



Where Community, Business & Tourism Prosper

**Neptune Township ~ Zoning Board of Adjustment
Regular Meeting Agenda
Wednesday, May 4, 2016 at 7:30 PM
Township Meeting Room 2nd Floor**

The regular scheduled 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, 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 on the stand. **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 will be sworn in and 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
Dr. James Brown (Alternate #3)
William Frantz
James Gilligan, 1st Vice Chair

Dianna Harris
Thomas Healy
Frances Keel (Alternate #1)
Christina Schuetz

Joe Sears, 2nd Vice Chair
Paul Dunlap, Chairman

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

II. Flag Salute

III. Correspondence: None.

IV. Resolutions to be memorialized:

- a. **ZBA#16-12 - Resolution of Denial/Dismissal** – Wawa, Inc. – Block 515, Lot 1 – 200 Highway 35 South

Those eligible to vote: Barbara Bascom, William Frantz, James Gilligan, Thomas Healy, Frances Keel, Christina Schuetz, and Joe Sears

- b. **ZBA#16-13 – Resolution of Approval** – Michael DeLuca – Block 4401, Lot 20 – 19 Crest Drive

Those eligible to vote: Barbara Bascom, William Frantz, James Gilligan, Thomas Healy, Frances Keel, Christina Schuetz, and Joe Sears

- c. **ZBA#16-14 - Resolution of Approval** – 3530 Highway 33, LLC (76 Gas) – Block 3102, Lot 1 – 3530 Highway 33

Those eligible to vote: Barbara Bascom, William Frantz, James Gilligan, Thomas Healy, Frances Keel, Christina Schuetz, and Joe Sears

- d. **ZBA#16-15 - Resolution of Approval** – William & Diane Egner – Block 5402, Lot 2 – 220 Prospect Avenue

Those eligible to vote: Barbara Bascom, William Frantz, James Gilligan, Thomas Healy, Frances Keel, Christina Schuetz, and Joe Sears

- e. **ZBA#16-16 - Resolution of Approval** – Ashley Coyte (Grand Tavern) – Block 414, Lot 13 – 1105 Sixth Avenue

Those eligible to vote: Barbara Bascom, William Frantz, James Gilligan, Thomas Healy, Frances Keel, Christina Schuetz, and Joe Sears

V. Applications under consideration for this evening:

****Partially heard on January 6, 2016 and carried to this date with no further notice being required. Board ordered that Applicant must provide a new plan at least 10 days prior to this May 4th hearing and no further public notice would be required. NEW PLAN HAS NOT BEEN PROVIDED TO THE BOARD****

- a. **ZB15/02** – Irma Rojas – Block 3401, Lot 46 (formerly known as Block 7000, Lot 23) – 27 Hillview Drive – Applicant has submitted to the Board to remediate building coverage and lot coverage which currently exceed the permitted percentages per Ordinance. Represented by Pasquale Menna, Esq.

****Received Approval with the Exception of the Basement Use on June 17, 2015. Received request to carry the issue of Basement Use from September 2, 2015 to October 7, 2015 to January 6, 2016, then to this date. In speaking with Jennifer Krimko Esq. on April 28, 2016, this application will be adjourned until further notice. Public notice will be provided once a new hearing date is agreed upon.****

b. **ZB15/08** – Kurt Cavano – Block 209, Lot 3 (formerly known as Block 36, Lots 1585, 1587, & 1583.02) – 50-54 Main Avenue (Ocean Grove) – The Zoning Board Previously approved the construction of a new, three-story structure which will contain commercial/retail/restaurant in the basement, first floor, and part of the second floor and six (6) residential apartment units on the second and third floors. Applicant seeks approval to utilize a portion of the basement as a "Maker Space" as described in the submitted information package. Represented by Jennifer S. Krimko, Esq.

