COVERAGE | LI: 70% SF; R-2: 40% SF | 16.5% | 17.8% |
| BUILDING COVERAGE | LI: 40% SF; R-2: 30% SF | 2.99% | 4.39% |
| BUILDING HEIGHT | LI: 60'; R-2: 35' | <35' | <35' |
| FRONT SETBACK | LI: 40'; R-2: 25' | 49.07' | 49.07' |
| REAR SETBACK | LI: 25'; R-2: 30' | 199.25' | 199.25' |
| SIDE SETBACK | LI: 25'; R-2: 10' | 11.81' | 11.81' |
| COMBINED SIDE SETBACK | LI: 40,000 SF; R-2: 10,000 SF | 113.58' | 85.4' |

(If multiple lots and/or buildings, please attach additional detailed listing for each.)

15. Have there been any previous applications to the Planning Board or Board of Adjustment involving these premises?

YES NO UNKNOWN

If YES, please give date(s): October 21, 2015

Result of decision: Approved - Conditional Use and Conditional Use Variances

16. List of variances requested with Section (§) reference; attach additional forms as necessary:

Side yard setback along the south eastern property line is 11.81' where 25' is required - Existing Non-Conformity
Conditional Use: No building may exceed 20' in height - Existing Non-Conformity; 6' high board-on-board fence to
be installed for screening - Existing Non-Conformity; Public utility facility structure to be located greater than 50'
from residential property line - Existing Non-Conformity

17. If a Zoning denial has been received as part of this application, please attach.

The required submission for all applications to be complete is:

- Twenty-five (25) copies of a completed application form, inclusive of any supporting information.
- Twenty-five (25) copies and one (1) CD* of survey and/or plan(s) with one (1) additional copy of survey and/or plan(s) on 11' x 17' sheet(s).

*See §802B - Completeness Checklist for Use Variance and Bulk Variance Request for details on submission requirements.

AFFIDAVIT OF APPLICATION

State of New Jersey
County of Monmouth

NJ American Water Company, Inc., being of full age, being duly sworn according to Law, on oath
(INSERT APPLICANT'S NAME)

deposes and says that all the above statements are true.


(ORIGINAL SIGNATURE OF APPLICANT TO BE NOTARIZED)

NJ American Water Company, Inc.
Donald C. Shields, V.P. Engineering
(PRINT NAME OF APPLICANT)

Sworn and subscribed before me this

22 day of 11, 2022

[NOTARY SEAL]


(SIGNATURE OF NOTARY PUBLIC)

KELLY A CHERRY
NOTARY PUBLIC
State of New Jersey
ID # 50146054
My Comm. Expires December 20, 2025

OWNER'S AFFIDAVIT OF AUTHORIZATION AND CONSENT STATEMENT OF LANDOWNER
WHERE APPLICANT IS NOT LANDOWNER

(Original signatures only – copies will not be accepted)

In the matter before the Board of Adjustment in the Township of Neptune,
(INSERT PLANNING BOARD or BOARD OF ADJUSTMENT)
State of New Jersey, County of Monmouth, I/We, NJ American Water Company, Inc. - Donald C. Shields, V.P. Engineering,
(INSERT PROPERTY OWNER'S NAME[S])
with mailing address of 1 Water Street, Camden, NJ 08102,
(INSERT PROPERTY OWNER'S MAILING ADDRESS)
of full age being duly sworn according to oath depose(s) and say(s):

"I/We am/are the Owner(s) of the subject property in connection with this application
designated as Block(s) 3001 Lot(s) 12,
also known as 625 Old Corlies Avenue, Neptune, NJ 07753
(INSERT PHYSICAL ADDRESS OF SUBJECT PROPERTY)


I/We authorize Niall J. O'Brien, Esq.
(INSERT NAME OF OWNER(S)' REPRESENTATIVE APPEARING BEFORE THE BOARD)
to appeal to the Planning Board/Board of Adjustment of the Township of Neptune for such
relief as may be required relating to the property listed above, consent to such appeal and
application, and agree that the decision of the Planning Board/Board of Adjustment on such
appeal shall be binding upon me/us as if said appeal has been brought and prosecuted directly
by me/us as the Owner(s).


(ORIGINAL SIGNATURE OF APPLICANT TO BE NOTARIZED)

Donald Shields
(ORIGINAL SIGNATURE OF APPLICANT TO BE NOTARIZED)

Sworn and subscribed before me this

22 day of 11, 2022


(SIGNATURE OF NOTARY PUBLIC)

[NOTARY SEAL]
KELLY A CHERRY
NOTARY PUBLIC
State of New Jersey
ID # 50146054
My Comtn. Expires December 20, 2025



SITE VISIT AUTHORIZATION OF PROPERTY OWNER

I hereby authorize any member of the Township of Neptune Planning Board or Board of Adjustment, any of said Board's professionals or any reviewing agencies of the Board to enter upon the property which is the subject matter of this application, during daylight hours, for the limited purpose of viewing same to report and comment to the Board as to the pending application.

Date: 11/22/22

[Handwritten Signature]
(SIGNATURE OF PROPERTY OWNER)

STATEMENT FROM TAX COLLECTOR

Block: 3001 Lot: 12

Property location: 625 Old Corlies Avenue, Neptune, NJ 07753

Status of municipal taxes: _____

Status of assessments for local improvements: _____

Date: _____

(AUTHORIZED SIGNATURE OF TAX COLLECTOR)



ESCROW AGREEMENT

I/We fully understand an "Escrow Account" will be established to cover the costs of the professional services which may include engineering, planning, architectural services, and any other expenses incurred in connection with the review of this application before the Planning Board/Board of Adjustment.

The amount of the Escrow deposit will be determined by the Neptune Township Land Development Ordinance §1000 - Application and Escrow Fees, Table 10.02 - Escrow Fees.

It is the policy of Neptune Township that once an Escrow Account falls below 24% of the original deposit amount, the account must be replenished to its original amount. The only exception would be when the application is nearing completion; in such cases, the Applicant will be notified of any anticipated charges and the amount of the additional deposit required.

Payments shall be due within fifteen (15) days of receipt of the request for additional Escrow Funds. If payment is not received within that time, the Applicant will be considered to be in default, and such default may jeopardize further appearance before the Board, and delay any and all pending approvals and the issuance of building permits. Continued failure to submit requested funds will result in legal action against the property.

In accordance with N.J.S.A. 40:55D-53.1, all unused portion of the Escrow Account will be refunded upon written request from the Applicant, and verification by the Board's professionals who reviewed the application.

By signature below, I/We acknowledge receipt of Neptune Township's §1000 - Application and Escrow Fees, and agree to all conditions listed.

Name of Applicant: NJ American Water Company, Inc. (PLEASE PRINT)

Property Address: 625 Old Corlies Avenue, Neptune, NJ 07753

Block: 3001 Lot: 12

Applicant: NJ American Water Company, Inc.
Donald C. Shields, V.P. Engineering
(PRINT NAME)

[Signature]
(SIGNATURE OF APPLICANT)

Date: 11/22/22

Owner: NJ American Water Company, Inc.
Donald C. Shields, V.P. Engineering
(PRINT NAME)

[Signature]
(SIGNATURE OF OWNER)

Date: 11/22/22



COMPLETENESS CHECKLIST for USE and/or BULK VARIANCES

§802B. Completeness Checklist for Use Variance and Bulk Variance Request. (Last revised by Ordinance No. 13-17.)

