



Where Community, Business & Tourism Prosper

**Neptune Township ~ Zoning Board of Adjustment
Regular Meeting Agenda – Meeting to be Held Remotely Via ZOOM
Wednesday, January 13, 2021 at 7:30 PM**

This 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. 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 computer with internet access, microphone, 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. You will join the meeting 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 Regular Meeting of the Zoning Board of Adjustment
Time: Jan 13, 2021 07:30 PM Eastern Time (US and Canada)

Join Zoom Meeting

<https://us02web.zoom.us/j/86190218736?pwd=NWhUTy9tWURiWW1EdERvN3NoZU9hZz09>

Meeting ID: 861 9021 8736

Passcode: 079729

One tap mobile

+13017158592,,86190218736#,,,,*079729# US (Washington D.C)

+13126266799,,86190218736#,,,,*079729# US (Chicago)

Dial by your location

+1 301 715 8592 US (Washington D.C)

+1 312 626 6799 US (Chicago)

+1 646 558 8656 US (New York)

+1 253 215 8782 US (Tacoma)

+1 346 248 7799 US (Houston)

+1 669 900 9128 US (San Jose)

Meeting ID: 861 9021 8736

Passcode: 079729

Find your local number: <https://us02web.zoom.us/j/86190218736>

PUBLIC PARTICIPATON IN ZOOM MEETING:

You will be able to participate when the Board Chairman 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 Chairman will open the meeting to the public for comment. The Board Chairman will limit public comments to 5 minutes per person. 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 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 732-988-5200 Ext. 278 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.

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** make themselves known by either raising their virtual hand or physical hand if you are participating with video. Please wait to be called upon by the Chairperson before speaking.

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, 2 nd Vice Chair	Derel Stroud (Alt #2)
Dr. James Brown	Naomi Riley	Tanya Pickard (Alt #3)
William Frantz, Chair	Michael Pullano (Alt #1)	Shane Martins (Alt #4)
James Gilligan, 1 st Vice Chair	Ashley Vidal	

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#21-01 – Affirming Applicant’s Appeal of the Zoning Officer’s Determination – 79 Main Avenue, LLC** – Block 162, Lot 7 – 79 Main Avenue (Ocean Grove)

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

IV. Applications Under Consideration:

- a. **ZB20/18 (Bulk Variance – Steep Slope for In ground Pool) – Kathleen & Robert Kochel** – Block 5411, Lot 10 – 108 Clinton Place – Applicant is seeking Bulk Variances/Waivers for the disturbance of steep slopes in order to construct an in ground pool. Applicant is requesting permission to regrade the property to construct a retaining wall(s) to redevelop slopes that are both greater than 25% and that are between 15% and 25%. Applicant is represented by Jeffrey P. Beekman, Esq.
- b. **ZB20/09 (Use Variance, Bulk Variances, Minor Site Plan) – McDonalds Corporation/Jim McFarland** - Block 1004, Lot 6 – 9 Highway 35 – Applicant is seeking a Use Variance for the number, location, and area of proposed menu board signs. Applicant is represented by Brian Wolfson, Esq.
- c. **ZB20/05 (Use Variance, Preliminary & Final Major Site Plan, and Major Subdivision) – Daryl Jackson (The Best Auto Detailing)** – Block 617, Lot 39 – 1824 Columbus Ave – Applicant is seeking approval for a subdivision to create a total of four (4) lots, one of which would contain the existing auto detailing use with a proposed addition, and the remaining three (3) lots are proposed for single family dwellings; therefore, requiring Use Variance, Site Plan, and Subdivision approvals from the Board along with any other additional variances as deemed necessary. Applicant is represented by Thomas J. Catley, Esq.

V. Adjournment:

- a. Next scheduled meeting will be our **Regular Meeting on Wednesday, February 3, 2021 at 7:30 PM** which may 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.

ZB20/05 (Use Variance, Preliminary & Final Major Site Plan, and Major Subdivision) – Daryl Jackson (The Best Auto Detailing) – Block 617, Lot 39 – 1824 Columbus Ave – Applicant is seeking approval for a subdivision to create a total of four (4) lots, one of which would contain the existing auto detailing use with a proposed addition, and the remaining three (3) lots are proposed for single family dwellings; therefore, requiring Use Variance, Site Plan, and Subdivision approvals from the Board along with any other additional variances as deemed necessary. Applicant is represented by Thomas J. Catley, Esq.

- Enclosed: Completeness Checklists and Applications for Site Plan and Variances (Rec'd 3/9/2020)
- Copy of Corrective Deed (3/29/2019)
- Metes & Bounds Description for Corrective Deed (5/26/2018)
- Makofka Environmental Report (7/27/2018)
- Traffic Statement (10/8/2019)
- Community Impact Statement (2/19/2020)
- Zoning Permit Denial (11/12/2019)
- Stormwater Management Calculations Report (9/11/2018)
- Environmental Impact Statement (4/17/2019)
- Architectural Plan First Floor New Building (Sheet A-1) (9/8/2020)
- Architectural Plan First Floor One Story Dwelling (Sheet A-2) (9/8/2020)
- Use Variance, Site Plan, and Subdivision Plan (12 sheets) (4/17/2020)

- Correspondence: Board Engineer & Planner's Review (12/11/2020)
- Township Engineer's Review (1/4/21)
- Environmental Commission Comments (8/12/2020)
- Tax Assessor's Comments (3/12/2020)

BOARD NOTES:

Motion offered by _____ to be moved and seconded by _____
Bascom_____ Brown_____ Riley _____ Vidal _____ Healy_____ Gilligan_____ Frantz_____

Alternates: Pullano (Alt 1) _____ Stroud (Alt 2) _____ Pickard (Alt 3) _____ Martins (Alt 4) _____