

# Neptune Township ~ Zoning Board of Adjustment Regular Meeting Agenda TO BE HELD REMOTELY VIA ZOOM

# WEDNESDAY, JANUARY 17, 2024 IMMEDIATELY FOLLOWING REORGANIZATION MEETING WHICH BEGINS AT 7:30 PM

This Regular meeting of the Zoning Board of Adjustment will be taking place remotely via ZOOM and will commence immediately following the Reorganization Meeting which begins at 7:30 PM at which time you may appear via Zoom and present any objection or questions you may have at the appropriate time. If you are objecting or wish to provide comment on any of the applications, you must appear with audio and video as you will be sworn in and provide same under oath and must be visible. There will be no individuals present at the Municipal Building. Instructions on how to access the meeting via Zoom are listed below:

## **PUBLIC ACCESS TO ZOOM MEETING:**

To access the virtual hearing, you must join the ZOOM meeting. To join the ZOOM meeting, you will need access to a computer with internet access, microphone, speakers, and camera and/or dial in through a mobile or land line phone to log into the meeting. To join the ZOOM meeting, click on the link below and type in the Meeting ID and Password, if prompted. You will join the meeting when the host grants access and be able to listen and view the evidence shared on the screen at the meeting. You will also be able to access the agenda and files pertaining to the applications for the meeting on the Neptune Township Website found on this page:

http://neptunetownship.org/agendas-minutes/zoning-board-adjustment

Topic: ZBA Reorganization & Regular Meetings

Time: Jan 17, 2024 Beginning @ 07:30 PM Eastern Time (US and Canada)

**Join Zoom Meeting** 

https://us02web.zoom.us/j/85619391766?pwd=dzhnWlNOcW1JK1d5VkQ2Z21QZEZwQT09

**Meeting ID: 856 1939 1766** 

**Passcode: 054169** 

One tap mobile

+13092053325,,85619391766#,,,,\*054169# US

+13126266799,,85619391766#,,,,\*054169# US (Chicago)

Dial by your location

- +1 309 205 3325 US
- +1 312 626 6799 US (Chicago)
- +1 646 558 8656 US (New York)
- +1 646 931 3860 US
- +1 301 715 8592 US (Washington DC)
- +1 305 224 1968 US
- +1 386 347 5053 US
- +1 507 473 4847 US
- +1 564 217 2000 US
- +1 669 444 9171 US
- +1 669 900 9128 US (San Jose)
- +1 689 278 1000 US

ZBA Regular Meeting Agenda January 17, 2024

• +1 719 359 4580 US

- +1 253 205 0468 US
- +1 253 215 8782 US (Tacoma)
- +1 346 248 7799 US (Houston)
- +1 360 209 5623 US

Meeting ID: 856 1939 1766

**Passcode: 054169** 

Find your local number: <a href="https://us02web.zoom.us/u/kbfGetINSQ">https://us02web.zoom.us/u/kbfGetINSQ</a>

#### **PUBLIC PARTICIPATON IN ZOOM MEETING:**

You will be able to participate when the Board Chair opens the meeting to the public to ask questions ONLY of each of the applicants and/or their professionals once they have completed their testimony. At the end of each application, the Board Chair will then open the meeting to the public for comments or opinions. At this time, you must appear with audio and video as you will be sworn in and must be visible. The Board Chair will limit public comments to 5 minutes per person and time is not transferrable between members of the public. If you have information or exhibits you wish to be considered and entered into the record, you will have to e-mail them to the Board Secretary kdickert@neptunetownship.org at least 72 hours in advance of the meeting so they may be evaluated and marked into evidence and placed on the Township's website for public viewing, if deemed appropriate. For those who are in opposition of the proposal, you have the right to obtain an attorney to represent you, although this is not a requirement.

### **PUBLIC ACCESS TO APPLICATION FILES:**

You will be able to access the application files that are shown in the meeting via the Neptune Township Website found on this page: <a href="http://neptunetownship.org/agendas-minutes/zoning-board-adjustment">http://neptunetownship.org/agendas-minutes/zoning-board-adjustment</a>

#### **ALTERNATE ACCESS TO APPLICATION FILES:**

If you are unable to access the information for the application via computer, or need assistance in logging on or using this technology, you may contact the Board Secretary, Kristie Dickert, at 732-897-4162 Ext. 204 or <a href="kdickert@neptunetownship.org">kdickert@neptunetownship.org</a>. If you would like to view the files in person, you may schedule an appointment with the Board Secretary. If you wish a particular file be e-mailed or mailed to you, you must request that with 72 hours advanced notice.

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:

At this time, I would ask everyone to please silence all cell phones and other paging devices, as they are distracting to others. If there is a lot of background noise at your location I ask that you please move to a quiet location and/or mute your device until you are called upon to speak.