Prior to the issuance of a Certificate of Completeness, the Administrative Officer shall determine that the following documents have been submitted:

- [C = Complete I = Incomplete N/A = Not Applicable W = Waiver Requested*]
- | C | I | N/A | W* | |
|-------------------------------------|--------------------------|--------------------------|-------------------------------------|---|
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 1. Twenty-five (25) copies of completed and signed application form, which must include the following: |
| | | | | <input checked="" type="checkbox"/> Applicant's name, address, telephone number, facsimile number and e-mail address. |
| | | | | <input checked="" type="checkbox"/> Property Owner's name, address, telephone number, facsimile number and e-mail address. |
| | | | | <input checked="" type="checkbox"/> Applicant's interest in the property. |
| | | | | <input checked="" type="checkbox"/> Name, address, telephone number, facsimile number and e-mail address of the Applicant's attorney (if represented), and any and all other professional representatives. |
| | | | | <input checked="" type="checkbox"/> Street address of property under consideration. |
| | | | | <input checked="" type="checkbox"/> Tax Block and Lot numbers of property. |
| | | | | <input checked="" type="checkbox"/> Zoning District in which property is located. |
| | | | | <input checked="" type="checkbox"/> Description of the property. |
| | | | | <input checked="" type="checkbox"/> Description of the proposed development. |
| | | | | <input checked="" type="checkbox"/> Type of application (i.e., Use Variance or Bulk Variance). |
| | | | | <input checked="" type="checkbox"/> Identification of subject property's Special Flood Hazard Area Zone. |
| | | | | <input checked="" type="checkbox"/> Executed copy of "Authorization & Consent Form" Part C. |
| | | | | <input checked="" type="checkbox"/> Executed copy of "Certificate of Ownership" Part D, if applicable. |
| | | | | <input type="checkbox"/> Executed copy of "Certificate of Corporation/Partnership", if applicable. |
| | | | | <input checked="" type="checkbox"/> Verification of taxes paid (this will be further verified by the Administrative Officer). |
| | | | | <input checked="" type="checkbox"/> Executed copy of "Escrow Agreement" Part E. |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 2. Twenty-five (25) copies of the property deed(s). |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 3. Twenty-five (25) copies of the Zoning Permit denial. |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 4. Required plans, folded, no larger than 30" x 42". |
| | | | | PLEASE NOTE: Only folded plans will be accepted, and all submitted plans must be to scale. |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | a. Twenty-five (25) copies of current signed & sealed survey, prepared by a New Jersey Licensed Professional Land Surveyor. |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | b. Five (5) copies of site plans/construction plans with initial submission and with each subsequent submission, for completeness review. |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | c. Once the application is deemed complete, twenty (20) additional full-sized paper site plans/construction plans, plus one (1) reduced-size paper copy of the plans (no larger than 11" x 17"), and one (1) CD containing the plans in .pdf format. |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 5. Six (6) copies of Tree Removal Application package in accordance with \$525 (if applicable). |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 6. Community Impact Statement (for Use Variance only). |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 7. Application Fee \$ <u>6,116.28</u> Escrow Deposit \$ <u>16,750.00</u> in accordance with schedule. |
| | | | | PLEASE NOTE: Application Fee and Escrow Deposit must be paid in separate checks. |

*Any request for a waiver must include a written explanation for the request.

The information below roughly outlines the steps involved in processing an application for a Use and/or Bulk Variance:

After you submit your application, fees, and supporting documents, your application will be reviewed for completeness. At that time, you will receive notification advising you whether your application is "complete". If your application is deemed "incomplete", you will be asked to provide the additional information as outlined in the notification. If your application is deemed "complete", you will receive a letter advising you of your scheduled hearing date.

When you receive your hearing letter, it will include further instructions regarding the process necessary to notify the public of your application, and the notice requirements for the newspaper.

PLEASE NOTE: *It is helpful to the Board that you provide as much detailed information as possible regarding your proposal. Recent photographs of the entire structure/property, clearly showing front, sides and rear, are strongly suggested.* In general, the Board can make its decision at the first meeting/hearing unless the Applicant has failed to provide sufficient information.

Once the Board has rendered a decision, a resolution will be prepared indicating the variance has been granted or denied; this resolution will be memorialized at the next scheduled meeting/hearing. Approximately two (2) to five (5) days after the memorialization of the resolution, it will be mailed to you or to your attorney (should you be represented by an attorney).

Following memorialization, you will be required to publish a "Notice of Decision" in the Township-approved newspaper – The Coaster, 111 Main Street, Asbury Park, NJ 07719. When placing your ad, you must request an "Affidavit of Publication", the original "Affidavit of Publication" of your notice must be submitted to the Board Office once the Notice has been published.

Please be aware that any objector to your approval/denial has up to forty-five (45) days after your notice is published in the newspaper to file an appeal of the decision of the Board.

Please note that application fees are not refundable whether your application has been approved or denied; however, any unused portion of your escrow deposit will be refunded to you. A written request for such refund must be received by the Board Office in order to begin the refund process.

Should you have any questions or require assistance with the application process, please contact the Board Office either by phone (732-897-4162 .x. 204), or by email (kdickert@neptunetownship.org).

§ 1000 Application and Escrow Fees

A. Fee schedule. Every application for development shall be accompanied by a check payable to the municipality in accordance with the following schedule:

TABLE 10.1: APPLICATION FEES

| Type of Application | | | Administrative Fee | |
|--|-----------------|-----------------|--|--|
| Appeals and Interpretations | | | \$100.00 | |
| Appeal to Governing Body | | | \$250.00 | |
| Conceptual/Informal Reviews | | | \$50.00 | |
| Bulk Variances | Residential | | \$100.00 | |
| | Nonresidential | | \$250.00 per variance | |
| Use Variances | | | \$750.00 | |
| Conditional Use | | | \$500.00 | |
| Subdivision | Minor | | \$750.00 | |
| | Major | Preliminary | \$750.00 plus \$75.00 per lot. | |
| | | Final | \$500.00 plus \$40.00 per lot. | |
| Site Plan | Minor Site Plan | | \$500.00 | |
| | Major Site Plan | Residential | Prelim | \$750.00 plus \$60.00 per dwelling unit |
| | | | Final | 50% of Preliminary |
| | | Non-residential | Prelim | \$1,500.00 plus \$50.00 per acre, plus \$0.08 per square foot of proposed building area. |
| | | | Final | 50% of preliminary |
| General Development Plan | | | \$2,000.00 | |
| Certified List per MLUL 40:55D-12c. | | | \$10.00 or \$0.25/name, whichever is greater | |
| Special Meeting | | | \$1,500.00 | |
| Resubmission or Revision Fee | | | \$100.00 or 40% of original fee, whichever is greater | |
| Tax Map Revisions | | | \$300.00 plus \$25.00 per lot or unit. | |
| Zone Change Request | | | \$250.00 | |
| Appeal to the Township Committee | | | \$250.00 | |
| Tree Removal Permit | | | For new residential building lots, \$25.00 dollars per tree, up to a maximum of \$300.00 per lot; For all other properties, \$25.00 per tree up to a maximum of \$600.00 for each acre. | |
| Zoning Permit | | | \$35.00 | |
| Historic Preservation Commission Certificate of Appropriateness | | | \$10.00 | |
| Certification of Pre-existing Nonconforming Use (from Administrative Officer or Zoning Board of Adjustment) | | | \$100.00 per use. | |
| Research Letter (from Administrative Officer) | | | \$75.00 | |
| Extension of Approvals | | | \$250.00 | |
| Soil Removal | | | \$100.00 per lot. | |
| Historic Preservation Commission Demolition (partial or total) | | | \$25.00 | |

TABLE 10.2: ESCROW FEES

| Type of Application | | | | Escrow |
|--|--|-----------------|-----------------------|---|
| Appeals and Interpretations | | | | \$750.00 |
| Conceptual/Informal Board Review | | | | \$750.00 |
| Conceptual/Informal Technical Review | | | | \$1,500.00 |
| Bulk Variances | Residential | | | \$200.00 |
| | Residential Requiring Engineering Review | | | \$750.00 |
| | Nonresidential | | | \$1,250.00 |
| Use Variances | | | | \$1,500.00 |
| Conditional Use | | | | \$2,000.00 |
| Subdivision | Minor | | | \$4,500.00 |
| | Major | Preliminary | 0-5 lots - \$4,500 | |
| | | | 6-24 lots - \$6,000 | |
| | | | 25-100 lots - \$8,000 | |
| | | 101+ - \$10,000 | | |
| | | Final | 50% of Preliminary | |
| Site Plan | Minor Site Plan | | | \$1,500.00 |
| | Major Site Plan | Residential | Prelim | \$2,500.00 plus \$25.00 per dwelling unit |
| | | | Final | 50% of preliminary |
| | | Non-residential | Prelim | \$2,500.00 plus 0-5,000 sf - \$1,500.00 5,001-10,000 sf - \$3,500.00 10,001 - 25,000 sf - \$6,500.00 25,001-75,000 sf - \$8,500.00 75,000 sf + - \$10,000.00 |
| | | | Final | 50% of preliminary |
| | General Development Plan | | | |
| Certified List | | | | None |
| Special Meeting | | | | \$500.00 |
| Resubmission or Revision Fee | | | | 40% of original fee. |
| Administrative Approval of Changes | | | | \$500.00 per change. |
| Appeal to the Township Committee | | | | None |
| Issuance of a Permit in Certain Areas | | | | \$200.00 |
| Tree Removal Permit | | | | \$500.00 |
| Zoning Permit/Certificate of Appropriateness | | | | None |
| Historic Preservation Commission Demolition | | | | \$1,800.00 |
| Review of Architectural elevations by Township Architect (if required by Planning or Zoning Board Officials) | | | | \$1,500.00 |
| Certification of Pre-existing Nonconforming Use (from Administrative Officer or Zoning Board of Adjustment) | | | | None |
| Extension of Approvals | | | | \$1,000.00 |
| Treatment Works Approval | | | | \$500.00 |
| Soil Removal | | | | \$100.00 for review of an application by the Township Engineer and inspection of the site, plus \$0.05 per sq. foot of area disturbed due to the removal of soil |
| Plot Plan/Grading Plan and As-built Survey Review | | | | \$750.00 per lot |

