

**ZONING BOARD OF ADJUSTMENT
MEETING MINUTES
AUGUST 18, 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, Sobieski, Yodakis and Farrell

ABSENT: Karch, Wagar and Lewis

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

Approval of Minutes:

Motion to Approve the July 21, 2011 Meeting Minutes:

OFFER: Yodakis

SECOND: Hesslein

AFFIRMATIVE: Burry, Hesslein, Bennett and Yodakis,

NEGATIVE: None

RESOLUTIONS:

ZB870 – Bartolomeo – Block 16, Lot 53.18 – 9 Old Stable Way

Memorialization of Resolution granting approval to construct a 12.5' x 29' deck off the rear of an existing single family dwelling in the A-1 Zone. Variances are required to permit a building separation of 17' where 20' is required and a total lot coverage of 23.1% where 20% is the maximum permitted and 23.1% exists.

Motion to Memorialize the Resolution:

OFFER: Hesslein

SECOND: Yodakis

AFFIRMATIVE: Burry, Hesslein, Bennett and Yodakis

NEGATIVE: None

ZB871 – Greco – Block 7, Lot 4.3 – 7 Colts Gait Lane

Memorialization of Resolution granting approval for an addition and renovation to an existing pool cabana to add a garage in the AG Zone. A variance is required to permit a total lot coverage of 11.66% where 10% is the maximum and 11.3% currently exists.

Motion to Memorialize the Resolution:

OFFER: Hesslein

SECOND: Yodakis

AFFIRMATIVE: Burry, Hesslein, Bennett and Yodakis

NEGATIVE: None

ZB865 – Dr. Iorio – Block 8, Lot 5 – 200 Route 34

Memorialization of Resolution granting Use Variance approval and Site Plan Waiver to construct a vestibule in the A-1 Zone.

Motion to Memorialize the Resolution:

OFFER: Hesslein

SECOND: Yodakis

AFFIRMATIVE: Burry, Hesslein, Bennett and Yodakis

NEGATIVE: None

ZB875 Pellicone – Block 36, Lot 11 – 307 Lakeside Avenue

Approval and Memorialization of Resolution withdrawing the application without prejudice.

Motion to Approve and Memorialize the Resolution:

OFFER: Hesslein

SECOND: Yodakis

AFFIRMATIVE: Burry, Hesslein, Bennett and Yodakis

NEGATIVE: None

ZB866 – T-Mobile – Block 53, Lots 8, 12 & 12.01 – 81 Obre Road

Approval and Memorialization of Resolution withdrawing the application without prejudice.

Motion to Memorialize the Resolution:

OFFER: Hesslein

SECOND: Yodakis

AFFIRMATIVE: Burry, Hesslein, Bennett and Yodakis

NEGATIVE: None

ADMINISTRATIVE:

None

APPLICATIONS: Old Business

ZB872 – Loshiavo – Block 51, Lot 2.32 – 3 Air Dancer Lane

Application for an inground pool, cabana, patio and retaining walls in the AG Zone. Variances are required to permit a building separation of 16' from the hot tub where 20' is required and a total lot coverage of 15.88% where 15% is the maximum permitted.

Lisa Loshiavo, A.J. Garito, Engineer and Mike Monroe, Architect – all sworn. Three new items were marked as exhibits – NJDEP letter, zoning review update and a mounted color rendering of the variance plan.

At the last meeting the Board encouraged the applicant to reduce their lot coverage. The proposal last month was for a 17.96% coverage and the applicant has reduced it to 15.88%. The fire pit has been removed from the plan, the patio and gazebo remain and there is now a minimal deck around the pool. Open to the public with no comments.

The Board thought the applicant did a good job and worked hard on reducing the coverage.

Motion to Memorialize the Resolution:

OFFER: Hesslein

SECOND: Farrell

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

NEGATIVE: None

APPLICATIONS: New Business:

ZB873 – Monmouth Medical Center – Block 46, Lot 16 – 310 Highway 34

Application to install a 36 s.f. façade sign along the building's south elevation in the B-1 Zone.

