



**Neptune Township ~ Zoning Board of Adjustment  
Regular Meeting Minutes  
Wednesday, December 4, 2019 at 7:30 PM  
Municipal Complex, 2<sup>nd</sup> Floor, 25 Neptune Boulevard**

**ATTENDANCE:**

**Present :** Barbara Bascom, Dr. James Brown, William Frantz, James Gilligan, Thomas Healy, Michael Pullano, Naomi Riley, Ashley Vidal, Paul Dunlap, Monica Kowalski, Esq. – Board Attorney, Jennifer Beahm, PP, AICP - Board Planner, Matt Shafai, PE, PP, CME – Board Engineer, and Torro Reporting, LLC.

**Absent:** Frances Keel

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

**CORRESPONDENCE:** The Board reviewed the proposed meeting dates for 2020 which will be adopted at the Reorganization meeting on January 8, 2020.

**RESOLUTIONS MEMORIALIZED:** None.

**DISCUSSIONS:**

**ZB19/04 (Use Variance)** – Collard Realty, LLC – Block 1002, Lot 16 – 1906 Rutherford Avenue – Applicant is seeking a Use Variance to add warehousing/self-storage by a single user in the existing building.

**This matter was carried from our October 2, 2019 meeting in order to provide additional information. Received request from Applicant's attorney to further adjourn this matter to February 5, 2020 without the need for further notice.**

**ZB17/13 (Request for modification of conditions of prior approvals)** – Old Forge at Ocean Grove, LLC – 6 Atlantic Avenue – Block 107, Lot 8 – Applicant is requesting to modify the conditions of approval previously granted by the Zoning Board of Adjustment via Resolution of Use Variance and Site Plan Approvals memorialized July 18, 2019 and September 5, 2018, respectively.

**Paul Dunlap is recused as he lives within 200 feet of the subject property. William Frantz, Vice Chair assumes the role of Chairperson.**

Notice is reviewed and accepted.

Kenneth L. Pape, Esq. on behalf of the Applicant.

Mr. Pape provides a summation of this application regarding restoration and replacement as it was discovered there was a considerable amount of rotted timbers which could not be restored. When application as made, replication was not contemplated/anticipated. The request is to allow replication of those timbers which could not be restored.

It is understood that this application still requires HPC approval with regard to type, style, colors, etc. as this is not an architectural review board.

Mr. Healy questions the issues regarding parking and other structures and what has been going on. It is indicated the other structures have been removed.

**Based upon the request as presented and the testimony provided to the Board, James Gilligan made a motion to approve the request for replication where required with approval from the HPC, moved and seconded by Barbara Bascom.**

***Those who voted YES:*** Barbara Bascom, Dr. James Brown, James Gilligan, Thomas Healy, Naomi Riley, Michael Pullano, and William Frantz

***Those who voted NO:*** None.

***Those who ABSTAINED:*** None.

***Those ABSENT:*** Frances Keel

***Those RECUSED:*** Paul Dunlap

**\*\*THE BOARD TAKES A BRIEF RECESS FROM 7:47 PM – 7:55 PM – ROLL CALL IS TAKEN AND ALL MEMBERS ARE PRESENT INCLUDING THE RETURN OF PAUL DUNLAP TO THE DAIS\*\***

**ZB19/10 & ZB19/11 (Appeal of Zoning Officer's Determination)** – Third Garden Park (Eldridge Mobile Home Park) – 55 Highway 35 Units #28 & #53 – Block 1004, Lot 3 – Applicant is requesting an appeal of the Zoning Officer's Determinations which denied the replacement of these mobile homes.

Christopher Hanlon, Esq. appears representing the owner.

Mr. Hanlon indicates this is an existing 70-unit mobile home park and there are no use variances or bulk variances being requested. Mr. Hanlon indicates that the Zoning Officer requested a new Site Plan which was a voided requirement per an earlier settlement agreement. This was established as a prior non-conforming use and the settlement involved the coming and going of the existing mobile homes. When homes become obsolete private dollars are spent replacing with brand new mobile homes. Each of these lots were filed as separate appeals. There is a history of prior replacements which has caused some confusion as to why these units were denied to be replaced.

Dale Mull – sworn in – Regional Manager – Third Garden Park Homes. Mr. Mull indicates there are 23 mobile parks in New Jersey and he is the manager of 11 of the 23 including this one, Eldridge. Mr. Mull indicates he is a HUD approved manufactured home installer. He indicates he is aware zoning approval is required as well as a HUD installation inspection as DCA conceded to HUD in August. Since 2010 he has received permits for 10-15 units in this park utilizing the plan prepared by T&M with setbacks depicted. There is a 15 foot separation requirement from side to side and all setbacks comply with the ordinance.

**\*\*THE BOARD TAKES A BRIEF RECESS AND RETURNS AT 8:42 PM – ALL MEMBERS STILL PRESENT\*\***

George Waterman, Zoning Officer enters the following Exhibits:

Exhibit B-1 – Survey of Property dated January 17, 2007

Exhibit B-2 – Aerial Depiction taken November 27, 2019 – taken via drone.

Exhibit B-3 – January 7, 2019 Zoning Permit Submission /Application

Exhibit B-3A – Plan Submitted with January 7, 2019 Application

Exhibit B-3B – Determination on January 7, 2019 Application

Exhibit B-4 – July 11, 2019 Zoning Permit Submission/Application

Exhibit B-4A – Determination on July 11, 2019 Application

Exhibit B-5 – October 2, 2019 Zoning Permit Submission/Application

Exhibit B-5A – Determination on October 2, 2019 Submission

The plans and their discrepancies are discussed. Mr. Hanlon wishes to review this further so that any future submissions can be made with the proper documentation.

**At this time it is agreed to by the Applicant and the Board that this matter be carried to February 5, 2019 at 7:30 PM with no further notice being required in order for the Applicant to be able to obtain the proper documentation and witnesses to provide adequate testimony so the Board may make an informed decision on the application for appeal before them.**

**ADJOURNMENT:**

A motion was made by James Gilligan and seconded by Dr. James Brown to adjourn the meeting at 9:18 PM. All in favor. The next meeting of the Zoning Board of Adjustment will be our Reorganization Meeting on Wednesday, January 8, 2019 at 7:30 PM which will be held here at the Neptune Township Municipal Building, Township Committee Meeting Room, 2<sup>nd</sup> Floor.