B. Purpose of fees. The application charge is a flat fee to cover direct administrative expenses and is non-refundable. The escrow account is established to cover the costs of professional services including engineering, legal, planning and other expenses connected with the review of the submitted materials. In accordance with N.J.S.A. 40:55D-53 and N.J.S.A. 40:55D-53.1, sums not utilized in the review process shall be returned to the applicant upon written request. If additional sums are deemed necessary, the applicant shall be notified by certified mail or personal service of the required additional amount and shall add such sum to the escrow. Payment shall be due from the applicant within fifteen (15) days of receipt of the notice. If payment is not received within fifteen (15) days, the applicant shall be considered to be in default, and such default may be grounds for denial of the application.

C. More than one request. Where one application for development includes several approval requests, the sum of the individual required fees shall be paid.

D. Costs of review and inspection. Each applicant for subdivision or site plan approval shall agree in writing to pay all reasonable costs for professional review of the application, including costs incurred with any informal review of a concept plan which may have preceded the submission of a preliminary application. Additionally, each applicant shall agree in writing to pay all reasonable costs for the municipal inspection of the constructed improvements. All such costs for review and inspection must be paid before any construction permit is issued and all remaining costs must be paid in full before any occupancy issued or bonding is released.

E. Court reporter. If an applicant desires a court reporter, the cost of taking testimony and transcribing it and providing a copy of the transcript to the municipality shall be at the expense of the applicant who shall arrange for the reporter's attendance. The municipality provides for the tape recording of the proceedings before the Board.

F. Waiver of fees for affordable housing. Notwithstanding any other provision of this Ordinance, a waiver of municipal subdivision and site plan application fees, and zoning permit fees may be granted by the approving municipal agency for all housing units being provided by the applicant for low and moderate income families.

APPLICATION for USE and/or BULK VARIANCES

TYPE OF VARIANCE REQUESTED:

- Bulk Variance** (front, side/rear setback, other) – **Specify:** Side yard setback along the south eastern property line is 11.81' where 25' is required - Existing Non-Conformity
- Bulk Variance** (lot coverage): _____
- Use Variance** (proposal not permitted in zone): _____
- Appeal/Interpretation of Decision:** _____
- Other - Specify:** Conditional Use: No building may exceed 20' in height - Existing Non-Conformity; 6' high board-on-board fence to be installed for screening - Existing Non-Conformity; Public utility facility structure to be located greater than 50' from residential property line - Existing Non-Conformity

1. **Property Address:** 625 Old Corlies Avenue, Neptune, NJ 07753
2. **Block:** 3001 **Lot:** 12
3. **Property is located in** LI and R-2 **Zoning District**, according to Neptune Township Land Development Ordinance.
4. **Name of Applicant:** NJ American Water Company, Inc.
Mailing Address: 625 Old Corlies Avenue, Neptune, NJ 07753
Phone #: 609-529-1067 **Fax #:** N/A **Cell #:** N/A
E-mail Address: joanna.diamond@amwater.com
5. **Name of Owner:** _____
Mailing Address: _____
Phone #: 609-529-1067 **Fax #:** N/A **Cell #:** N/A
E-mail Address: joanna.diamond@amwater.com
6. **Interest of Applicant, if other than Owner:** Applicant owns the property
7. **Name of Contact Person:** NJ American Water Company, Inc. - Joanna Diamond, Project Engineer
Mailing Address: 149 Yellowbrook Road, Farmingdale, NJ 07727
Phone #: 609-529-1067 **Fax #:** N/A **Cell #:** N/A
E-mail Address: joanna.diamond@amwater.com
8. **Applicant's Attorney:** Niall J. O'Brien, Esq. **Company:** Archer & Greiner, P.C.
Mailing Address: 1025 Laurel Oak Road, Vorhees, NJ 08043
Phone #: 856-616-2696 **Fax #:** 856-795-0574 **Cell #:** N/A
E-mail Address: nobrien@archerlaw.com
9. **Applicant's Engineer:** Joseph Bongiovanni **Company:** Jacobs
Mailing Address: 412 Mt. Kemble Avenue, Suite 100, Morristown, NJ 07960
Phone #: 862-242-7026 **Fax #:** 973-267-3555 **Cell #:** [REDACTED]
E-mail Address: joseph.bongiovanni@jacobs.com
10. **Applicant's Architect:** Mark Ragucci **Company:** Jacobs
Mailing Address: 111 Corning Road, Suite 200, Cary, NC 27518
Phone #: 919-859-5000 **Fax #:** 919-859-5151 **Cell #:** [REDACTED]
E-mail Address: mark.ragucci@jacobs.com
11. **Applicant's Surveyor:** Jeffrey D. Bunce **Company:** Colliers Engineering and Design
Mailing Address: 331 Newman Springs Road, Suite 203, Red Bank, NJ 07701
Phone #: 732-383-1950 **Fax #:** N/A **Cell #:** N/A
E-mail Address: jeffrey.bunce@colliersengineering.com
12. **Applicant's Planner:** Tiffany A. Morrissey, PP, AICP **Company:** Tiffany A. Morrissey, PP, LLC
Mailing Address: 7 Equestrian Drive, Galloway, NJ 08205
Phone #: 856-912-4415 **Fax #:** N/A **Cell #:** N/A
E-mail Address: tamorrissey@comcast.net



DESCRIPTION OF PROPERTY (e.g., Single Family Dwelling, Commercial/Retail):

Existing use of property: Public Utility Facility - Water Treatment Plant
 Proposed use of property: Public Utility Facility - Water Treatment Plant
 Special Flood Hazard Area: Yes

PRINCIPAL USE:

| | REQUIRED and/or PERMITTED | EXISTING | PROPOSED |
|-----------------------|-------------------------------|------------|------------|
| LOT SIZE | LI: 40,000 SF; R-2: 10,000 SF | 811,461 SF | 811,461 SF |
| LOT COVERAGE | LI: 70% SF; R-2: 40% SF | 16.5% | 17.8% |
| BUILDING COVERAGE | LI: 40% SF; R-2: 30% SF | 2.99% | 4.39% |
| BUILDING HEIGHT | LI: 60'; R-2: 35' | <35' | <35' |
| FRONT SETBACK | LI: 40'; R-2: 25' | 49.07' | 49.07' |
| REAR SETBACK | LI: 25'; R-2: 30' | 199.25' | 199.25' |
| SIDE SETBACK | LI: 25'; R-2: 10' | 11.81' | 11.81' |
| COMBINED SIDE SETBACK | LI: 40,000 SF; R-2: 10,000 SF | 113.58' | 85.4' |

(If multiple lots and/or buildings, please attach additional detailed listing for each.)

ACCESSORY (if applicable):

| | REQUIRED and/or PERMITTED | EXISTING | PROPOSED |
|-----------------------|---------------------------|----------|----------|
| LOT SIZE | N/A | N/A | N/A |
| LOT COVERAGE | N/A | N/A | N/A |
| BUILDING COVERAGE | N/A | N/A | N/A |
| BUILDING HEIGHT | N/A | N/A | N/A |
| FRONT SETBACK | N/A | N/A | N/A |
| REAR SETBACK | N/A | N/A | N/A |
| SIDE SETBACK | N/A | N/A | N/A |
| COMBINED SIDE SETBACK | N/A | N/A | N/A |

(If multiple lots and/or buildings, please attach additional detailed listing for each.)

8. Have there been any previous applications to the Planning Board or Board of Adjustment involving these premises?

YES NO

If YES, please give date(s): October 21, 2015

Result of decision: Approved - Conditional Use and Conditional Use Variances

9. Justification/reason(s) for variance(s) requested. (Be as specific as possible; attach additional sheets if necessary.):

All variances for the proposed application are existing non-conformities. The proposed site improvements do not exasperate the variances/existing non-conformities.

