



**Neptune Township ~ Zoning Board of Adjustment
Regular Meeting Minutes
Wednesday November 5, 2014 at 7:30 PM
Municipal Complex, 2nd Floor, 25 Neptune Boulevard**

ATTENDANCE:

Present: Barbara Bascom, Rev. Joseph Calhoun, Paul Dunlap, William Frantz, James Gilligan, Frances Keel, Joe Sears, Monica Kowalski, Esq. – Board Attorney, Alan Hilla, PE – Board Engineer, Jennifer C. Beahm, PP, AICP – Board Planner, George Waterman – Zoning Officer, and Torro Reporting, LLC

Absent: Dianna Harris, Thomas Healy, Charles Moore, Carol Rizzo

OPENING:

Meeting called to order by Chairman Paul Dunlap at 7:32 PM. Chairman Dunlap advised the public of fire exits and how the meeting will proceed.

CORRESPONDENCE: None.

RESOLUTIONS MEMORIALIZED:

1. **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
Motion to adopt & memorialize was made by James Gilligan and seconded by Joe Sears
Those who voted yes: Barbara Bascom, William Frantz, James Gilligan, Frances Keel, Joe Sears
2. **ZBA#14-20 – Resolution of Approval** – Application ZB14/14 – Melissa Edwards – 208 Valley Road – Block 469, Lots 34 & 35
Motion to adopt & memorialize was made by Barbara Bascom and seconded by William Frantz
Those who voted yes: Barbara Bascom, William Frantz, James Gilligan, Frances Keel, Joe Sears
3. **ZBA#14-21 – Resolution of Approval** – Application ZB14/10 - Alan & Lynn Merry – 25 Pitman Avenue (Ocean Grove) – Block 23, Lot 506.02
Motion to adopt & memorialize was made by James Gilligan and seconded by Joe Sears
Those who voted yes: Barbara Bascom, William Frantz, James Gilligan, Frances Keel, Joe Sears
4. **ZBA#14-22 – Resolution of Approval** – Application ZB14/09 - Petro Realty Inc., LLC – 3330 Route 66 - Block 9025, Lot 54.01
Motion to adopt & memorialize was made by William Frantz and seconded by James Gilligan
Those who voted yes: Barbara Bascom, William Frantz, James Gilligan, Frances Keel, Joe Sears

DISCUSSIONS:

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.

Ms. Lucette Tulp – Applicant/Owner of 67 Abbott Ave. – sworn in.

Exhibit A-1 – Photo of proposed fence.

Exhibit A-2 – Photo of neighboring house.

Ms. Tulp explains to the Board she obtained approval for the existing 4 ft. high fence but would like to install the decorative trellis atop the exiting fence for privacy reasons due to the height and size of the neighboring house constructed.

Eugene Melody, Esq. – Appearing on behalf of the Historic Preservation Commission (HPC)

Deborah Osepchuk, Chairwoman HPC – 88 Heck Avenue – sworn in – Ms. Osepchuk stated she has been the Chairperson for the past 19 years and states her objection to the height of the proposed fence should the Board approve the requested “decorative trellis”.

Exhibit D-1 – Page 28 of the HPC Guidelines submitted.

Based upon the application before the Board, a motion was offered by James Gilligan to approve the application with modifications as discussed, moved and seconded by William Frantz.

Those who voted YES: Barbara Bascom, William Frantz, James Gilligan, Joe Sears, Paul Dunlap, Frances Keel, and Rev. Joseph Calhoun

Those who voted NO: None.

Those who ABSTAINED: None.

Those ABSENT: Dianna Harris, Thomas Healy, Charles Moore, Carol Rizzo

ZB14/13 – 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.

****ERROR IN PUBLIC NOTICE – CARRIED TO JANUARY 7, 2015 MEETING – MUST RE-NOTICE FOR THIS NEW HEARING DATE****

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.

****DUE TO TIME CONSTRAINTS APPLICATION CARRIED TO JANUARY 7, 2015 MEETING WITH NO FURTHER NOTICE BEING REQUIRED****

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.

Brian Hegarty – sworn in – 503 Moore Road – Shark River Hills.

****At 8:38 PM the Board takes a break and returns at 8:54 PM. Roll call is taken and Members are still present****

Mr. Hegarty states there was an existing telephone pole type retaining wall which had been built around 1973-1976 which was failing and had to be replaced.

Exhibit A-1 – Pre-Construction Survey – prepared by Acre Survey dated October 11, 2012
Exhibit A-2 – Post-Construction Survey – prepared by Acre Survey dated June 17, 2014
Derrick Jones of Site Scape – sworn in.

Mr. Hegarty questions Mr. Jones with regard to construction of the existing retaining walls.

Mr. Hegarty insists he received permits to construct the existing retaining walls.

Exhibit A-3 – Mr. Doolittle's letter to Mr. Hegarty dated 5/28/13 – Response to Request for Clarification
Exhibit A-4 – Full-sized "Sharpie" drawing.

****At 10:17 PM the Board takes a break and returns at 10:23 PM. Roll call is taken and Members are still present****

Exhibit A-5 – Series of four (4) photos during construction

After some discussion, the Board determines that Mr. Hegarty must return with his engineering professionals to testify to drainage. The Board offers to carry the application to February 4th for continuation. Mr. Hegarty refuses February date and requests April because he is not here in the winter. Since this application is to remediate violations and potential safety issues, the Board is not willing to postpone until April. Mr. Hegarty agrees to be carried to the FEBRUARY 4, 2015 hearing date with NO FURTHER NOTICE BEING REQUIRED.

ADJOURNMENT:

A motion was made by Chairman Dunlap and seconded by William Frantz to adjourn at 11:14 PM. The next scheduled hearing 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.

Minutes submitted by Kristie Armour, Administrative Officer to the Board of Adjustment.