



**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, June 7, 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.

I. Roll Call:

Barbara Bascom
~~Dr. James Brown – EXCUSED~~
William Frantz, Chair

Thomas Healy, 2nd Vice Chair
Naomi Riley
Michael Pullano

Derel Stroud (Alt #1)
Shane Martins (Alt #2)
Shawn Weston (Alt #3)

Also Present: Monica C. Kowalski, Esq. - Attorney to the Board
 Matt Shafai, PE, PP, CME - Board Engineer

II. FLAG SALUTE

III. Resolutions to be memorialized:

- a. **Resolution ZBA#23-14 – Approval of Use Variance & Preliminary/Final Site Plan – STER Developers, LLC** – Block 405, Lots 5, 6, & 7 – 1102 09th Avenue, Memorial Drive, and 1105 08th Avenue

Those Eligible: Barbara Bascom, Dr. James Brown, Michael Pullano, Naomi Riley, Derel Stroud, Thomas Healy, and William Frantz

- b. **Resolution ZBA#23-15 – Denied Without Prejudice - Bulk Variances to Remediate Zoning Violations – James & Erin Sweeney** – Block 223, Lot 2 – 112 Embury Avenue

Those Eligible: Dr. James Brown, Michael Pullano, Naomi Riley, Derel Stroud, Shawn Weston, Thomas Healy, and William Frantz

IV. Applications Under Consideration:

- a. **ZB22/14 – (Use Variance to Expand from K-8 to a K-12 School) – College Achieve Public Schools** – Block 3101, Lot 2 – 3455 W. Bangs Avenue – In October 2020, Applicant was granted use variance relief to permit two (2) principal uses on one (1) lot, the existing church and a public charter K-8 school with a capacity of up to 600 students. The Applicant is now seeking use variance approval to expand the charter school use from K-8 to a K-12 school; however, the maximum number of students will remain the same. The Board Office received notification on Monday, January 9, 2023 that the school wishes to further amend their application to request a Pre-K through 12 school. Applicant is represented by Michael W. Herbert, Esq. of Parker McCay. ****OUR DECEMBER MEETING WAS CANCELED; THEREFORE, RESCHEDULED TO JANUARY 18, 2023. NOTICE WAS FOUND TO BE DEFICIENT; THEREFORE, FURTHER CARRIED TO APRIL 19, 2023 – NEW NOTICE HAD BEEN PROVIDED FOR THE APRIL HEARING TO NOW INCLUDE THE PROPOSED PRE-K to 12 SCHOOL. APPLICATION WAS PARTIALLY HEARD ON APRIL 19, 2023 AND CARRIED TO THIS DATE FOR CONTINUATION. RECEIVED E-MAIL REQUEST FROM MICHAEL HERBERT, ESQ. TO FURTHER CARRY THIS MATTER TO A SPECIAL MEETING IN JULY AND IF NOT POSSIBLE TO AUGUST 2, 2023 WHICH WILL BE HELD VIA ZOOM & NEW NOTICE WILL BE REQUIRED.****
- b. **ZB22/21 – (Conditional Use Variance, Bulk Variances, & Site Plan) – New Jersey American Water** – Block 3001, Lot 12 – 625 Old Corlies Avenue - Applicant is seeking Preliminary and Final Site Plan and Conditional Use Variance approval to construct a new 14,000 sq. ft. (11,000 sq. ft. building footprint) Water Treatment Building and Clearwell south of the existing filter building and clearwell and control building; a 125 sq. ft. addition to the existing Residuals Building located along the northern property line; five (5) additional parking spaces, and a grass paver access drive. Also being proposed are associated site improvements including sidewalks, curbing, stormwater management, fencing, and improvements to the existing asphalt pavement and grass areas. Applicant is represented by Niall O’Brien, Esq.

- c. **ZB23/02 – (Conditional Use Variance, Bulk Variances, & Site Plan) – Galilee Eglise Advantiste, Inc. Church** – Block 3301, Lot 4 – 3313 Highway 33 – Applicant is seeking Preliminary and Final Major Site Plan and Conditional Use Variance approval to remove the existing concrete walkway and brick columns south of the existing 1.5-story dwelling, remove the existing asphalt driveway and parking area, convert the existing single-family residence to a church use and construct a one-story, 4,000 sq. ft. sanctuary addition with a basement level to the existing 1.5-story dwelling. The Applicant is also proposing 64 parking spaces including three (3) ADA spaces, as well as a dumpster enclosure to the east and a new full-movement driveway to Route 33. The Applicant is also proposing associated site improvements which include curbing, sidewalks, wall signage, landscaping, lighting, and stormwater management facilities. Applicant is represented by Ronald J. Troppoli, Esq.

