



**Neptune Township ~ Zoning Board of Adjustment
Regular Meeting Minutes
Wednesday March 4, 2015 at 7:30 PM
Municipal Complex, 2nd Floor, 25 Neptune Boulevard**

ATTENDANCE:

Present: Barbara Bascom, William Frantz, James Gilligan, Dianna Harris, Thomas Healy, Frances Keel, Carol J. Rizzo, Joe Sears, Paul Dunlap, Monica Kowalski, Esq. – Board Attorney, Matt Shafai, PE – Board Engineer, Megan Stanley PP, AICP – Board Planner, and Torro Reporting, LLC

Absent: Rev. Joseph Calhoun

OPENING:

Meeting called to order by Chairman Paul Dunlap at 7:30 PM. Chairman Dunlap advised the public of fire exits and how the meeting will proceed.

CORRESPONDENCE:

None.

RESOLUTIONS MEMORIALIZED:

ZBA#15-08 – Resolution Granting Waivers Only for Completeness Determination – Gary Edwards – Block 3808, Lot 19 (formerly known as Block 9017, Lot 9) – 17 Princeton Avenue – Conditional Waiver granted for providing Community Impact Statement.

ZBA#15-09 – Resolution Granting Bulk Variances – Vincent Fera – Block 5412, Lot 13 (formerly known as Block 435, Lot 38) – 223 S. Riverside Drive – Applicant is proposing to construct a detached single family residence and inground swimming pool, with 4 foot high solid and 6 foot high solid fencing.

ZBA#15-10 – Resolution Denying Bulk Variances – Brian Hegarty – Block 5202, Lot 11 (formerly known as Block 439, Lots 28 & 29) – 5 Cliffwood Drive – Applicant seeking variances for side yard setbacks and height of existing retaining wall.

DISCUSSIONS:

ZB15/01 – WAIVER HEARING ONLY (Use Variance) Evelyn Stumpf & John Wehrle - Block 5602, Lot 31 (formerly known as Block 556, Lot 10) – 1207 Highway 35 South – Applicant is represented by Gregory Vella, Esq. Applicant is seeking a Use Variance to permit the retail sale of Jacuzzi Hot Tubs in addition to current product line of motorcycles, ATV's, personal watercraft, utility trailers, and jet boats. Applicant indicates they have eliminated jet boat sales to accommodate the Jacuzzi Hot Tub sales. This application had been deemed Incomplete on February 10, 2015 by Matt Shafai, PE – Board Engineer until it can be determined by the Board whether or not the requested waivers being requested can be granted.

Gregory Vella, Esq. – representing the Applicants.

Matt Shafai, PE reviews his letter dated February 10th including the waivers necessary.

Mr. Vella states his client has been selling hot tubs for over a year now and the Zoning Officer does not believe this is permitted.

Mr. John Wehrle is sworn in and states that no changes have occurred on the property and the survey submitted depicts current conditions of the site. Mr. Wehrle is President of Stumpy's and has worked there since 1975.

Exhibit A-1 - Existing Conditions Asbuilt Map (1/20/97) is marked into evidence.

Mr. Wehrle states they are dismissing the sale of jet boats as there is no longer a demand for them

Based upon discussions regarding the waivers, the following motions were offered to APPROVE the requests for same:

1. Submission of a current signed and sealed survey.

Motion to GRANT offered by James Gilligan and seconded by William Frantz. All in favor.

2. Submission of an accurate property deed.

Motion to GRANT offered by Thomas Healy and seconded by William Frantz. All in favor.

3. Submission of a plan indicating the site locations, building size, outdoor storage, listing of all uses, parking, trash enclosure, etc.

Motion to GRANT offered by James Gilligan and seconded by Dianna Harris. All in favor.

Those who voted YES: Barbara Bascom, William Frantz, James Gilligan, Dianna Harris, Thomas Healy, Joe Sears, and Paul Dunlap

Those who voted NO: None.

Those who ABSTAINED: None.

Those ABSENT: Rev. Joseph Calhoun

ZB14/19 – (Bulk Variances for Fence Height) – Brian Ball – Block 4216, Lot 9 (formerly known as Block 1403, Lots 1 & 2.01) – 17 Jumping Brook Drive - Applicant is proposing to install an antique/refurbished iron fence with a height greater than 4 feet in the front yard area of corner property located at Jumping Brook Road and Overlook Drive.

Brian Ball – 17 Jumping Brook Drive – Sworn in and testified regarding the fencing proposed on the property line. This is an antique refurbished fence.

