



*Where Community, Business & Tourism Prosper*

**Neptune Township ~ Zoning Board of Adjustment  
Regular Meeting Agenda – Meeting to be Held Remotely Via ZOOM  
Wednesday, June 2, 2021 at 7:30 PM**

This Regular Meeting of the Zoning Board of Adjustment will be taking place remotely via ZOOM and will commence at 7:30 PM at which time you may appear via Zoom and present any objection or questions you may have at the appropriate time. If you are objecting or wish to provide comment on any of the applications, you must appear with audio and video as you will be sworn in and provide same under oath and must be visible. There will be no individuals present at the Municipal Building due to current COVID-19 rules and regulations. Instructions on how to access the meeting via Zoom are listed below:

**PUBLIC ACCESS TO ZOOM MEETING:**

To access the virtual hearing, you must join the ZOOM meeting. To join the ZOOM meeting, you will need access to computer with internet access, microphone, and camera and/or dial in through a mobile or land line phone to log into the meeting. To join the ZOOM meeting, click on the link below and type in the Meeting ID and Password, if prompted. You will join the meeting when the host grants access and be able to listen and view the evidence shared on the screen at the meeting. You will also be able to access the agenda and files pertaining to the applications for the meeting on the Neptune Township Website found on this page:

<http://neptunetownship.org/agendas-minutes/zoning-board-adjustment>

Topic: Zoning Board of Adjustment - Regular Meeting - June 2, 2021

Time: Jun 2, 2021 07:30 PM Eastern Time (US and Canada)

**Join Zoom Meeting**

<https://us02web.zoom.us/j/84118054797?pwd=VVl0aXZlZHFfaW4xdldYcVFISlI4Zz09>

**Meeting ID:** 841 1805 4797

**Passcode:** 837196

One tap mobile

+13017158592,,84118054797#,,,,\*837196# US (Washington DC)

+13126266799,,84118054797#,,,,\*837196# US (Chicago)

Dial by your location

+1 301 715 8592 US (Washington DC)

+1 312 626 6799 US (Chicago)

+1 646 558 8656 US (New York)

+1 253 215 8782 US (Tacoma)

+1 346 248 7799 US (Houston)

+1 669 900 9128 US (San Jose)

Meeting ID: 841 1805 4797

Passcode: 837196

Find your local number: <https://us02web.zoom.us/u/kewKhyAZ9g>

**PUBLIC PARTICIPATON IN ZOOM MEETING:**

You will be able to participate when the Board Chair opens the meeting to the public to ask questions ONLY of each of the applicants and/or their professionals' once they have completed their testimony. At the end of each application, the Board Chair will open the meeting to the public for comment. At this time, you must appear with audio and video as you will be sworn in and must be visible. The Board Chair will limit public comments to 5 minutes per person and time is not transferrable between members of the public. If you have information or exhibits you wish to be considered and entered into the record, you will have to e-mail them to the Board Secretary [kdickert@neptunetownship.org](mailto:kdickert@neptunetownship.org) at least 72 hours in advance of the meeting so they may be evaluated and marked into evidence and placed on the Township's website for public viewing, if deemed appropriate. For those who are in opposition of the proposal, you have the right to obtain an attorney to represent you, although this is not a requirement.

**PUBLIC ACCESS TO APPLICATION FILES:**

You will be able to access the application files that are shown in the meeting via the Neptune Township Website found on this page: <http://neptunetownship.org/agendas-minutes/zoning-board-adjustment>

**ALTERNATE ACCESS TO APPLICATION FILES:**

If you are unable to access the information for the application via computer, or need assistance in logging on or using this technology, you may contact the Board Secretary, Kristie Dickert, at 732-897-4162 Ext. 204 or [kdickert@neptunetownship.org](mailto:kdickert@neptunetownship.org). If you would like to view the files in person, you may schedule an appointment with the Board Secretary. If you wish a particular file be e-mailed or mailed to you, you must request that with 72 hours advanced notice.

This Regular Meeting of the Neptune Township Zoning Board of Adjustment which has been duly constituted and advertised according to law is now called to order:

It is the policy of the Zoning Board of Adjustment to end all matters no later than 11 p.m. No new applications will begin after 10:00 p.m. nor will any new witnesses or testimony begin after 10:30 p.m.

It is the Board's policy to adhere to the following procedure:

After testimony by the Applicant's attorney, their professional or proffered witness, questions will follow by members of the Zoning Board for that particular witness. After the Members of the Zoning Board ask their questions, the Zoning Board Professionals shall have the opportunity to ask questions. These questions by the Members of the Board and its professionals directed to applicant's witness may overlap.

After the Board Members and Board Professionals have finished their questioning, the Chairperson of the Zoning Board shall open the Public Portion session of the meeting for the public to ask **QUESTIONS ONLY** of the witness currently testifying. **THIS IS NOT THE TIME FOR PUBLIC COMMENT OR OPINION.** Each member of the Public who wishes to **QUESTION** this witness **MUST** make themselves known by either raising their virtual hand or physical hand if you are participating with video. If you are participating by phone only, please unmute yourself and make yourself known so we can recognize your question. Please wait to be called upon by the Chairperson before speaking.

