



**Neptune Township ~ Zoning Board of Adjustment  
Regular Meeting Minutes  
Wednesday December 2, 2015 at 7:30 PM  
Municipal Complex, 2<sup>nd</sup> Floor, 25 Neptune Boulevard**

**ATTENDANCE:**

Present: Barbara Bascom, William Frantz, Dianna Harris, Thomas Healy, Carol J. Rizzo, Joe Sears, Paul Dunlap, Monica Kowalski, Esq. – Board Attorney, Matt Shafai, PE – Board Engineer, Jennifer C. Beahm, PP, AICP - Board Planner, George Waterman – Zoning Officer, and Torro Reporting, LLC

Absent: James Gilligan and Frances Keel

**OPENING:** Meeting called to order by Chairman Paul Dunlap at 7:32 PM. Chairman Dunlap advised the public of fire exits and how the meeting will proceed.

**CORRESPONDENCE:**

Draft meeting dates for 2016 reviewed. William Frantz made a motion to accept the dates as presented with the exception of the November 16<sup>th</sup> Special Meeting date which is to be removed, seconded by Thomas Healy – All in favor.

Ordinance No. 15-49 – Amending Section 419 of the Land Development Ordinance entitled Flood Hazard Regulations by Amending the Architectural Design Requirements was distributed and discussed. Ms. Beahm gave the Board a brief overview of the changes.

**RESOLUTIONS MEMORIALIZED:**

**ZBA#15/27 – Resolution of Approval** – New Jersey American Water – 625 Old Corlies Avenue – Block 3001, Lot 12

**DISCUSSIONS:**

**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.

Terrence & Joann Concannon – sworn in.

Mr. Concannon indicates the shed was replaced since the prior shed was destroyed in hurricane Sandy.

Jennifer Beahm questions whether or not the current shed and its location negatively affects neighboring properties. Per the Concannon's – no it does not.

Per George Waterman, the retaining wall is not an issue, just the shed.

No public appeared in support or opposition.

**Based upon the application submitted to the Board, William Frantz made a motion to approve the application for bulk variance relief, seconded by Barbara Bascom:**

**Those who voted YES:** Barbara Bascom, William Frantz, Dianna Harris, Thomas Healy, Joe Sears, Carol Rizzo, and Paul Dunlap

**Those who voted NO:** None.

**Those who ABSTAINED:** None.

**Those ABSENT:** James Gilligan and Frances Keel

**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.

Kenneth Pape, Esq. – attorney for the application summarizes prior application and explains current situation. The owner of the property has yet to be located and the existing building was destroyed by non-remediated water damage due to bursting pipes.

Anthony Sauta – sworn in – Owns body shop next door and the entrance of the proposed building faces the collision shop – just wants applicant to be aware of possible smells and noise generated by the all-hour towing business.

Mr. McCudden – sworn in – questions number of units, 66 parking spaces, and bus company & parking.

Public Portion Closed

Open for Public Comment – No further public present.

**Based upon the application submitted to the Board, William Frantz made a motion to approve the request for removal of certain conditions of the original resolution of approval, seconded by Thomas Healy:**

**Those who voted YES:** Barbara Bascom, William Frantz, Dianna Harris, Thomas Healy, Joe Sears, Carol Rizzo, and Paul Dunlap

**Those who voted NO:** None.

**Those who ABSTAINED:** None.

**Those ABSENT:** James Gilligan and Frances Keel

**ZB15/15** – NYSMSA d/b/a Verizon Wireless – Block 2201, Lot 40 – Girard Avenue – Appeal of Zoning Officer's Decision.

Michael R. Stanzione, Esq. – Attorney for the applicant – summarizes application for appeal.

Ron Igniri, PE, PP of Stantec Consulting – sworn in and accepted by the Board.

Exhibit A-1 – Site Plan Set marked

It is indicated they are co-locating not expanding existing compound. Proposing the enclosed generator will meet noise regulations.

Discussions took place with regard to the existing conditions of the site as well as State and Federal Statutes and what constitutes co-location.

Public portion opened/closed – no public appeared.

**Based upon the application submitted to the Board, Barbara Bascom made a motion to overturn the Zoning Officer's Denial as the application meets the criteria for co-location, seconded by William Frantz:**

**Those who voted YES:** Barbara Bascom, William Frantz, Dianna Harris, Thomas Healy, Joe Sears, and Paul Dunlap

**Those who voted NO:** None.

**Those who ABSTAINED:** Carol J. Rizzo

**Those ABSENT:** James Gilligan and Frances Keel

**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.

Monica Kowalski indicates she had discussion with Mr. Maloney at the beginning of the meeting and it appears Mr. Clericuzio's Professional Planner is not available this evening; therefore, they are requesting an adjournment to March 2, 2016 with no further notice being required.

**Request for adjournment to March 2, 2016 without further notice – granted by the Board.**

**\*\*BOARD TAKES A BRIEF RECESS – 8:57 PM – BOARD RETURNS AND ALL MEMBERS STILL PRESENT\*\***

**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.

Jennifer Krimko, Esq. – representing the applicant. Ms. Krimko gives a brief summary of the 2008 approval.

Dave Boesch of Nelson Engineering and James Higgins, PP, AICP – sworn in and accepted.

Mr. Boesch describes the current proposal and discusses site layout.

Frank "Buz" Aduvato – sworn in – states he is the principle owner of the property.

No public appeared.

**\*\*MS. KRIMKO REQUESTS A RECESS TO DISCUSS THE PLAN WITH HER CLIENT AND PROFESSIONALS – 9:51 PM – BOARD RETURNS AND ALL MEMBERS STILL PRESENT\*\***

Ms. Krimko requests to carry to the March 2, 2016 with no further notice being required in order to discuss and possibly submit revised plans.

**Request for adjournment to March 2, 2016 without further notice – granted by the Board.**

**ADJOURNMENT:**

A motion was made by William Frantz and seconded by Carol Rizzo to adjourn at 10:02 PM. The next meeting of the Zoning Board of Adjustment will be our **Re-Organization Meeting to be immediately followed by our Regular Meeting on Wednesday, January 6, 2016 at 7:30 PM** which will be held here at the Neptune Township Municipal Building, Township Committee Meeting Room, 2<sup>nd</sup> Floor.

Minutes submitted by Kristie Armour, Administrative Officer to the Board of Adjustment.