



**Neptune Township ~ Zoning Board of Adjustment
Regular Meeting Minutes
Wednesday, June 1, 2016 at 7:30 PM
Municipal Complex, 2nd Floor, 25 Neptune Boulevard**

ATTENDANCE:

Present: Barbara Bascom, Dr. James Brown, William Frantz, James Gilligan, Dianna Harris, Thomas Healy, Frances Keel, Joe Sears (Arrived 7:37 PM), Paul Dunlap, Monica Kowalski, Esq. – Board Attorney, Jennifer Beahm, PP, AICP - Board Planner, Matt Shafai, PE, PP – Board Engineer, and Torro Reporting, LLC

Absent: Christina Schuetz

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

CORRESPONDENCE: None.

RESOLUTIONS MEMORIALIZED:

ZBA#16-17 - Resolution of Approval – Herbert & Michaelle Rose – Block 617, Lot 44 – 1804 Columbus Avenue

ZBA#16-18 – Resolution of Denial – Irma Rojas – Block 3401, Lot 46 – 27 Hillview Drive

ZBA#16-19 - Resolution of Dismissal – Kurt Cavano – Block 209, Lot 3 – 50-54 Main Avenue (Ocean Grove)

ZBA#16-20 - Resolution of Approval – Michael Solebello – Block 296, Lot 7 – 81 Fletcher Lake Avenue (Ocean Grove)

ZBA#16-21 - Resolution of Approval – Thomas Losonczy – Block 150, Lot 11 – 87 Mt. Hermon Way (Ocean Grove)

DISCUSSIONS:

ZB16/05 – Maria Manansala – Block 2303, Lot 3 – 3 Sherwood Drive – Applicant has submitted an application for Bulk Variance (rear yard setback) for the construction of a sun porch on the rear of the home.

Notice accepted. Maria Manansala (Applicant/Owner) is sworn in.

Ms. Manansala indicates they had decided some time ago to enclose the existing porch area and the contractor that performed the work ensured her that he had permits and it was ok.

There is a permit on file for the shed and the fence.

Ms. Manansala would like to rebuild the 12 x 16 x 9 sunroom which has been removed due to the unknown violations.

Public portion opened – no public comment – public portion closed.

Mr. Gilligan indicates that the drawings must go to the building department for the proper permits.

Based upon the application submitted to the Board and testimony provided by the Applicant, Thomas Healy made a motion to approve the rebuilding of the 12 x 16 x 9 sunroom, seconded by Joe Sears.

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

Those who voted NO: None.

Those who ABSTAINED: None.

Those ABSENT: Christina Schuetz

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. 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 May 12, 2016 by Matt Shafai, PE – Board Engineer. Applicant is represented by Mark A. Steinberg, Esq.

****WAIVER HEARING ONLY THIS EVENING****

Mark A. Steinberg, Esq. – representing the applicant.

Mr. Steinberg indicates he would like to bifurcate the canopy/signs portion of the application and only address truck rental use at this time.

They would like to add a diesel panel (25 s.f.) to the sign and will require a variance.

For the Use Portion:

Community Impact Statement – required for completeness.

Traffic Study/Circulation Impact – required for completeness.

EIS – required for completeness.

Stormwater Management – Site Plan requirement and can waive for now.

Tree Removal – Site Plan requirement and can waive for now.

An updated Survey will be required for completeness purposes.

Based upon the request for waivers by the Applicant, William Frantz made a motion to approve certain waivers as discussed, seconded by Barbara Bascom.

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

Those who voted NO: None.

Those who ABSTAINED: None.

Those ABSENT: Christina Schuetz

ZB14/18 – El Properties, Inc. (Parkway 100) – Block 3903, Lot 4 (formerly known as Block 10017, Lot 5 and part of Lot 5.01) – 3535 Route 66 - Applicant proposes to continue the use of the property as a mixed-use, light industrial corporate park including light manufacturing and assembly, laboratory, research and development, warehouse and distribution and office uses in this C-1 Zone. Represented by Andy S. Norin, Esq.

****Partially Heard on June 3, 2015 and carried in order to obtain further documentation (Notice provided for September 2, 2015) – Received request on September 2, 2015 to carry to November 4, 2015 then received request to carry to January 6, 2016 – Partially Heard on January 6, 2016 and carried to this date (June 1, 2016) in order to provide a more specific list of proposed uses.****

Andy S. Norin, Esq. – representing applicant refers to

Exhibit A-11 – List of former and current tenants which has been updated.

Mr. Frantz indicates he thinks each tenant should be handled individually.

Current tenants were reviewed whether permitted or not. It appears there are 3 non-conforming tenants which date back to 1997.

Jennifer Beahm questions the necessity for this application and what is the hardship? The building is fully tenanted.

Justin Auciello – Professional Planner – is qualified and accepted by the Board and sworn in.

Mr. Auciello provided testimony with regard to the proposed list of uses provided in the February 2016 letter.

Exhibit A-12 – Binder containing Zoning Permits and Zoning Letters

Board discusses the application.

Chairman Dunlap recommends the Applicant return to the Committee to rezone the area and comments on the lack of proving a hardship since the site is fully tenanted.

Mr. Gilligan indicates it is a coincidental conformance which proves the site can work under the current zoning.

Based upon the information submitted to the Board, William Frantz made a motion to deny the request for LI Use in its entirety, seconded by Thomas Healy.

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

Those who voted NO: None.

Those who ABSTAINED: None.

Those ABSENT: Christina Schuetz

****THE BOARD TAKES A BRIEF RECESS AT 9:22 PM AND RETURNS AT 9:28 PM – ALL MEMBERS STILL PRESENT****

ZB15/16 – Fusco Enterprises, LLC – Block 506, Lot 11 – 122 Drummond Avenue - Applicant is seeking a Use Variance to add an Office Use.

Notice is accepted by the Board.

Richard Stone, Esq. – represents the Applicant.

Property is located in a C-7 Zone. No new bulk variances are proposed only Use Variance.

Lawrence Murphy, PE – sworn in – accepted.

Sheet 2 of Site Plan set is reviewed.

The applicant is proposing and office use with sale of paint.

Applicant indicates they would like to store excess pain in safety containers and there will be no storage of paint outside.

They are open Monday-Friday.

There is a box truck stored onsite to pick-up equipment and excess materials to transport to the next site. This site is not open to the public.

There will be a 3-sided masonry enclosure for trash. There is no proposed change to lighting and there is no signage proposed. There is a proposal to seal and stripe the parking lot and proposed Solid PVC fencing surrounding the site.

There will be no outside storage, no repairs of vehicles onsite, and only the box truck will remain overnight.

It is requested that drainage arrows be shown on the plan.

Ms. Harris would like ornamental street lighting on Drummond.

James Higgins, PP, AICP – sworn in.

Exhibit A-1 – Photo of entry door with Union Information/Uses – photo taken by Mr. Higgins himself at 6:45 PM on June 1, 2016.

Nora McNanair – neighbor on Drummond speaks favorably of her neighbor and indicates her support of the application.

Frances Keel would like to see conditions on what materials may be stored onsite.

It is indicated by the Board they want to see all improvements completed by November 15, 2016.

Based upon the application submitted to the Board, William Frantz made a motion to approve the application as discussed, seconded by Thomas Healy.

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

Those who voted NO: None.

Those who ABSTAINED: None.

Those ABSENT: Christina Schuetz

ADJOURNMENT:

A motion was made by William Frantz and seconded by Thomas Healy to adjourn at 10:37 PM. All in favor. The next meeting of the Zoning Board of Adjustment will be a Regular Meeting on Wednesday, July 6, 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.