

Neptune Township ~ Zoning Board of Adjustment
Regular Meeting Agenda
Wednesday, November 5, 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	James Gilligan, 1 st Vice Chairman	Charles Moore (Alternate #2)
Rev. Joseph Calhoun (Alternate #4)	Dianna Harris	Carol J. Rizzo (Alternate #3)
Paul Dunlap, Chairman	Thomas Healy	Joe Sears, 2 nd Vice Chairman
William Frantz	Frances Keel (Alternate #1)	

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

II. Resolutions to be memorialized:

- a. **ZBA#14-19 – Resolution Denying Appeal of Zoning Officer’s Determination** – Application ZB13/22 – Gerardo Ercolino – 1516-1518 Corlies Avenue (Rt. 33) – Block 273, Lot 29

Those Eligible to Vote: Barbara Bascom, William Frantz, James Gilligan, Dianna Harris, Thomas Healy, Frances Keel, Carol J. Rizzo, and Joe Sears

- b. **ZBA#14-20 – Resolution of Approval** – Application ZB14/14 – (Bulk Variance - Fence) Melissa Edwards – Block 469, Lots 34 & 35 – 208 Valley Road

Those Eligible to Vote: Barbara Bascom, William Frantz, James Gilligan, Dianna Harris, Thomas Healy, Frances Keel, Carol J. Rizzo, and Joe Sears

- c. **ZBA#14-21 – Resolution of Approval** – Application ZB14/10 (Bulk Variance – Rear Building Addition) - Alan & Lynn Merry – Block 23, Lot 506.02 – 25 Pitman Avenue (Ocean Grove)

Those Eligible to Vote: Barbara Bascom, William Frantz, James Gilligan, Dianna Harris, Thomas Healy, Frances Keel, Carol J. Rizzo, and Joe Sears

- d. **ZBA#14-22 – Resolution of Approval** – Application ZB14/09 (Amended Minor Site Plan for Signage) - Petro Realty Inc., LLC – Block 9025, Lot 54.01 – 3330 Route 66

Those Eligible to Vote: Barbara Bascom, William Frantz, James Gilligan, Dianna Harris, Thomas Healy, Frances Keel, Carol J. Rizzo, and Joe Sears

III. Applications under consideration for this evening:

- a. **ZB14/12 – (Bulk Variances)** Lucette Tulp – Block 52, Lot 1022 – 67 Abbott Avenue (Ocean Grove) - Applicant is proposing to install a decorative “trellis” addition atop existing, approved, 4 ft. high fence.
- 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.
- c. **ZB14/15 – (Bulk Variances)** Brian Hegarty – Block 439, Lots 28 & 29 – 5 Cliffwood Drive – Applicant is seeking variances for side yard setbacks and height of existing retaining wall.
- d. **ZB14/11 – (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.

IV. Adjournment:

- a. The next meeting of the Zoning Board of Adjustment will be a Regular Meeting on December 3, 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.

ZB14/15 – (Bulk Variances) Brian Hegarty – Block 439, Lots 28 & 29 – 5 Cliffwood Drive – Applicant is seeking variances for side yard setbacks and height of existing retaining wall.

Currently Enclosed: Witness List

Application for Bulk Variance (Received 8/28/14) including:

- Zoning Officer’s Denial (5/16/14)
- Copy of Deed (2/20/96)
- Plot Plan (8/14/14)
- Survey Map (6/17/14)

Exhibit List including the following Exhibits:

- Three pages of photos of wall before and after construction
- Pre- and Post- Replacement Survey Comparison
- Field Copy of construction design specs and plan totaling 24 pages titled “Hegarty Retaining Wall 5 Cliffwood Drive, Neptune, NJ” (10/14/13)
- Field Copy of construction plan titled “Proposed Retaining Wall System Block 439 Lots 28-31 5 Cliffwood Dr and 301 Woodmere Ave, Neptune” (last revision 10/14/13)
- Construction Permit
- Drainage System Drawing
- Two Sheets of Photos of Drainage System

Correspondence: Environmental/Shade Tree Commission Resolution #14-03 (10/8/14)
Township Engineer’s Comments (9/24/14)

BOARD NOTES:

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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) _____ Rev. Joseph Calhoun (Alt 4) _____

If any board member cannot attend, please call or email the board office at
732-988-5200 ext 278 or karmour@neptunetownship.org.

