Neptune Township ~ Zoning Board of Adjustment
Regular Meeting Agenda
Wednesday, December 2, 2015 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.

If any board member cannot attend, please call or email the board office at
732-988-5200 ext 278 or karmour@neptunetownship.org.

I. Roll Call:

Barbara Bascom	Dianna Harris	Carol J. Rizzo (Alternate #2)
William Frantz	Thomas Healy	Joe Sears, 2nd Vice Chairman
James Gilligan, 1st Vice Chairman	Frances Keel (Alternate #1)	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:

a. Draft meeting dates for 2016.

b. Ordinance No. 15-49 – Amending Section 419 of the Land Development Ordinance entitled Flood Hazard Regulations by Amending the Architectural Design Requirements.

IV. Resolutions to be memorialized: None.

V. Applications under consideration for this evening:

a. **ZB15/13 –** Terrence & Joann Concannon – Block 5306, Lot 4 – 110 Beverly Way – Applicant is seeking a bulk variance to retain existing shed which was reconstructed after Sandy without obtaining proper permits leaving a 1-foot setback from the rear yard lot line and 2.5-foot setback from the side yard lot line.

b. **ZB15/18 –** 509 Memorial Drive Partners, LLC – Block 413, Lot 4 – 509 Memorial Drive – Applicant is seeking a modification to conditions of the previous approval. Specifically, that the Resolution of Approval be modified to allow the demolition and removal of the existing structure and the reconstruction of same with a replica building. The replica building will be identical in location, size, and architectural features. Applicant represented by Kenneth Pape, Esq.

c. **ZB15/15 –** NYSMSA d/b/a Verizon Wireless – Block 2201, Lot 40 – Girard Avenue – Appeal of Zoning Officer's Decision. Applicant represented by Michael R. Stanzione, Esq.

d. **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. Applicant represented by Maurice Maloney, Esq.

e. **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. Applicant proposes a new fence for an existing enclosure. Applicant represented by Jennifer S. Krimko, Esq.

VI. Adjournment:

a. Next scheduled meeting will be our **Re-Organization Meeting to be immediately followed by our Regular Meeting on <u>Wednesday, January 6, 2016 at 7:30 PM</u>** 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.

ZB15/13 – Terrence & Joann Concannon – Block 5306, Lot 4 – 110 Beverly Way – Applicant is seeking a bulk variance to retain existing shed which was reconstructed after Sandy without obtaining proper permits leaving a 1 foot setback from the rear yard lot line and 2.5 foot setback from the side yard lot line.

Enclosed: Completeness Checklist & Application for Use and/or Bulk Variances (Received 9/1/15)
Zoning Officer's Permit Denial (7/15/15)
Copy of Deed (2/18/93)
Topographic Survey (7/3/15)

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) _____

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ZB15/18 – 509 Memorial Drive Partners, LLC – Block 413, Lot 4 – 509 Memorial Drive – Applicant is seeking a modification to conditions of the previous approval. Specifically, that the Resolution of Approval be modified to allow the demolition and removal of the existing structure and the reconstruction of same with a replica building. The replica building will be identical in location, size, and architectural features. Applicant represented by Kenneth Pape, Esq.

Enclosed: Correspondence from Kenneth L. Pape, Esq. Outlining Request dated November 20, 2015
Resolution ZBA#14/09 – Memorialized by the Zoning Board on May 7, 2014

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) _____

ZB15/15 – NYSMSA d/b/a Verizon Wireless – Block 2201, Lot 40 – Girard Avenue – Appeal of Zoning Officer's Decision. Applicant is represented by Michael R. Stanzione, Esq.

Enclosed: Application for Appeal of Zoning Officer's Decision with attached Resolution No. 10-13 and Resolution No. 89#64 (10/2/15)
Memo in Support of Zoning Permit Application (Received 10/2/15)
Zoning Officer's Permit Denial (9/1/15)
Photo Packet (undated)
Minor Site Plan (9/18/15)

Correspondence: Board Planner's Review (11/23/15)

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) _____

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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. Represented by Maurice Maloney, Esq.

Enclosed: Application for Site Plan and/or Subdivision
Resolution ZB#09/15 (Memorialized May 6, 2009)
Transcript of Proceedings (12/3/08)
Minor Site Plan (6/5/15)

Correspondence: Board Planner's Review #1 (2/12/15)
Traffic Bureau Comments (1/20/15)

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) _____

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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. Applicant proposes a new fence for an existing enclosure. Applicant represented by Jennifer S. Krimko, Esq.

Enclosed: 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)

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)

BOARD NOTES:

Motion offered by to be moved and seconded by .

Bascom ____ Frantz___ Gilligan____ Harris____ Healy____ Sears____ Dunlap____

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