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Neptune Township ~ Zoning Board  
Regular Hearing Minutes  
Wednesday September 4, 2013 at 7:30 PM  
Municipal Complex, 2<sup>nd</sup> Floor  
25 Neptune Blvd.

## **ATTENDANCE:**

Present: Roger Eichenour, Paul Dunlap, William Frantz, James Gilligan, Dianna Harris, Clifford Johnson, Joe Sears, Cynthia Suarez, Monica Kowalski, Esq. – Board Attorney, Matt Shafai - Board Engineer, Jennifer Beahm - Board Planner, and State Shorthand Reporting.

Absent: Barbara Bascom, David Fernicola, Thomas Healy

## **OPENING:**

Meeting called to order by Roger Eichenour at 7:35 PM. Mr. Eichenour advised the public of the fire exits and how the meeting will proceed.

## **RESOLUTIONS:**

- a. **ZB13/06 (Partial Approval)** – Jersey Shore University Hospital – Block 3000, Lots 1.01, 1.02, & 8 - 1945 Corlies Ave. & 81 Davis Ave. - Applicant proposing to install six wall mounted signs and two freestanding signs across 3 separate lots.

*Motion offered to adopt Resolution of Approval made by J. Gilligan, moved and seconded by C. Suarez.  
Those in favor: P. Dunlap, J. Gilligan, C. Suarez, D. Harris, C. Johnson, R. Eichenour*

- b. **ZB13/04 (Approval)** – James Hayes – Block 171, Lot 79 – 1225 10<sup>th</sup> Avenue – Applicant requested a Use variance to permit two (2) residential apartment units (one upstairs and one downstairs) within the existing building onsite.

*Motion offered to adopt Resolution of Approval made by J. Gilligan, moved and seconded by P. Dunlap  
Those in favor: P. Dunlap, W. Frantz, J. Gilligan, J. Sears, C. Johnson, R. Eichenour*

- c. **ZB13/08 (Approval)** – Macedonia Baptist Church – Applicant is requesting a Use Variance to permit the utilization of a portion of an existing building as a house of worship. Also seeking a waiver from the submission of a formal site plan over and above the details shown on the submitted Use Variance Site Plan.  
*Motion offered to adopt Resolution of Approval made by J. Sears, moved and seconded by C. Johnson  
Those in favor: P. Dunlap, W. Frantz, J. Gilligan, J. Sears, C. Johnson, R. Eichenour*

## DISCUSSIONS:

\*\*\*\***ZB12/04** – Block 7000 Lot 23 submitted by Ronald Troppoli, Esq. for Irma Rojas of 27 Hillview Drive – Applicant is seeking relief for bulk variances and waiver relief in order to keep existing site improvements at the site. Specific variances which were listed in Mr. Troppoli’s notice are referred to.

Ronald Troppoli, Esq. appeared representing Irma and Alvaro Rojas. Mr. Troppoli reviewed his OPRA Request as well as the response from Richard Cuttrel, Municipal Clerk and the timeline associated with the case due to Super Storm Sandy.

Irma Rojas is sworn in and testimony provided with regard to existing improvements.

Chairman Eichenour discusses the need for a formal site plan for all corrections agreed to.

Exhibits and Photos marked as Exhibits are reviewed with the Board.

The Board Reviews each of the enumerated items in Mr. Troppoli’s notice.

Item a – front yard setback – is withdrawn as proof was provided.

Item b – Rear yard setback – existing condition – all members in favor of granting the variance requested.

Item c – Building Coverage – is withdrawn as proof was provided.

Item d – lot coverage – skipped for now to address other requests

Item e – existing deck and gazebo – there was proof of permit received for the deck but not the gazebo; however, the deck has been constructed larger than that which was approved. The deck was approved for 575 s.f. and 865 s.f. has been constructed. Mr. Dunlap & Ms. Harris express their concerns with deck.

Alvaro Rojas is sworn in to provide testimony regarding the deck. Mr. Rojas stated the contractor died which resulted in deck being constructed larger than approved.

Mr. Troppoli recommends his clients remove the gazebo to help reduce the excessive lot coverage issue.

