

**Neptune Township ~ Zoning Board of Adjustment
Regular Meeting Minutes
Wednesday June 3, 2015 at 7:30 PM
Municipal Complex, 2nd Floor, 25 Neptune Boulevard**

ATTENDANCE:

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

Absent: Frances Keel and Carol Rizzo

OPENING:

Meeting called to order by Chairman Paul Dunlap at 7:32 PM. Chairman Dunlap advised the public of fire exits and how the meeting will proceed.

CORRESPONDENCE:

None.

RESOLUTIONS MEMORIALIZED:

ZBA#15/19 – Resolution of Approval – Tracy Polk – Block 3206, Lot 11 (formerly known as Block 10023, Lot 11) – 39 Country Club Drive

ZBA#15/20 – Resolution of Approval - Multibrands Neptune I, LLC (Smashburger) – Block 802, Lot 2 (formerly known as Block 1007, Lot 6.02) – 2100 Route 66

DISCUSSIONS:

ZB14/24 – Gary Edwards – Block 9017, Lot 9 – 17 Princeton Avenue – Applicant is seeking a Use Variance to retain detached garage with loft which has been “repaired” more than the permitted 50%. **Received request to carry to July 1, 2015 due to Applicant’s Attorney’s conflict. Must notice for this new hearing date.**

ZB15/01 –Evelyn Stumpf & John Wehrle – Block 5602, Lot 31 (formerly known as Block 556, Lot 10) – 1207 Highway 35 South – Applicant is represented by Gregory Vella, Esq. Applicant is seeking a Use Variance to permit the retail sale of Jacuzzi Hot Tubs in addition to current product line of motorcycles, ATV’s, personal watercraft, utility trailers, and jet boats. Applicant indicates they have eliminated jet boat sales to accommodate the Jacuzzi Hot Tub sales.

Gregory Vella, Esq. – representing Applicant provided brief history of the business on the property.

John Wehrle – sworn in – President – employed since 1974-1975. Mr. Wehrle provided a historical review of the property.

Mr. Wehrle states there is currently sale of accessories and items along with ATV’s etc. They sell, repair, and winterize onsite (full service); however, the service of hot tubs is performed at the owner’s location there is no service of hot tubs onsite.

Mr. Wehrle states they never received zoning approval for sales.

Current parking issues were discussed.

The Board feels an updated Asbuilt with current conditions of the property is warranted in this case prior to making a decision on adding the additional use of the sale of hot tubs on this site.

Matter is carried to the October 7, 2015 meeting in order for the Applicant to provide an Asbuilt Survey with current conditions. NO further notice being required.

****BOARD TAKES A BRIEF RECESS. BOARD RETURNS AT 8:59 PM ALL MEMBERS STILL PRESENT****

ZB14/18 – El Properties, Inc. (Parkway 100) – Block 3903, Lot 4 (formerly known as Block 10017, Lot 5 and part of Lot 5.01) – Applicant proposes to continue the use of the property as a mixed-use, light industrial corporate park including light manufacturing and assembly, laboratory, research and development, warehouse and distribution and office uses in this C-1 Zone.

Andy Norin, Esq. – representing the Applicant.

Mr. Norin gave a brief history of the site which included five Light Industrial Flex Buildings in the early 1980's completed the last decade.

Current uses on the property were discussed.

Mr. Norin requests a Certification for Pre-Existing Non-Conforming Use for entire property.

“Continuing Use” and “Change of Use” were discussed.

Neptune Township Master Plan was discussed.

Chairman Dunlap stated the Board will not give a “blanket” Use Variance or “Spot Zone” this area.

Mr. Norin moves forward with pre-existing, non-conforming use testimony.

A-1 – Figure 2 – Land Use Map from 2012 Master Plan dated August 17, 2011

Only seeking variances for 5 buildings.

A-2 through A-7 – Ordinances.

Bernie Haney explains lot numbers and merging of lots.

Resolution 83#42 dated 12/7/83 of the Zoning Board granted Use Variance for a pistol range in Building #2.

A-8 – Resolution #84-42 1983 – Tenant received use variance.

Mr. Norin states buildings are not conducive to strictly commercial uses.

A-9 – Resolution#98-25 1998 – Office/Warehouse Building Office/Warehouse Use.

A-10 Resolution #02-10 2002 – Office/Warehouse Use Building #6

Guy Cipriano – Principal of EI Properties.

Mr. Cipriano testified that Buildings #1 & #2 were built in 1982, Building #4 in 1991, Building #3 in 2001-2002, and Building #6 – 2002-2003.

The buildings and their layouts were discussed through testimony of the Applicant.

It is agreed between the Board and Mr. Norin that an OPRA Request for additional information pertaining to zoning permits etc. will be submitted and this will carry be carried to July 15th Special Meeting for continuation of testimony with no further notice being required.

ADJOURNMENT:

A motion was made by William Frantz and seconded by James Gilligan to adjourn at 10:48 PM. The next meeting of the Zoning Board of Adjustment will be a Special Meeting on Wednesday, June 17, 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.