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 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 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:

Barbara Bascom Michael Pullano Danny Lane (Alternate #1)
Dr. James Brown Naomi Riley Shawn Weston (Alternate #2)
William Frantz Derel Stroud Lisa DiPace (Alternate #4)
Shane Martins

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. Resolutions to be memorialized:

a. Resolution ZBA#24-01 – (Approval of Certificate of Nonconformity / Pre-Existing Use) – Serenity Inn (Randi Evangelista) – Block 228, Lot 5 – 32 Embury Avenue (Ocean Grove)

**Those Eligible:** Barbara Bascom, Dr. James Brown, Naomi Riley, Derel Stroud, Shawn Weston, and William Frantz

b. Resolution ZBA#24-02 – (Approval of Bulk Variances with Conditions to Remediate Zoning Violations) – Matthew Loring – Block 802, Lot 3 – 300 Hoover Road

**Those Eligible:** Barbara Bascom, Dr. James Brown, Naomi Riley, Derel Stroud, Shane Martins, and William Frantz

c. Resolution ZBA#24-03 – (Approval of Conditional Use Variance, Bulk Variances, and Site Plan) – New Jersey American Water – Block 3001, Lot 12 – 625 Old Corlies Avenue

**Those Eligible:** Barbara Bascom, Dr. James Brown, Naomi Riley, Derel Stroud, Shane Martins, Shawn Weston, and William Frantz

#### **III.** Applications Under Consideration:

- a. ZB23/02 (Conditional Use Variance, Bulk Variances, & Site Plan) Galilee Eglise Advantiste, Inc. Church Block 3301, Lot 4 3313 Highway 33 FOR RESCHEDULING PURPOSES ONLY AS THE BOARD HAD NOT ADOPTED THEIR 2024 CALENDAR AS OF THEIR PARTIAL HEARING ON DECEMBER 6, 2024
- b. **ZB23/14** (Bulk Variance for Construction of a Deck) William Weeks Block 5203, Lot 5 310 Woodmere Avenue Applicant is seeking a Bulk variance for side yard setback for the proposed expansion of an existing deck leaving a 7 ft. 9 in. setback where 10 feet is required.
- c. **ZB23/16** (Bulk Variance for Disturbance of Steep Slope for Residential Addition) Alexander Sinkovich Block 4915, Lot 1 171 Hillside Drive Applicant is proposing to construct a garage and 2-story addition to the existing 2-story single family residence requiring variances from the Steep Slope Ordinance in that 16.25 cubic yards of soil disturbance in the critical slope area of the lot is proposed where no more than 1 cubic yard is permitted; 114.62 square feet of removal/disturbance in the critical slope area of the lot is proposed where no more than 25 square feet is permitted; and an increase in impervious ground cover of 114.62 square feet is proposed in the critical slope area where no more than 25 square feet is permitted. Applicant is represented by Mark Aikins, Esq.
- d. **ZB23/10** (Use Variance and Preliminary and Final Site Plan with Bulk Variances) Amsdell Storage Ventures IV, LLC Block 404, Lot 7 1104 10<sup>th</sup> Avenue Applicant is proposing to expand the pre-existing self-storage facility in size and height. The Applicant's proposed site improvements require variance relief for building coverage of 75.85% when 40% is permitted, lot coverage of 85.18% where 70% is permitted, front yard setback of 11.3 feet where 25 feet is required along Memorial Drive, and a proposed floor area ratio of 1.413 where 0.9 is permitted. The remainder of the setbacks are pre-existing conditions and are not proposing to change. Applicant is represented by Kenneth L. Pape, Esq.

# IV. Adjournment:

- a. Next scheduled meeting will be our <u>REGULAR MEETING on Wednesday, February 7, 2024 at 7:30 PM</u> which will take place in person in the Municipal Complex, 2<sup>nd</sup> floor meeting room, 25 Neptune Boulevard.
- b. With no further business before the Board a motion to adjourn was offered by seconded by , meeting closed at PM.

to be moved and

ZB23/02 – (Conditional Use Variance, Bulk Variances, & Site Plan) – Galilee Eglise Advantiste, Inc. Church – Block 3301, Lot 4 – 3313 Highway 33 – FOR RESCHEDULING PURPOSES ONLY AS THE BOARD HAD NOT ADOPTED THEIR 2024 CALENDAR AT THE TIME OF THEIR PARTIAL HEARING ON DECEMBER 6, 2024

RD NO	TES:	
<u>APPI</u>	LICATION CARRI	IED FOR CONTINUATION OF HEARING TO
		, 2024
on to	offered by	to be moved and seconded by
		Pullano Stroud Riley Frantz
		Tuliano Stroud Ricy Trant2           Teston (Alt 2) VACANT (Alt 3) DiPace (Alt 4)

**ZB23/14** - (Bulk Variance for Construction of a Deck) – William Weeks – Block 5203, Lot 5 – 310 Woodmere Avenue - Applicant is seeking a Bulk variance for side yard setback for the proposed expansion of an existing deck leaving a 7 ft. 9 in. setback where 10 feet is required.

