

**ZONING BOARD OF ADJUSTMENT
MEETING MINUTES
SEPTEMBER 16, 2010 AT 8:00 P.M.**

Mr. Burry called the meeting to order by reading the following statement: “As Presiding Officer of the Colts Neck Zoning Board, I hereby declare that the notice requirements of the law has been satisfied by prominently posting a notice of this meeting on the Township Bulletin Board, and that there 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: Burry, Bennett, Hesslein, Sobieski, Wagar, Yodakis and Farrell

ABSENT: Karch and Lewis

ALSO PRESENT: Timothy Anfuso, P.P., Mike Steib, Esq., and Ruth Leininger

Approval of Minutes:

Motion to Approve the August 19, 2010 Meeting Minutes:

OFFER: Hesslein

SECOND: Wagar

AFFIRMATIVE: Burry, Bennett, Hesslein, Sobieski, Wagar, Yodakis and Farrell

NEGATIVE: None

RESOLUTIONS:

ZB850 – O’Connor – Block 22.9, Lot 5 – 60 Carriage Hill Drive

Memorialization of Resolution granting approval to remove an existing deck and construct a new 16’ x 38’ deck with a partial roof in the A-1 Zone. A variance is required to permit a building separation of 11’ where 20’ is required.

Motion to Memorialize the Resolution:

OFFER: Wagar

SECOND: Farrell

AFFIRMATIVE: Burry, Bennett, Hesslein, Sobieski, Wagar, Yodakis and Farrell

NEGATIVE: None

ZB851 – Manhire – Block 21, Lot 2 – 585 Lovett Road

Memorialization of Resolution granting approval to install an 11’ x 20’ pergola on the upper deck in the A-1 Zone. A variance is required to permit a 45’ side yard setback where 54’ is required.

Motion to Memorialize the Resolution:

OFFER: Wagar

SECOND: Hesslein

AFFIRMATIVE: Burry, Bennett, Hesslein, Sobieski, Wagar, Yodakis and Farrell

NEGATIVE: None

ADMINISTRATIVE ITEMS:

None

APPLICATIONS: Old Business

ZB847 – East Coast Pool Concepts – Block 39, Lot 7 – 16 Deborah Drive

Application to retain existing inground swimming pool and 2,000 s.f. concrete patio. A variance is required to permit a rear setback of 38.46' where 50' is required.

Sal Alfieri, Esq. represented the applicant. Mr. Alfieri addressed the Board and stated that only five members of the Board were eligible to vote on the application and they would like to carry the application to give the other members time to listen to tapes so they could get a full complement of the Board. An extension of time was granted to November 30, 2010.

This application is carried to the October 21, 2010 meeting with no further notice.

APPLICATIONS: New Business

ZB852 – Pardee – Block 6, Lot 9.26 – 1 Gaitway Drive

Application to remove the existing pool and patio and install a new pool, patio, masonry grill in the A-1 Zone. Variances are required to permit a side setback of 17.68' for the grill and 26.82' for the pool where 40' is required, a rear setback of 23' for the grill and 19.59' for the pool where 40' is required and total lot coverage of 21.31% where 20% is the maximum permitted.

Five items were marked as exhibits – zoning review, application, variance plan, Board of Health comments and Fire Prevention Bureau review. Derek Pardee, applicant – sworn.

Mr. Pardee told the Board he has received two variances in the past, one for the pool and another for the pool house. When the pool house was built the slate was put down incorrectly and must be repaired each year. They would like to remove the pool and slate. They will shrink the size of the pool and footprint by remove some of the decking. The rear of the property abuts greenway property so it will not be obtrusive to any neighbors.

Open to the public with no comments. The Board was concerned the applicant was requesting 730 s.f. over the permissible lot coverage, it seemed too much. They definitely did not think they should grant a variance for more than what was previously granted. Mr. Pardee asked to carry the application.

The application is carried to the October 21, 2010 meeting with no further notice.

ZB853 – Hoeker – Block 13, Lot 35 – 151 Heulitt Road

Application to construct an addition and relocate existing driveway in the A-1 Zone. Variances are required to permit a front yard setback of 51.47’ where 75’ is required and a side yard setback of 28.47’ where 50’ is required.

Eleven items were marked as exhibits – zoning review, application, NJDEP permit plan, architectural elevations, Board of Health comments, Fire Prevention Bureau comments, copy of tax map, color rendering of variance plan, photoboard with eight photos and mounted architectural elevation pages A1 and A2.

A.J. Garito, Engineer, Kathleen and Chris Hoeker, applicants – all sworn. The property is 2.6 acres with an existing modest one story home with a two car garage under. The garage gets water so they would like to fill in the garage and construct a garage level with the house. The garage will be attached to the home by also adding a playroom, the total additions are 1,500 s.f. There is a brook that runs through the property and they must remain 300’ away. They have submitted an application to obtain DEP approval but are trying to keep the addition as far away as possible from the stream.

Open to the public with no comment. Some members felt the applicant had a hardship due to the brook running through the property and the existing house located very close to the property line. Other members felt the addition was too close to the property lines. The approval was conditioned on the applicant receiving approval from the NJDEP.

Motion to Approve the Application:

OFFER: Hesslein

SECOND: Wagar

AFFIRMATIVE: Burry, Bennett, Hesslein, Wagar and Farrell

NEGATIVE: Sobieski and Yodakis

DISCUSSION ITEMS:

None

EXECUTIVE SESSION

None

MOTION TO ADJOURN

A motion was made by Mr. Farrell at 9:10 p.m. to adjourn the meeting, seconded by Mr. Hesslein and unanimously carried.

I hereby certify that the above is a true and exact copy of the Meeting minutes for the meeting conducted on September 16, 2010 adopted by the Board of Adjustment of the Township of Colts Neck at its meeting held on October 21, 2010.

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