

Neptune Township ~ Zoning Board of Adjustment
Regular Meeting Agenda
Wednesday, June 4, 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 :

Barbara Bascom	Dianna Harris	Carol J. Rizzo (Alternate #3)
Paul Dunlap, Chairman	Thomas Healy	Joe Sears, 2 nd Vice Chairman
William Frantz	Frances Keel (Alternate #1)	
James Gilligan, 1 st Vice Chairman	Charles Moore (Alternate #2)	

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. None.

IV. Applications under consideration for this evening:

- ❖ **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 5/7/14 to THIS DATE – ADJOURNED TO JULY 2, 2014 IN ORDER FOR PROFESSIONALS TO BE ABLE TO PERFORM A PROPER REVIEW OF THE PLAN THAT WAS SUBMITTED ON MAY 29, 2014 - NO FURTHER NOTICE REQUIRED.**
- ❖ **ZB13/09** – Atifaq Corporation (Gas Plus Speedy Mart) – Block 282, Lots 1-5 - 1800 Highway 33 – proposing to convert existing building onsite into convenience store. Represented by Jennifer S. Krimko, Esq. **THIS APPLICATION RECEIVED USE VARIANCE APPROVAL ONLY ON APRIL 2, 2014 – THIS HEARING WAS SCHEDULED FOR MINOR SITE PLAN REVIEW; HOWEVER, APPLICANT’S ATTORNEY REQUESTED THIS MATTER BE ADJOURNED UNTIL SEPTEMBER 3, 2014 – AS PER JENNIFER KRIMKO, ESQ., NOTICE WILL BE PROVIDED REGARDING THE SEPTEMBER HEARING DATE AND MINOR SITE PLAN.**
- ❖ **ZB13/22** – Gerardo Ercolino – 1516-1518 Corlies Avenue (Rt. 33) – Block 273, Lot 29) – Appeal of Zoning Officer’s Determination regarding second apartment unit. Should the Appeal of the Zoning Officer’s Decision be unsuccessful, the Applicant wishes to seek Use Variance approval - **ADJOURNED FROM 2/5/14 to 3/19/14 to 5/7/14 to THIS DATE – NO FURTHER NOTICE REQUIRED FOR THIS HEARING****
- ❖ **ZB14/05** – Dollar Tree (Jumping Brook Shopping Center) – Block 1501, Lot 1 – Route 33 – Applicant is seeking bulk variance to retain existing façade sign.

V. Adjournment:

- a. The next meeting of the Zoning Board of Adjustment will be a Special Meeting on June 18, 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.

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.

Previously Enclosed
With 2/5/14 & 3/19/14
Packages:

- Bulk Variance Application and Checklist (10/28/13)
- Homeowner’s Narrative & Photos (submitted with Application on 10/28/13)
- Zoning Officer’s Violation Notice (9/10/13)
- Bulk Requirement Schedule
- Deed of Transfer of Ownership (10/10/10)
- Additional Photos of Property & Surrounding Area
- Survey of Property (8/2/13)
- Comments from: Township Engineer (11/6/13)
- Township Engineer (1/30/14)

BOARD NOTES:

ADJOURNED FROM 2/5/14 to 3/19/14 TO 5/7/14 to THIS DATE – ADJOURNED TO JULY 2, 2014 IN ORDER FOR PROFESSIONALS TO BE ABLE TO PERFORM A PROPER REVIEW OF THE PLAN THAT WAS SUBMITTED ON MAY 29, 2014 - NO FURTHER NOTICE REQUIRED

Motion offered by _____ to be moved and seconded by _____ .
 Bascom ___ Frantz___ Gilligan___ Harris___ Healy___ Sears___ Dunlap___
 Alternates: Keel (Alt 1)___ Moore (Alt 2)___ Rizzo (Alt 3) _____

ZB13/09 – Atifaq Corporation (Gas Plus Speedy Mart), 1800 Highway 33 (**Block 282, Lots 1 thru 5**) – Applicant is proposing to convert existing building onsite into a convenience store. Applicant is represented by Jennifer S. Krimko, Esq.

Previously Enclosed
September 4, 2013:

- Zoning Permit Denial (7/28/10)
- Variance Application (5/10/13)
- Awning Detail (undated)
- Witness List (9/4/13)
- Exhibit List (9/4/13)
- Copy of Deed recorded on April 29, 2002
 - Site Plan (3 sheets) prepared by Charles Surmonte, PE, PLS dated January 21, 2013, unrevised.
 - Survey of Property (1 sheet) prepared by Charles Surmonte, PE, PLS dated September 21, 2011, unrevised.
 - Architectural Plan (1 sheet) prepared by Bashir A. Hamid, Architect dated March 22, 2013, unrevised.

Previously Enclosed
Correspondence from:

- Township Director of Engineering and Planning (5/29/13)
- Board Engineer Review (5/28/13)
- Township Traffic Bureau Comments (6/13/13)
- Board Planner Review (7/24/13)
- Board Planner Review (8/22/13)
- Board Engineer Review (3/18/14)

BOARD NOTES:

THIS APPLICATION RECEIVED USE VARIANCE APPROVAL ONLY ON APRIL 2, 2014 – THIS HEARING WAS SCHEDULED FOR MINOR SITE PLAN REVIEW; HOWEVER, APPLICANT’S ATTORNEY REQUESTED THIS MATTER BE ADJOURNED UNTIL SEPTEMBER 3, 2014 – AS PER JENNIFER KRIMKO, ESQ., NOTICE WILL BE PROVIDED REGARDING THE SEPTEMBER HEARING DATE AND MINOR SITE PLAN.

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

Bascom __ Frantz__ Gilligan__ Harris____ Healy__ Sears__ Dunlap__

Alternates: Keel (Alt 1)____ Moore (Alt 2)____ Rizzo (Alt 3) _____

