



Where Community, Business & Tourism Prosper

**Neptune Township ~ Zoning Board of Adjustment
Regular Meeting Agenda
Wednesday, January 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
Dr. James Brown (Alternate #3)
William Frantz
James Gilligan

Dianna Harris
Thomas Healy
Frances Keel (Alternate #1)

Carol J. Rizzo (Alternate #2)
Joe Sears
Paul Dunlap

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#16/07 – Resolution of Approval - Terrence & Joann Concannon – Block 5306, Lot 4 – 110 Beverly Way**
Those eligible to vote: Barbara Bascom, William Frantz, Dianna Harris, Thomas Healy, Joe Sears, Carol Rizzo, Paul Dunlap
- b. **ZBA#16/08 – Resolution of Approval – 509 Memorial Drive Partners, LLC – Block 413, Lot 4 – 509 Memorial Drive**
Those eligible to vote: Barbara Bascom, William Frantz, Dianna Harris, Thomas Healy, Joe Sears, Carol Rizzo, Paul Dunlap
- c. **ZBA#16/09 – Resolution of Granting Appeal of Zoning Officer’s Decision – NYSMSA d/b/a Verizon Wireless – Block 2201, Lot 40 – Girard Avenue**
Those eligible to vote: Barbara Bascom, William Frantz, Dianna Harris, Thomas Healy, Joe Sears, 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 October 7th to this date; however, received additional request from Jennifer Krimko, Esq. to further carry this application to the next available hearing date which is May 4, 2016.****

- 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. Represented by Jennifer S. Krimko, Esq.**

****NEW – Received Partial Approval for Bulk Variances October 2, 2013 – Required to Return for Additional Variances** Application has been adjourned numerous times over the past year.**

- b. **ZB15/02 – Irma Rojas – Block 3401, Lot 46 (formerly known as Block 7000, Lot 23) – 27 Hillview Drive – Applicant has submitted to the Board to remediate building coverage and lot coverage which currently exceed the permitted percentages per Ordinance. Represented by Pasquale Menna, Esq.**

****Partially Heard on June 3, 2015 – Carried in order to obtain further documentation. Notice was provided for September 2, 2015 hearing date. Application has been adjourned numerous times over the past year.****

- c. **ZB14/18 – EI Properties, Inc. (Parkway 100) – Block 3903, Lot 4 (formerly known as Block 10017, Lot 5 and part of Lot 5.01) – Applicant proposes to continue the use of the property as a mixed-use, light industrial corporate park including light manufacturing and assembly, laboratory, research and development, warehouse and distribution and office uses in this C-1 Zone. Represented by Andy S. Norin, Esq.**

VI. Adjournment:

- a. Next scheduled meeting will be our **Regular Meeting on Wednesday, February 3, 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.

****Received Approval with the Exception of the Basement Use on June 17, 2015****

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)

Previously Enclosed

- w/ 10/7/15 Packet:** 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 request to carry to May 4, 2016 meeting date from Ms. Krimko.

Motion offered by _____ to be moved and seconded by _____
Bascom ____ Frantz ____ Gilligan ____ Harris ____ Healy ____ Sears ____ Dunlap ____

Alternates: Keel alt 1 _____ Rizzo alt 2 **Recused**

****Partially Heard on June 3, 2015 – Carried in order to obtain further documentation. Notice was provided for September 2, 2015 then received request to carry to this date without further notice.****

ZB14/18 – EI Properties, Inc. (Parkway 100) – Block 3903, Lot 4 (formerly known as Block 10017, Lot 5 and part of Lot 5.01) – Applicant proposes to continue the use of the property as a mixed-use, light industrial corporate park including light manufacturing and assembly, laboratory, research and development, warehouse and distribution and office uses in this C-1 Zone.

Previously Enclosed

w/ 6/3/15 Package: Transmittal Letter from Andy S. Norin, Esq. (10/3/14)
Checklist and Application for Use Variances (Received 10/6/14)
Narrative with Background Information (Received 10/6/14)
Site Visit Authorization (dated 9/29/14 - Received 10/6/14)
Certificate of Corporation (Received 10/6/14)
Copy of Deed (12/17/76)
Letter from Andy S. Norin, Esq. in response to Incompleteness Determination (3/6/15)
List of Current and Former Tenants (4 pages) (Received 3/9/15)
Community Impact Statement prepared by Cofone Consulting Group, LLC (March 2015)
Letter from Andy S. Norin, Esq. with Zoning Determination and Permit Application (3/27/15)
Letter from Andy S. Norin, Esq. with Witness List and Exhibit Package (5/21/15)
Boundary Survey prepared by VS Land Data (1 sheet) (12/19/14)
Existing Conditions Plan prepared by
RWA Planning & Engineering (1 sheet) (last revised 9/29/14)
Letter from Andy S. Norin, Esq. with list of specific uses being sought (8/18/15)

Previously Enclosed

Correspondence: Board Engineer's Review Letter (5/26/15)
Board Planner's Review Letter (4/29/15)

BOARD NOTES:

Motion offered by _____ to be moved and seconded by _____
Bascom _____ Frantz _____ Gilligan _____ Harris _____ Healy _____ Sears _____ Dunlap _____

Alternates: Keel (Alt 1) _____ Rizzo (Alt 2) _____