

**ZONING BOARD OF ADJUSTMENT
MEETING MINUTES
NOVEMBER 18, 2004 AT 8:00 P.M.**

Chairman Bennett called the meeting to order by reading the following statement: "As Chairman and Presiding Officer of the Colts Neck Zoning Board, I hereby declare that the notice requirements of the law have been satisfied by prominently posting a notice of this meeting on the Township Bulletin Board, and that here has been transmitted by regular mail a copy of said Notice to the Asbury Park Press, and that a copy is on file in the office of the Township Clerk."

Roll Call

Present: Bennett, McGarry, Barnett, Behrens, Burry, Yodakis and Wagar

Absent: Sobieski and Goubeaud

Also Present: Mike Steib, Esq., Timothy Anfusio, P.P. and Ruth Leininger

Approval of Minutes

Motion to Approve the Minutes of October 21, 2004:

OFFER: Behrens

SECOND: Burry

AFFIRMATIVE: Bennett, McGarry, Barnett, Behrens, Burry, Yodakis and Wagar

NEGATIVE: None

RESOLUTIONS:

Application ZB656 – Flood – Block 34, Lot 3.10 – 34 Raven Road

Memorialization of Resolution dismissing the application without prejudice.

Motion to Approve the Resolution:

OFFER: McGarry

SECOND: Barnett

AFFIRMATIVE: Bennett, McGarry, Barnett, Burry, Burry and Yodakis

NEGATIVE: None

Application ZB657 – Maguire – Block 6, Lot 9.20 – 11 Birch Lane

Memorialization of Resolution granting approval to construct an addition to an existing single family dwelling. Variances are required to permit a front setback of 76' where 79' is required and 78' currently exists and a maximum building coverage of 6.28% where 6% is the maximum permitted.

Motion to Approve the Resolution:

OFFER: Barnett

SECOND: Burry

AFFIRMATIVE: Bennett, McGarry, Barnett, Burry and Yodakis,

NEGATIVE: None

Application ZB619 – DeDea – Block 9, Lot 55 – 24 Pilgrim Way

Memorialization of Resolution granting a one year extension of time to the approved variances. The extension will begin November 20, 2004 to expire November 20, 2005.

Motion to Approve the Resolution:

OFFER: Burry

SECOND: Barnett

AFFIRMATIVE: Bennett, McGarry, Barnett, Behrens, Burry and Yodakis

NEGATIVE: None

Application ZB577 – Bordone – Block 21.06, Lot 8 – Long Bridge Road

Memorialization of Resolution granting a one-year extension of time to the approved variances. The extension will begin October 17, 2004 and expire October 17, 2005.

Motion to Approve the Resolution:

OFFER: Burry

SECOND: McGarry

AFFIRMATIVE: Bennett, McGarry, Barnett, Behrens, Burry and Yodakis

NEGATIVE: None

Application ZB655 – Abutel – Block 13, Lot 9 – 45 Ann Street

Memorialization of Resolution granting approval to construct a new uncovered front porch, add a second story addition. Variances are required to permit a front setback of 41.8' where 75' is required and 41.8' currently exists, a side setback of 28.2' where 30' is required and 28.2' currently exists and a building coverage of 8.4% where 6.6% is the maximum permitted.

Motion to Approve the Resolution:

OFFER: Behrens

SECOND: Barnett

AFFIRMATIVE: Bennett, McGarry, Barnett, Behrens, Burry and Yodakis

NEGATIVE: None

Application ZB659 – Mellina – Block 7, Lot 4.2 – 3 Colts Gait Lane

Memorialization of Resolution granting approval to construct a pool cabana in the AG Zone. A variance is required to permit a total lot coverage of 10.5% where 10% is the maximum permitted.

Motion to Approve the Resolution:

OFFER: Burry

SECOND: McGarry

AFFIRMATIVE: Bennett, McGarry, Barnett, Behrens, Burry and Yodakis

NEGATIVE: None

Application ZB660 – Yang – Block 48, Lot 23.17 – 2 Chukker Cove

Memorialization to Resolution granting approval to construct a pergola in the AG Zone. Variances are required to permit a side setback of 33' where 50' is required, a rear yard setback of 37' where 50' is required.

Motion to Approve the Resolution:

OFFER: McGarry

SECOND: Barnett

AFFIRMATIVE: Bennett, McGarry, Barnett, Behrens, Burry and Yodakis

NEGATIVE: None

ADMINISTRATIVE ITEMS:

None

APPLICATIONS: Old Business:

None

APPLICATIONS: New Business

Application ZB616 – Baldo – Block 35, Lot 22.20 – 22 Rivers Edge Drive

Application to install an inground pool. A variance is required to permit total lot coverage of 23.82% where 20% is the maximum permitted and 22.92% currently exists.

Mike Bruno, Esq. represented the applicant. Four items were marked as exhibits – zoning review, application, variance plan and mounted color rendering of site plan with six photos on the rear of the board.

A.J. Garito, Engineer – sworn. Mr. Garito explained that this property is on the reservoir side of Rivers Edge. The applicant purchased this home this past summer with the intent of installing a pool and found out what currently exists exceeds the permitted coverage. A plan was developed to install a 20' x 40' pool with only 500 s.f. of patio around half of the pool. This would increase the coverage just under 1%. The Board was concerned with the applicant coming back for a variance to install a cabana. Diane Baldo, applicant - sworn. Mrs. Baldo assured the Board they did not want a cabana and understood if they ever did pursue a cabana it would be very difficult to have approved.

The Board appreciated the applicant making an effort to keep the coverage down to a minimal. It was also the consensus that this was in keeping with the neighborhood which has larger homes and large circular driveways.

Motion to Approve the Resolution:

OFFER: Barnett

SECOND: McGarry

AFFIRMATIVE: Bennett, McGarry, Barnett, Behrens, Burry, Yodakis and Wagar

NEGATIVE: None

DISCUSSION ITEMS:

None

EXECUTIVE SESSION

None

MOTION TO ADJOURN

A motion was made by Ms. McGarry at 8:25 p.m. to adjourn the meeting, seconded by Ms. Barnett and unanimously carried.

I hereby certify that the above is a true and exact copy of the meeting minutes for the meeting conducted on November 18, 2004 adopted by the Board of Adjustment of the Township of Colts Neck at its meeting held on December 16, 2004.

Ruth Leininger, Assistant Secretary
Board of Adjustment of the
Township of Colts Neck