10. If a Zoning denial has been received as part of this application, please attach.

The required submission for all applications to be complete is:

- Twenty-five (25) copies of a completed application form, inclusive of any supporting information.
- Twenty-five (25) copies and one (1) CD* of survey and/or plan(s) with one (1) additional copy of survey and/or plan(s) on 11' x 17' sheet(s).

*See §802B - Completeness Checklist for Use Variance and Bulk Variance Request for details on submission requirements.

AFFIDAVIT OF APPLICATION

State of New Jersey
County of Monmouth

NJ American Water Company, Inc. , being of full age, being duly sworn according to Law, on oath
(INSERT APPLICANT'S NAME) New Jersey American Water Company, Inc.
deposes and says that all the above statements are true.




(ORIGINAL SIGNATURE OF APPLICANT TO BE NOTARIZED)

Donald Shields

(PRINT NAME OF APPLICANT)

Sworn and subscribed before me this
22 day of 11 , 20 22



(SIGNATURE OF NOTARY PUBLIC)

[NOTARY SEAL]

KELLY A CHERRY
NOTARY PUBLIC
State of New Jersey
ID # 50146054
My Comm. Expires December 20, 2025



OWNER'S AFFIDAVIT OF AUTHORIZATION AND CONSENT STATEMENT OF LANDOWNER

WHERE APPLICANT IS NOT LANDOWNER

(Original signatures only - copies will not be accepted)

Applicant owns the Property

In the matter before the Board of Adjustment in the Township of Neptune, State of New Jersey, County of Monmouth, I/We, NS American Wader Company Inc, with mailing address of 1 Wader St Camden NJ 08102 of full age being duly sworn according to oath depose(s) and say(s):

I/We am/are the Owner(s) of the subject property in connection with this application designated as Block(s) 3001 Lot(s) 12 also known as 625 Old Corlies Avenue, Neptune, NJ 07753

I/We authorize Niall J. O'Brien, Esq. to appeal to the Planning Board/Board of Adjustment of the Township of Neptune for such relief as may be required relating to the property listed above, consent to such appeal and application, and agree that the decision of the Planning Board/Board of Adjustment on such appeal shall be binding upon me/us as if said appeal has been brought and prosecuted directly by me/us as the Owner(s).

[Handwritten signature] (ORIGINAL SIGNATURE OF APPLICANT TO BE NOTARIZED)

Donald Shields (ORIGINAL SIGNATURE OF APPLICANT TO BE NOTARIZED)

Sworn and subscribed before me this

22 day of 11, 20 22

[Handwritten signature] (SIGNATURE OF NOTARY PUBLIC)

[NOTARY SEAL] KELLY A CHERRY NOTARY PUBLIC State of New Jersey ID # 50146054 My Comm. Expires December 20, 2025

SITE VISIT AUTHORIZATION OF PROPERTY OWNER

I hereby authorize any member of the Township of Neptune Planning Board or Board of Adjustment, any of said Board's professionals or any reviewing agencies of the Board to enter upon the property which is the subject matter of this application, during daylight hours, for the limited purpose of viewing same to report and comment to the Board as to the pending application.

Date: 11/22/22



(SIGNATURE OF PROPERTY OWNER)

STATEMENT FROM TAX COLLECTOR

Block: 3001 Lot: 12

Property location: 625 Old Corlies Avenue, Neptune, NJ 07753

Status of municipal taxes: _____

Status of assessments for local improvements: _____

Date: _____

(AUTHORIZED SIGNATURE OF TAX COLLECTOR)



ESCROW AGREEMENT

I/We fully understand an "Escrow Account" will be established to cover the costs of professional services which may include engineering, planning, and/or architectural services, and any other expenses incurred in connection with the review of this application before the Planning Board/Board of Adjustment.

The amount of the Escrow deposit will be determined by the Neptune Township Land Development Ordinance §1000 - Application and Escrow Fees, Table 10.02 - Escrow Fees.

It is the policy of Neptune Township that once an Escrow Account falls below 24% of the original deposit amount, the account must be replenished to its original amount. The only exception would be when the application is nearing completion; in such cases, the Applicant will be notified of any anticipated charges and the amount of the additional deposit required.

Payments shall be due within fifteen (15) days of receipt of the request for additional Escrow Funds. If payment is not received within that time, the Applicant will be considered to be in default, and such default may jeopardize further appearance before the Board, and delay any and all pending approvals and the issuance of building permits. Continued failure to submit requested funds will result in legal action against the property.

In accordance with N.J.S.A. 40:55D-53.1, all unused portion of the Escrow Account will be refunded upon written request from the Applicant, and verification by the Board's professionals who reviewed the application.

By signature below, I/We acknowledge receipt of Neptune Township's §1000 - Application and Escrow Fees, and agree to all conditions listed.

Name of Applicant: NJ American Water Company, Inc. (PLEASE PRINT)

Property Address: 625 Old Corlies Avenue, Neptune, NJ 07753

Block: 3001 Lot: 12

Applicant: Donald Shields, VPEngineering (PRINT NAME) [Signature] (SIGNATURE OF APPLICANT) Date: 11/22/22

Owner: (PRINT NAME) (SIGNATURE OF OWNER) Date:

APPLICATION ADDENDUM
NEW JERSEY AMERICAN WATER COMPANY, INC.
Addendum to Application for Conditional Use Variance Approval, Conditional Use
Approval and Minor Site Plan Approval for the Jumping Brook Water Treatment Plant
625 Old Corlies Avenue, Block 3001, Lot 12, Neptune Township

I. Nature of Application

This Application on behalf of New Jersey American Water Company, Inc. (the "Applicant") to the Neptune Township Zoning Board of Adjustment ("Zoning Board") for for Variances from Conditional Use Standards, Conditional Use Approval and Minor Site Plan Approval is to allow for proposed additions in connection with the Applicant's existing Public Utility Facility known as the Jumping Brook Water Treatment Plant ("WTP") that is located on a 17.2 + acre property, owned by the Applicant, located, in part, within a Light Industry Zoning District ("L-I") and, in part, within a Residential ("R-2") Zoning District, which has a street address of 625 Old Corlies Avenue, and is more particularly known as Block 3001, Lot 12 (and formerly known as Block 7013, Lot 14), on the official tax maps of Neptune Township, Monmouth County (the "Property"). Within the L-I Zoning District, Public Utility Facilities are conditionally permitted (or a "Conditional Use") pursuant to Neptune Township UDO Section 404.11.C.32.

The facilities associated with the Jumping Brook WTP are located entirely on the portion of the Property within the L-I Zone, in which Public Utility Facilities were previously permitted principal uses, prior to the adoption of Ordinance No. 03-035 by Neptune Township Committee during 2003 and, as set forth above, remain conditionally permitted.

In particular, the Applicant is proposing the development of a new 11,000 +/- square foot Water Treatment Building and Clearwell, a 125 +/- square foot addition to the existing Residuals Building, with associated site improvements to asphalt pavement and grass areas, five additional parking spaces, a grass paver access drive all in addition to Utility, Stormwater Management and other associated improvements.

II. Background and Jurisdiction

By way of background, on October 21, 2015, the Zoning Board Approved the Applicant's for Variances from Conditional Use Standards, Conditional Use Approval, and Minor Site Plan Approval and, on December 2, 2015, adopted a Resolution for Application No.: ZB 15/12, memorializing that Approval, allowing for the installation of an emergency power generation system with associated switchgear and other equipment, at the WTP on the Property (the "2015 Approvals").

As you may know, the New Jersey Municipal Land Use Law (MLUL) vests Approval jurisdiction for Conditional Uses with the Planning Board when the Conditional Use complies with the conditions and standards for the use as contained in the Zoning Ordinance. N.J.S.A. 40:55D-3. However, where the proposed use does not comply with all of the required Conditional Use Standards, the MLUL vests jurisdiction for the Approval of Variances from those Conditional Use Standards and Approval of the Conditional Use with the Zoning Board.

