



**Neptune Township ~ Zoning Board of Adjustment  
Regular Meeting Minutes  
Wednesday, December 7, 2016 at 7:30 PM  
Municipal Complex, 2<sup>nd</sup> Floor, 25 Neptune Boulevard**

**ATTENDANCE:**

Present: Barbara Bascom, Dr. James Brown, William Frantz, Dianna Harris, Thomas Healy, Frances Keel, Joe Sears, Paul Dunlap, Monica Kowalski, Esq. – Board Attorney, Anthony Rodriguez, PP, AICP - Board Planner, Matt Shafai, PE, PP – Board Engineer, and Torro Reporting, LLC

Absent: James Gilligan and Christina Schuetz

**OPENING:** Meeting called to order by Chairman Dunlap at 7:34 PM. Chairman Dunlap advised the public of fire exits and how the meeting will proceed.

**CORRESPONDENCE:** Draft meeting dates for 2017 discussed.

**RESOLUTIONS MEMORIALIZED:**

**ZBA#16/31 – Resolution of Approval – Bulk Variances - Gilbert Unger – Block 4215, Lot 6 – 9 Pine Brook Drive**

**ZBA#16/32 – Resolution of Approval – Bulk Variances - Michael Bondurant – Block 5213, Lot 12 – 37 Pinewood Drive**

**ZBA#16/33 – Resolution of Approval – Use Variance - Gilman Circle, LLC (Solve It Sherlock) – Block 802, Lot 34 – 708 Highway 35**

**DISCUSSIONS:**

**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. Notice was not provided for this meeting date. The Applicant has requested this matter be adjourned to the March 2017 meeting and proper notice will be provided for the new hearing date.

**Board agrees to carry to the March 15, 2017 meeting date consent form to be signed by Applicant and new 200 foot property owners' list to be provided to the Applicant for noticing purposes.**

**ZB16/19 – Sprout Health, LLC** – Block 114, Lot 12 – 8 Ocean Avenue – Applicant has submitted an application for Use Variance to utilize an existing 18 guest room hotel, open to the general public as a 17 guest room hotel, not open to the general public. Applicant is represented by Jennifer S. Krimko, Esq. Notice was not provided for this meeting date. Ms. Krimko has requested this matter be adjourned to the February 2017 meeting date and proper notice will be provided for the new hearing date.

**Board agrees to carry to the February 1, 2017 meeting date.**

**ZB16/15 – Kent & Karen Savis** – Block 278, Lot 7 – 93 Stockton Avenue (Ocean Grove) – Applicant is seeking a bulk variance for front yard setback with regard to retaining wall, stairs, and front porch. Applicant was partially heard on November 2, 2016.

Applicant represented by Jennifer S. Krimko, Esq. Per Ms. Krimko they met with the HPC and came to an agreement with the newly revised plans. There is no longer a variance required for the front porch; however, it will still be conditioned upon a Certificate of Appropriateness from the HPC.

The Applicant still needs a front yard setback variance for the proposed retaining wall in the front yard area. The materials to build same will be subject to HPC approval.

Exhibit A-1 – Revised Architectural Plans dated November 16, 2016.

Andrea Fitzpatrick, AIA – sworn in at the last meeting and remains under oath. Ms. Fitzpatrick explains the changes made to the front porch from the prior proposal.

The timber wall is still proposed to be removed and replaced with a concrete wall. Steps in the east side yard area are still proposed to access side yard area – 3 risers are proposed with no railings.

Grading/Drainage to be reviewed and approved by Township Engineer and the Applicant agrees to comply with the Township Engineer's Report.

Public portion of the meeting opened – seeing no members of the public moving forward – public portion is closed.

**Based upon the application and the testimony provided to the Board, Barbara Bascom made a motion to approve the application with the conditions as discussed, moved and seconded by William Frantz.**

**Those who voted YES:** Barbara Bascom, William Frantz, Dianna Harris, Thomas Healy, Frances Keel, Dr. James Brown, and Paul Dunlap

**Those who voted NO:** None.

**Those who ABSTAINED:** None.

**Those ABSENT:** James Gilligan, Christina Schuetz, Joe Sears (unable to listen to CD of prior meeting)

**ZB16/07 – Syed Brothers (Gulf)** – Block 4104, Lot 15 – 3655 Highway 33 – Use Variance and Preliminary and Final Major Site Plan. Applicant had bifurcated their application and will be heard on the proposed rental truck use this evening. Applicant has already been approved for the Canopy and Sign Portion of the application. Applicant had a waiver hearing on June 1, 2016 at which time certain waivers were granted. Applicant is represented by Mark A. Steinberg, Esq.

**Received correspondence from Mark A. Steinberg, Esq. dated December 2, 2016 indicating the Applicant wishes to withdraw the Use Portion of this application at this time.**

**ZB16/21 – Asbury Car Wash – Block 802, Lot 35 – 707 Highway 35 – Applicant is seeking bulk variances for multiple signs.**

Applicant is represented by Robert K. Marchese, Esq.

Dino Nicoletta of Asbury Circle Car Wash – sworn in.

Notice is accepted.

There are a total of 5 signs proposed at this time. There are no building additions proposed at this time.

Per Mr. Nicoletta – the property had been purchased 3 years ago this past September. The building was gutted and the building façade completely changed.

The property is located in a C-4 Commercial Zone.

Mr. Nicoletta has been in the car wash business for 20 years.

The Asbury Circle Car Wash is open from 8-6 Monday through Saturday and from 8-5 on Sunday.

Matt Rabinowitz owner of Signarama sworn in and testifies with regard to sign details.

It is requested to amend the current application to also allow the two menu signs to remain near the quick lube and the car wash areas.

Public portion of the meeting is open – no public appeared – public portion is closed.

Matt Rabinowitz describes the 5 proposed signs will be LED internally illuminated.

Exhibit A-1 – 4 sheets of color renderings of proposed illuminated signs (using Red letters vs. originally proposed blue)

Exhibit A-2 – Township's Façade Improvement Program for Local Businesses handout showing before and after photo of car wash

Exhibit B-1 – Planner's photos of existing freestanding pole sign, sandwich signs, and temporary banner sign.

Planner's review is discussed in detail for the relief necessary.

Existing non-conformities are discussed.

Applicant agrees to landscape the base of the pole sign.

Idling/no idling signage? – cannot enforce and it is hard to implement and unnecessary.

Meeting is open to the public – seeing none – public portion is closed.

**Based upon the application and the testimony provided to the Board, William Frantz made a motion to approve the application subject to revisions made during testimony and review and approval by Board Engineer, moved and seconded by Dr. James Brown.**

**Those who voted YES:** Barbara Bascom, William Frantz, Dianna Harris, Joe Sears, Dr. James Brown, Paul Dunlap

**Those who voted NO:** Thomas Healy and Frances Keel

**Those who ABSTAINED:** None.

**Those ABSENT:** James Gilligan and Christina Schuetz

### **ADJOURNMENT:**

A motion was made by William Frantz and seconded by Dianna Harris to adjourn at 9:04 PM. All in favor. The next meeting of the Zoning Board of Adjustment will be our Re-Organization Meeting followed by a Regular Meeting on Wednesday, January 4, 2017 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.