

Neptune Township ~ Zoning Board of Adjustment Regular Meeting Agenda To be Held in the Municipal Complex 25 Neptune Boulevard 2nd Floor Township Committee Meeting Room Wednesday, June 1, 2022 at 7:30 PM

THIS MEETING WILL BE TAKING PLACE IN PERSON.

The Center for Disease Control (CDC) has placed the Monmouth County COVID-19 Community Level at "High". As such, the following measures are recommended by Neptune Township as of May 16, 2022 to help reduce the spread of COVID-19:

- Employees are encouraged to wear masks when working close to others.
- Visitors to our facilities must wear a mask.

Neptune Township ~ Zoning Board of Adjustment Regular Meeting Agenda To be Held in the Municipal Complex 25 Neptune Boulevard 2nd Floor Township Committee Meeting Room Wednesday, June 1, 2022 at 7:30 PM

This Regular 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 at the side and rear of this room. 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. 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 testifying. **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 must <u>state their name</u>, <u>spell their last name</u>, <u>state their address for the record</u>, and will have **ONE** (1), five (5) minute <u>session</u> 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 IT'S 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:

Barbara Bascom Thomas Healy, 2nd Vice Chair Derel Stroud (Alt #2)
Dr. James Brown Naomi Riley-EXCUSED Tanya Pickard (Alt #1)
William Frantz, Chair Michael Pullano Shane Martins (Alt #3)
James Gilligan, 1st Vice Chair Richard Thompson (Alt #4)

Also Present: Monica C. Kowalski, Esq. - Attorney to the Board

Matt Shafai, PE, PP, CME - Board Engineer Jennifer C. Beahm, PP, AICP - Board Planner

II. FLAG SALUTE

III. Resolutions to be memorialized:

a. **Resolution ZBA#22-11** – (Approval of Preliminary & Final Site Plan) – GSZ Realty, LLC – Block 808, Lots 5, 6, 7, & 8 – Route 35, Monroe Avenue, & West Bangs Avenue

Those Eligible: Barbara Bascom, Dr. James Brown, Michael Pullano, Naomi Riley, Thomas Healy, James Gilligan, and William Frantz

b. Resolution ZBA#22-12 – (Approval of Bulk Variances for New Single-Family Dwelling on Undersized Lot) – Coastal Habitat for Humanity – Block 608, Lot 9 – 1742 Bangs Avenue

Those Eligible: James Gilligan, Tanya Pickard, Richard Thompson, and William Frantz

IV. Applications Under Consideration:

- a. **ZB21/01** (**Bulk Variances to Remediate Zoning Violations**) **J.A.D. Group, LLC** Block 1108, Lot 4 1526 Corlies Avenue Applicant is seeking bulk variances to remediate zoning violation for the construction of a second driveway without first obtaining permits. Applicant is represented by Lisa C. Krenkel, Esq. **ORIGINALLY SCHEDULED FOR 9/1/2021 (not heard), 12/1/2021 (not heard), 3/2/2022 (Partially Heard) AND CARRIED TO THIS DATE WITH NO FURTHER NOTICE BEING REQUIRED**
- b. **ZB22/01** (Bulk Variances to Remediate Zoning Violation for Fence Constructed in Sight Triangle) **Joshua Molinoff** Block 416, Lot 26 1329 06th Avenue Applicant is seeking a Bulk Variance to retain a solid, 6 foot high, aluminum composite fence constructed in a Driveway Sight Triangle on this corner lot.
- c. **ZB20/20** (Use Variance for Expansion of a Pre-Existing Nonconforming Multi-Family Residence) Rinnetta McGhee Block 605, Lot 8 245 Myrtle Avenue Applicant was originally seeking a Use Variance to expand the Pre-Existing Nonconforming 2-family residence to permit four (4) dwelling units on this subject property. The Applicant has since amended their application and is now seeking approval to permit three (3) dwelling units on this subject property. Applicant is represented by Vincent M. DeSimone, Esq. **ORIGINALLY SCHEDULED FOR 2/3/2021 (not heard), CARRIED TO 5/5/2021 (not heard), CARRIED TO 8/4/2021 (Partially Heard), CARRIED TO 12/1/2021 (Partially Heard), CARRIED TO 3/2/2022 (not heard), AND FURTHER CARRIED TO THIS DATE WITH NEW NOTICE BEING REQUIRED SINCE THE APPLICATION WAS VERBALLY AMENDED TO REQUEST 3-UNITS INSTEAD OF 4.**

