



Where Community, Business & Tourism Prosper

**Neptune Township ~ Zoning Board of Adjustment
Regular Meeting Agenda
Wednesday, May 6, 2015 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 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
 William Frantz
 James Gilligan, 1st Vice Chairman

Dianna Harris
 Thomas Healy
 Frances Keel (Alternate #1)

Carol J. Rizzo (Alternate #2)
 Joe Sears, 2nd Vice Chairman
 Paul Dunlap, Chairman

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

II. Flag Salute

III. Correspondence: None.

IV. Resolutions to be memorialized:

- a. **ZBA#15/15 – Resolution of Approval** - Robert Pettibone – Block 226, Lot 14 (Formerly known as Block 53, Lot 956) - 65 Webb – Applicant requesting to remediate violation through deed of easement in lieu of relocation of hot tub since he is currently the owner of both properties along with any variances deemed necessary.

Those Eligible to Vote: Barbara Bascom, James Gilligan, Dianna Harris, Thomas Healy, Joe Sears, Frances Keel, and Paul Dunlap

- b. **ZBA#15/16 – Resolution of Approval** - Wilmane Deltus – Block 1511, Lot 4 (Formerly known as Block 3013, Lot 23) – 615 Mayfair Lane – Applicant seeking variance approval for lot coverage and for rear yard setback with regard to proposed deck to surround pool.

Those Eligible to Vote: Barbara Bascom, James Gilligan, Dianna Harris, Thomas Healy, Joe Sears, Frances Keel, and Paul Dunlap

- c. **ZBA#15/17 – Resolution of Approval** - Johnson Obayuwana – Block 714, Lot 1 (Formerly known as Block 189, Lot 1) – 1528 Monroe Avenue – Applicant seeking a Use Variance for Proposed Daycare.

Those Eligible to Vote: Barbara Bascom, James Gilligan, Dianna Harris, Thomas Healy, Joe Sears, Frances Keel, and Paul Dunlap

- d. **ZBA#15/18 – Resolution of Denial of “Amended” Plans** – Hovson’s Inc. (Victoria Gardens) and Friends of Neptune II – Block 4001, Lots 1, 2, 3, 8 and Block 4101 Lots 13 & 14 (Formerly known as Block 1500, Lots 1, 2, 5, 20, 21 & 22) – Hovchild Boulevard – Applicant seeking Use Variance and Preliminary and Final Site Plan and Objector’s seeking determination from the Board that this be considered a “new” vs. “amended” application.

Those Eligible to Vote: Barbara Bascom, William Frantz, James Gilligan, Dianna Harris, Thomas Healy, Joe Sears, and Paul Dunlap

V. Applications under consideration for this evening:

- a. **ZB15/05 – (Bulk Variance)** – Tracy Polk – Block 3206, Lot 11 (formerly known as Block 10023, Lot 11) – 39 Country Club Drive – Applicant is proposing to construct a 6 foot high solid fence in the front and rear yard areas of this corner lot. Where fences in front yard areas shall not exceed 4 feet in height as measured from ground level and must be at least 50% non-solid and open.
- b. **ZB14/16** – Paul Jayme – Block 2506, Lot 41 (formerly known as Block 9016, Lot 6) – 716 Gail Drive – Applicant is seeking bulk variances for side and rear yard setback for accessory structure (shed) which was constructed without zoning approval.
- c. **ZB15/06 – (Bulk Variances for Wall-Mounted Sign)** – Multibrands Neptune I, LLC (Smashburger) – Block 802, Lot 2 (formerly known as Block 1007, Lot 6.02) – 2100 Route 66 – Applicant is proposing a second wall-mounted sign for the restaurant use where the maximum permitted is 1 sign per tenant. The sign being proposed also requires bulk variance relief for vertical and horizontal dimensions, overall square footage, mounting height, and permitted projection.

VI. Adjournment:

- a. Next scheduled hearing will be a Regular Meeting on Wednesday, June 3, 2015 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.

