



**Neptune Township ~ Zoning Board of Adjustment
Special Meeting Agenda
To be Held in the Municipal Complex
25 Neptune Boulevard
2nd Floor Township Committee Meeting Room
Wednesday, December 15, 2021 at 7:30 PM**

**THIS MEETING WILL
BE TAKING PLACE IN
PERSON. IT IS THE
POLICY OF THE
TOWNSHIP OF
NEPTUNE THAT ALL
INDIVIDUALS MUST
WEAR A MASK
VACCINATED OR NOT**



Where Community, Business & Tourism Prosper

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This Special 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** form a line at the podium in order to be heard.

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 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 nd Vice Chair	Derel Stroud (Alt #2)
Dr. James Brown	Naomi Riley	Tanya Pickard (Alt #3)
William Frantz, Chair	Michael Pullano	Shane Martins (Alt #4)
James Gilligan, 1 st Vice Chair		

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:

- a. **Resolution ZBA#21-19 – (Approval of Bulk Variance for Woodshed) – Thomas Geary** – Block 4801, Lot 4 – 338 Victor Place

Those Eligible: Barbara Bascom, Dr. James Brown, Naomi Riley, Michael Pullano, Thomas Healy, Derel Stroud, and William Frantz

IV. Applications Under Consideration:

- a. **ZB21/13 (Use Variance and Preliminary & Final Major Subdivision & Site Plan per Settlement Agreement) – Hovsons, Inc. (aka Victoria Gardens)** – Block 4001, Lots 1, 2, & 3 – Hovchild Boulevard – Applicant is seeking Use Variance and Preliminary and Final Site Plan with associated Bulk Variance(s) approval for the construction of 101 for-sale townhouses with attached garages as well as a recreation facility containing a 1,200 s.f. building, outdoor pool, and recreation area along with associated site improvements on the subject lots. Applicant is represented by Guliet D. Hirsch, Esq. of Archer & Greiner, PC

V. Adjournment:

- a. Next scheduled meeting will be our **Reorganization Meeting immediately followed by our Regular Meeting on Wednesday, January 5, 2022 at 7:30 PM** which will take place here in the Municipal Complex, 2nd floor meeting room.
- 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.

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Previously Enclosed: Checklist & Application for Use & Site Plan (Rec'd 6/29/2021)
 Copy of Deed (12/30/1983)
 Litigation Settlement Agreement (7/31/2020)
 Statement of Operations (8/19/2021)
 Community Impact Statement (9/9/2021)
 Environmental Impact Statement (7/28/2013)
 McDonough & Rea Traffic Impact Analysis (6/23/2021)
 Stormwater Management Report (6/24/2021)
 Boundary & Topographic Survey (9/1/2012)
 Architectural Plans (9 sheets) (9/21/2021)
 Preliminary & Final Major Site Plans (5/25/2021)

Currently Enclosed: PDS Resubmission & Response to Leon S. Avakian, Inc. Review (11/23/2021)
Community Impact Statement (Revised 11/29/2021)
Stormwater Management O&M Manual (11/23/2021)
Stormwater Management Report (Revised 11/19/2021)
Color Architectural Renderings (5 Sheets – Undated)
Architectural Plans (7 sheets) (11/23/2021)
Preliminary & Final Major Subdivision Plans (Revised 11/8/2021)

Prior Correspondence: Monmouth County Planning Board Conditional Preliminary Approval (8/9/2021)
 Freehold Soil Conservation District Initial Review (8/13/2021)
 Board Engineer & Planner's Review #1 (10/4/2021)

Current Correspondence: Neptune Fire Prevention Comments (10/27/2021)
Neptune Township Traffic Bureau Comments (10/25/2021)
Environmental/Shade Tree Comments (11/15/2021)
Neptune Fire Prevention Comments – 2nd Review (12/2/2021)

BOARD NOTES:

NEED SIGNED CERTIFICATION FORMS FROM DR. BROWN, MR. PULLANO, & MS. PICKARD
<u>EXHIBITS MARKED AT PRIOR HEARING ON 10/20/21:</u>
A-1 – Notice Package
A-2 – Litigation Settlement Agreement
A-3 – Order Remanding to ZBA
A-4 – Architectural Sheets CS.1, A1.2, A2.2, A2.4, A4.1, A5.1 and A5.2 all dated September 21, 2021
A-5 – Color Architectural Rendering Set (3 sheets) - undated

