

**ZONING BOARD OF ADJUSTMENT
MEETING MINUTES
JANUARY 19, 2017 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. I further order that this public announcement be placed in the minutes of this meeting" followed by flag salute.

Roll Call

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

ABSENT: Karch

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

Reorganization

Mr. Steib, Esq. advised Ed Sobieski, Tom Sullivan and Al Yodakis have been reappointed and signed their Oath of Office and then swore them in.

Mr. Florek stated the Nominating Committee's recommendation was Ed Sobieski as Chairman, Geoff Karch as Vice-Chairman, Al Yodakis as Secretary and Ruth Leininger as Assistant Secretary. There were no other nominations from the Board; nominations were closed.

Motion to Adopt a full slate:

OFFER: Florek

SECOND: Farrell

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

NEGATIVE: None

ABSTAIN: None

The meeting was turned over to Mr. Sobieski.

Approval of Meeting Dates for 2017:

The Board adopted the schedule for meeting dates for the remainder of 2017 at 8:00 p.m. in the meeting room at Town Hall as follows:

February 16, 2017
March 16, 2017
April 20, 2017
May 18, 2017

June 15, 2017
July 20, 2017
August 17, 2017
September 21, 2017

October 19, 2017
November 16, 2017
December 21, 2017

Motion to adopt 2017 meeting dates:

OFFER: Yodakis

SECOND: Sobieski

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

NEGATIVE: None

Appointment of Official Newspaper:

Motion to Appoint Asbury Park Press, News Transcript and Star Ledger as Official Newspaper:

OFFER: Sobieski

SECOND: Sullivan

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

NEGATIVE: None

Appointment of Zoning Board Engineer:

Motion to Appoint Township Engineer, Glenn Gerken:

OFFER: Florek

SECOND: Sobieski

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

NEGATIVE: None

Appointment of Zoning Board Attorney:

Motion to Appoint Zoning Board Attorney, Michael B. Steib, Esq.:

OFFER: Sobieski

SECOND: Yodakis

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

NEGATIVE: None

Approval of Minutes:

Motion to Approve the December 15, 2016 Meeting Minutes:

OFFER: Burry

SECOND: Florek

AFFIRMATIVE: Bennett, Burry, Farrell, Florek, Yodakis and Burke

NEGATIVE: None

RESOLUTIONS:

ZB970 – Bowers – Block 7.20, Lot 5 – 52 Laurelwood Drive

Memorialize Resolution to construct a front porch, rear and side additions to a single family dwelling in the A-2 Zone. Variances are required to permit a front setback of 76.3' where 86.8' is required and a side setback of 42.1' where 51.8' is required.

Motion to Memorialize the Resolution:

OFFER: Burry

SECOND: Yodakis

AFFIRMATIVE: Bennett, Burry, Farrell and Yodakis

NEGATIVE: None

ADMINISTRATIVE ITEMS:

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

Request for a one year extension of time to the approved variance. The extension of time will begin June 18, 2016 and expire June 18, 2017.

Mr. Anfuso stated the ordinance allows an applicant to request an extension of time if they have not obtained building permits within one year of a variance approval.

Motion to Approve the Extension of Time:

OFFER: Burry

SECOND: Burke

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

NEGATIVE: None

2016 Annual Report

The Board reviewed the updated 2016 Annual Report and commented Mr. Anfuso did an excellent job.

Motion to Approve the Memorialize the 2016 Annual Report:

OFFER: Burry

SECOND: Burke

AFFIRMATIVE: Sobieski, Bennett, Burry, Farrell, Florek, Yodakis, Burke

NEGATIVE: None

APPLICATIONS: Old Business

None

APPLICATIONS: New Business:

ZB972 – Maiorani – Block 21.06, Lot5 – 10 Saratoga Drive

Request to construct a front porch to a single family dwelling in the A-1 Zone. A variance is required to permit a front setback of 69.6' where 84' is required and a side setback of 46.1' where 49' is required.

The application was accepted. Seven items were marked as exhibits – zoning review, application, survey, elevation, Architectural Review Committee's comments, series of eight photos and a scaled drawing with the proposed portico.

Jerry Maiorani, applicant – sworn. Mr. Maiorani explained they purchased this home in December and they are trying to update it and match homes in the neighborhood while providing shelter over the front door. Photos submitted show numerous homes in the neighborhood with similar front porches. The porch will extend eight feet from the home and remain open with columns; the home is currently nonconforming because of the 90 rule.

Open to the public with no comments. The Board felt the variance being requested was diminimis as long as the applicant agreed the porch could not be enclosed. They felt the porch will enhance the front façade of the home.

Motion to Approve the Application:

OFFER: Burry

SECOND: Farrell

AFFIRMATIVE: Sobieski, Bennett, Burry, Farrell, Florek, Yodakis, Burke

NEGATIVE: None

ZB973 – Gabriel/Vaiana – Block 10, Lot 45 – 7 Partridge Way

Request to construct a one story rear addition to an existing single family dwelling in the A-1 Zone. A variance is required to permit 6.32% building coverage where 6% is the maximum permitted.

The application was accepted. Seven items were marked as exhibits – zoning review, application, plot plan, elevation drawing, floor plans, Fire Marshall’s review and Health Officer’s comments.

Paul Vaiana, applicant – sworn. Mr. Vaiana explained they recently purchased this property as their retirement home. The bedroom in this home is smaller than what they previously had, they just want to have the same size bedroom as their previous home so that their furniture can fit. Mr. Vaiana also stated wife has a difficult time moving around and uses a wheelchair so they need enough room for the wheelchair to move around. The property backs up to a greenway which is very heavily treed.

Open to the public with no comments. The Board felt the applicant had a hardship whereby his wife used a wheelchair requiring a little extra room to move around the home. They also felt the addition would not be able to be seen from the street and was diminimis.

Motion to Approve the Application:

OFFER: Burry

SECOND: Farrell

AFFIRMATIVE: Sobieski, Bennett, Burry, Farrell, Florek, Yodakis, Burke

NEGATIVE: None

DISCUSSION ITEMS:

Mr. Steib explained the Supreme Court decision that was just made to include the gap period when municipalities are calculating their affordable housing obligations.

EXECUTIVE SESSION

None

MOTION TO ADJOURN

A motion was made by Mr. Florek at 8:55 p.m. to adjourn the meeting, seconded by Mr. Farrell and unanimously carried.

I hereby certify that the above is a true and exact copy of the meeting minutes for the meeting conducted on January 19, 2016 adopted by the Board of Adjustment of the Township of Colts Neck at its meeting held on February 16, 2016.



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