Variances are required to permit a second façade sign where only one is permitted and to permit a façade sign along the side elevation when only permitted along the front elevation.

Eight items were marked as exhibits – zoning review, application, proposed sign, building elevation, simulation of signs, Board of Health comments, Architectural Review comments and Fire Prevention Bureau comment. Paul Dapolito, Esq. represented the applicant. Victor Moschella, Vice President for Monmouth Medical Center – sworn.

Mr. Moschella told the Board that Monmouth Medical is the tenant on the second floor. The current freestanding sign that is provided by the landlord is very hard to see and you don't see it until you are at the driveway. They would like to move the current sign façade over and install an identical sign on the front façade of the building. Instead of having one sign centered they are proposing two identical signs. The size of the new sign is 36 s.f.

Open to the public with no comments. The Board agreed the current sign is very hard to see traveling on Route 34. The Board thought the sign looks symmetrical and was very tasteful.

Motion to Memorialize the Resolution:

OFFER: Yodakis

SECOND: Hesslein

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

NEGATIVE: None

ZB874 – Raval – Block 8, Lot 6.10 – 4 Fulling Mill Lane

Application to install a 5' jerith fence in the A-1 Zone. A variance is required to permit 5' fence in the front yard where 4' is the maximum height permitted.

Dr. Sumul Raval and his wife Sioarivol Raval, applicants – both sworn. Seven items were marked as exhibits – zoning review, application, narrative letter, survey, Board of Health comments, Architectural Review comments and Fire Prevention Bureau review.

The Raval's live on the corner of Conover Road and Fulling Mill Lane, giving them two front yards causing a portion of the fence to be considered the front yard. Dr. Raval is a neurologist and very concerned with lyme disease. There are so many deer in his backyard that they have not used it during the three years they have owned the property. In the future they would like to get a pool and will need a fence. The fence would be visible from Conover Road since the location is hidden by a berm and trees. There is a portion of the fence that is also in a conservation easement, this is something the Township Committee needs to approve.

Open to the public. Justice Cooley, Conover Road – sworn. Mr. Cooley stated he had lyme disease twice, the deer are in the grass and he did not think the fence would help. Some of the Board members agreed that one foot would not make a difference in deterring the deer. Other members felt there was only a small portion of the fence that they needed the variance for and aesthetically it would look much better. If the Township Committee did not approve the fence in the proposed location then it would have to be moved back to the easement line.

Motion to Memorialize the Resolution:

OFFER: Yodakis

SECOND: Hesslein

AFFIRMATIVE: Burry, Hesslein, Sobieski and Farrell

NEGATIVE: Bennett and Yodakis

ZB876 – Pereira – Block 13, Lot 2 – 60 Crine Road

Application to construct a detached garage in the A-1 Zone. A variance is required to permit a total lot coverage of 21.8% where 20% is the maximum permitted.

Six items were marked as exhibits – zoning review, application, survey, Fire Prevention Bureau comments, Board of Health comments and Architectural Review Committee comments. Aida Pereira, applicant – sworn. Ms. Pereira told the Board she does not have a garage and after the past winter they really want a detached garage. After the past winter they really want a garage. Crine Road is a very busy road and it is very difficult to back out. The property is an undersized lot and the proposed location of the garage is highly wooded.

Open to the public with no comments. The garage will only have electric and storage will be the only thing the attic will be used for. The Board felt a garage is a reasonable request and the applicant has a hardship with an undersized lot.

Motion to Approve the Application:

OFFER: Bennett

SECOND: Sobieski

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

NEGATIVE: None

DISCUSSION ITEMS:

None

EXECUTIVE SESSION

None

MOTION TO ADJOURN

A motion was made by Mr. Farrell at 8:45 p.m. to adjourn the meeting, seconded by Mr. Burry and unanimously carried.

I hereby certify that the above is a true and exact copy of the Meeting minutes for the meeting conducted on August 18, 2011 adopted by the Board of Adjustment of the Township of Colts Neck at its meeting held on September 15, 2011.

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