

**ZONING BOARD OF ADJUSTMENT  
MEETING MINUTES  
NOVEMBER 17, 2011 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, Hesslein, Bennett, Florek, Karch, Sobieski and Yodakis

ABSENT: Farrell and Lewis

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

**Approval of Minutes:**

Motion to Approve the October 20, 2011 Meeting Minutes:

OFFER: Sobieski

SECOND: Karch

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

NEGATIVE: None

**RESOLUTIONS:**

**ZB844 – Sessa – Block 43, Lots 4 & 5 – 121 Five Points Road**

Memorialization of Resolution granting approval for a retroactive one year extension of time to variance. The extension of time begins June 17, 2011 and expire June 17, 2012.

Motion to Memorialize the Resolution:

OFFER: Hesslein

SECOND: Florek

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

NEGATIVE: None

**ZB879 – Klein – Block 1, Lot 55 – 25 Glenwood Road**

Memorialization of Resolution granting approval for a garage addition and attaching the existing detached garage to the main house. Variances are required to permit a front setback of 75.6’ where 115’ is required and side setbacks of 40’ and 42’ where 80’ is required.

Motion to Memorialize the Resolution:

OFFER: Hesslein

SECOND: Karch

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

**ZB880 – Weiss – Block 11, Lot 1.02 – 11 Hillcrest Drive**

Memorialization of Resolution granting approval to enlarge the front porch, side and rear additions and enlarge the existing cabana. Variances are required to permit a front setback of 95' from the porch and 128' from the addition where 245' is required and a side setback of 70' where 85' is required.

Motion to Memorialize the Resolution:

OFFER: Hesslein

SECOND: Florek

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

NEGATIVE: None

**ADMINISTRATIVE:**

None

**APPLICATIONS: Old Business**

None

**APPLICATIONS: New Business:**

**ZB881 – Brunsden – Block 21.03, Lot 4 – 20 Horseshoe Court**

Application to construct a roof structure over an existing patio. A variance is required to permit a building coverage of 7% where 6.6% is the maximum permitted.

Cavan Brunsden, applicant and Robert Kaye, contractor both sworn. Five items were marked as exhibits – zoning review, application, plot plan, elevation plans, Board of Health comments, Fire Prevention comments and Architectural Review comments. There is an existing raised patio that the homeowner would like to put a shed roof over so they are able to utilize it during the winter. There will only be one column and the area will not be enclosed.

Open to the public with no comments. The Board felt comfortable because the area is completely behind the home with the reservoir adjacent to it so that it does not have any adverse impact on neighbors. Board stipulated the porch could not be enclosed.

Motion to Memorialize the Application:

OFFER: Karch

SECOND: Sobieski

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

NEGATIVE: None

**ZB882 – Welch – Block 7.14, Lot 10 – 13 Wedgewood Avenue**

Application to construct a detach garage in the A-2 Zone. A variance is required to permit a 12' building separation where 20' is required.

Chris Welch, applicant and A.J. Garito, Engineer both sworn. Eight items were marked as exhibits – zoning review, application, plot plan, floor plans, two photos of existing conditions, Board of Health comments, Fire Prevention Bureau comments and a photoboard with Tax Map, Plot Plan, Floor Plan, color rendered plot plan and photographs of subject property.

The property is approximately one acre in the A-2 zone. The applicant would like to enclose the existing garage and convert it to a home office and build a detached three car garage. The garage will have an 888 s.f. footprint with some attic space for storage. The Welch's have four children; the oldest will soon be driving, which will mean more vehicles. The garage will not have any plumbing or heat. Open to the public with no comments.

The Board understood the need for storage with four children. Some of the members questioned why the garage couldn't be moved or attached to the home to eliminate the variance. Others felt the Fire Marshall approved the building separation of 12' due to the unique location of the proposed detached garage in relationship to the rest of the structure and was a better planning alternative.

Motion to Memorialize the Application:

OFFER: Karch

SECOND: Florek

AFFIRMATIVE: Burry, Hesslein, Bennett, Florek, Karch and Yodakis

NEGATIVE: Sobieski

**ZB883 – Adler – Block 38, Lot 14 – 230B Swimming River Road**

Application to reconstruct the rear deck in the existing footprint in the A-3 Zone. Variances are required to permit the issuance of a building permit on a lot that does not front on an approved street, and to permit a 4.5' setback from Lot 11 where a variance was previously granted to permit a 10' setback.

Robert Adler, Sr., applicant and Robert Adler, Jr., Architect both sworn. Six items were marked as exhibits – zoning review, application, plot plan, existing deck plan, Board of Health comments and Fire Prevention Bureau review. The existing home has a deck that is in disrepair and does not meet code; the applicant would like to reconstruct it with a slight modification. They would like to eliminate the stair and attach the deck to the house. The deck is behind the house, facing the reservoir. Open to the public with no comments.

The Board felt the applicant has a hardship because of the lot, anything that they did would require a variance. They are making the deck safer and not exasperating the existing conditions.

Motion to Memorialize the Application:

OFFER: Karch

SECOND: Hesslein

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

NEGATIVE: None

**DISCUSSION ITEMS:**

A group of Boy Scouts working on their Citizenship Merit Badge were in attendance. Mr. Steib, Esq. briefly reviewed for them the purpose of the Zoning Board of Adjustment.

A draft Annual Report was handed out to the Board members for their review. Mr. Anfuso asked everyone to review the document and advise him of anything additional they would like to have added.

**EXECUTIVE SESSION**

None

**MOTION TO ADJOURN**

A motion was made by Mr. Hesslein at 8:55 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 November 17, 2011 adopted by the Board of Adjustment of the Township of Colts Neck at its meeting held on December 15, 2011.

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