Enclosed: Checklist & Application for Bulk Variances (Rec'd 10/31/2023

Zoning Permit Denial (5/18/2023) Copy of Deed (Recorded 1/18/2022) Deck Construction Details (4/25/2023)

Survey of Property (5/2/2023)

Survey of Property Mark-Up Showing Proposed Deck Location (Rec'd 10/31/2023)

Correspondence: None.

<b>BOARD NO</b>	TES:						
Motion to	ion to offered by to		_ to be moved a	to be moved and seconded by			
						Frantz	
						_ DiPace (Alt 4)	

**ZB23/16** – (Bulk Variance for Disturbance of Steep Slope for Residential Addition) – Alexander Sinkovich – Block 4915, Lot 1 – 171 Hillside Drive – Applicant is proposing to construct a garage and 2-story addition to the existing 2-story single family residence requiring variances from the Steep Slope Ordinance in that 16.25 cubic yards of soil disturbance in the critical slope area of the lot is proposed where no more than 1 cubic yard is permitted; 114.62 square feet of removal/disturbance in the critical slope area of the lot is proposed where no more than 25 square feet is permitted; and an increase in impervious ground cover of 114.62 square feet is proposed in the critical slope area where no more than 25 square feet is permitted. Applicant is represented by Mark Aikins, Esq.

Checklist & Application for Bulk Variances (Rec'd 11/21/2023)

Zoning Permit Denial (9/8/2023)

Enclosed:

ZBA Regular Meeting Agenda January 17, 2024

Architectural Plans (3 sheets) (8/25/2023) Plot Plan & Construction Details (2 sheets) (5/31/2023) Correspondence: None. **BOARD NOTES:** Motion to \_\_\_\_\_\_ offered by \_\_\_\_\_ to be moved and seconded by \_\_\_\_\_ Bascom\_\_\_\_\_ Brown \_\_\_\_ Martins \_\_\_\_ Pullano \_\_\_\_ Stroud\_\_\_\_ Riley \_\_\_\_ Frantz\_\_\_\_ Alternates: Lane (Alt 1) \_\_\_\_ Weston (Alt 2) \_\_\_ VACANT (Alt 3) \_\_\_ DiPace (Alt 4) \_\_\_

Page 8 of 10

**ZB23/10** – (Use Variance and Preliminary and Final Site Plan with Bulk Variances) – Amsdell Storage Ventures **IV**, **LLC** – Block 404, Lot 7 – 1104 10<sup>th</sup> Avenue – Applicant is proposing to expand the pre-existing self-storage facility in size and height. The Applicant's proposed site improvements require variance relief for building coverage of 75.85% when 40% is permitted; lot coverage of 85.18% where 70% is permitted; front yard setback of 11.3 feet where 25 feet is required along Memorial Drive; and a proposed floor area ratio of 1.413 where 0.9 is permitted. The remainder of the setbacks are pre-existing conditions and are not proposing to change. Applicant is represented by Kenneth L. Pape, Esq.

Enclosed: Checklist & Application for Use Variance & Site Plan (Rec'd 7/11/2023)

Copy of Deed (Recorded 8/7/2012) Traffic Impact Analysis (5/24/2023)

Geotechnical Engineering Report (12/6/2022) Cursory Wetland Investigation Report (3/13/2023) Environmental Impact Assessment (5/19/2023) Stormwater Management Report (5/19/2023) Community Impact Statement (10/6/2023)

Architectural Color Renderings (13 sheets) (3/23/2023) Architectural Plans (10 sheets) (last revised 5/10/2023)

Boundary & Topographic Survey (1/27/2023) Site Plan (7 sheets) (last revised 8/29/2023)

Correspondence: Freehold Soil Conservation District – Certification letter (9/27/2023)

Monmouth County Development Review Committee – Conditional Approval (10/30/2023)

Traffic Bureau Comments (12/21/2023)
Tax Assessor's Comments (12/26/2023)
Fire Prevention Bureau Comments (1/8/2024)
Board Engineer & Planner's Review #1 (1/10/2024)

**BOARD NOTES:** 

BOARD NO	TES: AMSDE	LL STORAG	E (Continued)				
Matian te	- cc	d h		40 ho 1	.d		
						by	
						Frantz	
Alternates:	Lane (Alt 1)	Wes	ston (Alt 2)	VACANT (	Alt 3)	DiPace (Alt 4)	