**\*\*At 9:15 PM to Board takes a short recess. At 9:25 PM the Board returns and all Members are again present\*\***

It is stated that the impervious coverage is a major issue.

Item f – The Board Planner takes no exception to the stairway with regard to setback. Owner agrees to install railings as requested by Mr. Gilligan.

Item g – The setback variance is granted for the pool as it is an existing condition which was installed assuming the original fence was in the proper location.

**\*\*Chairman Eichenour addresses Peter Falvo, Esq. in the audience. Mr. Falvo states his clients have decided to wait and see if their application is reached.\*\***

Item h – The Board takes no exception to the chain link fence located within the front yard setback.

**\*\*The Board addresses Peter Falvo, Esq. again. Mr. Falvo indicates his clients are willing to carry their application to be heard as the third application scheduled on the December 4, 2013 agenda with no further notice being required\*\***

Item i – landscape retaining walls and decorative columns encroaching into Hillview Drive right-of-way. The Board agrees this item should be left up to the discretion of the Committee with regard to setbacks, heights, and locations.

Item j – retaining walls – the Board agrees to allow the retaining walls as a fence and grant the variances necessary for height and their current location as built.

Item k – driveway width – The Board agrees to permit as constructed.

**\*\*At 10:00 PM – Mr. Troppoli & the Applicants take a break and return at 10:05 PM\*\***

Mr. Troppoli addresses the Board and recommends adjournment for further hearing and consideration once a proper plan can be prepared and suggestions can be made.

The Board agrees and will approve and memorialize a partial resolution accepting the items as discussed and will defer items d. and e. until further hearing and discussion and possible decision can be made at the end of the Re-Organization Meeting of January 8, 2014.

Based upon the application before the Board a motion was offered by Paul Dunlap to **approve the application as discussed with the understanding that the Applicant will be returning on January 8, 2014 to discuss and decide outstanding items**, moved and seconded by Clifford Johnson.

**Those who voted YES:** Paul Dunlap, William Frantz, James Gilligan, Cynthia Suarez, Dianna Harris, Clifford Johnson, and Roger Eichenour.

**Those who voted NO:** None.

**Those who ABSTAINED:** None.

**Those ABSENT:** Barbara Bascom, David Fernicola, Thomas Healy

**\*\*\*ZB13/05** – Block 1501, Lot 1 - #3705 Highway 33 (Jumping Brook Shopping Center) - submitted by Dollar Tree - Applicant is proposing 2 wall-mounted signs that exceed maximum number of signs permitted as well as the square footages permitted. Applicant is represented by Gary N. Smith, Esq.

**RECEIVED REQUEST FROM APPLICANT’S ATTORNEY TO ADJOURN THIS APPLICTION TO THE DECEMBER 4, 2013 MEETING DUE TO IMPROPER NOTICE – WILL NOTICE FOR THE DECEMBER 4, 2013 MEETING UNLESS THERE IS A CANCELLATION IN WHICH CASE WILL NOTICE FOR THE ALTERNATE DATE.**

**\*\*\*\*ZB13/09** – Block 282, Lots 1 thru 5 - #1800 Highway 33 - submitted by Atifaq Corporation (Gas Plus Speedy Mart) – Applicant is proposing to convert existing building onsite into a convenience store. Applicant is represented by Jennifer S. Krimko, Esq.

**BOARD WAS UNABLE TO REACH APPLICATION FOR HEARING. PETER FALVO, ESQ. AGREED TO CARRY APPLICATION TO BE THIRD ON THE AGENDA FOR DECEMBER 4<sup>TH</sup> WITH NO FURTHER NOTICE BEING REQUIRED.**

## **ADJOURNMENT:**

A motion was made by William Frantz and seconded by Paul Dunlap to adjourn at 10:15 PM. The next scheduled hearing will be a Special Meeting for Hovsons, Inc. on September 18, 2013 at 7:30 PM, which will be held at the Summerfield Elementary School located at 1 Summerfield Lane, Neptune Township. All in favor.

Minutes submitted by Kristie Armour, Secretary.