



**Neptune Township ~ Zoning Board of Adjustment
SPECIAL MEETING AGENDA
Wednesday November 13, 2013 - 7:30 P.M.
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. Toward the end of the meeting it will be announced that 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 ITS 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.

I. Roll Call and Flag salute :

Mr. Roger Eichenour, Chairperson	Ms. Dianna Harris (Alternate # 3)
Ms. Barbara Bascom	Mr. Thomas Healy
Mr. Paul Dunlap, 2 nd Vice Chairperson	Mr. Clifford Johnson (Alternate # 4)
David Fericola (Alternate # 2)	Mr. Joe Sears
Mr. William Frantz	Ms. Cynthia Suarez (Alternate # 1)
Mr. James Gilligan, 1 st Vice Chairperson	

Also Present: Monica C. Kowalski, Attorney to the Board
 Matt Shafai, Board Engineer
 Jennifer Beahm, Board Planner

II. Correspondence:

- a. None.

III. Resolutions to be memorialized:

- a. None.

IV. Applications under consideration for this evening:

- a. **ZB12/21 & ZB13/14 (Use Variance, Preliminary Major Site Plan, & Minor Subdivision)** – Hovsons, Inc. (Victoria Gardens) – Hovchild Blvd – Block 1500, Lots 1, 2, 5, 20, 21, & 22 (312 apartment units & restaurant/retail building) Represented by Jennifer S. Krimko, Esq.

V. Adjournment:

- a. The next regular meeting of the Zoning Board of Adjustment will be on December 4, 2013 at 7:30 PM to be held at the Neptune Township Municipal Building, Township Committee Meeting Room, 2nd Floor.
- 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.

****NO FURTHER NOTICE WAS REQUIRED FOR THIS APPLICATION – HOWEVER, PUBLIC NOTICE HAS BEEN PROVIDED BY THE BOARD AS TO SPECIAL MEETING DATE AND LOCATION OF THIS MEETING****

ZB12/21 & ZB13/14 (Use Variance, Preliminary Major Site Plan, & Minor Subdivision) – Hovsons, Inc. (Victoria Gardens) – Hovchild Blvd – Block 1500, Lots 1, 2, 5, 20, 21, & 22 (312 apartment units & restaurant/retail building) Represented by Jennifer S. Krimko, Esq.

(Use Variance App.)

Previously Enclosed: Zoning Permit Application 1-3-13
Zoning Permit Denial 1-14-13
Variance Application 12-10-12
Completeness Checklist – Application for Development 1-4-13
Traffic Impact Analysis prepared by McDonough & Rea Associates, Inc. 12-5-12
Copy of Deed 2-28-86
Overall Variance Map dated 9-13-12, unrevised (signed 12/7/12)
Architectural Plans prepared by Cozzarelli Cirminiello Architects, LLC dated 12-13-12
Boundary & Topographic Survey prepared by FWH Associates, PA dated 9-17-12
Overall Variance Map dated 9-13-12, unrevised (signed 1/4/13)
Exhibit List 3-6-13
Witness List 3-6-13
Correspondence from: Board Engineer 12-27-12
Board Engineer 1-16-13
Board Planner 2-25-13
DPW – NO COMMENTS 2-20-13
Neptune Township Police Dept. Traffic Bureau 2-20-13
Environmental/Shade Tree Commission 2-15-13

(Prel Site Plan & Minor Sub)

Previously Enclosed: Completeness Checklist for Site Plans and/or Subdivisions
Application for Major Site Plan & Checklist Part B
Application for Minor Subdivision & Checklist Part B
Affidavit of Application (8-8-13)
Site Visit Authorization of Property Owner (8-8-13)
Escrow Agreement
Minor Subdivision Plan Victoria Gardens dated 7/24/13, unrevised (signed 8/9/13)
Survey of Property dated 9/17/12, unrevised (signed 9/17/12)
Neptune Multi-Family Housing Architecturals dated 8/8 & 8/9/13, unrevised
Preliminary Major Site Plan Victoria Gardens dated 8/9/13, unrevised
Comments from: Neptune Police Dept Traffic Bureau 9-5-13
Report prepared by Matt Shafai, PE, PP (Board Engineer) 8-28-13
Report prepared by Jennifer Beahm, PP, AICP (Board Planner) 9-5-13

Currently Enclosed:

Correspondence from NJDOT dated 9-20-13
Correspondence from FSCD dated 9-26-13
Correspondence from Jennifer S. Krimko, Esq. enclosing reduced, color copies of certain exhibits moved into evidence at the hearing on September 18, 2013.

BOARD NOTES:

HOVSONS (aka Victoria Gardens) continued...

Motion offered by _____ to be moved and seconded by _____
Bascom __ Dunlap__ Frantz__ Gilligan__ Healy__ Sears__ Eichenour__
Alternates: Suarez alt 1 __ Fernicola alt 2 __ Harris alt 3 __ Johnson alt 4 __