- d. **ZB21/17** (Use Variance and Preliminary & Final Site Plan) Syed Brothers Management, LLC (Gulf Station) Block 4104, Lot 15 3655 Highway 33 Applicant is seeking Use Variance and Preliminary and Final Site Plan approval to provide three (3) additional service bays, a second floor office addition to the existing service station and to permit a vehicle rental service from the site (i.e. U-Haul or similar). The applicant is also proposing to add electric vehicle charging stations. Additional site improvements include landscaping, lighting, sidewalks, parking in the rear of the building, and a subsurface stormwater management system to control runoff from the new improvements. Applicant is represented by Mark A. Steinberg, Esq. **THIS APPLICATION WAS ORIGINALLY SCHEDULED FOR 2/2/2022 AND IT WAS NOT REACHED DUE TO TIME CONSTRAINTS; THEREFORE, CARRIED TO 4/6/2022 (Partially Heard), CARRIED THIS DATE WITHOUT FURTHER NOTICE BEING REQUIRED**
- e. **ZB21/23** (Use Variance and to Remediate Zoning Violations) SML2211, LLC Block 816, Lot 8 2201 W. Bangs Avenue Applicant is seeking a Use Variance to Repair/Reconstruct a single-family dwelling which had been damaged by fire and deemed to be an unsafe structure by the Township Construction Official. Zoning Violations which exist on the property must also be remediated. Applicant is represented by Mark A. Steinberg, Esq. **ORIGINALLY SCHEDULED FOR 4/6/2022 (not reached), CARRIED TO THIS DATE WITHOUT FURTHER NOTICE BEING REQUIRED**

V. Adjournment:

- a. Next scheduled meeting will be our Regular Meeting on <u>Wednesday</u>, <u>August 3</u>, <u>2022 at 7:30 PM</u> which will take place here in the Municipal Complex, 2nd floor meeting room.
- b. With no further business before the Board a motion to adjourn was offered by seconded by , meeting closed at PM.

(Partially Heard March 2, 2022)

ZB21/01 – (Bulk Variances to Remediate Zoning Violations) – J.A.D. Group, LLC – Block 1108, Lot 4 – 1526 Corlies Avenue – Applicant is seeking bulk variances to remediate zoning violation for the construction of a second driveway without first obtaining permits. Applicant is represented by Lisa C. Krenkel, Esq.

Previously Enclosed w-9/1/2021 & 3/2/2022 Agendas: Currently Enclosed:	Completeness Checklist & Application for Variance (Rec'd 1/11/21) Zoning Permit Denial (10/14/2020) Copy of Deed (Recorded 2/3/2020) Boundary and Topographic Survey (Last Revised 3/6/2021) Driveway Permit Plot Plan (Last Revised 4/12/2021) Morgan Engineering & Surveying to Dickert (2/7/2022) Driveway Permit Plot Plan (last revised 1/18/2022) Driveway Permit Plot Plan (last revised 5/19/2022)
Prior Correspondence:	George Waterman Email to Dickert w/timeline (11/23/2021)
BOARD NOTES:	
	SARBARA BASCOM & RICHARD THOMPSON FOR 3/2/2022 HEARING
Motion to offered by	y to be moved and seconded by

ZBA Regular Meeting Agenda June 1, 2022

Alternates:

Frantz____

Pickard (Alt 1) _____ Stroud (Alt 2) ____ Martins (Alt 3) ____ Thompson (Alt 4) ____

Bascom_____ Brown____ Pullano _____ Riley <u>Absent</u> Healy____ Gilligan____

ZB22/01 – (Bulk Variances to Remediate Zoning Violation for Fence Constructed in Sight Triangle) – Joshua Molinoff – Block 416, Lot 26 – 1329 06th Avenue – Applicant is seeking a Bulk Variance to retain a solid, 6 foot high, aluminum composite fence constructed in a Driveway Sight Triangle on this corner lot.

Enclosed: Completeness Checklist & Application (Rec'd 2/11/2022)

Copy of Deed (Recorded 1/17/2019) Zoning Permit Denial (1/26/2022)

Copy of Survey with Proposed Fence Location (Rec'd 2/11/2022)

Survey of Property (12/19/2018)

Correspondence: Neptune Traffic Bureau Review (2/15/2022)

BOARD NOT	ΓES:						
Motion to		offered by	 to	be moved a	and secor	nded by	
		Pullano					tz
		(Alt 1) \$					

(Partially Heard on August 4, 2021 & December 1, 2021)

ZB20/20 (Use Variance for Expansion of a Pre-Existing Nonconforming Multi-Family Residence) – Rinnetta McGhee – Block 605, Lot 8 – 245 Myrtle Avenue – Applicant is seeking a Use Variance to expand the Pre-Existing Nonconforming 2-family residence to permit four (4) dwelling units on this subject property. Applicant is represented by Vincent M. DeSimone, Esq.

