

Neptune Township ~ Zoning Board of Adjustment Regular Meeting To be Held in the Municipal Complex 25 Neptune Boulevard 2<sup>nd</sup> Floor Township Committee Meeting Room Wednesday, December 1, 2021 at 7:30 PM

# **THIS MEETING WILL BE TAKING PLACE IN PERSON. IT IS THE POLICY OF THE TOWNSHIP OF** NEPTUNE THAT ALL **INDIVIDUALS MUST** WEAR A MASK **CCINATED OR NO**



# Neptune Township ~ Zoning Board of Adjustment Regular Meeting Agenda To be Held in the Municipal Complex 25 Neptune Boulevard 2<sup>nd</sup> Floor Township Committee Meeting Room Wednesday, December 1, 2021 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:

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, spell their last name, state their address for the</u> <u>record</u>, 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 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, 2 <sup>nd</sup> Vice Chair	Derel Stroud (Alt #2)
Dr. James Brown	Naomi Riley	Tanya Pickard (Alt #3)
William Frantz, Chai	r Michael Pullano	Shane Martins (Alt #4)
James Gilligan, 1 <sup>st</sup> Vi	ce Chair	
Also Present:	Monica C. Kowalski, Esq Attorney to the B	oard
	Matt Shafai, PE, PP, CME - Board Engineer	
	Jennifer C. Beahm, PP, AICP - Board Planner	•
	George Waterman – Zoning Officer	

# II. FLAG SALUTE

#### III. Resolutions to be memorialized:

a. Resolution ZBA#21-19 – (Approval of Bulk Variance for Woodshed) – Thomas Geary – Block 4801, Lot 4 – 338 Victor Place

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

b. Resolution ZBA#21-20 – (Approval of Use & Bulk Variances) – James Alburtus/Thomas Palmisano – Block 416, Lot 6 – 1312 07<sup>th</sup> Avenue

Those Eligible: Dr. James Brown, Naomi Riley, Thomas Healy, Derel Stroud, and James Gilligan

#### **IV.** Applications Under Consideration:

- a. 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. \*\*ORIGINALLY SCHEDULED FOR 2/3/2021 (not heard) AND CARRIED TO 5/5/2021 (not heard) AND CARRIED TO 8/4/2021 (Partially Heard) AND FURTHER TO THIS DATE WITH NO FURTHER NOTICE BEING REQUIRED\*\*
- b. 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) AND CARRIED TO THIS DATE WITH NO FURTHER NOTICE BEING REQUIRED\*\*
- c. ZB20/16 (Use Variance & Minor Site Plan) 1111 Warehouse, LLC Block 302, Lot 29 1111 11<sup>th</sup> Avenue Applicant is seeking a Use Variance and Minor Site Plan approval to remediate zoning violations for work performed without first acquiring approvals; including construction of fences, signage, and the addition of storage units/trailers to the property. Applicant is represented by Mark A. Steinberg, Esq. \*\*APPLICANT WAS ORIGINALLY SCHEDULED FOR 12/2/2020 AND WAS NOT REACHED, CARRIED TO 1/6/2021 IN ORDER TO MAKE THE ANNOUNCEMENT TO FURTHER CARRY TO 3/3/2021 (not heard), RECEIVED REQUEST TO FURTHER ADJOURN 5/5/2021 (not heard) AND AGAIN TO 9/1/2021 (Partially Heard) AND FURTHER CARRIED TO THIS DATE WITH NO FURTHER NOTICE BEING REQUIRED\*\*
- d. **ZB21/16 (Bulk Variances for Retaining Walls) Robert Greco** Block 5408, Lot 8.02 28 Tremont Avenue Applicant is seeking Bulk Variances for retaining walls associated with the installation of an in ground swimming pool.

# V. Adjournment:

- a. Next scheduled meeting will be a <u>Special Meeting regarding the matter of Hovsons, Inc.</u> on <u>Wednesday</u>, <u>December 15, 2021 at 7:30 PM</u> which will take place here in the Municipal Complex, 2<sup>nd</sup> floor meeting room.
- 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.

# (Partially Heard on August 4, 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 Agendas:	Checklist and Application for Use Variance (Rec'd 11/17/2020)		
C	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)		
Currently Enclosed:	Existing Condition Floor Plans (3 sheets)(11/11/2021)		
Prior Correspondence:	Board Engineer & Planner's Review (1/18/2021)		
<b>Current Correspondence:</b>	E-mail & Attachments from George Waterman (9/21/2021)		

### **BOARD NOTES:**

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Bascom	Brown	Riley	Pullano	Healy	_ Gilligan	Frantz
Alternates: Va	acant (Alt 1) <u>N/A</u>	Stroud (Alt 2	2) Pic	kard (Alt 3)	Martins (Alt 4)	
Regular Meeting	Agenda December 1,	2021				Page 5
	I	f any board membe	er cannot attend,	please call or email ickert@neptunetown	the board office at	

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**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 Agenda:	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)
Correspondence:	None.

**BOARD NOTES:** 

# (Partially Heard on September 1, 2021)

**ZB20/16** (Use Variance & Minor Site Plan) – 1111 Warehouse, LLC – Block 302, Lot 29 – 1111 11<sup>th</sup> Avenue – Applicant is seeking a Use Variance and Minor Site Plan approval to remediate zoning violations for work performed without first acquiring approvals; including construction of fences, signage, and the addition of storage units/trailers to the property. Applicant is represented by Mark A. Steinberg, Esq.

Previously Enclosed w-12/2/2020 &	
3/3/2021 & 5/5/2021 Agendas:	Completeness & Application Package (Rec'd 7/15/2020) Zoning Permit Denial (8/19/2020)
	Copy of Deed (12/31/2012)
	Resolution of Minor Subdivision (12/15/1999)
	Site Plan/Landscape Plan (last revised 1/30/2020)
	Revised Site Plan/Landscape Plan (last revised 11/19/2020)
	Revised Site Plan/Landscape Plan (last revised 4/21/2021)
Prior Correspondence:	Monmouth County Planning Board (7/27/2020) Board Engineer & Planner's Review Letter (10/28/2020)

Board Engineer & Planner's Review Letter (1/15/2021)

### **BOARD NOTES:**

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ascom	Brown	Riley	Pullano	Healy	Gilligan	Frantz
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**ZB21/16** (Bulk Variances for Retaining Walls) – Robert Greco – Block 5408, Lot 8.02 – 28 Tremont Avenue – Applicant is seeking Bulk Variances for retaining walls associated with the installation of an in ground swimming pool.

Enclosed: Completeness Checklist & Application for Variance (Rec'd 8/3/2021) Zoning Permit Denial (5/26/2021) Copy of Deed (4/17/2020) Boundary & Topographic Survey (12/17/2020) Color Photos of Affected Area (7 photos) (Undated) Grading Plan (1 sheet)(3/3/2021)

Correspondence: None.

# **BOARD NOTES:**

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	Frantz
ascom Brown Riley Pullano Healy Gilligan_ Iternates: Vacant (Alt 1) <u>N/A</u> Stroud (Alt 2) Pickard (Alt 3) Martins (	

If any board member cannot attend, please call or email the board office at 732-897-4162 ext 204 or kdickert@neptunetownship.org.