Neptune Township - NJ

Where Community, Business & Tourism Prosper

Neptune Township ~ Zoning Board of Adjustment
Regular Meeting Agenda
Wednesday, July 18, 2018 at 7:30 PM
Township Meeting Room 2nd Floor

This Regular 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.

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

I. Roll Call:

Barbara Bascom	Thomas Healy	Joe Sears
Dr. James Brown (Alternate #1)	Frances Keel	Theopolis Stewart (Alternate #2)
William Frantz, 1st Vice Chairman	Michael Pullano (Alternate #4)	Paul Dunlap, Chairman
James Gilligan, 2nd Vice Chairman	Naomi Riley (Alternate #3)	

Also Present: Monica C. Kowalski, Esq. - Attorney for 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#18/10 – Resolution Approving Use Variance Only –** Old Forge Builders at Ocean Grove, LLC – Block 107, Lot 8 – 6 Atlantic Avenue (Ocean Grove)

Those Eligible: *Barbara Bascom, James Gilligan, Thomas Healy, Frances Keel, Joe Sears, Dr. James Brown, and William Frantz*

V. Applications under consideration for this evening:

a. **ZB17/13 (Use Variance) –** Old Forge Builders at Ocean Grove, LLC – Block 107, Lot 8 – 6 Atlantic Avenue (Ocean Grove) – Applicant was approved for Use Variance only to renovate the historic Aurora from the current 32 bedroom, 6 bathroom residential structure to a 4-unit residential structure containing two (2) 2-bedroom units and two (2) 4-bedroom units for a total of 12 bedrooms. The Applicant had bifurcated their application and therefore are returning to present the revised parking layout proposal. Applicant is represented by Kenneth Pape, Esq.

b. **ZB18/04 (Bulk Variance) –** Daniel Culmone – Block 419, Lot 20 – 1309 5th Avenue – Applicant is seeking a Bulk Variance for side yard setback for a proposed chimney, leaving a 1 foot side yard setback where 2 feet is required.

c. **ZB18/03 (Use Variance) –** Ocean View, Circa 1890, LLC – Block 246, Lot 5 – 30-32 Abbott Avenue (Ocean Grove) – Applicant is seeking a Use Variance for Expansion of a Pre-Existing Non-Conforming Use by adding an additional door and stair case at the rear of the structure as a means of egress for Unit 32B. Applicant is represented by Jennifer S. Krimko, Esq.

d. **ZB18/05 (Bulk Variance) –** Eric Enderlin & Scott Moyer – Block 277, Lot 11 – 113 Stockton Avenue (Ocean Grove) – Applicant is proposing a second floor porch over the existing covered front porch leaving a 0 foot setback where 4 feet is required as well as the construction of porch roofs over the uncovered deck areas existing on the first floor. The existing first floor porch/decks are pre-existing, non-conforming as they currently encroach 1.76 feet over the lot line. Applicants are represented by Jennifer S. Krimko, Esq.

e. **ZB18/01 (Bulk Variance to Remediate Zoning Violation) –** Charles Lipson – Block 211, Lot 6 – 6 Main Avenue (Ocean Grove) – Applicant is seeking a Bulk Variance to remediate a zoning violation and maintain a paver patio which has been installed without first acquiring a permit and which extends into the flare area in the Historic District. Applicant is represented by Christopher Beekman, Esq.

VI. Adjournment:

a. Next scheduled meeting will be a **Regular Meeting on <u>Wednesday, September 5, 2018 at 7:30 PM</u>** 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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ZB17/13 (Use Variance) – Old Forge Builders at Ocean Grove, LLC – Block 107, Lot 8 – 6 Atlantic Avenue (Ocean Grove) – Applicant was approved for Use Variance only to renovate the historic Aurora from the current 32 bedroom, 6 bathroom residential structure to a 4-unit residential structure containing two (2) 2-bedroom units and two (2) 4-bedroom units for a total of 12 bedrooms. The Applicant had bifurcated their application and therefore are returning to present the revised parking layout proposal. Applicant is represented by Kenneth Pape, Esq.

Previously Enclosed w/May 2nd and June 6th Agendas:

Community Impact Statement (3/6/18)
Letter of Transmittal with Checklist and Application for Use Variance (3/2/18)
Zoning Officer's Denial (1/24/18)
Color Photos (4) (unknown date)
Survey of Property (revised 2/27/18)
Letter of Transmittal explaining changes (4/19/18)
Use Variance Plan (last revised 4/19/18)
Architectural Plans (last revised 2/14/18)
Use Variance Plan (last revised 5/15/18)

Currently Enclosed:

Letter of Transmittal explaining changes (7/5/18)
Use Variance Plan (last revised 7/3/18)

Previously Enclosed Correspondence w/ May 2nd and June 6th Agendas:

