



**Neptune Township ~ Zoning Board of Adjustment
Regular Meeting Minutes
Wednesday, October 2, 2019 at 7:30 PM
Municipal Complex, 2nd Floor, 25 Neptune Boulevard**

ATTENDANCE:

Present : Bryan Acciani, Barbara Bascom, Dr. James Brown, William Frantz, James Gilligan, Thomas Healy, Frances Keel, Naomi Riley (left at 8:09 PM), Ashley Vidal, Paul Dunlap, Monica Kowalski, Esq. – Board Attorney, Jennifer Beahm, PP, AICP - Board Planner, Matt Shafai, PE, PP, CME – Board Engineer, and Torro Reporting, LLC.

Absent: Michael Pullano

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

SWEARING IN OF NEW BOARD MEMBER: Monica Kowalski, Esq. swore in new Board Member Bryan Acciani as Alternate #4 whose term expires December 31, 2019.

CORRESPONDENCE: None.

RESOLUTIONS MEMORIALIZED:

Resolution ZBA#19/14 – Approval of Use Variance & Minor Site Plan w/Bulk Variances – Outfront Media, LLC – Block 1004, Lot 3 – 55 Highway 35

DISCUSSIONS:

ZB19/04 (Use Variance) – Collard Realty, LLC – Block 1002, Lot 16 – 1906 Rutherford Avenue – Applicant is seeking a Use Variance to add warehousing/self-storage by a single user in the existing building.

Applicant is represented by Peter S. Falvo, Esq.

Thomas Collard – 28 Shrewsbury Drive, Rumson, NJ – sworn in. Mr. Collard is the managing member of Collard Realty, LLC

Mr. Collard indicates the survey prepared by Morgan Engineering & Surveying is accurate.

Exhibit A-1 Survey prepared by Morgan Engineering & Surveying dated February 22, 2018

Exhibit A-2 Photo Packet consisting of 5 photos (undated)

Mr. Collard obtained the property in April 2018 which contained an auto body parts & wholesale.

After closing on the property, the user vacated the site and then the 1st tenant was the Martial Arts tenant in the western side of the building. The other side of the building containing the overhead door was vacant. Mr. Collard was approached by a prospective tenant for storage – Johnson Restaurant Supply and they were advised it was no longer permitted. A zoning permit was applied for and at that time Mr. Collard was advised he had lost the warehouse use.

The Applicant is proposing the area be solely rented by Johnson's to store items such as kitchen appliances etc. and this location would be for drop off and pick-up of supplies only, no repair work is proposed to take place at this site.

The exterior of the building has been painted and there was the addition of motion lights and a railing. Other than that, there have been no changes to the exterior and none are proposed.

Jennifer Beahm indicates there is very limited info provided here and the information that has been provided is not going to cut it for a Use Variance as she cannot advise the Board one way or the other. There is no parking indicated for this building, the loading ramp does not meet current requirements, etc.

At this time it is agreed to by the Applicant and the Board that this matter be carried to December 4, 2019 at 7:30 PM with no further notice in order for the Applicant to be able to retain the proper documentation and professionals to provide adequate testimony so the Board may make an informed decision on the application before them.

ZB19/06 (Bulk Variances for Additions) – James & Leslie Dodge – Block 281, Lot 10 – 61 Stockton Avenue (Ocean Grove) – Applicant is proposing a second floor addition over the existing dwelling as well as the enclosure of the existing balcony and screened porch. A new covered porch is proposed over the existing porch along the Stockton Avenue frontage as well as the addition of another covered porch over the existing first floor. Applicant is also proposing interior alterations/renovations; however there is no change in use being proposed.

At 7:58 PM – the Board accepts notice.

James Dodge – 61 Stockton Avenue

Leslie Dodge – 61 Stockton Avenue

Theodora Boyadjis, AIA – Jersey City, NJ

Gabriel Landaverde, Project Manager of RS Mannino Architecture, LLC – 38 Park Avenue, Rutherford, NJ 07070

Witnesses are sworn in.

Mr. Dodge indicates he and his wife are here this evening to talk to the Board about making some changes to the house that they had purchased a couple of years ago, it is an older Victorian and was purchased as a 2nd home at the time and it is their primary residence. They moved into it permanently about 2 months ago.

Ms. Kowalski asks when they purchased the home. Mr. Dodge indicates July 2017 but doesn't know the exact date. Mr. Dodge then indicates it was July 19th. As indicated it was purchased as a second home and now live in it permanently full-time and the house is a great house, they purchased it because they liked the look of the house and the location of the house; however, as a full-time residence it needs some things done to it to make it more livable for them. The bedrooms are very, very small and the windows need to be replaced, it is incredibly inefficient and they want to maintain the look of the house because they like the look of the house and the house is well known in the area, but they want to make it more habitable for themselves and that is what the intent of these changes are.