In connection with the 2015 Approvals, although the development proposed by the Applicant at that time would have minimal, if any, impact on certain existing nonconforming conditions with respect to the current Conditional Use Standards, the Zoning Board retained jurisdiction for the Application at that time and, the Applicant requested, as a precaution, Variances from certain Conditional Use Standards if deemed necessary to allow the following nonconforming conditions to continue:

(i) the design of the buildings at the Jumping Brook WTP not to specifically conform to the character of the area, which includes a golf course, open space and residential development, and for the existing water storage tanks on the property to significantly exceed 20 feet in height when Ordinance 415.15C provides that any building utilized in connection with such [Public Utility] facility should conform to the general character of the area, should in no way adversely affect the adjacent properties and no building may exceed twenty (20) feet in height;

(ii) the Jumping Brook WTP not to be surrounded by fencing when Ordinance 415.15D requires that a continuous six (6) foot high board-on-board fence shall be provided to screen the public utility facility from public view and to insure security; and

(iii) water treatment tanks on the Property associated with the WTP to be located ten (10) feet from the common property line with the adjacent residential properties along Sycamore Street, when Ordinance 415.5E provides that a structure associated with a Public Utility Facility in a non-residential zoning district may not be located closer than fifty (50) feet to residential property line (and which is also less than the 25 foot rear yard setback required within the L-I Zoning District by Ordinance).

In connection with this Application, the Applicant is requesting Preliminary and Final Site Plan Approval for the proposed clearwell, high service pump station, chlorine conversion, and other improvements. To the extent necessary, the Applicant is also requesting affirmation or re-Approval of the Variances from the Conditional Use Standards set forth above.

III. Jurisdiction for Conditional Uses.

New Jersey American Water is a public utility subject to New Jersey Board of Public Utilities ("BPU") regulation and, as indicated above, Public Utility Facilities are permitted as a Conditional Use within the L-I Zoning District, pursuant to the Neptune Township UDO. As a result, pursuant to the Municipal Land Use Law ("MLUL"), initial jurisdiction generally lies with the Planning Board. A Conditional Use is defined by the MLUL as:

A use permitted in a particular zoning district only upon a showing that such use in a specified location will comply with the conditions and standards for the location or operation of such use as contained in the zoning ordinance, and upon the issuance of an authorization therefore by the Planning Board.

N.J.S.A. 40:55D-3. However, in cases where the proposed use does not comply with all of the required Conditional Use Standards applicable to the Conditional Use contained within the

UDO, jurisdiction is vested in the Zoning Board of Adjustment pursuant to N.J.S.A. 40:55D-70d(3).

A. Legal Standard – “d(3)” Conditional Use Variances

1. The Positive Criteria

Typically, the Applicant seeking “d(1)” Use Variance Approval must satisfy the positive criteria by showing that (i) the proposed use is an inherently beneficial one; (ii) denial of the use variance would result in undue hardship; or (iii) the proposed site would promote the general welfare in that it is particularly suited for the proposed use. Medici v. BRP Co., 107 N.J. 1 (1987).

However, as to “d(3)” Variances from Conditional Use Standards, the New Jersey Supreme Court has held the heightened burden of proving special reasons for Use Variance Approvals should not be applicable. Coventry Square v. Westwood Zoning Board of Adjustment, 138 N.J. 285 (1994). Instead, an Applicant should only be required to justify the municipality’s continued permission for the Conditional Use, and the focus of the positive criteria should be limited to the impact of the deviation, and not on the impact of the use. The Applicant must provide:

proof sufficient to satisfy the board of adjustment that the site proposed for the conditional use, in the context of the applicant's proposed site plan, continues to be an appropriate site for the conditional use notwithstanding the deviations from one or more conditions imposed by the ordinance. Thus, a conditional-use variance applicant must show that the site will accommodate the problems associated with the use even though the proposal does not comply with the conditions the ordinance established to address those problems.

Coventry Square, 138 N.J. at 298-99. In other words, the Zoning Board must only determine that the Property continues to be an appropriate location for the Conditional Use, in spite of the inability to comply with the Ordinance Conditional Use Standards. As set forth above, the proposed development should have no impact on the existing nonconforming conditions at the WTP on the Property. However, if deemed necessary, the Applicant requests Approval for those nonconforming conditions.

2. The Negative Criteria

For all “d” Variances, the MLUL provides that “no variance or other relief may be granted under the terms of this section...without a showing that such variance or other relief can be granted without substantial detriment to the public good and will not substantially impair the intent and purpose of the Zone Plan and Zoning Ordinance...” N.J.S.A. 40:55D-70(d).

However, in Coventry Square, the Supreme Court also limited the consideration of the negative criteria, providing that this standard is met for Conditional Use Variances as follows:

In respect of the first prong of the negative criteria, that the variance can be granted "without substantial detriment to the public good," N.J.S.A. 40:55D-70, the focus is on the effect on surrounding properties of the grant of the variance for the specific deviations from the conditions imposed by the ordinance. The board of adjustment must evaluate the impact of the proposed [conditional-] use variance upon the adjacent properties and determine whether or not it will cause such damage to the character of the neighborhood as to constitute "substantial detriment to the public good." ... In respect of the second prong, that the variance will not "substantially impair the intent and purpose of the zone plan and zoning ordinance," N.J.S.A. 40:55D-70(d), the board of adjustment must be satisfied that the grant of the conditional-use variance for the specific project at the designated site is reconcilable with the municipality's legislative determination that the condition should be imposed on all conditional uses in that zoning district.

B. Conditional Use Variance Justification: The Positive Criteria

In this case, the Property will continue to be an appropriate location for the Jumping Brook WTP, which is an important regional water treatment facility providing potable water for Neptune Township and the surrounding region, notwithstanding the Applicant's request for Variances from the Conditional Use Standards applicable to Public Utility Facilities.

1. Conditional Use Variance for Structures that do not Conform to the General Character of the Area

Variance Approval is being requested from the Conditional Use Standard set forth at Ordinance 415.15C, which provides that any building utilized in connection with such [Public Utility] facility should conform to the general character of the area, should in no way adversely affect the adjacent properties and that no building may exceed twenty (20) feet in height.

Due to the nature of structures including the water treatment tanks and other facilities that are required for effective water treatment operations, the structures and buildings at the Jumping Brook WTP were not historically, and cannot be, designed to conform to the general character of the surrounding area, which includes a golf course, open space and residential development. In addition, although the existing control building and water treatment tanks significantly exceed 20 feet in height, the proposed generator and associated facilities will be significantly less than 20 feet in height. Finally, no modifications are proposed for any existing buildings or structures that exceed the maximum height of 20 feet that is now permitted for buildings utilized in connection with Public Utility Facility uses.

In addition, the emergency generator and associated facilities will be installed in an area that is roughly in the center of the existing WTP and, therefore, the proposed development will have minimal or no visual impact on surrounding properties.

Further, this Conditional Use Standard should be considered more applicable to such Public Utility Installations as pump houses and other similar facilities that can be designed with a residential or other conforming character, rather than operating water treatment facilities within an important WTP. However, despite the Applicant's inability to conform the existing buildings at the WTP with the surrounding area and to reduce the heights of those existing buildings to 20 feet to meet the maximum permitted by Ordinance, the Property has historically proven to be an appropriate location for the Jumping Brook WTP and the existing character of structures associated with the facility will not be significantly modified or otherwise affected by the proposed installation of the emergency generator and associated facilities.

For all of these reasons, the Property is, and will continue to be, an appropriate location for the Jumping Brook WTP, notwithstanding the Applicant's inability to strictly comply with this Conditional Use Standard.

2. Conditional Use Variance from Fencing Requirements for Security and Screening

Variance Approval is being requested from the Conditional Use Standard set forth at Ordinance 415.15D, requiring that a Public Utility Facility be surrounded by a continuous six (6) foot high *board-on-board* fence to screen the Public Utility Facility from public view and to ensure security. However, as noted on the enclosed Site Plans, the Jumping Brook WTP is completely surrounded by an existing *chain link* security fence.

The requested deviation from the Ordinance fencing requirement for the use of board on board fencing for screening and security is due, in large part, to the location of the Jumping Brook WTP on property that contains the Jumping Brook, significant wetlands and natural wooded vegetation to the north, west and south, that adequately serve to screen the WTP and prevent intrusion from Old Corlies Avenue or from the adjacent open space property. These existing features would make the installation of board on board fencing in those areas of the Property impractical and redundant for purposes of screening and security. In addition, the Jumping Brook WTP facilities are located a significant distance from Old Corlies Avenue and are bordered to the west by open space properties owned by Neptune Township.

Further, many, if not all of the adjacent residential properties along Sycamore Street have wooden fencing and significant vegetative screening along the common property line, which is further enhanced by the vegetative screening and a chain link security fence which surrounds the WTP on the Property.

As a result of all of the above, even without the board on board fencing on the Property that is otherwise required by Ordinance, the intent and purpose of this Conditional Use Standard to provide screening for adjacent properties and security for the Jumping Brook WTP should be deemed to be addressed in this case.