V. Adjournment:

- a. Next scheduled meeting will be our **REGULAR MEETING on Wednesday, August 2, 2023 at 7:30 PM which will take place via Zoom.**
- 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.

ZB22/14 – (Use Variance to Expand from K-8 to a K-12 School) – College Achieve Public Schools – Block 3101, Lot 2 – 3455 W. Bangs Avenue – In October 2020, Applicant was granted use variance relief to permit two (2) principal uses on one (1) lot, the existing church and a public charter K-8 school with a capacity of up to 600 students. The Applicant is now seeking use variance approval to expand the charter school use from K-8 to a K-12 school; however, the maximum number of students will remain the same. The Board Office received notification on Monday, January 9, 2023 that the school wishes to further amend their application to request a Pre-K through 12 school. Applicant is represented by Michael W. Herbert, Esq. of Parker McCay.

Previously Enclosed

w/ 12/7/2022 Agenda: Completeness Checklist & Application for Variance (Rec'd 8/26/2022)
Zoning Permit Denial (5/11/2022)
Copy of Prior Resolution of Approval (Memorialized 11/4/2020)

Previously Enclosed

w/ 1/18/2023 Agenda: Parker McCay Ltr to Kristie Dickert (1/9/2023)
Architectural Sheet (4/18/2022)
Boundary Survey (7/6/2020)

Previously Enclosed

w/ 4/19/2023 Agenda: Parker McKay to Dickert – Explanation of Revision (4/6/2023)
Amended Completeness Checklist & Application for Variance (Rec'd 4/6/2023)

Prior Correspondence: Board Engineer & Planner’s Review (11/14/2022)

BOARD NOTES:

CARRIED TO AUGUST 2, 2023 WHICH WILL BE HELD VIA ZOOM & NEW NOTICE WILL BE REQUIRED

Motion to _____ offered by _____ to be moved and seconded by _____
Bascom_____ Brown _____ Pullano _____ Riley _____ Healy_____ Frantz_____
Alternates: Stroud (Alt 1) _____ Martins (Alt 2) _____ Weston (Alt 3) _____ VACANT (Alt 4) _____

ZB22/21 – (Conditional Use, Bulk Variances, & Site Plan) – New Jersey American Water – Block 3001, Lot 12 – 625 Old Corlies Avenue - Applicant is seeking Preliminary and Final Site Plan and Conditional Use Variance approval to construct a new 14,000 sq. ft. (11,000 sq. ft. building footprint) Water Treatment Building and Clearwell south of the existing filter building and clearwell and control building; a 125 sq. ft. addition to the existing Residuals Building located along the northern property line; five (5) additional parking spaces, and a grass paver access drive. Also being proposed are associated site improvements including sidewalks, curbing, stormwater management, fencing, and improvements to the existing asphalt pavement and grass areas. Applicant is represented by Niall O’Brien, Esq.

- Enclosed:
- Transmittal Letter O’Brien to ZBA (5/11/2023)
 - Completeness Checklists & Applications for Variance & Site Plan
 - including copy of prior Resolution of Approval #ZBA#15/27 (Rec’d 12/16/2022)
 - Archer & Greiner, PC Memo Response to Avakian Review (undated)
 - Zoning Permit Denial (9/16/2022)
 - Copy of Beutell to East Jersey Coast Water Company Deed (2/15/1905)
 - Copy of Fletcher to East Jersey Coast Water Company Deed (2/15/1905)
 - Copy of East Jersey Coast Water Co. to George Van Brunt Deed (5/7/1901)
 - Copy of Van Brunt to East Jersey Coast Water Company Deed (5/6/1901)
 - Copy of Monmouth Consolidated Water Company to Neptune Twp Deed (6/26/1964)
 - WST LED Architectural Wall Sconce Detail (3/22/2019)
 - Aerial Exhibit & Color Rendering Exhibits Packet (6 sheets) (3/22/2023)
 - Stormwater Management Report (12/2022)
 - Geotechnical Report (12/2/2022)
 - Partial Topographic & Utility Survey (2/16/2022)
 - Architectural Exterior Elevations (3 sheets) (3/4/2022)
 - Preliminary & Final Site Plans (20 sheets) (2/2023)

- Correspondence:
- Board Engineer & Planner’s Review Letter (4/11/2023)
 - Tree Removal Permit (2/6/2023)

BOARD NOTES:

