



Where Community, Business & Tourism Prosper

**Neptune Township ~ Zoning Board of Adjustment
Regular Meeting Agenda
Wednesday, October 7, 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#15/24 – Resolution of Approval** - Gary Edwards – 17 Princeton Avenue – Block 3808, Lot 19 (formerly known as Block 9017, Lot 9) – Applicant seeking Use Variance to retain detached garage with loft with has been “repaired” more than the permitted 50%

Those Eligible to Vote: William Frantz, James Gilligan, Dianna Harris, Frances Keel, Carol Rizzo, Paul Dunlap

V. Applications under consideration for this evening:

****Received Approval with the Exception of the Basement Use on June 17, 2015. Received request to carry from September 2, 2015 to this date; however, received an e-mail dated September 29, 2015 requesting to further carry this application to the next available hearing date without further notice being required. Notice was provided for this hearing date for the proposed basement use.****

- a. **ZB15/08** – Kurt Cavano – Block 209, Lot 3 (formerly known as Block 36, Lots 1585, 1587, & 1583.02) – 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.

****NEW****

- b. **ZB15/11** – Jersey Shore Dental Center – Block 1122, Lot 1 (formerly known as Block 282, Lot 8.01) – 1820 Corlies Avenue (Elite Suites) – Applicant is proposing to construct a 3.5 ft. x 15.5 ft. sign on the roof of the building for the Jersey Shore Dental Center use. Such signage is prohibited per Land Development Ordinance Section 416.06-E.

****Partially Heard on May 6, 2015 – Carried to this date in order to obtain proper plan for conversion of “shed” into detached garage. No further notice was required for this hearing date.****

- c. **ZB14/16** – Paul Jayme – Block 2506, Lot 41 (formerly known as Block 9016, Lot 6) – 716 Gail Drive – Applicant was seeking bulk variances for side and rear yard setback for accessory structure (shed) which was constructed without zoning approval. Applicant agreed to return to the Board with proper plans as discussed at the May 6, 2015 hearing in order for the Board to render its decision.

****Had Waiver Hearing on March 4, 2015 – Waivers were Granted. Partially Heard on June 3, 2015 and carried to this date in order to provide an As-Built Survey with the existing conditions of the site. No further notice was required for this hearing date****

- d. **ZB15/01** – Evelyn Stumpf & John Wehrle – Block 5602, Lot 31 (formerly known as Block 556, Lot 10) – 1207 Highway 35 South – Applicant is represented by Gregory Vella, Esq. Applicant is seeking a Use Variance to permit the retail sale of Jacuzzi Hot Tubs in addition to current product line of motorcycles, ATV’s, personal watercraft, utility trailers, and jet boats. Applicant indicates they have eliminated jet boat sales to accommodate the Jacuzzi Hot Tub sales.

VI. Adjournment:

- a. Next scheduled hearing will be a **Special Meeting on Wednesday, October 21, 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.

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ZB15/08 – Kurt Cavano – Block 209, Lot 3 (formerly known as Block 36, Lots 1585, 1587, & 1583.02) – 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)

Currently Enclosed:

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:

Received an e-mail dated September 29, 2015 requesting to further carry this application to the next available hearing date without further notice being required. Notice was provided for this hearing date for the proposed basement use.

Motion offered by _____ to be moved and seconded by _____
Bascom _____ Frantz _____ Gilligan _____ Harris _____ Healy _____ Sears _____ Dunlap _____
Alternates: Keel alt 1 _____ Rizzo alt 2 **Recused**

****NEW****

ZB15/11 – Jersey Shore Dental Center – Block 1122, Lot 1 (formerly known as Block 282, Lot 8.01) – 1820 Corlies Avenue (Elite Suites) – Applicant is proposing to construct a 3.5 ft. x 15.5 ft. sign on the roof of the building for the Jersey Shore Dental Center use. Such signage is prohibited per Land Development Ordinance Section 416.06-E.

Enclosed: Witness & Exhibit List
 Zoning Permit Denial (8/12/15)
 Application for Use and/or Bulk Variances (Received 7/22/15)
 Planning Board Resolution No. 06-20 (Memorialized May 24, 2006)
 Copy of Deed (7/14/10)
 Colored Sign Details (Undated)
 Plat of Survey (4/17/06)
 Construction Plan Elite Suites (Sheet 2 of 7 last revised 7/21/06)

Correspondence: Board Planner’s Review Report (9/30/15)

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 _____ Rizzo alt 2 _____

