



**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, October 19, 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, 2 <sup>nd</sup> Vice Chair	Derel Stroud (Alt #2)
Dr. James Brown	Naomi Riley	Shane Martins (Alt #3)
William Frantz, Chair	Michael Pullano	VACANT (Alt #4)
James Gilligan, 1 <sup>st</sup> 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#22-17 – (Approval of Bulk Variances w-Conditions) – Joseph Abatemarco** – Block 2918, Lot 5 – 121 Sycamore Street  
*Those Eligible:* Barbara Bascom, Dr. James Brown, Michael Pullano, Naomi Riley, Tanya Pickard, Thomas Healy, and William Frantz
- b. **Resolution ZBA#22-18 – (Bulk Variance for Additional Sign) – Rite Aid, Inc.** – Block 306, Lot 7 – 75 South Main Street (West Grove Square)  
*Those Eligible:* Barbara Bascom, Dr. James Brown, Michael Pullano, Naomi Riley, Tanya Pickard, Thomas Healy, and William Frantz
- c. **Resolution ZBA#22-19 – (Bulk Variances for Side Yard Setback and Lot Coverage) – Shawn & Rachel Weston** – Block 802, Lot 8 – 103 Cardinal Road  
*Those Eligible:* Barbara Bascom, Dr. James Brown, Michael Pullano, Naomi Riley, Tanya Pickard, Thomas Healy, and William Frantz

### IV. Applications Under Consideration:

- a. **ZB21/23 – (Use Variance and to Remediate Zoning Violations) – SML2211, LLC** – Block 816, Lot 8 – 2201 W. Bangs Avenue – Applicant is seeking a Use Variance to Repair/Reconstruct a single-family dwelling which had been damaged by fire and deemed to be an unsafe structure by the Township Construction Official. Zoning Violations which exist on the property must also be remediated. Applicant is represented by Mark A. Steinberg, Esq. **\*\*ORIGINALLY SCHEDULED FOR 4/6/2022 (not reached), CARRIED TO 6/1/2022 (not reached), FURTHER CARRIED TO THIS DATE (10/19/2022 1<sup>st</sup> on Agenda) WITHOUT FURTHER NOTICE BEING REQUIRED\*\***
- b. **ZB21/25 – (Bulk Variance to Remediate Driveway Violation) – Chris & Mariel Ramos** – Block 2601, Lot 23 – 3016 W. Bangs Avenue – Applicant is seeking a bulk variances to retain a second driveway opening which has been constructed without first obtaining Zoning Approval. Applicant is represented by Richard B. Stone, Esq. **\*\*CARRIED FROM 5/4/2022 MEETING – NEW NOTICE TO BE PROVIDED\*\***
- c. **ZB22/05 – (Bulk Variances to Remediate Zoning Violations) – James & Erin Sweeney** – Block 223, Lot 2 – 112 Embury Avenue – Applicant is seeking Bulk Variance relief for shed which was constructed without HPC Approval or in compliance with original Zoning Permit. Application has subsequently been revised to seek relief either by variance or waiver to correct additional violations including construction of fences without Zoning/HPC approval, construction of patio without Zoning/HPC approval, construction of walkways/impervious coverage without Zoning/HPC approval, and disturbance of land without first acquiring Department of Engineering approval. Applicant is represented by Gary S. Goodman, Esq. **\*\*CARRIED FROM 9/7/2022 MEETING – NEW NOTICE TO BE PROVIDED\*\***

- d. **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 THIS DATE OF 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\*\***

**V. Adjournment:**

- a. Next scheduled meeting will be a **Regular Meeting on Wednesday, November 2, 2022 at 7:30 PM** 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.







