



**Neptune Township ~ Zoning Board of Adjustment
Regular Meeting Minutes
Wednesday, October 5, 2016 at 7:30 PM
Municipal Complex, 2nd Floor, 25 Neptune Boulevard**

ATTENDANCE:

Present: Barbara Bascom, William Frantz, James Gilligan, Thomas Healy, Frances Keel, Christina Schuetz, Monica Kowalski, Esq. – Board Attorney, Jennifer Beahm, PP, AICP - Board Planner, Matt Shafai, PE, PP – Board Engineer, and Torro Reporting, LLC

Absent: Dr. James Brown, Dianna Harris, and Paul Dunlap

OPENING: Meeting called to order by Chairman Gilligan at 7:30 PM. Chairman Gilligan advised the public of fire exits and how the meeting will proceed.

CORRESPONDENCE: None.

RESOLUTIONS MEMORIALIZED:

ZBA#16-26 - Resolution of Approval – Kathryn Cleary & Michael Farina – Block 232, Lot 9 – 45-47 Abbott Avenue (Ocean Grove)

ZBA#16-27 – Resolution of Approval – Brian Hegarty – Block 5202, Lot 11 – 5 Cliffwood Drive

WAIVER HEARING:

ZB16/17 – Gilman Circle, LLC (Solve It Sherlock) – Block 802, Lot 34 – 708 Highway 35 – Applicant is seeking a Use Variance to add an Indoor Recreation Use. It is necessary for the Board to review the various waivers requested/associated with the project prior to the application being deemed complete and/or further consideration by the Board. This application had been deemed Incomplete on September 13, 2016 by Matt Shafai, PE – Board Engineer. Applicant is represented by Jeffrey A. Donner, Esq.

Mr. Donner indicates the request for waivers is down to one and he requests we allow the survey to be submitted in lieu of a formal site plan since this is for Use Variance only at this time and does not involve construction and will be located within an existing space in the building.

The effects, if any, of the use upon the existing site conditions will be provided through testimony.

Matt Shafai indicates he does not have an issue with the Board granting the requested waiver for completeness purposes. He believes the survey is sufficient at this time.

The Board agrees to grant the requested waiver for completeness purposes and this matter will be scheduled for hearing on **November 2, 2016**.

The Board is polled on the granting of said waiver:

Those in favor: Barbara Bascom, William Frantz, James Gilligan, Thomas Healy, Joe Sears, Frances Keel, and Christina Schuetz

Those opposed: None.

Those who abstained: None.

Those absent: Dr. James Brown

DISCUSSIONS:

ZB16/09 – United Methodist Communities – Block 283, Lot 1 – 70 Stockton Ave. (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.

****DID NOT NOTICE - RECEIVED REQUEST TO CARRY TO LATER DATE****

Per Monica Kowalski, Esq. send letter to advise if and when they will be ready to move forward with their request for an appeal of the Zoning Officer’s decision.

ZB16/12 – Morris Zagha – Block 1004 Lot 4 – 37 Highway 35 (Rugarama) – Applicant is seeking an Appeal of the Zoning Officer’s Decision with regard to proposed use.

Morris Zagha – Applicant sworn in – Mr. Zagha is interested in purchasing the property located at 37 Highway 35 to sell new and used furniture, appliances, etc.

The Board finds that George Waterman is correct in his determination that the proposed use is not permitted in this zone and a Use Variance will be required.

Based upon the application and the testimony provided to the Board, William Frantz made a motion to uphold the determination made by George Waterman – Zoning Officer, seconded by Thomas Healy.

Those who voted YES: Barbara Bascom, William Frantz, Thomas Healy, Joe Sears, Frances Keel, Christina Schuetz, and James Gilligan

Those who voted NO: None.

Those who ABSTAINED: None.

Those ABSENT: Dianna Harris, Paul Dunlap, and Dr. James Brown

****BOARD TAKES A BRIEF RECESS AT 7:51 PM AND RETURNS AT 8:02 PM – MEMBERS STILL PRESENT****

ZB16/07 – Syed Brothers Management LLC (Gulf Station) – Block 4104, Lot 15 – 3655 Highway 33 - Use Variance & Preliminary and Final Major Site Plan approval to continue existing automotive services and gasoline fueling station, add a canopy over pumps, change signs to LED (same size as existing sign); and add U-Haul or similar national rent-a-truck operation to the site. The Board granted certain waivers for completeness on July 6, 2016. Applicant is represented by Mark A. Steinberg, Esq.

Mark Steinberg, Esq. – clarifies that this application has been bifurcated and not seeking Preliminary and Final Site Plan approval at this time. They are only seeking relief to change the existing signs, add the canopy over the pumps, and to add the rental truck use.

Exhibit A-1 – Use Variance/Major Site Plan last revised June 6, 2016

Douglas Klee, PE, PP – sworn in.

Proposing to include diesel info on the sign located at the westerly side of the property. The locations of the existing signs are staying the same, but the price portion of the sign is proposed to change to LED. The propane sign will be removed and the diesel sign will be put in.

Other signage is proposed to be removed.

Lumens can be reduced if necessary if changed to LED.

Trash enclosure should be moved onto the Applicant's property and the right-of-way restored.

Raymond Syed – owner – sworn in.

The Board agrees to keep the banners over the bays; however, the additional visual clutter and signage must be cleaned up.

Applicant would like 2 Gulf signs on the proposed canopy. The Board wants the signs/logos removed from the proposed canopy.

The Board does not want to see additional signage on the canopy. The canopy itself is acceptable, but they do not see the need for additional signs (logos) on the canopy.

The Board Engineer indicates the footcandles on the canopy need to be reduced or redirected and cannot spill onto adjoining properties.

Variances are required for existing signs and the proposed canopy setback.

Dumpster will be relocated onsite.

The Applicant is proposing to add a 2nd business to the site – UHaul rental or other similar company – there will be no additional signage or advertising. All advertising online.

Trucks come and go and there is never long-term storage of trucks. Drop-off is anytime and pick-up is during business hours 8 AM – 5 PM.

At this time the Applicant is seeking approval of the signs and canopy and will bring a representative back to discuss the rental of trucks and operation at another meeting.

A plan should be submitted for around the propane area (landscaping).

Deed of dedication can be done now.

Will move trash enclosure to east side (out of right-of-way).

Meeting is open to the public – no public appeared.

CARRIED TO DECEMBER 7, 2016 MEETING TO DISCUSS AND DECIDE THE PROPOSED TRUCK RENTAL BUSINESS.

Based upon the discussions which took place and revisions agreed to during testimony, William Frantz made a motion to approve the proposed changes to the freestanding signs, construction of the canopy (without Gulf logos), and to carry the discussion regarding truck rental business use to December 7, 2016, moved and seconded by Joe Sears.

Those who voted YES: Barbara Bascom, William Frantz, James Gilligan, Thomas Healy, Joe Sears, Frances Keel, and Christina Schuetz

Those who voted NO: None.

Those who ABSTAINED: None.

Those ABSENT: Dianna Harris, Paul Dunlap, and Dr. James Brown

ADJOURNMENT:

A motion was made by William Frantz and seconded by Thomas Healy to adjourn at 9:10 PM. All in favor. The next meeting of the Zoning Board of Adjustment will be a Regular Meeting on Wednesday, November 2, 2016 at 7:30 PM which will be held here at the Neptune Township Municipal Building, Township Committee Meeting Room, 2nd Floor.

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