They want to keep everything consistent with the color palate and style of the house.

Ms. Kowalski asks Mr. Dodge if when they purchased the home they were aware that the home was on the National Historic Register? Mr. Dodge indicates they were aware of the historic nature of the home, the age of the home, and that it is classified as a key structure of Ocean Grove.

Theodora Boyadjis, AIA – licensed in New Jersey and New York since 2015. She indicates she has testified before several boards in New Jersey, but not this Board. Ms. Boyadjis is accepted by the Board.

Ms. Boyadjis indicates as mentioned, they would like to make changes to the floor plans to make the space move livable. The first floor indicates a modified larger kitchen and changing around the laundry room/utilities to incorporate the larger kitchen. Most of the work and the reasons for the variances are on the second level. The bedrooms were small; therefore, they want to have an addition over the 1st floor footprint in order to get 2 larger bedrooms. As you can see on 2nd floor we have this addition over the existing first floor footprint that we want to create a larger master suite in and as where a lot of the variances come in would be the rear yard setback, the projection of the rear yard roof.

Jennifer Beahm – asks if we are referring to Sheet Z-3? It is indicated yes, Z-3.

Exhibit A-1 Architectural Plans Sheets Z-1 through Z-6 dated July 9, 2019 marked.

As mentioned, this addition over the first floor, not encroaching any more than what the existing house is, the projection is also the same as what the existing house is, they are just adding it to the new level, so that is why we are requesting the rear yard variance. In the front yard, there is an existing screen porch that we would like to enclose to utilize as habitable space as part of the bedroom. This is a pre-existing condition, just proposing to enclose which creates the variances condition. The covered porch proposed to be constructed over the existing first floor covered porch is mainly to provide for additional views of the lake and it ties in with the rest of the neighborhood which is why they believe it would be a nice feature on the house. It is also part of a Victorian style house. There is also a dormer proposed in the attic which is larger than what is permitted, which is also in line with the Victorian style of the house. On the west elevation where there is a dormer which is more like a turret which is in keeping with the Victorian style and it is being proposed this size in order to keep in line with the existing pitch on the roof and style of the existing house.

Monica Kowalski, Esq. – asks if Ms. Boyadjis has done historic architecture design before? It is indicated she has done in the past but none that has been required to come before a Board, but she has done some historical architecture, yes.

Ms. Boyadjis also notes that the addition being proposed on the first floor will not block any of the neighbors' views and it is not very noticeable from the streetline as well.

Monica Kowalski, Esq – Have you done any research with regard to Ocean Grove and those particular Architectural Guidelines and where this house would fit as a key structure into that scheme. It is indicated she believes they did while designing they did look into the Victorian era as well as the neighborhood just to make sure they were in line.

Monica Kowalski, Esq. – Asks if they had the opportunity to take a look at the actual Architectural Design Guidelines for Ocean Grove? Ms. Boyadjis requests if she can defer to the Project Manager on this question.

****IT IS NOTED FOR THE RECORD THAT NAOMI RILEY HAD AN EMERGENCY AND HAD TO LEAVE AT 8:09 PM; SHE WILL NOT BE A VOTING MEMBER THIS EVENING****

Gabriel Landaverde – Project Manager –

Paul Dunlap asks if the bottom rendering on Sheet Z-4 is the proposed west elevation? It is indicated yes. The top rendering is the existing south rendering? It is indicated no, they are all “proposed” renderings.

Bill Frantz indicates there is not a lot showing the existing and he would like to see more of what is existing.

Jennifer Beahm – indicates she downloaded some photos today including a screen shot off of Stockton and she has a screen shot off of Pilgrim Pathway. It won't show all 4 sides; however, it will show the street frontages.

Ms. Boyadjis indicates they have brought photos with them this evening; however, they only have one copy.

Mr. Frantz indicates he would like to be able to see what is existing compared to what is being proposed. Chair Dunlap agrees as he indicates they have no pictures of what is there now.

****BOARD TAKES A BRIEF RECESS AND RETURNS AT 8:20 PM – ALL MEMBERS STILL PRESENT WITH THE EXCEPTION OF NAOMI RILEY WHO HAD TO LEAVE DUE TO FAMILY EMERGENCY****

Monica requests Mr. Landaverde provide his credentials for the Board.

