



**Neptune Township ~ Zoning Board of Adjustment
Regular Meeting Minutes
Wednesday May 6, 2015 at 7:30 PM
Municipal Complex, 2nd Floor, 25 Neptune Boulevard**

ATTENDANCE:

Present: Barbara Bascom, William Frantz, James Gilligan, Dianna Harris, Thomas Healy, Frances Keel, Carol J. Rizzo, Joe Sears, Paul Dunlap, Monica Kowalski, Esq. – Board Attorney, Louis Lobosco, PE, PP - Board Engineer, Jennifer C. Beahm, PP, AICP - Board Planner, George Waterman – Zoning Officer, and Torro Reporting, LLC

Absent: None.

OPENING:

Meeting called to order by Chairman Paul Dunlap at 7:34 PM. Chairman Dunlap advised the public of fire exits and how the meeting will proceed.

CORRESPONDENCE:

None.

RESOLUTIONS MEMORIALIZED:

ZBA#15/15 – Resolution of Approval - Robert Pettibone – Block 226, Lot 14 (Formerly known as Block 53, Lot 956) - 65 Webb

ZBA#15/16 – Resolution of Approval - Wilmane Deltus – Block 1511, Lot 4 (Formerly known as Block 3013, Lot 23) – 615 Mayfair Lane

ZBA#15/17 – Resolution of Approval - Johnson Obayuwana – Block 714, Lot 1 (Formerly known as Block 189, Lot 1) – 1528 Monroe Avenue

ZBA#15/18 – Resolution of Denial of “Amended” Plans – Hovson’s Inc. (Victoria Gardens) and Friends of Neptune II – Block 4001, Lots 1, 2, 3, 8 and Block 4101 Lots 13 & 14 (Formerly known as Block 1500, Lots 1, 2, 5, 20, 21 & 22) – Hovchild Boulevard

DISCUSSIONS:

ZB15/05 – (Bulk Variance) – Tracy Polk – Block 3206, Lot 11 (formerly known as Block 10023, Lot 11) – 39 Country Club Drive – Applicant is proposing to construct a 6 foot high solid fence in the front and rear yard areas of this corner lot. Where fences in front yard areas shall not exceed 4 feet in height as measured from ground level and must be at least 50% non-solid and open.

Tracy Polk – Applicant/Owner – sworn in.

Mr. Polk stated he wishes to install this fence to contain his dogs and for privacy and safety of small children.

The fence being proposed is a 6 foot solid vinyl fence with no openings.

Mr. Polk consents to the suggestion of the Board and will commit to installing a 5 foot high solid vinyl fence with 1 foot lattice on top (total of 6 ft.) in lieu of the 6 foot solid vinyl fence in order to maintain a more open feel in the neighborhood. Mr. Polk also agrees to install the fence 5 feet in off of the property line versus the existing chain link fence which is only 3.2 feet +/- off the property line.

Based upon discussions, amendments made during the hearing, and application before the Board, Mr. Frantz made a motion to approve a solid 5 foot vinyl fence with a 1 foot lattice top to be installed 5 feet off the property line adjacent to the sidewalk, seconded by Thomas Healy:

Those who voted YES: Barbara Bascom, William Frantz, James Gilligan, Dianna Harris, Thomas Healy, Joe Sears, and Paul Dunlap

Those who voted NO: None.

Those who ABSTAINED: None.

Those ABSENT: None

ZB14/16 – Paul Jayme – Block 2506, Lot 41 (formerly known as Block 9016, Lot 6) – 716 Gail Drive – Applicant is seeking bulk variances for side and rear yard setback for accessory structure (shed) which was constructed without zoning approval.

Paul Jayme – Applicant – sworn in.

Mr. Jayme states he had a shed and added onto it toward the side and front (away from the property lines) and he was not aware he needed a permit. Mr. Jayme states it is being used for the storage of tools and lawn equipment. The “shed” has wood flooring throughout.

There was a prior violation having 3 separate businesses being operated out of this location (716 Gail Drive). Mr. Jayme states these businesses are no longer being operated from this site; however, he still needs room to store his tools.

George Waterman – Zoning Officer – states he did visit the site and it is neater than it was. Ms. Bascom states she also visited the site and would not call it “neat”.

Carol Rizzo states she would not want to live in the neighborhood.

Mr. Jayme states he has lived in the house for the past 7 years. There is no electric service to the shed.

The Board asks Mr. Jayme what if anything he is willing to do to remediate the situation. It is suggested he relocate the shed which Mr. Jayme objects to since he eventually plans to install a deck and a pool.

The Board suggests the “shed” be converted to a garage with a garage door and appropriate access to same be provided (i.e. driveway). Mr. Jayme agrees to this solution in order to keep the structure in its current location.

The Board advises Mr. Jayme that he must obtain an updated survey and prepare a plan to be submitted to Zoning, Code, Construction, and the Board for review.

The Board agrees to carry this application to the October 7th meeting date in order for Mr. Jayme to come up with an acceptable plan. No further notice is required for the October meeting date.

****THE BOARD BREAKS AT 8:48 PM – AT 8:53 PM THE BOARD RETURNS AND ALL MEMBERS ARE STILL PRESENT WITH THE EXCEPTION OF MR. WATERMAN****

ZB15/06 – (Bulk Variances for Wall-Mounted Sign) – Multibrands Neptune I, LLC (Smashburger) – Block 802, Lot 2 (formerly known as Block 1007, Lot 6.02) – 2100 Route 66 – Applicant is proposing a second wall-mounted sign for the restaurant use where the maximum permitted is 1 sign per tenant. The sign being proposed also requires bulk variance relief for vertical and horizontal dimensions, overall square footage, mounting height, and permitted projection.

Jennifer Krimko, Esq. – Attorney for the Applicant.

Ms. Krimko explains the tenant would like to replace the temporary sign with a permanent sign before the summer months.

The proposed sign conforms with the “Smashburger” branding requirement.

Douglas Tedesco – Proprietor of Smashburger – sworn in.

Mr. Tedesco states the lights on the sign are on at dusk and are off at 1:00 AM as the store closes at 11:00 PM.

Meeting is open to the public for questions – None.

Meeting is open to the public for comments:

Steve Markulin – 112 Cardinal Road – states Smashburger is a good tenant and he has no objection to the sign or their presence.

Gary Brown – 102 Cardinal Road – states Smashburger is a good tenant and it is a pleasure to have them at this location.

Based upon the application before the Board, James Gilligan made a motion to approve the application as discussed and seconded by Mr. Frantz:

Those who voted YES: Barbara Bascom, William Frantz, James Gilligan, Dianna Harris, Thomas Healy, Joe Sears, and Paul Dunlap.

Those who voted NO: None.

Those who ABSTAINED: None.

Those ABSENT: None.

ADJOURNMENT:

A motion was made by Dianna Harris and seconded by William Frantz to adjourn at 9:13 PM. The next meeting of the Zoning Board of Adjustment will be our Regular Meeting on Wednesday, June 3, 2015 at 7:30 PM which will be held here at the Neptune Township Municipal Building, Township Committee Meeting Room, 2nd Floor.

Minutes submitted by Kristie Armour, Administrative Officer to the Board of Adjustment.