



Where Community, Business & Tourism Prosper

**Neptune Township ~ Zoning Board of Adjustment
Regular Meeting Agenda
Wednesday, March 2, 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, 1st Vice Chair
Dianna Harris
Thomas Healy

Frances Keel (Alternate #1)
Joe Sears, 2nd Vice Chair
Paul Dunlap, Chairman

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: None.

V. Applications under consideration for this evening:

- a. **ZB15/17 – Robert E. Pettibone** – Block 247, Lot 11 – 5 Broadway (Ocean Grove) – Applicant is seeking expansion of a nonconforming structure. Applicant had received prior approval from the Board on September 2, 2015; however, modifications were required to the plan which the Board based its original decision upon. Applicant is represented by Jennifer S. Krimko, Esq.
- b. **ZB15/03 – Metpark II, LLC** – Block 421, Lot 1 – 700 Atkins Avenue – Applicant is seeking Amended Conditional Use Variance to replace three (3) outdated and deteriorated mobile home trailers with new trailers. The plan has recently been revised to now propose the replacement of one (1) trailer and eliminate one (1) of the existing trailers to accommodate a concrete masonry unit dumpster enclosure.
- c. **ZB14/02 – Thomas Clericuzio (Affordable Auto Sales)** – Block 904, Lot 12 – 401 Highway 35 – Applicant is seeking to increase the number of parking spaces previously approved by the Board of Adjustment on May 6, 2009. Applicant is represented by Maurice Maloney, Esq.
- d. **ZB15/10 – Brian Hegarty** – 5202, Lot 11 (formerly known as Block 439, Lots 28 & 29) – 5 Cliffwood Drive – Applicant has submitted an application for a retaining wall requiring side yard variances. Applicant is represented by George D. McGill, Esq.

VI. Adjournment:

- a. Next scheduled meeting will be our **Regular Meeting on Wednesday, April 6, 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.

ZB15/17 – Robert E. Pettibone – Block 247, Lot 11 – 5 Broadway (Ocean Grove) – Applicant is seeking expansion of a nonconforming structure. Applicant had received prior approval from the Board on September 2, 2015; however, modifications were required to be made to the plan which the Board based its original decision upon. Applicant is represented by Jennifer S. Krimko, Esq.

Enclosed: Completeness Checklist and Application Packet (11/13/15)
Zoning Permit Denial (3/19/15)
Assignment of Lease (3/27/14)
Survey of Property (3/11/14)
Architectural Plans (10/20/15)

Correspondence: Letter from Eugene Melody, Esq. on behalf of HPC

BOARD NOTES:

Motion offered by _____ to be moved and seconded by _____ .
Bascom ___ Frantz ___ Gilligan ___ Harris ___ Healy ___ Sears ___ Dunlap ___
Alternates: Keel alt 1 _____ Brown alt 3 _____

ZB15/03 – Metpark II, LLC – Block 421, Lot 1 – 700 Atkins Avenue – Applicant is seeking Amended Conditional Use Variance to replace three (3) outdated and deteriorated mobile home trailers with new trailers. The plan has recently been revised to now propose the replacement of one (1) trailer and eliminate one (1) of the existing trailers to accommodate a concrete masonry unit dumpster enclosure.

Previously Enclosed
w/December 2, 2016

- Agenda Package: E-mail from Jennifer Krimko, Esq. with Attachment (8/19/15)
 Jennifer Krimko, Esq. Correspondence (3/24/15)
 Completeness Checklist & Application (2/4/15)
 Copy of Deed (12/8/09)
 Zoning Officer’s Permit Denial (8/28/15)
 Community Impact Statement (5/4/15)
 Survey of Property (2/3/14)
 Site Plan (7/6/15)

**Currently Enclosed: Nelson Engineering Associates Transmittal (2/18/16)
 Site Plan (Revised 2/17/16)**

- Previous Correspondence: Board Planner’s Review #1 (11/23/15)
 Board Engineer’s Review (11/2/15)
 Traffic Bureau Comments (4/2/15)
 Township Engineer’s Comments (3/12/15)

Current Correspondence: Board Planner’s Review Report (2/24/16)

BOARD NOTES:

Motion offered by _____ to be moved and seconded by _____ .
 Bascom _____ Frantz _____ Gilligan _____ Harris _____ Healy _____ Sears _____ Dunlap _____
 Alternates: Keel alt 1 _____ Brown alt 3 _____

****Received request on January 25, 2016 from Applicant's Attorney, George D. McGill, Esq., to carry application to this date with no further notice being required****

ZB15/10 – Brian Hegarty – 5202, Lot 11 (formerly known as Block 439, Lots 28 & 29) – 5 Cliffwood Drive – Applicant has submitted an application for a retaining wall requiring side yard variances. Applicant is represented by George D. McGill, Esq.

**Previously Enclosed
w/February 3, 2016**

Agenda Package: Correspondence from George D. McGill, Esq. (1/25/16)
Completeness Checklist and Application Packet (7/9/15) including:
 Witness List
 Copy of Deed
 Zoning Officer's Permit Denial (7/7/15)
Survey Map (1 sheet) (Revised 12/9/14)
Survey Map (1 sheet) (6/17/14)
Hegarty Retaining Wall Details (9/18/15)
Variance Plan (9/18/15)
Plot Plan (Revised 8/14/14)

**Correspondence
Previously Enclosed
w-February 3, 2016**

Agenda Package Board Engineer's Letter (8/19/15)
Board Engineer's Letter (11/4/15)

BOARD NOTES:

Motion offered by _____ to be moved and seconded by _____ .
Bascom ____ Frantz ____ Gilligan ____ Harris ____ Healy ____ Sears ____ Dunlap ____
Alternates: Keel alt 1 _____ Brown alt 3 _____