



**Neptune Township ~ Zoning Board of Adjustment
Reorganization & Regular Meeting Agendas
Wednesday, January 19, 2022 7:30 P.M.
To Be Held Remotely Via Zoom**

This Reorganization & Regular meeting of the Zoning Board of Adjustment will be taking place remotely via ZOOM and will commence 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 due to current COVID-19 rules and regulations. 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: Neptune Township ZBA Reorganization & Regular Meeting
Time: Jan 19, 2022 07:30 PM Eastern Time (US and Canada)

Join Zoom Meeting

<https://us02web.zoom.us/j/87500999486?pwd=VVgyNjIvRDc5dnhFWkRSZFd6ZW4zdz09>

Meeting ID: 875 0099 9486

Passcode: 798201

One tap mobile

+13126266799,,87500999486#,,,,*798201# US (Chicago)

+16465588656,,87500999486#,,,,*798201# US (New York)

Dial by your location

+1 312 626 6799 US (Chicago)

+1 646 558 8656 US (New York)

+1 301 715 8592 US (Washington DC)

+1 346 248 7799 US (Houston)

+1 669 900 9128 US (San Jose)

+1 253 215 8782 US (Tacoma)

Meeting ID: 875 0099 9486

Passcode: 798201

Find your local number: <https://us02web.zoom.us/u/kenyoUEZ3J>

PUBLIC PARTICIPATION 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 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: <http://neptunetownship.org/agendas-minutes/zoning-board-adjustment>

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 kdickert@neptunetownship.org. 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.

The Reorganization 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.

I. Roll Call:

Barbara Bascom
Dr. James Brown
William Frantz

James Gilligan
Thomas Healy
Michael Pullano

Naomi Riley
Tanya Pickard (Alt #1)
Derel Stroud (Alt #2)
Shane Martins (Alt #3)

Also Present: Monica C. Kowalski, Esq.
 Matt Shafai, PE, PP, CME
 Jennifer C. Beahm, PP, AICP

II. Flag Salute

III. Swearing in of Reappointed Board Members:

- a. **Barbara Bascom to a four-year term expiring December 31, 2025**
- b. **Michael Pullano to a four-year term expiring December 31, 2025**
- c. **Tanya Pickard as Alternate #1 for the remainder of a 2-year term expiring December 31, 2022**
- d. **Derel Stroud as Alternate #2 for a 2-year term expiring December 31, 2023**
- e. **Shane Martins as Alternate #3 for the remainder of a 2-year term expiring December 31, 2022**

IV. Appointment of Board Professionals:

- a. **The Membership of the Board of Adjustment will now recommend the following professionals:**
 - i. **Appointment of Board Attorney for 2022 – based on the recommendations of the Subcommittee**

_____ offered the name of _____ as attorney to the Board of Adjustment. Decision is based upon the review and recommendations of the Board Subcommittee who reviewed bid qualifications/proposals submitted to the Municipal Clerk on December 2, 2021.

Moved by _____ and second by _____

Absent from vote –

Voted –

ii. Appointment of Board Engineer for 2022 – based on the recommendations of the Subcommittee

_____ offered the name of _____ as engineer to the Board of Adjustment. Decision is based upon the review and recommendations of the Board Subcommittee who reviewed bid qualifications/proposals submitted to the Municipal Clerk on December 2, 2021.

Moved by _____ and second by _____

Absent from vote –

Voted –

V. Reorganization

a. The Membership of the Board of Adjustment will now elect the following officers:

Election of Chairperson

_____ offered the name of _____ for the position of Chairperson for 2022

Moved by _____ and second by _____

Absent from vote –

Voted -

Election of First Vice Chairperson

_____ offered the name of _____ for the position of 1st Vice Chairperson for 2022

Moved by _____ and second by _____

Absent from vote –

Voted –

Election of Second Vice Chairperson

_____ offered the name of _____ for the position of 2nd Vice Chairperson for 2022

Moved by _____ and second by _____

Absent from vote –

Voted –

b. Designation of newspapers for publication of legal notices

Confirm the designation of newspapers to be used by the Public and the Zoning Board of Adjustment for all public/legal notices. The Coaster has been designated by the Township Committee as the official newspaper of the Township of Neptune and the Asbury Park Press has been designated by the Township Committee to receive all notices of meetings as required under the Open Public Meetings Act. It is the opinion of the Township Committee that the Asbury Park Press has the greatest likelihood of informing the public within the jurisdiction of this Board.