The Board believes the fence is appropriate and will look nice.

Based upon the application before the Board, Thomas Healy makes a motion to approve the application as submitted, moved and seconded by James Gilligan.

Those who voted YES: Barbara Bascom, William Frantz, James Gilligan, Dianna Harris, Thomas Healy, Joe Sears, and Paul Dunlap

Those who voted NO: None.

Those who ABSTAINED: None.

Those ABSENT: Rev. Joseph Calhoun

****THE BOARD TAKES A RECESS FROM 8:09 PM – 8:14 PM. Roll call taken and all members still present****

ZB14/20 – (Preliminary & Final Site Plan) - Jack Ancona, LLC (Warrington Hotel) – Block 103, Lots 4, & 10 and Part of Block 101, Lot 2 (formerly known as Block 29, Lots 1907.03 & 1907.01 and Part of Block 146.03, Lot 2) – 22 Lake Avenue, Ocean Grove - Applicant is seeking Preliminary and Final Site Plan approval to construct an addition to, renovate, and convert the existing rooming/boarding house into a 20-room Historic Hotel with innkeepers quarters.

Jennifer Krimko, Esq. – representing the Applicants. Ms. Krimko reminds the Board a Conditional Use Variances was granted in September 2014.

Exhibits A-1 through A-4 marked into evidence.

David Boesch, CLA of Nelson Engineering - sworn in – refers to Sheet 2 of 4 of the plans and provided testimony with regard to the repairing & replacing of existing areas. The proposed work is minimal in nature.

The outside storage area is proposed for recycling only. The proposed sheds could contain six (6) fifty-five (55) gallon cans or larger which is adequate to handle the expected materials for recycling.

Landscaping is proposed in the front of the building. All pathways are to be repaired. Signage and Lighting discussed, both of which still require HPC review and approval.

Meeting is open to the public and the following members appeared:

Kevin Chambers – 58 Heck – questions easement agreements, etc.

John Weldon – 19 Seaview – dimension of lights and questions parking and safety

Joe Gaciofano – 27 Seaview – house is located in front of the Warrington and questions the use of the easement.

****THE BOARD TAKES A RECESS FROM 8:58 PM – 9:02 PM. Roll call taken and all members still present****

David Collins, AIA – sworn in and discusses the innkeepers suite and the increase in size since the last proposal.

The sheds outside are for recycling only and regular trash is proposed to be kept indoors.

The existing sewer lines will be “TV’d” to ensure they can structurally handle the proposed sewerage flow.

Meeting is open to public and the following members appeared:

Kevin Chambers – 58 Heck – questions the number of stories this building will contain.

John Weldon – 19 Seaview – questions if there will be air conditioning in the basement and questions proposed signage.

Andrew Janiw, PP, AICP – testified with regard to the innkeepers quarters in the basement. Mr. Janiw states these will not be substandard conditions and there is natural light being provided and the flooring will consist mainly of tile.

Meeting is open to the public and the following members appeared:

Kevin Chambers – 58 Heck – questions sign and whether it is a commercial structure. Per Janiw – No.

Meeting is open to public comment:

Joe Gaciofano – 27 Seaview – Doesn't feel this is fair.

Kevin Chambers – 58 Heck – States the Township is violating RSIS

Ken Buckley – does not want to see the basement room (innkeepers quarters) rented out to public.

No further public appeared – Public portion closed.

Chairman Paul Dunlap – provides comment on the application as a resident of Ocean Grove.

Board Member William Frantz – provides his comments on the application.

Board Member Carol Rizzo – provides her comments on the application.

Based upon the application before the Board, Paul Dunlap makes a motion to approve the application with conditions including signage and lighting being reviewed and approved by HPC as well as a kitchen/stove being provided for the innkeepers quarters and the innkeepers quarters being “non-rentable”, moved and seconded by James Gilligan.

Those who voted YES: Barbara Bascom, William Frantz, James Gilligan, Dianna Harris, Thomas Healy, Joe Sears, and Paul Dunlap

Those who voted NO: None.

Those who ABSTAINED: None.

Those ABSENT: Rev. Joseph Calhoun

ADJOURNMENT:

A motion was made by Dianna Harris and seconded by William Frantz to adjourn at 10:49 PM. The next meeting of the Zoning Board of Adjustment will be a Special Meeting on Wednesday, March 18, 2015 at 7:30 PM on the matter of GS Realty Corp, which will 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.