



**Neptune Township ~ Zoning Board of Adjustment
Regular Meeting Agenda
To be Held in the Municipal Complex
25 Neptune Boulevard
2nd Floor Township Committee Meeting Room
Wednesday, November 1, 2023 at 7:30 PM**

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. Fire exits are clearly marked at the side and rear of this room. If alerted of a fire, please move in a calm and orderly manner to the nearest smoke free exit. At this time, I would ask everyone to please silence all cell phones and other paging devices, as they are distracting to others.

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 ITS 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
Dr. James Brown
William Frantz, Chair

Thomas Healy, 2nd Vice Chair
Naomi Riley
Michael Pullano

Derel Stroud (Alt #1)
Shane Martins (Alt #2)
Shawn Weston (Alt #3)

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#23-18 – Denial of Use Variance** – College Achieve Public Charter School, Inc. – Block 3101, Lot 2 – 3455 W. Bangs Avenue.

Those Eligible: Barbara Bascom, Naomi Riley, Derel Stroud, Shane Martins, William Frantz

- b. **Resolution ZBA#23-19 – Approval of Use & Bulk Variances for the Expansion of a Pre-Existing Nonconforming Multi-Family** – Elizabeth Magistro – Block 5002, Lot 6 – 408 Morrissey Road

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

- c. **Resolution ZBA#23-20 – Approval of Use Variance and Bulk Variances for Freestanding Sign** – Simdev Realty, LLC (Mobil) – Block 1122, Lot 3 – 1800 Corlies Avenue

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

IV. Applications Under Consideration:

- a. **ZB23/08 – (Preliminary & Final Site Plan Approval with Use Variance & Bulk Variances) – 34 OPOG, LLC (Albatross Hotel)** – Block 129, Lot 6 – 34 Ocean Pathway (Ocean Grove) - Applicant is approval to renovate and construct an addition to the existing historic Albatross Hotel. The proposed renovations include but are not limited to a reduction in the total number of guestrooms from 39 (existing) to 27 (proposed) and one (1) additional caretaker’s accommodation. There will be an increase in guestroom footprints for bathroom additions within each guest room. The addition proposed includes a barrier-free elevator with doors to the existing building creating an ADA accessible entrance to the Albatross. Other improvements include a reduction in lot coverage as portions of the existing concrete driveway are to be removed and replaced with a combination of landscaping, lawn, and sidewalk. The Applicant also proposes restoration to the first floor, including the restaurant area which is proposed to be open to the public as well as improvements to the basement area to include storage and spa facilities for guests. Applicant is now represented by Kenneth L. Pape, Esq. **(Partially Heard on August 16, 2023 and rescheduled to this evening as requested. New Notice has been provided for this hearing.)**
- b. **ZB21/22 – (Bulk Variances to Remediate Zoning Violations) – Matthew Loring** – Block 802, Lot 3 – 300 Hoover Road – Applicant is seeking to retain improvements which were installed prior to obtaining permits and which do not meet the current ordinance standards. Applicant is represented by Mark A. Steinberg, Esq. **(Partially Heard on October 4, 2023 and carried to this evening with no further notice being required.)**
- c. **ZB23/09 – (Expansion of Pre-Existing Nonconforming Use Variance) – Juan Carlos Riano Duniga** – Block 402, Lots 7 & 8 – 1322 & 1324 10th Avenue – Applicant is seeking Use Variance to demolish the existing two-story principal structure at the front portion of the site and replace it with a new two-story single-family structure while retaining the additional existing one-story principal structure and detached accessory structure toward the rear of the lot. Applicant is represented by Kevin I. Asadi, Esq.

V. Adjournment:

- a. Next scheduled meeting will be our **REGULAR MEETING on Wednesday, December 6, 2023 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.

ZB21/22 – (Bulk Variances to Remediate Zoning Violations) – Matthew Loring – Block 802, Lot 3 – 300 Hoover Road – Applicant is seeking to retain improvements which were installed prior to obtaining permits and which do not meet the current ordinance standards. Applicant is represented by Mark A. Steinberg, Esq.

Previously Enclosed

- w/ 10/4/2023 Agenda: Checklist & Application for Variances (Rec'd 4/28/2023)
- Zoning Permit Review (3/8/2023)
- Copy of Deed (May 8, 2006)
- Lot Coverage Calculations (undated – Entitled “Example”)
- Survey of Property (3/2/2023)
- Reduced As-Built Survey Map (3/16/2021)
- Reduced Building Permit Plot Plan (4/23/2014)
- Reduced Site Plan (8/10/2012)
- Reduced Aerial View Plan (9/26/2023)

Currently Enclosed: Original Survey of Property (dated 3/17/2004)

Prior Correspondence: None.

Current Correspondence: Leon S. Avakian List of Outstanding Items (10/12/2023)

BOARD NOTES: NEED SIGNED CERTIFICATION FROM SHANE MARTINS

Motion to _____ offered by _____ to be moved and seconded by _____

Bascom_____ Brown _____ Pullano _____ Riley _____ Healy_____ Frantz_____

Alternates: Stroud (Alt 1) _____ Martins (Alt 2) _____ Weston (Alt 3) _____ VACANT (Alt 4) _____

