



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

Also Present: Monica C. Kowalski, Esq. - Attorney to the Board
 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#22-13 – (Approval of Variances to Remediate Zoning Violations) – J.A.D. Group, LLC – Block 1108, Lot 4 – 1526 Corlies Avenue**
Those Eligible: Barbara Bascom, Dr. James Brown, Derel Stroud, Shane Martins, Thomas Healy, James Gilligan, and William Frantz
- b. **Resolution ZBA#22-14 – (Denial of Use Variance for Expansion of a Pre-Existing Nonconforming Multi-Family Residence) – Rinnetta McGhee – Block 605, Lot 8 – 245 Myrtle Avenue**
Those Eligible: Barbara Bascom, Shane Martins, Thomas Healy, and William Frantz
- c. **Resolution ZBA#22-15 – (Approval of Use Variance and Preliminary & Final Site Plan) – Syed Brothers Management, LLC (Gulf Station) – Block 4104, Lot 15 – 3655 Highway 33**
Those Eligible: Barbara Bascom, Dr. James Brown, Derel Stroud, Shane Martins, Richard Thompson, James Gilligan, and William Frantz

IV. Applications Under Consideration:

- a. **ZB21/20 – (Use Variance Only at This Time) – Jacob Lipschitz – Block 3101, Lot 3 – 3525 Highway 33 – Applicant is seeking use variance relief pursuant to NJSA 40:55D-70.d.1 to permit a flex warehouse and office building/use on the Property where warehouses are not a permitted use in the C-5 Zone or the Hospital Support Zone. Additionally, Applicant is seeking use variance relief for height pursuant to NJSA 40:SSD-70.d.6 to permit a height of 35.25 feet, whereas a maximum of 30 feet is permitted. Applicant is represented by Jennifer S. Krimko, Esq. ****THIS APPLICATION WAS ORIGINALLY SCHEDULED FOR 3/2/2022. A REQUEST TO CARRY TO 4/6/2022 WITHOUT FURTHER NOTICE WAS RECEIVED WITH A SUBSEQUENT REQUEST TO CARRY TO 5/4/2022, THEN 8/3/2022, NOW TO 10/19/22 WITH NO FURTHER NOTICE BEING REQUIRED. MS. KRIMKO HAS BEEN ADVISED THAT THIS IS THE LAST TIME THIS BOARD WILL BE CARRYING THIS APPLICATION WITHOUT BEING HEARD******
- b. **ZB22/04 – (Bulk Variance to Remediate Zoning Violation for Driveway) – Joseph Abatemarco – Block 2918, Lot 5 – 121 Sycamore Street – Applicant is seeking Bulk Variance relief to retain the existing driveway as constructed which does not conform to location, width, or total lot coverage on this corner lot.**
- c. **ZB22/03 – (Bulk Variance for Side Yard Setback to Remediate Zoning Violation) – Kevin Pearse – Block 1115, Lot 22 – 126 Taylor Avenue – Applicant is seeking bulk variance for side yard setback to remediate a zoning violation for the construction of a deck in the rear yard area without first obtaining the necessary permits.**

V. Adjournment:

- a. Next scheduled meeting will be our Regular Meeting on **Wednesday, September 7, 2022 at 7:30 PM** 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 _____ to be moved and seconded by _____, meeting closed at _____ PM.

