

Neptune Township ~ Zoning Board of Adjustment
Regular Meeting Agenda
Wednesday, April 2, 2014 at 7:30 PM
Township Meeting Room 2nd Floor

The regular scheduled 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, 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. Toward the end of the meeting it will be announced that 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 on the stand. **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 will be sworn in and 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.

I. Roll Call and Flag salute :

Paul Dunlap, Chairman	James Gilligan, 1 st Vice Chairman	Frances Keel (Alternate #2)
Barbara Bascom	Dianna Harris	Charles Moore (Alternate #3)
William Frantz	Thomas Healy	Joe Sears, 2 nd Vice Chairman

Also Present: Monica C. Kowalski, Esq. – Board Attorney
 Matt Shafai, PE, PP, CME - Board Engineer
 Jennifer C. Beahm, PP, AICP - Board Planner

II. Correspondence:

- a. **Resolution #14-172** – Township Committee’s Acceptance of the Resignation of Roger Eichenour as a Member of the Board of Adjustment.

III. Resolutions to be memorialized:

- a. **ZBA#14/08** – Application #ZB13/16 – William Johnson - 704 Chaphagen Drive – Block 9026, Lot 13 - Proposing to change the use of the property from a Detached Single Family Residence into a Multifamily (two family) Residence.

IV. Applications under consideration for this evening:

- ❖ **ZB13/15** – William Taylor - **Block 15, Lot 764** – 9 Broadway (Ocean Grove) – requesting height variance for 3 stories where 2.5 stories are permitted. ****CARRIED FROM 12/4/13 – APPLICATION HAS BEEN WITHDRAWN BY APPLICANT****
- ❖ **ZB12/06** - Gary Edwards – **Block 9017 Lot 9**, 17 Princeton Ave - seeking to retain reconstructed barn/garage – Represented by Peter Bass, Esq. ****CARRIED FROM 12/4/13 – APPLICATION HAS BEEN ADMINISTRATIVELY DISMISSED****
- ❖ **ZB13/19** – David Monachino – **Block 114, Lot 664** - 125 Broadway (Ocean Grove) – Bulk Variances to maintain 4 foot solid stockade fence and brick paver patio located in the front yard of a corner property.
- ❖ **ZB13/09** – Atifaq Corporation (Gas Plus Speedy Mart) – **Block 282, Lots 1-5** - 1800 Highway 33 – proposing to convert existing building onsite into convenience store. Represented by Jennifer S. Krimko, Esq. ****CARRIED FROM 12/4/13 – NO FURTHER NOTICE WAS REQUIRED FOR THIS HEARING****
- ❖ **ZB13/17** – Jack Ancona, LLC (Warrington Hotel) – **Block 29, Lot 1907.03** - 22 Lake Avenue (Ocean Grove) – Conditional Use & Bulk Variances for 20-room hotel with innkeepers quarters. Represented by Jennifer Krimko, Esq.

V. Adjournment:

- a. The next regular meeting of the Zoning Board of Adjustment will be on May 7, 2014 at 7:30 PM, to be held here at the Neptune Township Municipal Building, Township Committee Meeting Room, 2nd floor.
- 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.

ZB13/15 – William Taylor – Block 15, Lot 764 - 9 Broadway (Ocean Grove) – requesting height variance for 3 stories where 2.5 stories are permitted.

BOARD NOTES:

APPLICATION HAS BEEN WITHDRAWN BY THE APPLICANT.

Motion offered by _____ to be moved and seconded by _____
Bascom __ Dunlap__ Frantz__ Gilligan__ Harris__ Healy__ Sears__
Alternates: Keel (Alt 2)__ Moore (Alt 3)__

CARRIED FROM 12/4/13

ZB12/06 – Block 9017 Lot 9 submitted by Gary Edwards of 17 Princeton Ave and represented by Peter Bass, Esq. Applicant failed to obtain zoning approval to rebuild an existing garage/barn. “secondary building is an old barn, 3 bays on ground level, expansion use of barn, cars continue to be on the ground level, keeping 3 bays; second story addition is to be used for recreation; loft area to be used for storage.” **CARRIED FROM 11/7/12 to 12/5/12 to 1/9/13 to 2/6/13 to 4/3/13 to 5/1/13 to 8/7/13 to 12/4/13 to 4/2/14.**

Enclosed with a Previous Package was originally scheduled for November 7, 2012:

- Application with taxes verified (4-30-12)
- Copy of zoning denial (4-2-12)
- Barn Story prepared by homeowner (Received 5-2-12)
- Copy of survey (dated 5-22-06, unrevised)
- Drawings of Edward’s residence (dated 9-8-10)
- Drawings of barn (unknown date)
- Photos barn renovations (Received 5-2-12)
- Municipal Agencies: Neptune Public Works – No Comment (Rec’d 9-12-12)
- Reports prepared by: Matt Shafai of Leon S. Avakian (dated 8-2-12)
- Jennifer Beahm of CME Associates (dated 7-31-12)

Board notes:

APPLICATION ADMINISTRATIVELY DISMISSED ON FEBRUARY 10, 2014

Motion offered by _____ to be moved and seconded by _____ .
 Bascom ___ Dunlap___ Frantz___ Gilligan___ Harris___ Healy___ Sears___
 Alternates: Keel (Alt 2)___ Moore (Alt 3)___

ZB13/19 – David Monachino (B114/L664) – 125 Broadway (Ocean Grove) – Bulk Variances to maintain 4 foot solid stockade fence and brick paver patio in the front yard area of a corner property.

Enclosed: 02/04/14 Memo from HPC with attached Resolution in Opposition of Application
Undated Correspondence from Mr. Monachino with Witness List
Undated Application Package including Zoning Officer's Denial dated 09/17/13
05/23/11 Assignment of Lease
11/11/13 Survey of Property
04/02/14 Variance Hearing Exhibit List/Package

BOARD NOTES:

[Ruled area for Board Notes]

Motion offered by _____ to be moved and seconded by _____
Bascom __ Dunlap__ Frantz____ Gilligan__ Harris____ Healy__ Sears__
Alternates: Keel (Alt 2)____ Moore (Alt 3)____

ZB13/09 – Atifaq Corporation (Gas Plus Speedy Mart), 1800 Highway 33 **(Block 282, Lots 1 thru 5)** – Applicant is proposing to convert existing building onsite into a convenience store. Applicant is represented by Jennifer S. Krimko, Esq. ****CARRIED FROM 9/4/13 to 12/4/13 – NO NOTICE REQUIRED FOR THIS HEARING****

Previously Enclosed

September 4, 2013:

- Zoning Permit Denial (7/28/10)
- Variance Application (5/10/13)
- Awning Detail (undated)
- Witness List (9/4/13)
- Exhibit List (9/4/13)
- Copy of Deed recorded on April 29, 2002
- Site Plan (3 sheets) prepared by Charles Surmonte, PE, PLS dated January 21, 2013, unrevised.
- Survey of Property (1 sheet) prepared by Charles Surmonte, PE, PLS dated September 21, 2011, unrevised.
- Architectural Plan (1 sheet) prepared by Bashir A. Hamid, Architect dated March 22, 2013, unrevised.

Previously Enclosed

Correspondence from:

- Township Director of Engineering and Planning (5/29/13)
- Board Engineer Review (5/28/13)
- Township Traffic Bureau Comments (6/13/13)
- Board Planner Review (7/24/13)
- Board Planner Review (8/22/13)

Currently Enclosed:

Board Engineer Review (3/18/14)

BOARD NOTES:

Motion offered by _____ to be moved and seconded by _____
Bascom ___ Dunlap___ Frantz___ Gilligan___ Harris___ Healy___ Sears___
Alternates: Keel (Alt 2)___ Moore (Alt 3)___

ZB13/17 – Jack Ancona, LLC (Warrington Hotel) (**Block 29, Lot 1907.03**) – 22 Lake Avenue (Ocean Grove) – Conditional Use & Bulk Variances for 20-room hotel with innkeepers quarters. Represented by Jennifer Krimko, Esq.

Enclosed: Witness List (4/2/14)
Checklist and Application Package (10/24/13)
Zoning Permit Denial (6/4/13)
Copy of Deed Recorded on July 12, 2006

- Proposed Use Variance and Architectural Plans (4 sheets) prepared by Joseph C. Feltz, Architect dated October 1, 2013, last revised December 27, 2013.
- Survey of Property (1 sheet) prepared by Michael J. Williams Land Surveying, LLC, dated August 22, 2013, unrevised.

Correspondence: Board Engineer’s Review (2/19/14)
Township Engineer’s Review (2/6/14)
Ocean Grove Sewerage Authority Comments (3/5/14)

BOARD NOTES:

Motion offered by to be moved and seconded by _____ .
Bascom ____ Dunlap____ Frantz____ Gilligan__ Harris____ Healy____ Sears____
Alternates: Keel (Alt 2)____ Moore (Alt 3)____