For these reasons, the Property has adequately accommodated the Jumping Brook WTP, Public Utility Facility in the past without having board on board fencing, and it should continue to do so without creating any additional impacts on surrounding properties resulting from the proposed installation of the emergency generator and associated facilities.

3. Conditional Use Variance for Facilities Closer than 50 feet from Residential Property Lines

Variance Approval is being requested from the Conditional Use Standard set forth at Ordinance 415.5E to allow the existing water storage tanks and certain other facilities on the Property to continue to be located approximately ten (10) feet from the common property line with the adjacent residential properties along Sycamore Street, when a structure associated with a Public Utility Facility in a non-residential zone district may not be located closer than fifty (50) feet to residential property lines (and which is also less than the 25 foot rear yard setback required within the L-I Zoning District by Ordinance).

The requested Variance from this Conditional Use Standard (and from the Rear Yard Setback requirement for the L-I Zoning District, if necessary) is made necessary by the fact that the water storage tanks that are located less than 50 feet from the common property line with the adjacent residences along Sycamore Street are existing facilities which were in place prior to the adoption of Ordinance No. 03-035 by the Neptune Township Committee, which changed the designation for Public Utility Facilities within the L-I and R-2 Zoning Districts, from principal permitted uses to Conditional Uses subject to the Conditional Use Standards.

It is important to note that the Jumping Brook WTP cannot be easily re-located from the Property, and the existing water storage tanks and other facilities within the WTP cannot be easily relocated within the Property. The Property has historically been, and remains, an appropriate location for the conditionally permitted Public Utility Facility. Further, because the development proposed in connection with this Application is minor in nature, the Property will continue to adequately accommodate the WTP notwithstanding the Applicant's inability to comply with this Conditional Use Standard.

Furthermore, as set forth above, the common property line with the residential properties along Sycamore Street is adequately screened and secured, and the proposed installation of the emergency generator in a central location on the Property will have minimal, if any, impact on the adjacent residential properties.

Finally, as noted above, although the heightened burden of proof applicable to a "d(1)" Variance is not applicable for a Conditional Use "d(3)" Variance, the provision of an adequate source of emergency electric supply for the entire Jumping Brook WTP has been determined by the Applicant to be necessary in order to maintain the effectiveness and reliability of the Applicant's water treatment and distribution services, and, therefore, should be considered to promote the public good. The Property has historically adequately accommodated, and is an appropriate location for, the WTP, and, therefore, is particularly suited for the Public Utility Facility use. Thus, even if the heightened burden of proof for "d(1)" Variances was to be applied, the development proposed by the Applicant would satisfy that standard.

C. Conditional Use Variance Justification: the Negative Criteria

The Applicant's requests for Variances from Conditional Use Standards will not cause damage to the character of the neighborhood and will not constitute or result in substantial detriment to the public good because the minor development that is proposed will take place

entirely within the development footprint of the existing Jumping Brook WTP, which has existed historically on the Property, and will continue to do so, without substantial detriment to surrounding properties.

Further, the Jumping Brook WTP is located entirely on a portion of the Property within the L-I Zoning District, which significantly exceeds the minimum property size of 40,000 square feet that is required by Ordinance, and in which zone, industrial, manufacturing and similar structures are permitted and appropriate (and which would be permitted to have heights of up to 60 feet) and are similar in nature to the existing Public Utility Facility structures at the Jumping Brook WTP.

In addition, the proposed installation of an enhanced source of emergency power supply has been determined by the Applicant to be necessary to maintain the effectiveness and reliability of water treatment services for the supply of potable water to Neptune Township and the surrounding area. Therefore, as indicated above, the proposed expanded and modified use should be considered to promote, rather than be a detriment to the public good, and will have a no adverse impact on surrounding properties or the character of the area in which the Property is located, thereby satisfying the first prong of the negative criteria applicable to Variances from Conditional Use Standards.

The grant of the requested Variances from the Conditional Use Standards for the specific project, at the Property, is also reconcilable with the Neptune Township Committee's legislative determination that those Conditional Use Standards should be imposed on all Public Utility Facilities in the L-I Zoning District. The Jumping Brook WTP is an existing Public Utility Facility and located within the Applicant's existing water supply system and cannot easily be relocated.

In addition, the Property contains significant wooded screening and security fencing around the Jumping Brook WTP which meets the intent and purpose of the Conditional Use Standard requiring board on board fencing for Public Utility Facilities, and that requirement remains applicable and relevant to any new Public Utility Facility within the L-I Zoning District.

In a similar manner, the Applicant's request for a Variance from the Conditional Use Standards to permit water storage tanks to be located less than 50 feet from adjacent residential properties is for existing facilities that were in place prior the adoption of Ordinance No. 03-035 by Neptune Township Committee, which imposed the 50 foot setback requirement on Public Utility Facilities as a Conditional Use Standard, and which requirement remains applicable to new, or improvements to existing, Public Utility Facility installations, within the 50 foot setback.

Finally, in this regard, the requirement for structures within Public Utility Facilities to conform to the general character of the area should be considered more relevant to other types of Public Utility Facilities that can be designed with a residential or other conforming character and which do not have the same operational characteristics as the Jumping Brook WTP. Also, the Property comprises the entire area of the L-I Zoning District in which the Jumping Brook WTP is located and would, if strictly imposed upon the Applicant, require Public Utility Facility structures to conform in character to residential or recreational structures in the adjacent residential zoning district, or the adjacent golf course or open space.

For all of these reasons, granting the requested Conditional Use Variance Approvals is reconcilable with the Neptune Township Committee's imposition of those Conditional Standards on all Public Utility Facilities which may be able to comply with those Conditional Use Standards, when due to the particular nature of the Applicant's Jumping Brook WTP, the Applicant cannot so comply.

For the reasons indicated above, both the positive and negative criteria for the requested Variances from Conditional Use Standards are met in this case, and the Variances should be granted.

IV. Additional Relief Requested

At the Zoning Board public hearing on this Application, the Applicant will be prepared to offer additional testimony in support of the requested Variances from Conditional Use Standards to the extent deemed necessary, and will also request any and all additional Approvals, Variances, Interpretations and other relief deemed necessary to allow for the proposed development and the continued use of the Property and the continued operation of the Jumping Brook WTP.

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APPLICATION ADDENDUM II
New Jersey American Water Company
Jumping Brook Water Treatment Plant
Preliminary and Final Major Site Plan Application
Proposed Clearwell and High Service Pump Station Addition and Chlorine Conversion
625 Old Corlies Avenue / Block 3001, Lot 12, Township of Neptune

Explanation of Waivers

NJ American Water Company, Inc. is requesting the following waivers from the checklist items.

1. Environmental Impact Statement

The Jumping Brook Water Treatment Plant is currently developed with numerous buildings and water treatment tanks. The facility is bound by wooded areas and Jumping Brook to the north, west, and south and a residential development toward the east. The proposed site improvements include a new 11,000± SF water treatment building (building footprint), a 280± SF building addition (building footprint), replaced/resurfaced bituminous asphalt pavement, and associated stormwater and utility service upgrades. The new building will be situated adjacent to and south of the existing treatment building within an area that is currently grassy brush with numerous single trees scattered throughout. The new building will provide additional treatment capacity for the municipal water system and will not create detrimental impact to the surrounding environment.

2. Circulation Impact Study

The proposed site improvements will be situated within an existing water treatment plant (Public Utility Facility) and there will be no change in use. The building will not generate additional employees or vehicular traffic. All deliveries and personnel will access the facility via the existing access drive off Old Corlies Avenue and the internal vehicular circulation will not change. The four (4) proposed additional parking spaces will alleviate the existing parking challenges at the facility.

3. Community Impact Statement

The proposed site improvements will be situated within an existing water treatment plant (Public Utility Facility) and there will be no change in use. The building will be screened with existing wooded vegetation and be located approximately 225' west of the adjacent residential community toward the east and approximately 280' north of Old Corlies Avenue. The facility will function as-is currently under existing conditions will not generate additional employees or vehicular traffic. All deliveries and personnel will access the facility via the existing access drive off Old Corlies Avenue and the internal vehicular circulation will not change. The four (4) proposed additional parking spaces will alleviate the existing parking challenges at the facility. The new building will provide additional treatment capacity for the municipal water system and will not create an additional burden on the Township of Neptune or Monmouth County emergency services.

