

Neptune Township ~ Zoning Board of Adjustment
Regular Meeting Agenda
Wednesday, September 3, 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. Correspondence:

- a. Letter dated August 19, 2014 from Thomas J. Warren, Esq. requesting the matter of Fasano-Gifford which is scheduled for this evening be adjourned to the reserved Special Meeting date of October 15, 2014, if the Board is not so inclined to grant this request or if a quorum is not available for the October 15 Special Meeting please carry to the next available meeting of November 5th.
- b. Letter dated August 25, 2014 from Peter S. Falvo, Esq. requesting the matter of Gerardo Ercolino which is scheduled for this evening be adjourned to the next available meeting date of October 1, 2014.
- c. Email dated August 27, 2014 from Jennifer S. Krimko, Esq. requesting the matter of Johnson Obayuwana which is scheduled for this evening be adjourned.

III. Resolutions to be memorialized:

- a. **ZBA#14-14 Resolution of Approval** – Application #ZB14/08 – Meridian Health Realty Corp. – Block 266, Lot 39 and 267.02, Lot 267.02 – Amended Site Plan.
Those Eligible to Vote: Barbara Bascom, William Frantz, James Gilligan, Dianna Harris, Thomas Healy, Paul Dunlap
- b. **ZBA#14-15 Resolution of Approval** – Application #ZB14/07 – Marybeth Robb – Block 73, Lot 1135 – 90 Broadway – Bulk variances for residential addition.
Those Eligible to Vote: Barbara Bascom, William Frantz, James Gilligan, Dianna Harris, Thomas Healy, Paul Dunlap
- c. **ZBA#14-16 Resolution of Partial Approval** – Application #ZB13/17 – Jack Ancona, LLC – Block 29, Lot 1907.03 – 22 Lake Avenue- Application for Conditional Use and Bulk variances.
Those Eligible to Vote: Barbara Bascom, William Frantz, Dianna Harris, Thomas Healy, Paul Dunlap

IV. Applications under consideration for this evening:

- ❖ **ZB12/05** - Fasano & Gifford – Block 1006, Lots 4 & 5 – 774 & 778 Wayside Rd – Applicant is proposing to build 50 townhouses constructed within five (5) three-story buildings. All proposed buildings will have associated landscaping, lighting, parking, stormwater management, and utility improvements. Various variances and waivers are being requested. **NOTICE HAS BEEN PROVIDED FOR THIS HEARING DATE; HOWEVER, APPLICANT’S ATTORNEY HAS REQUESTED TO ADJOURN TO A SPECIAL MEETING FOR THIS MATTER ON OCTOBER 15, 2014 WITH NO FURTHER NOTICE BEING REQUIRED.**
- ❖ **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. **APPLICANT’S ATTORNEY HAS REQUESTED THIS MATTER BE ADJOURNED TO THE OCTOBER 1, 2014 MEETING DATE WITH NO FURTHER NOTICE BEING REQUIRED.**
- ❖ **ZB14/04** – Johnson Obayuwana – Block 189, Lot 1 – 1528 Monroe Avenue – Applicant is seeking a Use Variance for a proposed daycare facility. **APPLICANT’S ATTORNEY HAS REQUESTED THIS MATTER BE ADJOURNED WITH NO FURTHER NOTICE BEING REQUIRED.**

- ❖ **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 6/4/14 to 7/2/14 to THIS DATE - NO FURTHER NOTICE REQUIRED.**
- ❖ **ZB14/06** – Ruthann Seymore – Block 9044, Lot 7 – Applicant is seeking Bulk Variances for driveway width and lot coverage.

V. Adjournment:

- a. The next meeting of the Zoning Board of Adjustment will be a Special Meeting on September 10, 2014 at 7:30 PM on the matter of Hovson’s Inc., 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.