Motion made by _____ and second by _____

Absent from vote –

Voted –

c. Confirm the Regular and Special Meeting dates for the Zoning Board of Adjustment for the 2022 Calendar Year

Regular Meeting dates: (* indicates out of order and not the first Wednesday)

January 5th – Reorganization/Regular Cancelled	August 3rd
January 19th * Reorganization/Regular Meeting	September 7th
February 2nd	October 19th *
March 2nd	November 2nd
April 6th	December 7th
May 4th	January 4, 2023 – Reorganization Meeting ONLY
June 1st	January 18, 2023 * - Regular Meeting
July 6th	

Additional Meeting dates if required due to volume of applications, the following dates have been listed, thus no further advertising will be necessary: (* indicates out of order and not the third Wednesday)

February 16th	August 17th
March 16th	September 21st
April 20th	October 5th *
May 18th	November 16th
June 15th	December 21st
July 20th	

Moved by _____ and second by _____

Absent from vote –

Voted –

VI. Adjournment of Reorganization:

- a. With no further reorganization requirements before the Board a motion to adjourn the Reorganization Meeting and open the Regular Meeting was offered by _____ to be moved and second by _____, Reorganization meeting closed at _____ PM.



Where Community, Business & Tourism Prosper

**Neptune Township ~ Zoning Board of Adjustment
Regular Meeting Agenda
Wednesday, January 19, 2022
Immediately Following Reorganization Meeting
Held Remotely Via Zoom**

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 **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 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
Dr. James Brown
William Frantz

James Gilligan
Thomas Healy
Michael Pullano

Naomi Riley
Tanya Pickard (Alt #1)
Derel Stroud (Alt #2)
Shane Martins (Alt #3)

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. **ZBA#22-01 – (Approval of Use Variance and Preliminary and Final Major Subdivision/Site Plan per Settlement Agreement) – Hovsons, Inc. (aka Victoria Gardens) – Block 4001, Lots 1, 2, & 3**

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

III. Applications Under Consideration:

- a. **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. ****ORIGINALLY SCHEDULED FOR 12/1/2021 (not heard) CARRIED TO 1/5/2022 (Meeting was cancelled), NOW SCHEDULED FOR THIS DATE WITH NEW NOTICE BEING REQUIRED******
- b. **ZB21/06 (Appeal of HPC Denial) – William Taylor – Block 247, Lot 13 – 9 Broadway – Applicant is seeking an appeal of the HPC’s denial. Said application to HPC was for retroactive approval for the existing concrete paver walkways installed in the flared area open space between the public sidewalk and the front and side entrances of the dwelling on the property without first acquiring approval. Applicant is represented by James T. Hundley, Esq. ****ORIGINALLY SCHEDULED FOR 7/7/2021 (not heard), CARRIED TO 11/3/2021 WITH NEW NOTICE BEING REQUIRED AS ORIGINAL NOTICE WAS DEFICIENT, THIS MATTER WAS THEN RESCHEDULED TO THIS MEETING WITH NEW NOTICE BEING REQUIRED AS THE NOTICE TO THE PROPERTY OWNERS WAS DEFECTIVE.******
- c. **ZB21/11 (Use and Bulk Variances to Remediate Zoning Violations) – Victorino Torres – Block 510, Lot 23 – 44 Ridge Avenue – Applicant is seeking bulk variances to remediate Zoning Violations for construction performed without first obtaining the required permits. The Zoning Officer notes the construction of a nonconforming structural retaining wall, nonconforming porch with stairs, nonconforming driveway, as well as an increase in total lot coverage all of which require variances. ****ORIGINALLY SCHEDULED FOR 11/3/2021. APPLICANT FAILED TO PROVIDE NOTICE, RESCHEDULED TO THIS DATE IN ORDER TO PROVIDE SUFFICIENT PUBLIC NOTICE******

IV. Adjournment:

- a. Next scheduled meeting will be our **Regular Meeting on Wednesday, February 2, 2022 at 7:30 PM** which will also take place via ZOOM. Please check our website for any updates regarding meeting location and/or meeting access as the links, meeting passwords, and meeting ID’s will change for each meeting that is held via ZOOM.
- 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.