APPLICANT: NEW JERSEY AMERICAN WATER
APPLICATION NUMBER: ZB 15/12
BLOCK: 3001
LOTS: 12
ADDRESS: 625 OLD CORLIES AVENUE
ATTORNEY FOR APPLICANT: NIAL J. O'BRIEN, ESQ. (ARCHER & GREINER)
RESOLUTION NUMBER: ZBA#15/27



**RESOLUTION OF THE ZONING BOARD OF ADJUSTMENT
OF THE TOWNSHIP OF NEPTUNE**

WHEREAS, BOARD MEMBER BARBARA BASCOM, offered the following Resolution moved and seconded by **BOARD MEMBER BILL FRANTZ:**

WHEREAS, NJ AMERICAN WATER (JUMPING BROOK WATER TREATMENT PLANT) by and through their Attorney, **NIAL J. O'BRIEN, ESQ.** hereinafter referred to as the "applicant" filed an application with the Zoning Board of Adjustment of the Township of Neptune, (hereinafter referred to as the "Board") seeking the following relief:

To consider the Applicant's request for Variances from Conditional Use Standards, Conditional Use Approval, and Minor Site Plan Approval all relevant to the proposed installation of a new backup or emergency power generation system, including associated switchgear and other equipment, to serve an existing Public Utility Facility known as the Jumping Brook Water Treatment Plant ("WTP") that is located on a 17.2 + acre property, owned by the Applicant, located at 611 to 625 Old Corlies Avenue, and more particularly known as Block 3001, Lot 12 (and formerly known as Block 7013, Lot 14), on the official tax maps of Neptune Township, Monmouth County (the "Property").

The Property is located, in part, within a Light Industry Zoning District ("L-I") and, in part, within a Residential ("R-2") Zoning District, and Public Utility Facilities are permitted as a Conditional Use within both the L-I and R-2 Zoning Districts, provided that the relevant Conditional Use Standards at Ordinance Section 415.15 (the "Conditional Use Standards") are satisfied.

Although the Jumping Brook WTP is an existing facility, Conditional Use Approval and Minor Site Plan Approval are requested for the proposed installation of the emergency generator facilities, including, but not limited to, a 1.75MW, 480V, 3-Phase, 60hz, diesel electrical generator to be located within an outdoor enclosure, and which will be connected to the existing electrical distribution system within the WTP, by way of new 4.8 kV switchgear equipped with automatic generator starting and switching, together with associated conduits, wires, duct banks, control devices and other equipment.

In addition, although the proposed installation of the emergency generator and associated equipment will have minimal, if any, impact on certain existing nonconforming conditions on the Property with respect to the Conditional Use Standards, the Applicant is also requesting that the Zoning Board grant Variance Approvals from the Conditional Use Standards (and Bulk Variances if necessary) for those nonconforming conditions, to continue to permit:

- (i) the Jumping Brook WTP to be surrounded chain link security fencing when Ordinance 415.15D requires that a continuous six (6) foot high board-on-board fence shall be provided to screen a Public Utility Facility from public view and to ensure security;
- (ii) water treatment and storage tanks on the Property to be located approximately nine (9) feet from the common property line with the adjacent residential properties along Sycamore Street when Ordinance 415.5E provides that a structure associated with a Public Utility Facility in a non-residential zone district may not be located closer than fifty (50) feet to residential property line (and which is also less than the 25 foot rear yard setback required within the L-I Zoning District by Ordinance); and
- (iii) the design of the buildings at the Jumping Brook WTP not to conform to the character of the area, which includes a golf course, open space and residential development, and to be 35 feet in height (and, if necessary, for other structures, including water storage tanks, that may be 60 feet, or more, in height) when Ordinance 415.15C provides that any building utilized in connection with such [Public Utility] Facility should conform to the general character of the area, should in no way adversely affect the adjacent properties and no building may exceed twenty (20) feet in height. (Height Variances will also be requested for those existing buildings and/or structures if necessary).

Applicant requests any and all additional waivers, variances, exceptions, interpretations, and/or other approvals or relief deemed necessary by the Zoning Board to allow the continued use and operation the Jumping Brook WTP on the Property.

WHEREAS, the application pertains to premises known and designated as Block 3001, Lots 12 on the Tax Map of the Township of Neptune, which premises are located at 625 Old Corlies Avenue;

WHEREAS, all notice requirements were satisfied by the applicant and the Board has jurisdiction to hear, consider and determine the application at issue; and

WHEREAS, the Board held a public hearing with regard to the referenced application on the following date, October 21, 2015:

WHEREAS, the following items were entered as Exhibits at the hearing:

- A1: Arial Photograph Showing the Existing Water Treatment Plant
- A2: Overall Site Plan
- A3: Rendered Site Plan Detail Showing the Emergency Generator
- A4: Permanent Generator Plan and Elevations
- A5: Emergency Switchgear Plan and Elevations
- A6: Step-Up Transformer Plan and Elevations.

WHEREAS, The Board listened to the Testimony of the following:

1. **JEFF DE RUSSO, PE.**, Senior Project Engineer
 - o New Jersey American Water, 1025 Laurel Oak Road, Voorhees, NJ 08043
2. **CHARLES J. WITCZAK, P.E., P.P., P.L.S.**,
 - o Witczak Engineering, Inc., 200 Cooperate Circle, 2nd Floor, Toms River, NJ 08755
3. **SABRIYA G. VICENTE, P.E., PROJECT MANAGER**,
 - o AECOM, 30 Knightsbridge Road, Building 5, Suite 520, Piscataway, NJ 08854

4. **NEIL C ROBINSON, PRODUCTION SUPERVISOR,**

- o New Jersey American Water, 196 Squankum Yellowbrook Rd, Farmingdale, NJ 07727

5. **MATT WALSH, PRODUCTION SUPERVISOR,**

- o New Jersey American Water, 196 Squankum Yellowbrook Rd, Farmingdale, NJ 07727

WHEREAS, The Board took Questions from the following member of the Public as to the witnesses presented:

NONE.

WHEREAS, The Board took Commentary on the Application upon conclusion of the witness testimony as follows:

NONE.

WHEREAS, the Board, having given due consideration to the Exhibits moved into evidence and the Testimony presented at said hearing(s), does make the following findings of fact:

1. After events such as Hurricane Sandy, there was a recognition that infrastructure at utility companies had to be updated. In this instance the current back-up emergency generators at the facility only service 7-8 million gallons of water when the plant is affected. The proposed system would operate the entire plant and allow 30 million gallons per day to be processed in an emergency situation.
2. The Board questions the existence of a "board on board" fence versus the traditional chain link and the privacy of the property, screening the proposed project from public view. There is a discussion of the inversion of the chain link and the location of subject application being located on a 15-30 foot rise in the topography related to the subject property as the generator will sit on a hill above the buildings. The Board finds that the line of sight is not compromised due to the elevation of the project.
3. The Board found that trees were also purchased and screen the back of the property and sufficient buffering has been provided.
4. The Board found that housing has existed in that area since the 50s-60s-70s and the water tanks have been at the subject location since 1988, with one higher water tank since the early 1960s. The 5 acres have been developed for the maintenance of the County Water supply, there is a bridge and a main access road to the supply station.
5. The Board finds that this emergency generator is contained in its own enclosure with a 16 foot high ceiling which is lighted to allow for maintenance work. Due to the mechanics involved and the containment, the external noise factor will be minimal when running this diesel machine which will be operated approximately one time per month for maintenance and then, only in the case of an emergency situation.
6. The Board finds that this is a variable load generator (as testified and discussed) with a 2000 gallon fuel tank. The variable load generator powered by diesel fuel is a more appropriate the situation which is why diesel fuel was chosen, as opposed to a natural gas generator which is more appropriate for "constant load" generation.
7. This variable load generator is a Tier 2 level for exhaust. The applicant will have to apply for and obtain a DEP permit for air quality.

8. The Board finds that the Applicant has met its burden as to the satisfaction of the positive and negative criteria for Conditional Use "d" Variances as there is no detriment to the public good, this application enhances the public health, safety and welfare in times of emergency or crisis and if the water company is not able to move forward, the public utility may be less able to protect the water supply for Neptune, the local hospitals and Monmouth County.
 - a. The establishment of this replacement emergency generator does not impair the zone plan and the Neptune Master Plan does have a utility plan element where water services are required to be reliable and are deemed valuable.
 - b. This area is not in a flood zone which would impair the use of the emergency generator when necessary.
9. The Board finds that the three variances requested are also pre-existing issues for confirmation.

WHEREAS, In order to prevail on an application for a variance, the Municipal Land Use Law (MLUL), N.J.S.A. 40:55D – 70, requires the applicant to establish that the variance can be granted without substantial detriment to the public good and that the granting of the variance does not substantially impair the intent and purpose of the master plan, zone plan and zoning ordinance.

