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February 3, 2020

Barnegat Township Planning Board
900 West Bay Avenue
Barnegat, NJ 08050

**Re: Application No. PB 18-14
Amended Preliminary & Final Major Site Plan – Phase 2
Incompleteness Review #1
Exit 67 Town Center
Block 115 Lot 1.01
907 West Bay Avenue
Barnegat Township, Ocean County, New Jersey
Applicant: WP Barnegat, LLC
Our File: VBGP0115.02 (60001)**

Dear Planning Board Members:

Our office has received for review the following information which was submitted in support of the above referenced application for Amended Preliminary & Final Major Site Plan (Phase 2) approval:

- Plans Entitled "Proposed Exit 67 Town Center; Phase 2 Final Site Plan; Prepared for WP Barnegat, LLC situated in Barnegat Township, Ocean County, New Jersey" (Seven (7) sheets) prepared by Samuel Renauro III, PE of SR3 Engineers, dated December 16, 2019;
- A drawing (1 sheet) showing color elevations of the proposed multitenant commercial building, prepared by Robert Joseph Hehr, architect of Larson Design Group dated October 4, 2019;
- A copy of a December 30, 2019 cover letter from Keith A Davis, Esq. with Nehmad Perillo Davis & Goldstein, PC of Egg Harbor Township, New Jersey to the Barnegat Township Planning Board, representing an application package.
- A copy of a complete Land Use and Development Application with a filing date of January 6, 2020.
- A copy of Barnegat Township Planning Board Resolution P-2019-30.
- A copy of Barnegat Township Planning Board Resolution P-2019-15.
- A copy of a Tax Release from the Tax/Utility Collector, Crystal M. Brinson, CTC, dated January 29, 2020 which states that the taxes on lot 1.01, block 115 are current.
- A copy of listing of Property Owners within 200' of Block 115, Lot 1.01, by Gail B. Zalfa, Assistant Assessor, dated October 16, 2019.



Barnegat Township Planning Board
Re: WP Barnegat, LLC (PB 18-14)
Amended Prelim & Final Major Site Plan – Phase 2
Exit 67 Town Center – Incompleteness Review #1

February 3, 2020
Our File No. VBG0115.02
Page 2

- A copy of W-9, Taxpayer ID Number and Certification, for WP Barnegat, LLC, signed by Carl Wright, dated September 26, 2018

Based on our review of the information submitted in support of this application, we offer the following comments:

A. GENERAL COMMENTS

The property in question is an irregularly shaped tract which fronts on the southeast corner of the intersection of West Bay Avenue and Sandpiper Road. It is located in the Town Center Neighborhood Commercial Overlay Zone (TC-NC) and has an area of approximately 5.597 acres. The property is partially developed, the Phase 1 improvements having been completed.

On December 20, 2011, the Planning Board memorialized Resolution P-2001-25 which granted, Barnegat Land Associates, LP Preliminary Major Site Plan approval to permit the construction of a shopping center with two 1-story buildings having a total floor area of 36,350 sf along with onsite parking for 197 vehicles. We note that this approval was never perfected.

On June 25, 2019, the Planning Board memorialized Resolution P-2019-15 which granted approval to construct a shopping center containing a 9,100 sf Dollar General building, a 6,816 sf AutoZone building, an 8,000 sf retail building and a 4,000 sf Bank with two (2) drive thru lanes. The Applicant proposed to construct the project in three (3) phases with Phase 1 consisting of the Dollar General and the AutoZone (with access drive from Sandpiper Road to West Bay Avenue), Phase 2 consisting of the retail building and Phase 3 consisting of the bank. This approval also granted the Applicant Preliminary Major Site Plan approval for all three (3) phases and Preliminary Major Site Plan approval for Phase 1.

On November 26, 2019, the Planning Board memorialized Resolution P-2019-22 which granted Final Major Site Plan for Phase 1 and Minor Subdivision approval to separate the AutoZone and Dollar General buildings, parking and aisles into its own separate lot.

The Applicant is now seeking approval for Amended Preliminary and Final Major Site Plan approval for Phase 2.

