



Where Community, Business & Tourism Prosper

**Neptune Township ~ Zoning Board of Adjustment
Regular Meeting Agenda
Wednesday, August 5, 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
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#15/21 – Resolution of Approval (Signs)** – Neptune Partners, LLC (The Waverly at Neptune) 100-1000 Waverly Avenue - Block 4001, Lot 6.02 (Formerly known as Block 1500, Lots 23.04 & 23.05) – Applicant is proposing multiple banners/signs, all of which require variance relief for either the type, size, and/or location of same.

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

- b. **ZBA#15/22 – Resolution of Approval (excluding basement use)** - Kurt Cavano – 50-54 Main Avenue – Block 209, Lot 3 (Formerly known as Block 36, Lots 1585, 1587, and 1583.02) – The prior mixed use structure located on this property was destroyed by fire. Applicant proposes to construct a more confirming, new, three-story structure which will contain commercial/retail/restaurant to be located in the basement, first floor, and part of the second floor. The Applicant also proposes six (6) residential apartment units to be located on the second and third floors. While all of the proposed tenants are not known yet, Applicant stipulates that all will be permitted uses in the HD-B-1 Zone.

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

V. Applications under consideration for this evening:

****NEW** - Had Waiver Hearing on February 4, 2015 – Waivers Granted****

- a. **ZB14/24** – Gary Edwards – Block 3808, Lot 19 (formerly known as Block 9017, Lot 9) - 17 Princeton Avenue – Applicant is seeking a Use Variance to retain detached garage with loft which has been “repaired” more than the permitted 50%. Applicant is represented by Peter Bass, Esq.

****NEW – Received Partial Approval for Bulk Variances October 2, 2013 – Required to Return for Additional Variances****

- b. **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. – **7/24/15 – RECEIVED REQUEST FROM APPLICANT’S ATTORNEY TO CARRY TO AN ALTERNATE DATE IN ORDER TO PREPARE A REVISED PLAN AND PROVIDE COPIES OF SAME TO THE BOARD AND ITS PROFESSIONALS. MR. MENNA WAS NOTIFIED APPLICATION IS NOW CARRIED TO NOVEMBER 4, 2015 – MUST PROVIDE NOTICE OF NEW HEARING DATE & NO FURTHER ADJOURNMENTS WILL BE GRANTED.**

****NEW****

- c. **ZB15/07** – Robert E. Pettibone – Block 247, Lot 11 (formerly known as Block 15, Lot 778.03) – Applicant is seeking expansion of a non-conforming structure. Represented by Jennifer S. Krimko, Esq.

VI. Adjournment:

- a. Next scheduled hearing will be a **Regular Meeting on Wednesday, September 2, 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.

****NEW – Received Partial Approval for Bulk Variances October 2, 2013****

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)

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

BOARD NOTES:

7/24/15 – RECEIVED REQUEST FROM APPLICANT’S ATTORNEY TO CARRY TO AN ALTERNATE DATE IN ORDER TO PREPARE A REVISED PLAN AND PROVIDE COPIES OF SAME TO THE BOARD AND ITS PROFESSIONALS. CARRIED TO NOVEMBER 4, 2015 – MUST PROVIDE NOTICE OF NEW HEARING DATE & NO FURTHER ADJOURNMENTS WILL BE GRANTED.

Motion offered by _____ to be moved and seconded by _____
Bascom ____ Frantz ____ Gilligan ____ Harris ____ Healy ____ Sears ____ Dunlap ____
Alternates: Keel (Alt 1) _____ Rizzo (Alt 2) _____