NOW THEREFORE, BE IT RESOLVED, by the Board of Adjustment of the Township of Neptune that it hereby adopts the aforesaid findings of fact and specifically makes the following conclusions:

- a. Based upon the aforesaid findings of fact, the Board concludes that:
 - i. The applicant has demonstrated that the proposed use of the property in question is substantially the same kind of use as that to which the premises were devoted at the time of the passage of the zoning ordinance.
- b. Based upon the aforesaid findings of fact, the Board further concludes that the granting of the approval set forth herein will not cause substantial detriment to the public good and will not substantially impair the intent and purpose of the zoning ordinance and the zoning plan of the Township of Neptune.
- c. Special reasons have been demonstrated and the Board accepts the opinion of the Applicant's planner, with commentary from the Board Planner, as to these reasons as well as the enhanced proofs required.
- d. **The Board specifically includes herein by reference, the Transcripts from the hearings, which provide the detailed basis and description of the decision as memorialized in this Resolution and do hereby rely upon same for further reference, as necessary.**

BE IT FURTHER RESOLVED, by the Board of Adjustment of the Township of Neptune that the following be and are hereby **GRANTED**:

Applicant is granted Variances from Conditional Use Standards, Conditional Use Approval, and Minor Site Plan Approval which are all relevant to the proposed installation of a new backup or emergency power generation system, including associated switchgear and other equipment, to serve an existing Public Utility Facility known as the Jumping Brook Water Treatment Plant ("WTP") that is located on a 17.2 + acre property, owned by the Applicant, located at 611 to 625 Old Corlies Avenue, and more particularly known as Block 3001, Lot 12

(and formerly known as Block 7013, Lot 14), on the official tax maps of Neptune Township, Monmouth County (the "Property").

The Property is located, in part, within a Light Industry Zoning District ("L-I") and, in part, within a Residential ("R-2") Zoning District, and Public Utility Facilities are permitted as a Conditional Use within both the L-I and R-2 Zoning Districts, provided that the relevant Conditional Use Standards at Ordinance Section 415.15 (the "Conditional Use Standards") are satisfied.

Although the Jumping Brook WTP is an existing facility, Conditional Use Approval and Minor Site Plan Approval are granted for the proposed installation of the emergency generator facilities, including, but not limited to, a 1.75MW, 480V, 3-Phase, 60hz, diesel electrical generator to be located within an outdoor enclosure, and which will be connected to the existing electrical distribution system within the WTP, by way of new 4.8 kV switchgear equipped with automatic generator starting and switching, together with associated conduits, wires, duct banks, control devices and other equipment.

In addition, although the proposed installation of the emergency generator and associated equipment will have minimal, if any, impact on certain existing nonconforming conditions on the Property with respect to the Conditional Use Standards, the Applicant is also requesting that the Zoning Board grant Variance Approvals from the Conditional Use Standards (and Bulk Variances if necessary) for those nonconforming conditions, to continue to permit:

- (i) the Jumping Brook WTP to be surrounded chain link security fencing when Ordinance 415.15D requires that a continuous six (6) foot high board-on-board fence shall be provided to screen a Public Utility Facility from public view and to ensure security;
- (ii) water treatment and storage tanks on the Property to be located approximately nine (9) feet from the common property line with the adjacent residential properties along Sycamore Street when Ordinance 415.5E provides that a structure associated with a Public Utility Facility in a non-residential zone district may not be located closer than fifty (50) feet to residential property line (and which is also less than the 25 foot rear yard setback required within the L-I Zoning District by Ordinance); and

the design of the buildings at the Jumping Brook WTP not to conform to the character of the area, which includes a golf course, open space and residential development, and to be 35 feet in height (and, if necessary, for other structures, including water storage tanks, that may be 60 feet, or more, in height) when Ordinance 415.15C provides that any building utilized in connection with such [Public Utility] Facility should conform to the general character of the area, should in no way adversely affect the adjacent properties and no building may exceed twenty (20) feet in height.

Applicant is granted additional waivers, variances, exceptions, interpretations, and/or other approvals or relief deemed necessary by the Zoning Board to allow the continued use and operation the Jumping Brook WTP on the Property.

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| As noted above, a Waiver is granted from the requirement for the submission of a property deed. |
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| A Waiver is granted from the requirement for the submission of an Environmental Impact Statement due to fact that minimal, if any environmental impacts are anticipated due to the minor development proposed in connection with this Application. |
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A Waiver is granted from the requirement for the submission of the boundary, nature and extent of wooded areas, swamps, bogs and ponds within the site and within 200 feet thereof, and delineation of all wetlands soils. This Waiver is granted, to the extent these features are not deemed to have been provided, due to the limited nature of development proposed in connection with this Application.

A Waiver is granted from the requirement for the depiction of existing and proposed manholes and other utility facilities not related to the Jumping Brook WTP, because the limited development proposed in connection with this Application will have minimal, if any impact on utility and other similar facilities.

A Waiver is granted from depicting grade level and basement elevations because no structures proposed for occupation are proposed in connection with this Application.

A Waiver is granted for the requirement for the submission of an onsite drainage plan due to the fully developed nature of the property and the fact that the minor development proposed will have limited, if any, effect on drainage.

In a similar manner, a Waiver is granted from the requirement for the submission of an off-site drainage plan.

A Waiver is granted for the submission of soil boring logs because, as noted above, the property is fully developed and the proposed generator equipment will be installed on a concrete slab and, therefore, there should be no impact on drainage or soils in connection with this Application.

A Waiver is granted from the requirement for the provision of a lighting plan.

Waivers are also granted from any and all other submission requirements that may be deemed more appropriate for more significant development than is proposed in connection with this Application.

ALL APPROVALS GRANTED HEREIN ARE SUBJECT TO THE FOLLOWING CONDITIONS:

- (1) The applicant shall comply with any requirements established by, and obtain any necessary approvals of the following, IF APPLICABLE, to the proposed construction herein:
 - a. All Plans must be approved by Township Engineer and Code and Construction Departments for the issuance of Permits;
 - b. MONMOUTH COUNTY PLANNING BOARD;
 - c. FIRE MARSHALL;
 - d. BOARD OF HEALTH;
 - e. SOIL CONSERVATION AND SEDIMENT CONTROL APPROVALS AND PERMITS;
 - f. AFFORDABLE HOUSING CONTRIBUTION (ORD. 04-22)
 - g. BOARD OF ADJUSTMENT PLANNER (October 15, 2015)
 - h. BOARD OF ADJUSTMENT ENGINEER (Per Report dated October 7, 2015);
 - i. POSTING OF PERFORMANCE GUARANTEES AND INSPECTION FEES;
 - j. FINAL SITE PLAN DRAWINGS INCORPORATING ALL CHANGES AND/OR AMENDMENTS MADE AT THE HEARING.
 - k. FINAL DESIGN SUBJECT TO APPROVAL OF THE BOARDS'S PROFESSIONALS.

1. SUBJECT TO THE APPLICANT COMPLYING WITH ANY AND ALL FEDERAL, STATE, COUNTY AND LOCAL LAWS, RULES AND REGULATIONS AFFECTING AND PERTAINING TO THE DEVELOPMENT OR USE OF THE SITE IN QUESTION.

(2) SUBJECT TO ALL REPRESENTATIONS AND TESTIMONY OF THE APPLICANT BEING TRUTHFUL AND ACCURATE

ROLL CALL VOTE: Offered by: Barbara Bascom Seconded by: William Frantz

THOSE IN FAVOR: Barbara Bascom, William Frantz, James Gilligan, Thomas Healy, Joe Sears, Frances Keel, and Paul Dunlap

THOSE OPPOSED: None.

ABSENT: Dianna Harris

ABSTAINED: None.

MEMORIALIZATION VOTE: Offered by: Thomas Healy Seconded by: Barbara Bascom

THOSE IN FAVOR: Barbara Bascom, William Frantz, Thomas Healy, Joe Sears, and Paul Dunlap


THOSE OPPOSED: None.

ABSENT: James Gilligan and Frances Keel

ABSTAINED: None.

I hereby certify that the foregoing is a true copy of the Resolution adopted by the Zoning Board of Adjustment of the Township of Neptune at its meeting on October 21, 2015 and memorialized at the meeting held on December 2, 2015.

Date: December 2, 2015



Kristie Armour, Administrative Officer of the
Zoning Board of Adjustment
Township of Neptune