

**ZONING BOARD OF ADJUSTMENT
MEETING MINUTES
SEPTEMBER 19, 2013 AT 8:00 P.M.**

Mr. Sobieski 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: Sobieski, Bennett, Burry, Farrell, Florek, Karch, Yodakis, Lewis and Karcher

ABSENT: None

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

Approval of Minutes:

Motion to Approve the August 15, 2013 Meeting Minutes:

OFFER: Burry

SECOND: Karch

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

NEGATIVE: None

RESOLUTIONS:

ZB817A – Notaro – Block 11, Lot 3.05 – 10 Mockingbird Drive

Memorialization of Resolution Dismissing the Application with Prejudice.

Motion to Memorialize the Resolution:

OFFER: Karch

SECOND: Burry

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

NEGATIVE: None

ADMINISTRATIVE ITEMS:

None

APPLICATIONS: Old Business

None

APPLICATIONS: New Business:

ZB910 – Short Slate, LLC – Block 11, Lot 6 – 118 Crine Road

Application for Site Plan Waiver to convert the former Stewart’s Tool and Die building for the Administrative offices, light fabrication of copper into flashing, ridge caps and valleys and interior storage of materials for Short Slate, LLC, a roofing company in the A-1 Zone.

Mr. Bennett, Mr. Burry and Mr. Yodakis all recused themselves from this application. Ten items were marked as exhibits – application, description of operations, variance plan, Board of Health comments, review letter from the Township Engineer, review letter from the Township Planner, Architectural Review Committee’s comments, Fire Marshall’s comments, letter from Mr. Giunco requesting Site Plan Waiver and Resolution Granting Use Variance for Short Slate, LLC.

Mr. Giunco, Esq. represented the applicant. Mr. Giunco explained the Zoning Board granted a Use Variance in June 2013 and they are now requesting a waiver of site plan. The property will be used as is and is subject to limitations placed in the Use Variance approval. The slate materials are very heavy and typically delivered directly to the job site. The office hours are very limited, no customers come to the site and there will be no new signage except the renovation of the existing Stewart’s Tool and Die sign.

Open to the public with no comment. The Board did not see a need to renovate the entire parking lot when the building would not be open to the public; however they did feel there should be one designated handicapped parking spot as recommended by the Engineer. The applicant also agreed to address the concerns of the Health Officer and to apply for a C.C.O. and Mercantile License.

Motion to Approve the Application:

OFFER: Florek

SECOND: Farrell

AFFIRMATIVE: Sobieski, Farrell, Florek, Karch, Lewis and Karcher

NEGATIVE: None

Motion to Memorialize the Resolution:

OFFER: Lewis

SECOND: Farrell

AFFIRMATIVE: Sobieski, Farrell, Florek, Karch, Lewis and Karcher

NEGATIVE: None

ZB914 – Sharpe – Block 7.26, Lot 2 – 9 Laurelwood Drive

Application to construct an addition to a single family dwelling in the A-2 Zone. Variances are required to permit a front setback of 76.05’ where 80’ is required and a side setback of 39.5’ where 45’ is required.

Seven items were marked as exhibits – zoning review, application, site plan and floor plans, Board of Health comments, Architectural Review Committee’s comments, Fire Marshall’s comments and an aerial photo.

Ian Sharpe – sworn. Mr. Sharpe explained they purchased this three bedroom ranch in 2003. They would like to add an additional bedroom however they are constrained with the septic being located behind the house. They are trying to make the best use of the space by constructing an 18' x 29' addition. Although the house is not 90' wide and they are not making the house any wider than it currently is but with the way the house is placed, not parallel to the street, it makes the 90' rule come into play.

Open to the public with no comment. The Board felt the placement of the addition made the most sense and the requested variance was deminimis.

Motion to Approve the Application:

OFFER: Florek

SECOND: Farrell

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

NEGATIVE: None

ZB915 – Weiss – Block 11, Lot 1.02 – 11 Hillcrest Lane

Application to enlarge the existing pool cabana and add an arbor to rear of the house in the AG Agricultural Zone. Variances are required to permit a front setback for the arbor of 170' where 252' is required and 79' currently exists, a 15' building separation between the arbor and pool where 20' is required, 7' pier setback of 1' where 30' is required, a proposed house and cabana separation of 15' where 20' is required, a proposed arbor and cabana separation of 16' where 20' is required and proposed cabana and pool separation of 7' where 10' is required.

Mr. Steib stated there was an issue with the certified letters that were sent out, a letter was sent to Sara Jane Donofrio but not Sara Stewart Donofrio. Ms. Donofrio was in attendance and under oath stated that she is Sara Jane Stewart Donofrio and received notice of the hearing.

Six items were marked as exhibits – zoning review, application, site plan, Board of Health comments, Fire Marshall's review and three photos showing before and after construction. Joseph and Katherine Weiss – sworn. Mr. Weiss explained they have been renovating and updating their home since purchasing it two years ago. They are getting ready to construct the pool cabana and would like to make it an additional five feet in width than what they had originally planned so they can make a separate space. They have a special needs child and would like to have a separate, quiet space for him; the current design is one large open area. They also would like to make the arbor bigger; the arbor is a wood open frame trellis. By increasing the size of the pool house and arbor is what is causing the separation variances. The Fire Marshall felt due to the unique location of the pool in relationship to the main structure the 15' separation would not present an issue in normal ladder operations.

The proposed piers are a simplistic pier that will have the light hang down in the front; no lights would be on top of the pier extending the height. There will not be any wing walls or fencing. Open to the public with no comment. The Board was concerned with the height of the piers and did not see a hardship from the applicant requiring piers at that height. The applicant withdrew their request for the piers.

The Board felt the property was very secluded and thought the size of the cabana fit on the thirteen acre lot. They did have concerns that it could be easily converted to living space, especially since it

has air conditioning and heat; however the applicant clarified that they would not use it as a dwelling unit. The Board conditioned their approval that the pool cabana could not be used as a dwelling.

Motion to Approve the Application:

OFFER: Burry

SECOND: Farrell

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

NEGATIVE: None

DISCUSSION ITEMS:

None

EXECUTIVE SESSION

None

MOTION TO ADJOURN

A motion was made by Mr. Florek at 9:15 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 September 19, 2013 adopted by the Board of Adjustment of the Township of Colts Neck at its meeting held on October 17, 2013.

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