



*Where Community, Business & Tourism Prosper*

**Neptune Township ~ Zoning Board of Adjustment  
Regular Meeting Agenda  
Wednesday, July 6, 2016 at 7:30 PM  
Township Meeting Room 2<sup>nd</sup> 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 #2)  
William Frantz  
James Gilligan, 1<sup>st</sup> Vice Chair

Dianna Harris  
Thomas Healy  
Frances Keel (Alternate #1)  
Christina Schuetz (Alternate #3)

Joe Sears, 2<sup>nd</sup> 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:**

- a. **ZBA#16-22 - Resolution of Approval** – Maria Manansala – Block 2303, Lot 3 – 3 Sherwood Drive

*Those eligible to vote:* Barbara Bascom, William Frantz, James Gilligan, Dianna Harris, Thomas Healy, Joe Sears, and Paul Dunlap

- b. **ZBA#16-23 – Resolution of Approval of Certain Waivers** – Syed Brothers Management LLC (Gulf Station) – block 4104, Lot 15 – 3655 Highway 33

*Those eligible to vote:* Barbara Bascom, William Frantz, James Gilligan, Dianna Harris, Thomas Healy, Joe Sears, and Paul Dunlap

- c. **ZBA#16-24 - Resolution of Denial** – EI Properties, Inc. (Parkway 100) – Block 3903, Lot 4 (formerly known as Block 10017, Lot 5 and part of Lot 5.01) – 3535 Route 66

*Those eligible to vote:* Barbara Bascom, William Frantz, James Gilligan, Dianna Harris, Thomas Healy, Joe Sears, and Paul Dunlap

- d. **ZBA#16-25 - Resolution of Approval** – Fusco Enterprises, LLC – Block 506, Lot 11 – 122 Drummond Avenue

*Those eligible to vote:* Barbara Bascom, William Frantz, James Gilligan, Dianna Harris, Thomas Healy, Joe Sears, and Paul Dunlap

**V. Applications under consideration for this evening:**

- a. **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. **\*\*IMPROPER NOTICE – CARRIED TO SEPTEMBER 7, 2016\*\***

- b. **ZB16/09 – United Methodist Communities** – Block 283, Lot 1 – 70 Stockton Avenue (Ocean Grove) – Applicant has submitted for an appeal of the Zoning Officer’s Decision with regard to proposed signage. Applicant is represented by Sandford D. Brown, Esq. **\*\*NOTICE NOT PROVIDED – RECEIVED REQUEST TO ADJOURN – CARRIED TO SEPTEMBER 7, 2016\*\***

- 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 a Regular Meeting on **Wednesday, September 7, 2016 at 7:30 PM** here in the Municipal Complex, 2<sup>nd</sup> 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.

**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.

Enclosed: Checklist and Application for Bulk Variance (Received 6/1/16)  
Zoning Permit Denial (4/19/16)  
Reduced Survey of Property (10/26/15)  
Copy of Deed (5/13/99)

BOARD NOTES:

**IMPROPER PUBLIC NOTICE – CARRIED TO SEPTEMBER 7, 2016 MEETING.**

**WILL PROVIDE NEW NOTICE FOR SEPTEMBER 7, 2016**

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

Alternates: Keel (Alt 1) \_\_\_\_\_ Brown (Alt 2) \_\_\_\_\_ Schuetz (Alt 3) \_\_\_\_\_

**ZB16/09 – United Methodist Communities** – Block 283, Lot 1 – 70 Stockton Avenue (Ocean Grove) – Applicant has submitted for an appeal of the Zoning Officer’s Decision with regard to proposed signage. Applicant is represented by Sandford D. Brown, Esq.

Enclosed:      Application for Appeal of Zoning Officer’s Decision (Received 6/3/16)  
                    Reduced Copy of Existing Conditions/Plot Plan Sheet C1.0 (5/7/09?)  
                    Zoning Permit Denial (5/17/16)  
                    Colored Renderings of Proposed Signs (2)(Rev. 5/4/16)  
                    Eight Color Photos of Signs (undated)

BOARD NOTES:

**NOTICE NOT PROVIDED FOR THIS HEARING – RECEIVED REQUEST TO ADJOURN  
CARRIED TO SEPTEMBER 7, 2016 – NOTICE WILL BE REQUIRED FOR THIS DATE.**

Motion offered by \_\_\_\_\_ to be moved and seconded by \_\_\_\_\_  
Bascom \_\_\_\_ Frantz \_\_\_\_ Gilligan \_\_\_\_ Harris \_\_\_\_ Healy \_\_\_\_ Sears \_\_\_\_ Dunlap \_\_\_\_  
Alternates: Keel (Alt 1) \_\_\_\_ Brown (Alt 2) \_\_\_\_ Schuetz (Alt 3) \_\_\_\_



**\*\*Received request on January 25, 2016 from Applicant’s Attorney, George D. McGill, Esq., to carry application to February 3, 2016, then to March 2, 2016, then to this date (July 6, 2016) 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:

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Motion offered by \_\_\_\_\_ to be moved and seconded by \_\_\_\_\_  
 Bascom \_\_\_\_\_ Frantz \_\_\_\_\_ Gilligan \_\_\_\_\_ Harris \_\_\_\_\_ Healy \_\_\_\_\_ Sears \_\_\_\_\_ Dunlap \_\_\_\_\_  
 Alternates: Keel (Alt 1) \_\_\_\_\_ Brown (Alt 2) \_\_\_\_\_ Schuetz (Alt 3) \_\_\_\_\_