HPC Resolution 2018-020 (3/13/18)
Ocean Grove Sewerage Authority (3/6/18)
Neptune Township Traffic Bureau (3/6/18)
Board Engineer & Board Planner's Review (4/24/18)
Township Engineer's Review (4/24/18)
Township Engineer's Review (5/22/18)

BOARD NOTES:

BOARD NOTES (continued):

Motion offered by _____ to be moved and seconded by _____

Bascom _____ Frantz _____ Gilligan _____ Healy _____ Keel _____ Sears _____ Dunlap **Recused**

Alternates: Brown (Alt 1) _____ Stewart (Alt 2) _____ Riley (Alt 3) _____ Pullano (Alt 4) _____

ZB18/04 (Bulk Variance) – Daniel Culmone – Block 419, Lot 20 – 1309 5th Avenue – Applicant is seeking a Bulk Variance for side yard setback for a proposed chimney, leaving a 1 foot side yard setback where 2 feet is required.

Enclosed: Checklist and Application for Bulk Variance (Rec'd 6/14/18)
Zoning Officer's Denial (5/29/18)
Copy of Deed (5/18/15)
Proposed Site Plan (2 sheets) (last revised 6/11/18)

BOARD NOTES:

Motion offered by _____ to be moved and seconded by _____

Bascom _____ Frantz _____ Gilligan _____ Healy _____ Keel _____ Sears _____ Dunlap _____

Alternates: Brown (Alt 1) _____ Stewart (Alt 2) _____ Riley (Alt 3) _____ Pullano (Alt 4) _____

ZB18/03 (Use Variance) – Ocean View, Circa 1890, LLC – Block 246, Lot 5 – 30-32 Abbott Avenue (Ocean Grove) – Applicant is seeking a Use Variance for Expansion of a Pre-Existing Non-Conforming Use by adding an additional door and stair case at the rear of the structure as a means of egress for Unit 32B. Applicant is represented by Jennifer S. Krimko, Esq.

Enclosed: Completeness Checklist and Application for Use/Bulk Variance (Rec'd 6/5/18)
Zoning Officer's Denial (3/28/18)
Copy of Assignment of Lease (2/9/10)
Survey of Property (5/15/18)
Architectural Plans (5/17/18)

Correspondence: Township Engineer's Review #1 (7/5/18)

BOARD NOTES:

Motion offered by _____ to be moved and seconded by _____

Bascom _____ Frantz _____ Gilligan _____ Healy _____ Keel _____ Sears _____ Dunlap _____

Alternates: Brown (Alt 1) _____ Stewart (Alt 2) _____ Riley (Alt 3) _____ Pullano (Alt 4) _____

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ZB18/05 (Bulk Variance) – Eric Enderlin & Scott Moyer – Block 277, Lot 11 – 113 Stockton Avenue (Ocean Grove) – Applicant is proposing a second floor porch over the existing covered front porch leaving a 0 foot setback where 4 feet is required as well as the construction of porch roofs over the uncovered deck areas existing on the first floor. The existing first floor porch/decks are pre-existing, non-conforming as they currently encroach 1.76 feet over the lot line. Applicants are represented by Jennifer S. Krimko, Esq.

Enclosed: Completeness Checklist and Application for Bulk Variance (Rec'd 6/15/18)
Assignment of Lease (10/23/00)
Zoning Officer's Denial (4/23/18)
Ocean Grove Camp Meeting Letter of Approval (4/20/18)
Architectural Plans (3 sheets) (6/12/18)

BOARD NOTES:

Motion offered by _____ to be moved and seconded by _____

Bascom _____ Frantz _____ Gilligan _____ Healy _____ Keel _____ Sears _____ Dunlap _____

Alternates: Brown (Alt 1) _____ Stewart (Alt 2) _____ Riley (Alt 3) _____ Pullano (Alt 4) _____

ZB18/01 (Bulk Variance to Remediate Zoning Violation) – Charles Lipson – Block 211, Lot 6 – 6 Main Avenue (Ocean Grove) – Applicant is seeking a Bulk Variance to remediate a zoning violation and maintain a paver patio which has been installed without first acquiring a permit and which extends into the flare area in the Historic District. Applicant is represented by Christopher Beekman, Esq.

Enclosed: Application for Bulk Variance (Rec'd 5/21/18)
Zoning Officer's Denial (1/30/18)
Ocean Grove Camp Meeting Letter of Approval (3/2/18)
Survey of Property (5/8/18)
Photos of Patio (undated)

BOARD NOTES:

Motion offered by _____ to be moved and seconded by _____

Bascom _____ Frantz _____ Gilligan _____ Healy _____ Keel _____ Sears _____ Dunlap _____

Alternates: Brown (Alt 1) _____ Stewart (Alt 2) _____ Riley (Alt 3) _____ Pullano (Alt 4) _____