

May 11, 2023

VIA OVERNIGHT DELIVERY

Kristie Dickert, Administrative Officer
Zoning Board of Adjustment
Township of Neptune
25 Neptune Blvd.
Neptune, NJ 07753

**Re: New Jersey American Water Company, Inc.
JUMPING BROOK WATER TREATMENT PLANT
Proposed Clearwell and High Service Pump Station Addition
Application for Variance from Conditional Use Standards, Conditional Use
Approval and Preliminary and Final Site Plan Approval
Block 3001, Lot 12 / 625 Old Corlies Avenue, Neptune Township
Our File No.: NEW248-066**

Dear Kristie:

On behalf of our client, New Jersey American Water Company, Inc. (the "Applicant"), we are submitting the following in connection with June 7, 2023 Zoning Board Public Hearing for the above-referenced Application:

1. Completed Applications for Site Plan Approval and Variance Approval with attached Application Addendum and Checklists – twenty (20) copies;
2. Memorandum of Applicant's Co-ordinated Response to the Leon S. Avakian, Inc., Review Letter, dated April 11, 2023 – twenty (20) copies;
3. Site Development Plans entitled "Preliminary and Final Major Site Plan Proposed Clearwell and High Service Pump Station Addition and Chlorine Conversion, Block 3001, Lot 12 for New Jersey American Water Jumping Brook Water Treatment Plant, 625 Old Corlies Avenue, Township of Neptune, Monmouth County, New Jersey," prepared by Jacobs Engineering Group Inc., dated October 24, 2022 consisting of twenty-three (23) sheets – twenty (20) signed and sealed sets;
4. Property Survey entitled, "Partial Topographic & Utility Survey for New Jersey American Water Treatment Plant, Block 3001, part of Lot 12, 625 Old Corlies Avenue, Township

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of Neptune, Monmouth County, New Jersey,” prepared by Colliers Engineering & Design, dated December 14, 2021, and last revised February 16, 2022 – twenty (20) signed and sealed copies;

5. Architectural Elevations, entitled “Clearwell/High Service Pump Station Addition and Chlorine Conversion,” prepared by Jacobs Engineering Group Inc., dated March 4, 2022, 2022 consisting of three (3) sheets – twenty (20) signed and sealed sets;

6. Executive Summary of “NJAW Jumping Brook Water Treatment Plant, Clearwell and High Service Pump Station Addition and Chlorine Conversion Project, Stormwater Management Report, Block 3001, Lot 12, Township of Neptune, County of Monmouth, New Jersey,” prepared by Jacobs Engineering Group Inc., dated December, 2022 – twenty (20) copies;

7. Executive Summary of “Geotechnical Report, New Jersey American Water, Jumping Brook Water Treatment Plant, December 2, 2022,” prepared by Jacobs Engineering Group Inc., dated December 2, 2022 – twenty (20) copies; and

8. Neptune Township Zoning Board Resolution for Application No.: ZB 15/12, adopted on December 2, 2022 – twenty (20) copies.

As you know, this Application to the Neptune Township Zoning Board of Adjustment (“Zoning Board”) 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.

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.

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As you may know, on October 21, 2015, the Zoning Board Approved the Applicant's previous request 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").

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 Applicant is requesting Variances from certain Conditional Use Standards where necessary to allow the following existing and proposed nonconforming conditions:

(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 and, if necessary, for the proposed and existing buildings to 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 to be surrounded by existing *chain link* 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).

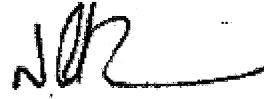
(iv) **Bulk Variance** Approval is also requested, if necessary, to allow the existing side yard setback of 11.81 feet from the existing wastewater storage tank to continue when the minimum required side yard setback is 25 feet.

We are arranging for the publication and service of Notice for the June 7, 2023 Zoning Board hearing, which we understand commences at 7:30 P.M. We will forward to you the Affidavit of Publication of the *Asbury Park Press* and our Affidavit of Service of Notice, prior to the hearing date.

Should you have any questions, or require any additional information, please do not hesitate to contact me.

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Very truly yours,

A handwritten signature in black ink, appearing to read 'NJO', followed by a long horizontal flourish.

NIALL J. O'BRIEN

NJO:lm
Enclosures

cc: Joanna Diamond, Senior Project Engineer
Joseph Bongiovanni, PE
Tiffany Morrissey, PP, AICP
Robert W. Bucknam, Jr., Esquire

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