****Due to an error in the public notice this matter must be rescheduled and re-noticed for an alternate hearing date and will not be heard this evening****

c. **ZB16/03** – Kathryn Cleary & Michael Farina – Block 232, Lot 9 – 45-47 Abbott Avenue (Ocean Grove) - Applicant is seeking Use and Bulk Variances for expansion of a pre-existing non-conforming 2-family home.

d. **ZB16/02** – Michael Solebello – Block 296, Lot 7 – 81 Fletcher Lake Avenue (Ocean Grove) - Applicant is seeking a bulk variance for front yard setback of the front steps due to the home being lifted.

e. **ZB15/22** – Thomas Losonczy – Block 150, Lot 11 – 87 Mt. Hermon Way – Applicant is seeking a variance to add a 1-foot high cedar diagonal lattice on top of a 5 foot high cedar board-on-board fence located in the rear yard area. The total length of the fence is 43 feet.

VI. Adjournment:

a. Next scheduled meeting will be a Regular Meeting on **Wednesday, June 1, 2016 at 7:30 PM** 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.

ZB15/02 – (Building Coverage & Lot Coverage Remediation) Irma Rojas – Block 3401, Lot 46 (formerly known as Block 7000, Lot 23) – 27 Hillview Drive – Applicant has submitted to the Board to remediate building coverage and lot coverage which currently exceed the permitted percentages per Ordinance. Represented by Pasquale Menna, Esq.

Previously Enclosed: Completeness Checklist & Application for Use and/or Bulk Variances (Received 1/30/15)
Resolution #13-13 Partial Approval for Variance Relief (October 2, 2013)
Survey of Property (dated 8/15/14)
Site Plan (dated last revised 1/10/15)
Site Plan (dated last revised 12/23/15)

Previously Enclosed: Board Planner’s Review Report (dated March 12, 2015)

BOARD NOTES:

****Partially heard on January 6, 2016 and carried to this date with no further notice being required. Board ordered that Applicant must provide a new plan at least 10 days prior to this May 4th hearing and no further public notice would be required. NEW PLAN HAS NOT BEEN PROVIDED TO THE BOARD****

Motion offered by _____ to be moved and seconded by _____ .
Bascom ____ Frantz____ Gilligan____ Harris____ Healy____ Sears____ Dunlap____
Alternates: Keel (Alt 1) _____ Brown (Alt 2) _____ Schuetz (Alt 3) _____

****Received Approval with the Exception of the Basement Use on June 17, 2015****

ZB15/08 – Kurt Cavano – Block 209, Lot 3 (formerly known as Block 36, Lots 1585, 1587, & 1583.02) – 50-54 Main Avenue (Ocean Grove) - The Zoning Board previously approved the construction of a new, three-story structure which will contain commercial/retail/restaurant in the basement, first floor, and part of the second floor and six (6) residential apartment units on the second and third floors. Applicant seeks approval to utilize a portion of the basement as a "Maker Space" as described in the submitted information package.

Previously Enclosed

w/ 6/17/15 Packet: Completeness Checklist and Application (Received 5/1/15)
Assignment of Lease (1/29/96)
Survey of Property (1 sheet) (4/7/15)
Preliminary and Final Major Site Plan (3 sheets) (4/21/15)
Architectural Plans (19 sheets) (4/21/15)

Previously Enclosed

w/ 6/17/15 Packet: HPC Resolution No. 2015-029 (5/15/15)
Township Engineer’s Memo (5/20/15)
Board Engineer’s Review Report (6/3/15)
Ocean Grove Sewerage Authority Review (6/8/15)
Board Planner’s Review Letter (6/9/15)

Previously Enclosed

w/ 10/7/15 Packet: Witness List & Exhibit List
Zoning Officer’s Denial (9/17/15)
50-54 Main Avenue Basement Maker Space Information Package (Rec’d 9/15/15)
Architectural Plan (Sheet A-20) (8/14/15)
Board Engineer’s Review Report (9/28/15)

BOARD NOTES:

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Motion offered by _____ to be moved and seconded by _____
Bascom _____ Frantz _____ Gilligan _____ Harris _____ Healy _____ Sears _____ Dunlap _____

Alternates: Keel (Alt 1) _____ Brown (Alt 2) _____ Schuetz (Alt 3) _____

