



**Neptune Township ~ Zoning Board of Adjustment
Regular Meeting Minutes
Wednesday, March 15, 2017 at 7:30 PM
Municipal Complex, 2nd Floor, 25 Neptune Boulevard**

ATTENDANCE:

Present: Barbara Bascom, Dr. James Brown, William Frantz, James Gilligan, Dianna Harris, Thomas Healy, Frances Keel, Monica Kowalski, Esq. – Board Attorney, Jennifer C. Beahm, PP, AICP - Board Planner, Matt Shafai, PE – Board Engineer, and Torro Reporting, LLC

Absent: Joe Sears, Theopolis Stewart, and Paul Dunlap

OPENING: Meeting called to order by Vice Chairman William Frantz at 7:30 PM. Chair Frantz advised the public of fire exits and how the meeting will proceed.

CORRESPONDENCE: None.

RESOLUTIONS MEMORIALIZED:

ZBA#17/07 – Resolution Approving Bulk Variances – Judy Soltis – Block 163, Lot 1 – 78 Mt. Hermon Way (Ocean Grove)

DISCUSSIONS:

ZB16/09 – United Methodist Communities – Block 283, Lot 1 – 70 Stockton Avenue (Ocean Grove) – **Application withdrawn per letter received from Sanford D. Brown, Esq. dated March 1, 2017.**

ZB16/08 – Judy Dorsey – Block 2914, Lot 1 – 120 Green Grove Road – Applicant has submitted an application for Bulk Variance for the construction of an 8-foot solid fence across a portion of the rear yard area.

This application had originally been scheduled for July 6, 2016, carried to September 7, 2016, carried to December 7, 2016, then to this date of March 15, 2017 for failure to provide proper notice.

Based upon failure to appear and lack of proper notice a motion to dismiss without prejudice was offered by William Frantz and seconded by James Gilligan.

Those who voted YES – Barbara Bascom, Dr. James Brown, James Gilligan, Dianna Harris, Thomas Healy, Frances Keel, and William Frantz.

Those who voted NO – None.

Those who ABSTAINED – None.

Those who were ABSENT – Joe Sears, Theopolis Stewart, and Paul Dunlap.

ZB16/13 – Irma Rojas – Block 3401, Lot 46 – Applicant submitted application to the Board for Minor Site Plan approval with bulk variances to remediate building coverage and lot coverage which currently exceed the permitted percentages per Ordinance.

Applicant is represented by Pasquale Menna, Esq. who gives a brief recap of this ongoing matter.

Mr. Charles W. Gilligan, PE of Gilligan Engineering is sworn in and provides testimony with regard to the Minor Site Plan he prepared dated February 9, 2017.

Mr. Gilligan indicates the lot coverage has been reduced to 3.3% above that which is permitted.

Discussion regarding drainage into Green Acres property is discussed and needs to be remediated. Pavers vs. Stone discussed.

Verification is required that the basement begins at the foundation of the home in order for the deck to not be calculated in the coverage.

Exhibit A-1 marked – Photos taken by Charles Gilligan on February 8, 2017.

It is indicated that the fence has been relocated onto the Applicant's property; however, plan still indicates fence is over property line.

Drainage is discussed and is subject to Township Engineer's approval.

Mr. Golub – 305 Cliffwood – questions if this is the same application that has been pending before the Board and Committee for over a decade.

Irma Rojas – 27 Hillview – sworn in. Ms. Rojas confirms representations made by her professionals with regard to the basement area entrance and that the basement is the same footprint as the home.

Jennifer Beahm questions the need for five (5) air conditioning units. Ms. Rojas indicates a number of people in her home suffer from heart conditions.

Ms. Rojas indicates there are 4 zones in the home and only utilizing 4 of the 5 units.

The Board requires that the stones and/or figures in the rear of the home along the poolside be removed or relocated so the fence may be relocated onto the property.

Once the work has been performed, an As-Built Survey will be required to be provided to show the fence location on the property.

Township Engineer must approve drainage.

Based upon the application and the testimony provided to the Board, Barbara Bascom made a motion to approve the application with conditions of the professionals and the approval of an As-Built Plan as discussed, moved and seconded by Dianna Harris.

Those who voted YES: Barbara Bascom, James Gilligan, Dianna Harris, Thomas Healy, Frances Keel, Dr. James Brown, and William Frantz

Those who voted NO: None.

Those who ABSTAINED: None.

