



Where Community, Business & Tourism Prosper

**Neptune Township ~ Zoning Board of Adjustment
Regular Meeting Agenda
Wednesday, April 6, 2016 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 IT'S 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	Dianna Harris	Joe Sears, 2 nd Vice Chair
Dr. James Brown (Alternate #3) - Excused	Thomas Healy	Paul Dunlap, Chairman
William Frantz	Frances Keel (Alternate #1)	
James Gilligan, 1 st Vice Chair	Christina Schuetz	

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:

- a. Township Committee Resolution #16-145 appointing Dr. James Brown as Alternate #2 and Christina Schuetz as Alternate #3.

IV. Resolutions to be memorialized:

- a. **ZBA#16-10 - Resolution of Approval** - Robert E. Pettibone – Block 247, Lot 11 – 5 Broadway (Ocean Grove)
Those eligible to vote: William Frantz, James Gilligan, Dianna Harris, Thomas Healy, Frances Keel, and Joe Sears
- b. **ZBA#16-11 - Resolution of Approval** - Metpark II, LLC – Block 421, Lot 1 – 700 Atkins Avenue
Those eligible to vote: William Frantz, James Gilligan, Dianna Harris, Thomas Healy, Frances Keel, and Joe Sears

V. Applications under consideration for this evening:

****Partially heard on February 3, 2016–Scheduled this evening ONLY for the Board to determine whether res judicata applies****

- a. **ZB15/14 – Wawa, Inc.** – Block 515, Lot 1 (Prior Block 201, Lot 24.01) – 200 Highway 35 South – Applicant is seeking Amended Site Plan to add the sale of diesel fuel to the existing pumps.
- b. **ZB15/19 – Michael DeLuca** – Block 4401, Lot 20 – Applicant is seeking a bulk variance for a proposed covered porch in the rear yard area.
- c. **ZB15/20 – 3530 Highway 33, LLC (76 Gas)** – Block 3102, Lot 1 – Applicant is seeking Sign Variances.
- d. **ZB15/21 – William & Diane Egner** – Block 5402, Lot 2 – Applicants are seeking bulk variances for retaining wall system.
- e. **ZB16/04 – Ashley Coyte (Grand Tavern)** – Block 414, Lot 13 – Applicant is seeking a Bulk Variance for proposed wall signage.

VI. Adjournment:

- a. Next scheduled meeting will be a **Special Meeting on Wednesday, April 20, 2016 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.

ZB15/14 – Wawa – Block 515, Lot 1 (formerly known as Block 201, Lot 24.01) – 200 Highway 35 South – Applicant is seeking Amended Site Plan to add the sale of diesel fuel to the existing pumps and install an underground storage tank for same. Applicant is represented by Duncan Prime, Esq.

Previously

Enclosed Feb. 3, 2016:

Completeness Checklist & Application Package Including:
Copy of Prior Resolution of Approval (1/11/12)
Deed of Consolidation (4/8/13)
Description of Proposed Operations – prepared by Duncan M. Prime, Esq.
Boundary & Location Survey (7/16/15)
Site Plan (3 sheets) (7/30/15)
Monmouth County Planning Board Re: 2012 approval still applies (10/2/15)

Previously Enclosed

Correspondence:

Board Planner’s Review #1 (12/16/15)
Traffic Bureau Comments (9/30/15)
Environmental/Shade Tree Commission Comments (10/15/15)

CURRENTLY ENCLOSED: TRANSCRIPT FROM ORIGINAL HEARING ON APRIL 18, 2012
Traffic Bureau Comments (2/24/16)

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) _____ Brown (Alt 2) _____ Schuetz (Alt 3) _____

ZB15/19 – Michael DeLuca – Block 4401, Lot 20 – 19 Crest Drive – Applicant received a variance to permit the construction of a wooden deck within 14.4 feet of the rear property line where 30 feet is required per Resolution Number 97-41 memorialized on July 2, 1997. Applicant now seeks to replace the existing wooden deck with a covered patio in the same footprint.

Enclosed: Completeness Checklist & Application (10/28/15)
 Zoning Officer’s Permit Denial (11/20/15)
 Copy of Deed (2/3/97)
 Prior Resolution Number 97-41 (7/2/97)
 Boundary Survey (10/12/15)
 Architectural Plans (10/14/15)

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) _____ Brown (Alt 2) _____ Schuetz (Alt 3) _____

ZB15/20 – 3530 Highway 33, LLC – Block 3102, Lot 1 – 3530 Highway 33 – Applicant has submitted an application to remediate outstanding zoning violations. Applicant is seeking bulk variances to retain the brands displayed on the canopy and free-standing pylon sign associated with the property.

Enclosed: Application and Checklist for Bulk Variances (Rec'd 11/30/15)
 Zoning Officer's Permit Denial (10/21/15)
 Copy of Deed (1/22/14)
 Map of Survey (4/11/14)
 Sign Variance Plan (11/20/15)
 Site Plan and/or Subdivision

Correspondence: Board Engineer's Review #1 (3/11/16)

BOARD NOTES:

Motion offered by _____ to be moved and seconded by _____ .
Bascom _____ Frantz _____ Gilligan _____ Harris _____ Healy _____ Sears _____ Dunlap _____
Alternates: Keel (Alt 1) _____ Brown (Alt 2) _____ Schuetz (Alt 3) _____

If any board member cannot attend, please call or email the board office at 732-988-5200 ext 278 or karmour@neptunetownship.org.

ZB16/04 – Ashley Coyte (Grand Tavern) – Block 414, Lot 13 – 1105 6th Avenue – Applicant has submitted an application for a bulk variance relative to proposed building sign.

- Enclosed: Application and Checklist for Bulk Variances
- Zoning Officer’s Permit Denial (2/18/16)
- Copy of Deed (12/4/15)
- Rendering of Proposed Sign (2/18/16)
- Plan of Survey (11/13/15)

BOARD NOTES:

Motion offered by _____ to be moved and seconded by _____ .

Bascom ____ Frantz____ Gilligan____ Harris____ Healy____ Sears____ Dunlap____

Alternates: Keel (Alt 1) _____ Brown (Alt 2) _____ Schuetz (Alt 3) _____