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, May 3, 2023 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 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.

If any board member cannot attend, please call or email the board office at
732-897-4162 ext 204 or kdickert@neptunetownship.org.

I. Roll Call:

Barbara Bascom	Thomas Healy, 2nd Vice Chair	Shane Martins (Alt #2)
Dr. James Brown	Naomi Riley	Shawn Weston (Alt #3)
William Frantz, Chair	Michael Pullano	
James Gilligan, 1st Vice Chair	Derel Stroud (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

II. FLAG SALUTE

III. Resolutions to be memorialized: None.

IV. Applications Under Consideration:

a. **ZB22/07 – (Bulk Variances to Remediate Zoning Violations) – Glorius & Magalie Beaubrun –** Block 410, Lot 31 – 1427 07th Avenue – Applicant is seeking variance relief for installation of structures/improvements prior to obtaining approvals that do not comply with the current Land Development Ordinances including the installation of a shed, driveway, and other impervious surfaces. Applicant is represented by Robert L. Witek, II, Esq.

b. **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. ****PARTIALLY HEARD OCTOBER 19, 2022 AND CARRIED TO JANUARY 18, 2023 TO ALLOW THE APPLICANT TIME TO MEET WITH THE HPC WHICH MAY ALTER THE RELIEF NECESSARY FROM THIS BOARD. RECEIVED REQUEST FROM MR. GOODMAN TO FURTHER CARRY THIS MATTER TO APRIL 19, 2023 AND THEN FURTHER TO THIS MEETING DATE. MR. GOODMAN WAS ADVISED BY MS. KOWALSKI THIS WOULD BE THE LAST ADJOURNMENT, AND THE BOARD WILL THEN ADVISE MR. ANTHONY TO PROCEED ON ALL VIOLATIONS – NEW NOTICE HAS BEEN PROVIDED FOR THIS MEETING****

V. Adjournment:

a. Next scheduled meeting will be our **REGULAR MEETING on Wednesday, June 7, 2023 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.

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Enclosed: Completeness Checklist & Application for Variance (Rec'd 5/18/2022)
Witek Transmittal to ZBA (5/3/2022)
Zoning Permit Denial (8/12/2021)
Copy of Deed (1/26/2018)
Updated Survey w-Table (7/29/2021)
Updated Survey without Table (7/29/2021)
Original Survey of Property (10/11/2017)

Correspondence: None.

BOARD NOTES:

Motion to _____ offered by _____ to be moved and seconded by _____

Bascom_____ Brown _____ Pullano _____ Riley _____ Healy_____ Gilligan_____ Frantz_____

Alternates: Stroud (Alt 1) _____ Martins (Alt 2) _____ Weston (Alt 3) _____ VACANT (Alt 4) _____

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Previously Enclosed
w/9/7/2022 & 10/19/2022 Agenda: Application for Bulk Variance (Rec'd 3/15/2022)
Zoning Permit Violations/Denial (10/08/2021)
Assignment of Lease (1/17/2020)
Survey Update/Asbuilt (9/21/2021)
Amended Application for Variances (Rec'd via e-mail 9/19/2022)

Prior Correspondence: HPC Resolution of Denial (7/14/2020)
Zoning Officer's Report (Exhibit B-1 Marked 10/19/2022)
Three (3) Survey Mark-Ups Submitted by George Waterman (Exhibit B-2 Marked 10/19/2022)

CURRENT CORRESPONDENCE: HPC Conditional Approval (Shed) (1/6/2023)
HPC Conditional Approval (Fence, Patio, Walkways, Shed) (4/26/2023)

BOARD NOTES: NEED SIGNED CERT FROM WESTON (10/19/22 Hearing)

BOARD NOTES CONTINUED (SWEENEY):

Motion to ___________ offered by _________________ to be moved and seconded by ______________________

Bascom_____ Brown _____ Pullano _____ Riley _____ Healy_____ Gilligan_____ Frantz_____

Alternates: Stroud (Alt 1) _____ Martins (Alt 2) _____ Weston (Alt 3) _____ VACANT (Alt 4) _____

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