Total buildout onsite parking is now proposed for 159 vehicles (91 spaces in Phase 1, 41 spaces in Phase 2, and 27 spaces in Phase 3) including 8 handicap accessible parking spaces. Access will be provided to the site via a right-in/right-out driveway on West Bay Avenue and a full movement driveway on Sandpiper Road previously constructed with Phase 1. The proposed buildings will be serviced by extensions of the existing municipal sanitary sewer and water systems.

The Applicant has not requested any new variances or waivers from the previous Preliminary Major Site Plan Approval. A location map is provided below:



Barneгат Township Planning Board
Re: WP Barneгат, LLC (PB 18-14)
Amended Prelim & Final Major Site Plan – Phase 2
Exit 67 Town Center – Incompleteness Review #1

February 3, 2020
Our File No. VBG0115.02
Page 3



B. VARIANCES AND/OR WAIVERS FROM LOCAL ORDINANCES

1. The Applicant was granted the following Variances in the Preliminary Site Plan Approval.
 - a. A front yard setback of 91 ft from West Bay Avenue to the AutoZone building whereas a minimum setback of 20 ft and a maximum setback of 30 ft is permitted.
 - b. A front yard setback of 91 ft from West Bay Avenue to the retail building whereas a minimum setback of 20 ft and a maximum setback of 30 ft is permitted.
 - c. A front yard setback of 91 ft from West Bay Avenue to the Bank whereas a minimum setback of 20 ft and a maximum setback of 30 ft is permitted.
 - d. A front yard setback 300 ft from West Bay Avenue to the Dollar General building whereas a minimum setback of 20 ft and a maximum setback of 30 ft is permitted.



Barneгат Township Planning Board
Re: WP Barneгат, LLC (PB 18-14)
Amended Prelim & Final Major Site Plan – Phase 2
Exit 67 Town Center – Incompleteness Review #1

February 3, 2020
Our File No. VBGP0115.02
Page 4

- e. A front yard setback of 142 ft from Sandpiper Road to the Dollar General building whereas a minimum setback of 20 ft and a maximum setback of 30 ft is permitted.
- f. A front yard setback of 205 ft from Sandpiper Road to the retail building whereas a minimum setback of 20 ft and a maximum setback of 30 ft setback is permitted.
- g. A front yard setback 411 ft from Sandpiper Road to the Bank whereas a minimum setback of 20 ft and a maximum setback of 30 ft is permitted.

C. SUBMISSION REQUIREMENTS

The Applicant has not addressed all of the submission requirements for this Amended Preliminary & Final Major Site Plan Application. Below are the items noted as missing, and may not be a complete list:

1. Completeness Checklist for Amended Major Site Plan, listing items provided, or submission and/or design waivers requested.
2. Contribution Disclosure Statements
3. Completed Applicant/Developer Escrow Agreement
4. Completed list of Professionals & Consultants
5. Affidavit of Non-Collusion
6. Any and all other items per the completeness checklist, for which we reserve the right to further review pending receipt.

Based upon the submission requirements that have not been addressed by the Applicant, it is our recommendation that this application be deemed **incomplete** at this time. The Applicant should submit to the Planning Board a revised package which addresses the submission requirements set forth above.



Barnegat Township Planning Board
Re: WP Barnegat, LLC (PB 18-14)
Amended Prelim & Final Major Site Plan – Phase 2
Exit 67 Town Center – Incompleteness Review #1

February 3, 2020
Our File No. VBGP0115.02
Page 5

Should you have any questions regarding this application, please feel free to call.

Very truly yours,

CME ASSOCIATES

Kurt J. Otto, PE, CFM, CME
Planning Board Engineer

KO/lr

cc: Martin Lisella, Administrator
Barnegat Township Zoning Official
Mike McKenna, Esq. – Planning Board Attorney
Scott D. Taylor, LLA, PP, LEED AP – Planning Board Landscape Architect
WP Barnegat, LLC – Applicant
Keith Davis, Esq. – Applicant's Attorney
Samuel Renauro III, PE – Applicant's Engineer