Those ABSENT: Joe Sears, Theopolis Stewart, and Paul Dunlap

ZB17/01 – Philip & Colleen Stofanak – Block 229, Lot 6 – 8 Embury Avenue (Ocean Grove) – Applicant is seeking side yard setback variance for proposed 2nd floor renovation.

****The Board takes a brief recess at 8:30 PM and returns at 8:36 PM. All members still present****

Notice is accepted by the Board.

Chris Mott and Phillip Stofanak are sworn in.

A 2nd floor addition is proposed over the existing porch area, the overhang area requires the variance.

Drainage is proposed from the front corner of the addition out to the street.

Technical Review with HPC is recommended prior to this Board rendering a decision.

The Board has concerns since this home was built in 1879 and is a key structure which receives the highest level of scrutiny.

Monica Kowalski, Esq. reads the HPC Resolution for the record.

Applicant is proposing for the front right elevation to match the front left elevation and the wrap around balcony on the 2nd floor is proposed to be enclosed to achieve this.

The overhang of the proposed gutter will encroach onto neighboring property.

The front elevation is proposed to be symmetrical.

Exhibit A-1 – Chris Mott photos (3) taken in February 2017.

Mr. Gilligan questions if the additional overhang is going to match.

It is the recommendation of the Board that the Applicant have a Concept Meeting with HPC prior to the Board rendering a decision on the relief being sought. This matter is scheduled for continuation on May 3, 2017 with no further notice being required.

****The Board takes a brief recess at 8:53 PM and returns at 9:05 PM. All members still present****

ZB12/21 & ZB13/14 (Use Variance, Preliminary Major Site Plan, & Minor Subdivision) – Hovsons, Inc. (Victoria Gardens) – Hovchild Blvd – Block 4001, Lots 1, 2, 3, & 8 and Block 4101, Lots 13 & 14 (formerly Block 1500, Lots 1, 2, 5, 20, 21, & 22). Plans had been revised to eliminate the proposed commercial space and reduce the number of proposed apartment units from 312 to 272; therefore, the project now involves only Block 4001, Lots 1, 2, 3, & 8 (formerly Block 1500, Lots 5, 20, 21, & 22).

Applicant is represented by Guliet D. Hirsch, Esq.

Brian Murphy, Engineer and John Rea, Traffic Expert.

Exhibit A-69 marked – Color Parking Exhibit dated February 28, 2017

Exhibit A-70 marked – Color Playground Exhibit dated February 28, 2017

Brian Murphy discusses parking revisions and proposed playground exhibits.

There are now 539 parking stalls proposed which will be open and not assigned. The necessary amount of handicap spaces are provided.

The playgrounds have been evenly distributed throughout the site which will be 25 x 30 and contain mulch and fencing. They are not opposed to two (2) Type B playgrounds vs. one (1) Type A and one (1) Type B as shown. Benches can be provided for parents within the playground areas.

Martha Applegate – 25 Roberts Drive – Questions 272 apartments and 539 spaces.

Brian Murphy indicates they used the standard counts required through RSIS.

Gerald Azzolini – 25 Maplecrest - questions location of playgrounds.

Michael Golub – 305 Cliffwood - Questions pool, clubhouse, and parking.

Mr. Healy questions the density of this project.

Brian Murphy responds it was 7.2 and now 6.6

Without the wetlands it is approximately 12.6 units per acre vs. 6.6 units per acre with wetlands figured into calculation.

John Rea – Traffic Expert reviews update. Exhibit A-55 dated March 23, 2015 marked on February 1, 2017.

The trip generation has reduced.

Martha Applegate – questions whether the Waverly was calculated into the counts.

John Rea – indicates Waverly was included as well as non-developed areas on Tinton Falls side. Counts are probably over estimated.

Michael Golub – questions counts.

Gerald Azzolini – questions peak hours.

Robert Bandstra – 27 Jumping Brook Road – Questions Jumping Brook Road increase in numbers.

Thomas Virgilio – 19 Jumping Brook Road – Questions response times for Hamilton Fire Department – Mr. Virgilio is advised this question is not for this witness.

Blanche Dunbar – 40 Lynn Drive – Questions the original 2013 study.

Due to time constraints, it is agreed by the Applicant and the Board to adjourn this matter to April 5, 2017 with no further notice being required.

ADJOURNMENT:

With no further business before the Board this evening, a motion was made by William Frantz and seconded by Dianna Harris to adjourn at 10:10 PM. The next meeting of the Zoning Board of Adjustment will be a Regular Meeting on Wednesday, April 5, 2017 at 7:30 PM which will be held here at the Neptune Township Municipal Building, Township Committee Meeting Room, 2nd Floor.

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