Previously Enclosed w-2/3/21 & 8/4/21 &

12/1/21 Agendas: Checklist and Application for Use Variance (Rec'd 11/17/2020)

Zoning Permit Denial (10/23/2020)

Community Impact Statement (10/28/2020)

Copy of Deed (7/9/2007)

Survey of Property (11/20/2020)

Community Impact Statement Prepared by Beacon Planning (July 2021)

Monmouth County GIS – 2020 Aerial Exhibit (7/21/2021) 245 Myrtle Ave – Western Structure Photo (4/30/2021)

250 Myrtle Ave Photo (4/30/2021) 237 Myrtle Ave Photo (4/30/2021)

245 Myrtle Ave – Eastern Structure Photo (4/30/2021) 245 Myrtle Ave – Parking Area Photo (4/30/2021) Existing Condition Floor Plans (3 sheets)(11/11/2021)

CURRENTLY ENCLOSED: DeSimone to Dickert – Ltr Amending Application (5/19/2022)

Easement Notice Acknowledgement Signed by Gerard Smith (Date Unknown)

Revised Plot Plan for Use Variance (5/17/2022)

Prior Correspondence: Board Engineer & Planner's Review (1/18/2021)

E-mail & Attachments from George Waterman (9/21/2021) George Waterman's Power Point Presentation (12/1/2021)

BOARD NOTES:

NEED SIGN	NED CERT. FROM RICHA	RD THOMPSON I	FOR 8/4/2021 HEA	RING	
NEED SIGN	NED CERT. FROM DR. BR	OWN & RICHAR	D THOMPSON FO	R 12/1/2021 HE	ARING
lotion to	offered by	to	be moved and seco	nded by	
ascom	Brown Pullano	Kiley Absent	Healy Gi	Iligan	Frantz
Iternates:	Pickard (Alt 1) Str	roud (Alt 2)	Martins (Alt 3)	Thompson	(Alt 4)
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(Partially Heard on April 6, 2022)

ZBA Regular Meeting Agenda June 1, 2022

ZB21/17 – (Use Variance and Preliminary & Final Site Plan) – Syed Brothers Management, LLC (Gulf Station) – Block 4104, Lot 15 – 3655 Highway 33 – Applicant is seeking Use Variance and Preliminary and Final Site Plan approval to provide three (3) additional service bays, a second floor office addition to the existing service station and to permit a vehicle rental service from the site (i.e. U-Haul or similar). The applicant is also proposing to add electric vehicle charging stations. Additional site improvements include landscaping, lighting, sidewalks, parking in the rear of the building, and a subsurface stormwater management system to control runoff from the new improvements. Applicant is represented by Mark A. Steinberg, Esq.

Previously Enclosed	
w-2/2/22 & 4/6/22 As	gendas: Checklist & Applications for Use Variance & Site Plan (Rec'd 8/30/2021)
·	Copy of Deed (Filed 11/10/2014)
	Copy of Zoning Permit Application (signed 4/7/2021)
	Drainage System Design Report (4/27/2020)
	Survey of Property (6/26/2019)
	Architectural Plans (3 sheets) (last revised 8/16/2021)
	Preliminary & Final Site Plans (11 sheets) (last revised 3/16/2021)
	Reduced Aerial Exhibit
	Reduced Site Plan – Color Rendering Exhibit
	Reduced Survey – Color Rendering Exhibit
Currently Enclosed:	•
Currently Enclosed.	Architectural Plans (2 Sheets)(last revised 5/13/2022)
	Preliminary & Final Site Plans (11 Sheets)(last revised 5/12/2022)
	Fremiliary & Final Site Flans (11 Sheets)(last revised 5/12/2022)
Prior Correspondence	e: Board Engineer & Planner's Review Letter #1 (11/24/2021)
Current Correspondence	
Current Correspond	ience. Doard Engineer & Franker's Review Letter #2 (5/25/2022)
BOARD NOTES:	(MR. HEALY MUST RECUSE HIMSELF)
	, ,
	ERTIFICATIONS FROM MICHAEL PULLANO, DEREL STROUD, AND RICHARD
THOMPSON FOR	. 4/6/2022 HEARING
Motion to	offered by to be moved and seconded by
Bascom Brow	n Pullano Riley <u>Absent</u> Healy <u>Recused</u> Gilligan Frantz
Alternates: Picka	ard (Alt 1) Stroud (Alt 2) Martins (Alt 3) Thompson (Alt 4)

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ZB21/23 – (Use Variance and to Remediate Zoning Violations) – SML2211, LLC – Block 816, Lot 8 – 2201 W. Bangs Avenue – Applicant is seeking a Use Variance to Repair/Reconstruct a single-family dwelling which had been damaged by fire and deemed to be an unsafe structure by the Township Construction Official. Zoning Violations which exist on the property must also be remediated. Applicant is represented by Mark A. Steinberg, Esq.

Previously Enclosed

w-4/6/2022 Agenda: Completeness Checklist & Application (Rec'd 11/5/2021)

Zoning Permit Denial & Violations (9/29/2021)

Copy of Deed (Recorded 5/22/2020)

Lortech, Inc. Structural Engineering Report (2/19/2020)

Survey of Property (3/30/2020)

Grasso Design Group Architecturals (7/21/2020)

Prior Correspondence: None.

otion offe	red by	 to be mov	ed and second	ed by	
				Gilligan	Frantz