

Neptune Township ~ Zoning Board of Adjustment
Regular Meeting Agenda
Wednesday, May 7, 2014 at 7:30 PM
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 :

Paul Dunlap, Chairman
Barbara Bascom
William Frantz

James Gilligan, 1st Vice Chairman
Dianna Harris
Thomas Healy

Frances Keel (Alternate #2)
Charles Moore (Alternate #3)
Joe Sears, 2nd Vice Chairman

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

II. Correspondence:

- a. **None.**

III. Resolutions to be memorialized:

- a. **ZBA#14/09 Resolution of Approval** – Application #ZB13/11 – 509 Memorial Drive Partners – Intersection of Memorial Drive and Seventh Avenue - Preliminary and Final Site Plan approval for residential development consistent with previous ZBA Use Variance relief granted January 30, 2013 which included the renovation of the existing SS Adams Building to create and contain no more than 44 residential units with a commercial component of approximately 1,000 s.f.

Those Eligible to Vote: Paul Dunlap, William Frantz, James Gilligan, Dianna Harris, Thomas Healy, Joe Sears

- b. **ZBA#14/10 Resolution of Denial** – Application #ZB11/29A – Neptune Circle Holdings, LLC – Route 66 – Applicant seeking administrative approval of changes for fencing material installed around the perimeter of the site. The height, location, and solid nature of the fence are in compliance with the approvals granted.

Those Eligible to Vote: Paul Dunlap, William Frantz, James Gilligan, Thomas Healy, Joe Sears, Frances Keel

- c. **ZBA#14/11 Resolution of Denial** – Application #ZB13/19 – David Monachino - 125 Broadway (Ocean Grove) – Applicant seeking Bulk Variances to maintain a 4-foot solid stockade fence and brick paver patio located in the front yard of a corner property.

Those Eligible to Vote: William Frantz, James Gilligan, Dianna Harris, Thomas Healy, Joe Sears, Frances Keel, and Charles Moore

- d. **ZBA#14/12 Resolution of Partial Approval for Use Only (must return for Site Plan)** - Atifaq Corporation (Gas Plus Speedy Mart) – 1800 Highway 33 – Applicant proposing to convert existing building onsite into a convenience store.

Those Eligible to Vote: William Frantz, James Gilligan, Dianna Harris, Thomas Healy, Joe Sears, Frances Keel

IV. Applications under consideration for this evening:

- ❖ **ZB14/01** – EI Properties (Parkway 100) – Block 10017, Lot 5 – 3535 Route 66 – Applicant is seeking a Use Variance to allow the use and occupancy of the existing office park for warehouse and flex space use historically permitted by zoning and operation on the property. ****APPLICATION WITHDRAWN ON 4/17/14****
- ❖ **ZB13/22** – Gerardo Ercolino – 1516-1518 Corlies Avenue (Rt. 33) – Block 273, Lot 29) – Appeal of Zoning Officer’s Determination regarding second apartment unit. ****ADJOURNED FROM 2/5/14 to 3/19/14 TO THIS DATE – NO FURTHER NOTICE REQUIRED FOR THIS HEARING****
- ❖ **ZB13/18** – Geoffrey Ernst – 103 Melrose Avenue – Block 471, Lots 34, 35, & 36 – Proposing to maintain existing shed as it exists requiring rear and side yard setback variances. ****ADJOURNED FROM 2/5/14 to 3/19/14 TO THIS DATE – NO FURTHER NOTICE REQUIRED FOR THIS HEARING****
- ❖ **ZB13/17** – Jack Ancona, LLC (Warrington Hotel) – Block 29, Lot 1907.03 - 22 Lake Avenue (Ocean Grove) – Conditional Use & Bulk Variances for 20-room hotel with innkeepers quarters. Represented by Jennifer Krimko, Esq. ****ADJOURNED FROM 4/2/14 TO THIS DATE – NO FURTHER NOTICE REQUIRED FOR THIS HEARING****

V. Adjournment:

- a. The next meeting of the Zoning Board of Adjustment will be a Special Meeting on May 21, 2014 at 7:30 PM, to be held here 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.

ZB14/01 – EI Properties (Parkway 100) – Block 10017, Lot 5 – 3535 Route 66 – Applicant is seeking a Use Variance to allow the use and occupancy of the existing office park for warehouse and flex space use historically permitted by zoning and operation on the property.

Previously Enclosed
with 3/12/14 Package:

Board Planners Review #1 dated 3-5-14
Correspondence from Applicant’s Attorney dated 2-28-14
Zoning Officer’s Denial dated 3-4-13
Use Variance Completeness Checklist & Application Package dated 2-12-14

BOARD NOTES:

APPLICATION HAS BEEN WITHDRAWN BY THE APPLICANT ON 4/17/14.

Motion offered by _____ to be moved and seconded by _____
Bascom ___ Dunlap___ Frantz___ Gilligan___ Harris___ Healy___ Sears___
Alternates: Keel (Alt 2)___ Moore (Alt 3)___

