



**Neptune Township ~ Zoning Board of Adjustment
Regular Meeting Agenda
Wednesday, January 7, 2015 (immediately following Re-Org. Mtg)
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 :

Barbara Bascom
Rev. Joseph Calhoun (Alternate #4)
Paul Dunlap
William Frantz

James Gilligan
Dianna Harris
Thomas Healy
Frances Keel (Alternate #1)

Carol J. Rizzo (Alternate #3)
Joe Sears

Also Present: Monica C. Kowalski, Esq. - Attorney to the Board
 Matt Shafai, PE, PP - Board Engineer
 Jennifer Beahm, PP, AICP - Board Planner

II. Correspondence:

- a. None.

III. Resolutions to be memorialized:

- a. **ZBA#14-23 – Resolution of Approval** – Application ZB12/05 – Fasano & Gifford – 774 & 778 Wayside Rd – Applicant is proposing to construct thirty-two (32) townhouses within four (4) 3-story buildings. All proposed buildings will have associated landscaping, lighting, parking, stormwater management, and utility improvements.

Those Eligible to Vote: Barbara Bascom, William Frantz, Dianna Harris, Joe Sears, Frances Keel, Carol Rizzo, and Paul Dunlap

- b. **ZB#14-25 – Resolution of Approval** – Application ZB13/22 – Gerardo Ercolino – 1516-1518 Corlies Avenue (Rt. 33) – Block 273, Lot 29) – Applicant is seeking a Use Variance for second apartment unit located on the property.

Those Eligible to Vote: Barbara Bascom, William Frantz, James Gilligan, Joe Sears, Frances Keel, and Rev. Joseph Calhoun

- c. **ZB#14-26 – Resolution of Approval** – Application ZB14/17 - FTPA Storage Neptune, LLC – Block 7018, Lot 11 – 3403 Highway 33 – Applicant is seeking to have the restriction on hours of operation removed so that tenants can have 24/7 access.

Those Eligible to Vote: Barbara Bascom, William Frantz, James Gilligan, Dianna Harris, Thomas Healy, and Joe Sears

IV. Applications under consideration for this evening:

****WAIVER HEARING ONLY TONIGHT****

- a. **ZB14/21** – GS Realty Corp (B7019/L2.01&7) – 3454 West Bangs Ave – Use Variance & P&F Major Site Plan approval for Office Building & Parking Area. This application had been deemed Incomplete on December 3, 2014 by Matt Shafai, PE – Board Engineer until it is determined by the Board whether or not the waivers being requested can be granted.

****NEW** Carried from November 5th due to improper noticing**

- b. **ZB14/13 – (Bulk Variances)** James and Paula Giglio – Block 84, Lot 1058 – 97 Broadway (Ocean Grove) – Applicant is proposing a 2 ft. x 15 ft. extension of the existing front porch floor which will extend and remain under the existing roofline requiring a front yard setback variance.

****NEW** Carried from November 5th due to time constraints – NO FURTHER NOTICE REQUIRED**

- c. **ZB14/11 – (Numerous Bulk Variances)** Vincent Fera – Block 435, Lot 38 – 223 S. Riverside Drive – Applicant is proposing to construct a detached single family residence and inground swimming pool, with 4 ft. high solid and 6 ft. high solid fencing. All requiring front, side, and rear yard setbacks as well as variances for fencing height and type.

****NEW** - RECEIVED REQUEST TO ADJOURN FROM 7/2/14 TO 9/3/14 TO 12/3/14. Carried from December 3rd due to time constraints - NO FURTHER NOTICE REQUIRED**

- d. **ZB14/04 – Johnson Obayuwana (Use Variance)** – Block 189, Lot 1 – 1528 Monroe Ave – Applicant seeking a Use Variance for proposed Daycare.

V. Adjournment:

- a. Next scheduled hearing will be a Special Meeting on Wednesday, January 14, 2015 at 7:30 PM on the matter of Hovson’s Inc. – Victoria Gardens.
- 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.

****WAIVER HEARING ONLY TONIGHT TO DETERMINE COMPLETENESS****

ZB14/21 – GS Realty Corp (B7019/L2.01&7) – 3454 West Bangs Ave – Use Variance & P&F Major Site Plan approval for Office Building & Parking Area. This application had been deemed Incomplete on December 3, 2014 by Matt Shafai, PE – Board Engineer until it is determined by the Board whether or not the waivers being requested can be granted.

- Enclosed: Completeness Checklist for Use and/or Bulk variances (Received 10/30/14)
 Completeness Checklist for Site Plans and/or Subdivisions (Received 10/30/14)
 Application for Site Plan and/or Subdivision (Received 10/30/14)
 Listing of Requested Waiver Requests (dated 10/26/14)
 Listing of Special Flood Area Zone (dated 10/26/14)
 Special Bargain and Sale Deed with Covenants Against Grantor’s Acts (03/24/14)

- Correspondence: Board Engineer – Deeming Application Incomplete (12/3/14)
 Freehold Soil Conservation District (11/24/14)
 Monmouth County Planning Board (11/24/14)

BOARD NOTES:

Motion offered by _____ to be moved and seconded by _____
Bascom ____ Frantz ____ Gilligan ____ Harris ____ Healy ____ Sears ____ Dunlap ____

Alternates: Keel (Alt 1) _____ Rizzo (Alt 3) _____ Rev. Joseph Calhoun (Alt 4) _____
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****NEW** - RECEIVED REQUEST TO ADJOURN FROM 7/2/14 TO 9/3/14 TO 12/3/14. Carried from December 3rd due to time constraints - NO FURTHER NOTICE REQUIRED**

ZB14/04 – Johnson Obayuwana – Block 189, Lot 1 – 1528 Monroe Avenue – Applicant is seeking a Use Variance for a proposed daycare facility.

Previously Enclosed
With 7/2/14 and
12/3/14 Packages:

- Completeness Checklist and Application for Use Variance
 - Exhibit List & Witness List for 7/2/14 Hearing
 - Copy of Deed filed 7/12/02
 - Copy of Denial from Zoning Officer dated 5/30/14
 - Community Impact Statement (4/18/14)
 - Preliminary and Final Major Site Plans (dated 2/5/14, Revised 4/7/14)
 - Architectural Plans (6/6/14)
 - Revised Architectural Plan (11/21/14)**
- Comments from:
- Note from EDC in support of application (5/2/14)
 - Board Engineer (5/30/14)
 - Board Planner (6/23/14)
 - Board Engineer Review (11/26/14)
 - Board Planner Review (11/26/14)
 - Township Engineer’s Review (12/1/14)

BOARD NOTES:

Motion offered by _____ to be moved and seconded by _____.

Bascom ____ Frantz ____ Gilligan ____ Harris ____ Healy ____ Sears ____ Dunlap ____

Alternates: Keel (Alt 1) ____ Rizzo (Alt 3) ____ Rev. Joseph Calhoun (Alt 4) ____