



**Neptune Township ~ Zoning Board of Adjustment  
Regular Meeting Minutes  
Wednesday September 2, 2015 at 7:30 PM  
Municipal Complex, 2<sup>nd</sup> Floor, 25 Neptune Boulevard**

**ATTENDANCE:**

Present: William Frantz, James Gilligan, Dianna Harris, Frances Keel, Carol J. Rizzo, Joe Sears (left at 7:45 PM), Paul Dunlap, Monica Kowalski, Esq. – Board Attorney, Matt Shafai, PE - Board Engineer, Jennifer C. Beahm, PP, AICP - Board Planner, and Torro Reporting, LLC

Absent: Barbara Bascom, Thomas Healy, Joe Sears (left at 7:45 PM)

**OPENING:** Meeting called to order by Chairman Paul Dunlap at 7:37 PM. Chairman Dunlap advised the public of fire exits and how the meeting will proceed.

**CORRESPONDENCE:** None.

**RESOLUTIONS MEMORIALIZED:**

**ZBA#15/23 – Resolution of Approval** – Robert E. Pettibone – 5 Broadway – Block 247, Lot 11 (formerly Block 15, Lot 778.03) – Applicant seeking expansion of a non-conforming structure.

**DISCUSSIONS:**

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

**ZB15/08 – Kurt Cavano – (B209/L3) –** Prior mixed use was destroyed by fire. Applicant is now proposing to construct a more confirming, new, three-story structure which will contain commercial/retail/restaurant in the basement, 1<sup>st</sup> floor, and part of the 2<sup>nd</sup> floor; as well as six (6) residential apartment units to be located on the 2<sup>nd</sup> and 3<sup>rd</sup> floors. While all of the proposed tenants are not known yet, the Applicant stipulates that all will be permitted uses in the HD-B-1 Zone. - **RECEIVED REQUEST TO CARRY TO THIS APPLICATION TO OCTOBER 7, 2015 WITH NO FURTHER NOTICE BEING REQUIRED – REQUEST GRANTED BY THE BOARD.**

**\*\*Partially Heard on June 3, 2015 – Carried in order to obtain further documentation (Notice was required for this hearing date due to Special Meeting originally granted for 7/15/15 was CANCELLED\*\***

**ZB14/18 – (Use Variance) El Properties, Inc. (Parkway 100) – Block 3903, Lot 4 (formerly known as Block 10017, Lot 5 and part of Lot 5.01) –** Applicant proposes to continue the use of the property as a mixed-use, light industrial corporate park including light manufacturing and assembly, laboratory, research and development, warehouse and distribution and office uses in this C-1 Zone. – **RECEIVED REQUEST TO CARRY THIS APPLICATION WITH NO FURTHER NOTICE BEING REQUIRED – REQUEST TO CARRY GRANTED BY THE BOARD. APPLICATION CARRIED TO THE NOVEMBER 4, 2015 MEETING DATE WITH NO FURTHER NOTICE BEING REQUIRED.**

**\*\*Partially Heard on August 5, 2015 – Carried in order to provide further documentation\*\***

**ZB14/24 – Gary Edwards –** 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%.

Mr. Sears is excused from the meeting as he is not eligible to participate in voting on application (7:45 PM)

Represented by Peter Bass, Esq.

Gary Edwards – remains under oath - he is the owner of the property. Mr. Edwards indicates once the violation was noted the project stopped and was put on hold. Currently there are a few cars stored in the garage and some personal items. There is still some wood/debris from the old barn on the property which will be cleaned up immediately.

The structure was last worked on about 2 ½ years ago. They did continue to install the roof with the understanding it was at their own risk after the violation was noted in order to protect that which was constructed already.

Exhibit A-1 marked

Exhibit A-2 marked

Gerard Paul – Sworn in – Architect – 114 Lincoln Place, Brooklyn, NY - Licensed in NY since 1982 – Licensed in NJ for a year. Mr. Paul indicates he prepared the plans and the work was done within the existing footprint of the old barn.

Applicant agrees to stipulate no residence in this building and will deed restrict the use.

Applicant agrees to revise the plan to include two (2) ½ baths – NO FULL BATHROOMS.

Matt Shafai questions how the cars get into the garage?

Mr. Edwards states there is an existing dirt/gravel drive to the existing garage.

James Higgins, PP, AICP – Professional Planner – sworn in and accepted by the Board. Reviewed the site and current conditions. Mr. Higgins testified to the positive and negative criteria of this proposed accessory structure.

No public appeared for this application.

The Board requests the Architectural Plans be updated for approval.

Peter Bass, Esq. agrees to provide Monica Kowalski, Esq. with proposed deed for review in approximately 2-3 weeks.

**Based upon the application submitted to the Board and the revisions/conditions agreed to by the Applicant at the hearing, Carol Rizzo made a motion to approve the application as presented, seconded by James Gilligan:**

**Those who voted YES:** William Frantz, James Gilligan, Dianna Harris, Frances Keel, Carol Rizzo, and Paul Dunlap

**Those who voted NO:** None.

**Those who ABSTAINED:** None.

**Those ABSENT:** Barbara Bascom, Thomas Healy, and Joe Sears

### **ADJOURNMENT:**

A motion was made by James Gilligan and seconded by William Frantz to adjourn at 8:19 PM. The next meeting of the Zoning Board of Adjustment will be our Regular Meeting on Wednesday, October 7, 2015 at 7:30 PM which will be held here at the Neptune Township Municipal Building, Township Committee Meeting Room, 2<sup>nd</sup> Floor.

Minutes submitted by Kristie Armour, Administrative Officer to the Board of Adjustment.