



**Neptune Township ~ Zoning Board of Adjustment
SPECIAL MEETING AGENDA
Wednesday April 15, 2015 - 7:30 P.M.
Township Meeting Room 2nd Floor**

The 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:

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 witnesses or testimony will 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 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 and Flag salute :

Barbara Bascom
Paul Dunlap, Chairman
William Frantz
James Gilligan, 1st Vice Chairman
Dianna Harris

Thomas Healy
Joe Sears, 2nd Vice Chairman
Frances M. Keel, Alt. #1
Carol J. Rizzo, Alt. #2

Also Present: Monica C. Kowalski, Attorney to the Board
Matt Shafai, Board Engineer
Jennifer Beahm, Board Planner

II. Correspondence:

a. None.

III. Resolutions to be memorialized:

a. None.

IV. Applications under consideration for this evening:

- a. **ZB15/04 (Appeal of Zoning Officer's Decision) – Friends of Neptune II** – Hovchild Boulevard (Hovson's/Victoria Gardens Project) – Block 4001, Lots 1, 2, 3, & 8 and Block 4101, Lots 13 & 14 (formerly Block 1500, Lots 1, 2, 5, 20, 21 & 22) – The Zoning Officer determined the following with regard to the new zoning permit application submitted on 01/29/15: "a complete zoning permit application should have been submitted for each property" and "Denied Zoning"
- b. **ZB12/21 & ZB13/14 (Use Variance, Preliminary Major Site Plan, & Minor Subdivision)** – Hovsons, Inc. (Victoria Gardens) – Hovchild Blvd – Block 4001, Lots 1, 2, 3, & 8 and Block 4101, Lots 13 & 14 (formerly Block 1500, Lots 1, 2, 5, 20, 21, & 22) Plans have recently been revised to eliminate the proposed commercial space and reduce the number of proposed apartment units from 312 to 272; therefore, the project now involves only Block 4001, Lots 1, 2, 3, & 8 (formerly Block 1500, Lots 5, 20, 21, & 22) Represented by Jennifer S. Krimko, Esq.

V. Adjournment:

- a. The next meeting of the Zoning Board of Adjustment will be a Regular Meeting on May 6, 2015 at 7:30 PM to be held at the Neptune Township Municipal Building, Township Committee Meeting Room, 2nd Floor.
- 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.

ZB12/21 & ZB13/14 (Use Variance & Preliminary Major Site Plan) – Hovsons, Inc. (Victoria Gardens) – Hovchild Blvd – Block 4001, Lots 1, 2, 3, & 8 and Block 4101, Lots 13 & 14 (formerly Block 1500, Lots 1, 2, 5, 20, 21, & 22) Plans have recently been revised to eliminate the proposed commercial space and reduce the number of proposed apartment units from 312 to 272; therefore, the project now involves only Block 4001, Lots 1, 2, 3, & 8 (formerly Block 1500, Lots 5, 20, 21, & 22) Represented by Jennifer S. Krimko, Esq.

ZB12/21 (Use Variance App.)

Previously Enclosed: Zoning Permit Application 1-3-13

Zoning Permit Denial 1-14-13

Variance Application 12-10-12

Completeness Checklist – Application for Development 1-4-13

Traffic Impact Analysis prepared by McDonough & Rea Associates, Inc. 12-5-12

Copy of Deed 2-28-86

Overall Variance Map dated 9-13-12, unrevised (signed 12/7/12)

Architectural Plans prepared by Cozzarelli Cirminiello Architects, LLC dated 12-13-12

Boundary & Topographic Survey prepared by FWH Associates, PA dated 9-17-12

Overall Variance Map dated 9-13-12, unrevised (signed 1/4/13)

Exhibit List 3-6-13

Witness List 3-6-13

Comments from:

Board Engineer 12-27-12

Board Engineer 1-16-13

Board Planner 2-25-13

DPW – NO COMMENTS 2-20-13

Neptune Township Police Dept. Traffic Bureau 2-20-13

Environmental/Shade Tree Commission 2-15-13

ZB13/14 (Prel Site Plan & Minor Sub)

Previously Enclosed:

Completeness Checklist for Site Plans and/or Subdivisions

Application for Major Site Plan & Checklist Part B

Application for Minor Subdivision & Checklist Part B

Affidavit of Application (8-8-13)

Site Visit Authorization of Property Owner (8-8-13)

Escrow Agreement

Minor Subdivision Plan Victoria Gardens dated 7/24/13, unrevised (signed 8/9/13)

Survey of Property dated 9/17/12, unrevised (signed 9/17/12)

Neptune Multi-Family Housing Architecturals dated 8/8 & 8/9/13, unrevised

Preliminary Major Site Plan Victoria Gardens dated 8/9/13, unrevised

Correspondence from NJDOT dated 9-20-13

Correspondence from FSCD dated 9-26-13

Correspondence from Jennifer S. Krimko, Esq. enclosing reduced, color copies of certain exhibits moved into evidence at the hearing on September 18, 2013.

FWH Associates response letter to CME Associates 1-29-14

FWH Associates response letter to Leon S. Avakian 1-29-14

Stormwater Management Report w/Appendix D - Revised 1-28-14

Minor Subdivision Plan (1 sheet) – revised 1-27-14

Predevelopment Drainage Area Maps dated 8-9-13 &

Post Development Drainage Area Map revised 1-24-14

Preliminary Major Site Plan Victoria Gardens – dated 8-9-13 and revised 1-24-14

Stormwater Management Operation & Maintenance Manual – revised 1-23-14

Architectural Color Rendering of Proposed Elevations – Revised 2-6-14

McDonough & Rea Associates, Inc. 6-2-14 Letter with Attachments