Each individual from the public must **state their name, spell their last name, state their address for the record**, and will have **ONE (1), five (5) minute session** to question the applicant's witness currently under oath. All questions should be directed to the Witness regarding his or her testimony **ONLY** and questions should not be repeated. **Time is not transferable between members of the public.**

The Public should be aware that a public question session will be held upon the conclusion of **EACH INDIVIDUAL WITNESS FOR THE APPLICANT**. Once the applicant's witness (or any other witness) has finished testifying, they are not subject to recall by the public, but may take the stand again as a part of the Applicant's hearing process. Every witness who appears may be subject to Board Member, Board Professional, and Public Questioning. **THE BOARD AND IT'S PROFESSIONALS; HOWEVER, ARE NOT SUBJECT TO QUESTIONING.**

At the completion of Applicant's case, when the applicant has finished with all of their witnesses and evidence presentation, the Chairperson of the Zoning Board will open up the floor for **PUBLIC COMMENT**. At this time, individuals from the public must be visible by video and will be sworn in, give their name and address for the record and will have **ONE (1), five (5) MINUTE SESSION TO PROVIDE COMMENT OR OPINION ON THE APPLICATION AS A WHOLE. THIS IS THE TIME WHEN THE PUBLIC MAY EXPRESS TO THE BOARD THEIR OPINIONS ABOUT THE APPLICATION SUBJECT TO A VOTE. Time is not transferable between members of the public.**

At the conclusion of the Public Session for Comments, the Applicant or their attorney may provide a "Summation" or Closing Statement to the Board. After Summation, the Board and its Professionals may engage in a discussion, on the record, regarding the Application and its contents. **There will be no further input from the public or the applicant at this time.**

Upon conclusion of Discussion, the Board may make a motion with regard to the application and vote upon same. We ask that both the Applicant and members of the Public be respectful of the process as outlined above.

## I. Roll Call:

Barbara Bascom	Thomas Healy, 2 <sup>nd</sup> Vice Chair	Derel Stroud (Alt #2)
Dr. James Brown	Naomi Riley	Tanya Pickard (Alt #3)
William Frantz, Chair	Michael Pullano (Alt #1)	Shane Martins (Alt #4)
James Gilligan, 1 <sup>st</sup> Vice Chair	Ashley Vidal	

Also Present:            Monica C. Kowalski, Esq. - Attorney to the Board  
                                 Matt Shafai, PE, PP, CME - Board Engineer  
                                 Jennifer C. Beahm, PP, AICP - Board Planner

## II. FLAG SALUTE

### III. Resolutions to be memorialized: None.

### IV. Applications Under Consideration:

- a. **ZB21/03 (Bulk Variances for New Single Family Dwelling) – Steven J. Miller and Mildred Viqueira** – Block 210, Lot 10 – 51 Beach Avenue – Ocean Grove – Applicant is seeking Bulk Variances for side yard setback along Heck Avenue and for the turret portion of the structure which has been determined as a third story; whereas the balance of the structure complies with the 2 ½ story definition/requirement. Applicant is represented by Kenneth L. Pape, Esq.
- b. **ZB21/02 (Use Variance and Bulk Variances) – Juan Carlos Riano Duniga** – Block 402, Lot 8 – 1322 10<sup>th</sup> Avenue – Applicant is seeking Use Variance and Bulk Variances associated with proposed renovations and addition to the existing two-story dwelling located at the front portion of this property. The property is currently in use as 5 dwelling units between the 2 buildings located on the property which is proposed to be reduced to a total number of 3 dwelling units between the 2 buildings. Applicant was previously granted a completeness waiver from providing a Community Impact Statement on May 5, 2021. Applicant is represented by Kevin I. Asadi, Esq.
- c. **ZB20/10 (Use Variance and Bulk Variances to Remediate a Zoning Violation for Expansion of a Non-Conforming Use) – James Alburtus/Thomas Palmisano** – Block 416, Lot 6 – 1312 07<sup>th</sup> Avenue – Applicant is seeking a Use Variance and associated Bulk Variances to retain improvements that have been constructed without obtaining the appropriate approvals resulting in the expansion in a pre-existing, non-conforming multi-family use. Applicant is represented by George D. McGill, Esq. **\*\*APPLICANT WAS PARTIALLY HEARD ON DECEMBER 2, 2020 THEN SCHEDULED TO JANUARY 6, 2021 IN ORDER TO MAKE THE ANNOUCEMENT AND FURTHER ADJOURN THE MATTER TO FEBRUARY 3, 2021. RECEIVED REQUEST TO CARRY TO APRIL 7, 2021 AND FURTHER CARRIED THIS DATE WITHOUT FURTHER NOTICE\*\***
- d. **ZB20/14 (Use Variance and Site Plan Approval) – Groezinger Provisions, Inc.** – Block 415, Lot 13 – 1200 07<sup>th</sup> Avenue – Applicant is seeking Use Variance and Site Plan approval to renovate the interior of the existing food processing plant to accommodate improved equipment and to provide for greater efficiency. No exterior expansion of the building is proposed. The Applicant seeks site plan approval for the existing configuration of the property which differs from the site plan approved in 1975 and shall also seek approval for any other waivers or variances deemed necessary by the Board. Applicant is represented by Roger J. McLaughlin, Esq. **\*\*ORIGINALLY SCHEDULED FOR 4/7/2021 (not heard) AND CARRIED TO 5/5/2021 (not heard) AND RECEIVED A REQUEST TO CARRY TO THIS DATE WITH NO FURTHER NOTICE BEING REQUIRED\*\***

### V. Adjournment:

- a. Next scheduled meeting will be our **Regular Meeting** on **Wednesday, July 7, 2021 at 7:30 PM** which will also take place via ZOOM. Please check our website for any updates regarding meeting location and/or meeting access as the links, meeting passwords, and meeting ID's will change for each meeting that is held via ZOOM.
- b. With no further business before the Board a motion to adjourn was offered by \_\_\_\_\_ to be moved and seconded by \_\_\_\_\_, meeting closed at \_\_\_\_\_ PM.