Mr. Landaverde, Project Manager has been working in the field for 15 years and has been with RS Mannino Architecture for the past 2 years – indicates he is not a licensed architect; however is involved directly with the design team, involved with the construction in the field, programming, and other facets of architecture. He has testified before a Board prior. It is indicated he cannot be accepted as an expert in the field of architecture; however, he can serve as a witness for the Applicant.

Mr. Landaverde indicates he will start with Sheet Z-4 and if you look at Exhibit A-2

Exhibit A-2 – series of 3 photos marked

Sheet Z-4 – is Exhibit A-2 – bottom photo is where the 2nd covered porch is proposed over the existing in the same colors as they want to maintain the color palate/scheme. Also in the back they would like to add another covered porch which would only be accessed by the master bedroom, and that covered porch would be directly above the existing kitchen so that would not project any further beyond the existing footprint of the house. They are looking to carry out the same architectural details that are present in the current home such as matching the roof pitches, the same gable end details, again matching the same color style and finishes and introducing a new design element such as the dormer which they are seeking the variance for that is consistent with a Victorian style of the home.

Monica Kowalski, Esq. asks Ms. Boyadjis if she is familiar with the concept of stick-style architecture. Ms. Boyadjis indicates yes. Ms. Kowalski requests if she can describe to the Board how this maintains a stick-style architecture or deviates from a stick-style architecture? No response.

Monica Kowalski indicates you are here before this Board seeking variances on what essentially is one of the finest key structures in Ocean Grove, so you have to be able to substantiate the changes you are proposing are necessary for the functionality of this property so these people are relying on you to do this as the architect for the project. If you are not capable of doing it, then you at least need to speak to these people, because I am sure there is somebody in your firm that can provide the appropriate testimony that we are going to need to make that determination. I can assure you that the Historic Preservation Commission who is present here with their attorney tonight is going to come up and give testimony contrary to what you are going to say. So if you can't provide the testimony, maybe you want to have a 5 minute break to talk to your clients about whether you are going to continue onward or whether you are going to give them the opportunity to get somebody else in the firm to give the appropriate testimony.

****BOARD TAKES A BREAK AT 8:27 PM – RETURNS AT 8:30 PM – ALL MEMEBERS STILL PRESENT****

Mr. Dodge indicates he would like to clarify that they were not aware they would have to talk about anything other than the variances tonight. One of the architects involved does historical work only and he

is actually at another Board meeting talking about a similar house where they would be having a similar conversation. We were not prepared to talk about anything other than the bulk variances being requested. Mr. Dodge indicates he is not totally clear as to why we are talking about this, but he does recognize the house has significant historical value. Would like to know about coming back and having a conversation about that information at a different time.

Monica Kowalski, Esq. indicates we can certainly give the same courtesy that we give every other applicant where you can adjourn with no further notice to give you the opportunity to talk to your architect. Once again, we are trying to be fair to everyone because you are still going to have to go before the Historic Preservation Commission, but you have already testified you purchased the house, you knew it was a key structure, its essentially definitive of the Ocean Grove architectural style that set the tone for being on the National Historic Register, so coming in for these variances, we need something more than "this is a pretty house". Please don't be offended by this because I see you are struggling with it and we want to fair to the Applicant. I think you need to get your historical architect in here to lay the appropriate foundation.

Jennifer Beahm – The bulk table for the variances is clear, but would like to see a comparison of the square footage – existing to proposed, just so we have that comparison when you come back.

Monica Kowalski, Esq. asks Mr. Dodge if he was provided with a copy of the Historic Preservation Commission report? Mr. Dodge indicates not that he knows of. Mr. Dodge is provided with a copy of the memo. Mr. Dodge indicates he has read every document he could get his hands on.

Monica indicates the Historic Preservation Commission would normally be a second phase for this; however, they are coming in to object to this application. Therefore, the items that are in their objection letter so essentially this becomes a contested hearing, so that is why I want to give you this opportunity.

Mr. Dodge requests if he should have received this before this meeting? Ms. Dickert indicates she believes she sent to him via e-mail. Mr. Dodge asks to me? Ms. Dickert indicates to his wife she believes.

At this time it is agreed to by the Applicant and the Board that this matter be carried to November 6, 2019 at 7:30 PM with no further notice in order for the Applicant to be able to retain the proper documentation and professionals to provide adequate testimony so the Board may make an informed decision on the application before them.

ADJOURNMENT:

A motion was made by James Gilligan and seconded by Frances Keel to adjourn the meeting at 8:36 PM. All in favor. The next meeting of the Zoning Board of Adjustment will be our Regular Meeting on Wednesday, November 6, 2019 at 7:30 PM which will be held here at the Neptune Township Municipal Building, Township Committee Meeting Room, 2nd Floor.