

**ZONING BOARD OF ADJUSTMENT
MEETING MINUTES
JUNE 18, 2015 AT 8:00 P.M.**

Mr. Florek 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 have 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. I further order that this public announcement be placed in the minutes of this meeting".

Salute the Flag

Roll Call:

PRESENT: Florek, Farrell, Burry, Bennett, Karch, Sobieski, Yodakis, Burke and Sullivan

ABSENT: None

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

Approval of Minutes:

Motion to Approve the April 16, 2015 Meeting Minutes:

OFFER: Burry

SECOND: Karch

AFFIRMATIVE: Florek, Farrell, Burry, Bennett, Karch, Sobieski and Yodakis

NEGATIVE: None

Motion to Approve the May 21, 2015 Meeting Minutes:

OFFER: Sullivan

SECOND: Bennett

AFFIRMATIVE: Florek, Burry and Sullivan

NEGATIVE: None

RESOLUTIONS:

ZB942 – Dell’Anno – Block 46, Lot 1.01 – 39 Bretwood Drive South

Memorialization of a resolution granting approval to install an inground pool in the AG Zone. A variance is required to permit a front yard setback of 123’ where 150’ is required.

Motion to Memorialize the Resolution:

OFFER: Karch

SECOND: Farrell

AFFIRMATIVE: Florek, Farrell, Burry, Bennett, Karch, Sobieski and Yodakis
NEGATIVE: None

ZB943 – Montefusco – Block 34, Lot 16.21 – 39 Orchard Lane

Memorialization of a resolution granting approval to construct a rear addition of 213 s.f. to a single family dwelling in the A-1 Zone. A variance is required to permit a 6.38% building coverage where 6% is the maximum permitted.

Motion to Memorialize the Resolution:

OFFER: Farrell

SECOND: Burry

AFFIRMATIVE: Florek, Farrell, Burry, Bennett, Karch, Sobieski and Yodakis

NEGATIVE: None

ADMINISTRATIVE ITEMS:

ZB917 – Portadin – Block 29.06, Lot 14 – 19 Oak Glen Road

Request for a one year extension of time to the approved variance. The extension of time will begin January 16, 2015 and expire January 16, 2016.

Mr. Anfuso advised the Board this is the applicant's first request for an extension of time. This Board granted the variance however the applicant was required to get a Flood Hazard Permit from the DEP. The applicant finally received that permit and is ready to begin the project.

Motion to Approve the Extension of Time:

OFFER: Burry

SECOND: Farrell

AFFIRMATIVE: Florek, Farrell, Burry, Bennett, Karch, Sobieski and Yodakis

NEGATIVE: None

ZB922 – Procyk – Block 35, Lot 1.26 – 10 Utopia Drive

Request for a one year extension of time to the approved variance. The extension of time will begin April 17, 2015 and expire April 17, 2016.

Mr. Procyk advised the Board that he also had to get approval from the DEP. Once that approval was received they also decided to scale back the project requiring revised plans. They are now ready to proceed.

Motion to Approve the Extension of Time:

OFFER: Burry

SECOND: Karch

AFFIRMATIVE: Florek, Farrell, Burry, Bennett, Karch, Sobieski and Yodakis

NEGATIVE: None

ZB938 – Shaw – Block 9, Lot 60 – 10 Big Brook Terrace

Request to withdraw application for a variance without prejudice.

Mr. Anfuso advised the Board this applicant filed an incomplete application and paid their fees. The applicant has now abandoned the project and is in the process of selling this home. They are seeking to recoup the fees that were paid.

Motion to Accept the Withdrawal of Application Without Prejudice:

OFFER: Burry

SECOND: Karch

AFFIRMATIVE: Florek, Farrell, Burry, Bennett, Karch, Sobieski and Yodakis

NEGATIVE: None

APPLICATIONS: Old Business

ZB903 – Holland Flowers – Block 47, Lot 9 – 250 Route 34

Application for a Use Variance to permit a whole sale floral business in the A-3 Agricultural/Residential Zone. Time to June 30, 2015

Mr. Alfieri, Esq. sent a letter to the Board stating the applicant is in the process of getting revised architectural plans which were not complete in time for this meeting. Mr. Alfieri is not available the week of the July meeting so they are asking to carry this application to the August meeting and granted an extension of time to September 30, 2015.

With no objections from the Board, Mr. Steib announced this application is carried to August 20, 2015 with no further notice.

APPLICATIONS: New Business:

ZB945 – Haaf – Block 21, Lot 27 – 520 Marl Road

Application to remove the existing deck and install a raised terrace with an outdoor kitchen and ground level fire pit in the A-1 Zone. A variance is required to permit a building separation between the proposed terrace and the existing swimming pool of 9.41' where 20' is required. Time to September 3, 2015

The Board accepted the application. Seven items were marked as exhibits – zoning review, application, variance plan, Board of Health comments, Fire Marshall's comments, a mounted color rendering of the variance plan with two photos and a photoboard with six mounted photos.

David Haaf, applicant and AJ Garito, Engineer – both sworn. Mr. Garito explained that Mr. Haaf's property is developed with a residence, driveway, pool and deck. The existing wood deck is starting to deteriorate and he would like to replace it with a raised terrace. The raised terrace will be constructed in the exact location as the current wood deck and as depicted in the photos the terrace will be 9.41' from the pool just as it exists today and has for the past 30 years.

Open to the public with no comments. The Board noted the Fire Marshall did not have an issue with the requested variance and it has not caused an issue for the past 30 years.

Motion to Approve the Application:

OFFER: Burry

SECOND: Karch

AFFIRMATIVE: Florek, Farrell, Burry, Bennett, Karch, Sobieski and Yodakis

NEGATIVE: None

ZB944 – Barna – Block 33, Lot 20.05 – 4 Camelot

Application to construct an inground pool, pavilion with fireplace, pillars, BBQ island and fence in the A-1 Zone. Variances are required to permit a side yard setback for the pool of 45' where 50' is required, a side yard setback for the pavilion of 21' where 50' is required, a building separation between the BBQ and house of 15' where 20' is required, an accessory structure separation between the BBQ and pool of 4' where 10' is required and a 6' pillar/fence in the front yard where 4' is the maximum permitted.

A representative from Picture Perfect Landscaping was in attendance however the applicant was not. Mr. Steib advised that the applicant must be present to give permission allowing someone else to speak on their behalf unless it is an attorney. The representative called the applicant and left a message, the Board waited ten minutes and with no return call it was announced that the application was carried to the July 16, 2015 meeting with no further notice.

DISCUSSION ITEMS:

Mr. Steib, Esq. advised the Board the Notaro court case was heard by Judge Skully. The Judge withheld his decision and will advise of his ruling within a few weeks.

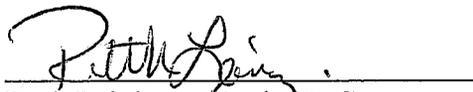
EXECUTIVE SESSION

None

MOTION TO ADJOURN

A motion was made by Mr. Burry at 8:20 p.m. to adjourn the meeting, seconded by Mr. Karch and unanimously carried.

I hereby certify that the above is a true and exact copy of the Meeting minutes for the meeting conducted on June 18, 2015 adopted by the Board of Adjustment of the Township of Colts Neck at its meeting held on July 16, 2015.



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