

**ZONING BOARD OF ADJUSTMENT
MEETING MINUTES
JULY 20, 2017 AT 8:00 P.M.**

Mr. Sobieski called the meeting to order by reading the following statement: "As Chairman and Presiding Officer of this meeting 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 News Transcript and Star Ledger, 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: Sobieski, Bennett, Farrell, Florek, Yodakis and Burke

ABSENT: Karch, Burke and Sullivan

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

Approval of Minutes:

Motion to Approve the June 15, 2017 Meeting Minutes:

OFFER: Yodakis

SECOND: Florek

AFFIRMATIVE: Sobieski, Bennett, Florek and Yodakis

NEGATIVE: None

RESOLUTIONS:

None

ADMINISTRATIVE ITEMS:

None

APPLICATIONS: Old Business

ZB969 – Holland Flowers – Block 47, Lot 9 – 250 Route 34

Application for Use Variance to permit a wholesale floral business in the A-3 Agricultural/Residential Zone.

Mr. Steib advised the Board received a letter from the applicant's attorney stating they do not wish to proceed at this time and they would like this application to be dismissed without prejudice.

Motion to Dismiss the Application Without Prejudice:

OFFER: Florek

SECOND: Burke

AFFIRMATIVE: Sobieski, Bennett, Florek and Burke

NEGATIVE: None

ZB975 – St. Mary's Catholic Church – Block 29.07, Lot 3 – 4 Williamsburg South

Application for addition and renovations to a single family dwelling in the A-1 Zone. A variance is required for a building separation of 8' where 20' is required.

Mr. Steib advised the applicant that only three members eligible to vote on this application were in attendance tonight which is not a quorum. Mr. Steib apologized to the public and applicant but the application must be carried to the August meeting.

This application is carried to August 17, 2017 meeting with no further notice. The applicant granted an extension of time to September 30, 2017.

APPLICATIONS: New Business

ZB976 – Green – Block 6, Lot 18 – 3 Hillmont Terrace

Application for front porch addition to a single family dwelling in the A-1 Zone. A variance is required for a front yard setback of 73.9' where 75' is required.

The application was accepted. Seven items were marked as exhibits – zoning review, application, survey, floor plans, Health Officer's report, Architectural Review Committee's comments and photo of a home depicting the style of home they would like to build.

Robyn Green and John Ellis, homeowners – both sworn. The applicants want to expand the existing porch to add columns and railings that would help balance the home. The home is in need of a makeover and they would like to add a front porch which is 17' in width. The porch will remain open.

Open to the public with no comments. The Board felt the variance improved the look of the home and was diminimis as long as the porch remained open. The approval was conditioned upon the porch remaining open.

Motion to Approve the Application:

OFFER: Yodakis

SECOND: Florek

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

NEGATIVE: None

ZB977 – 5 Kids, LLC – Block 34, Lot 11 – 277 County Route 537

Application to demolish existing Mary Ann's Bar and construct a new single family dwelling. Variances are required to permit a front yard setback of 0.59' and 15.8' where 75' is required and principal building coverage of 9.5% where 6.6% is the maximum permitted.

The application was accepted. Nine items were marked as exhibits – zoning review, application, variance plan, architectural plans, Health Officer's comments, color rendering of the variance plan, six mounted photos, architectural elevation of the front and architectural elevation showing the side and rear of the proposed home.

Dante Alfieri, Esq. represented the applicant. A.J. Garito, Engineer and Morris Flancbaum, applicant – both sworn.

Mr. Garito explained this property is within 300' of an existing stream and the DEP does not want anything within 150' of the stream. When the oil tank was removed for this property it was discovered that it had leaked under the building and it was determined the structure would have to be demolished in order to remediate under the building. The DEP has determined if a new structure were to be built on top of the existing footprint a Flood Hazard Permit would not be required. They are requesting to construct a 1,500 s.f. home in place of the existing 1,990 s.f. Maryann's Bar. They are proposing to remove a nonconforming structure and replace it with a permitted dwelling within the footprint and cutting the lot coverage in half.

Mr. Flancbaum explained he has been working on this project for over a year with the Township and DEP. He lives in the neighborhood and always felt this property was an eyesore and wanted to do something nice for the town. Although he does not own the property yet, he is the contract purchaser and is trying to find a way to make this work. It was noted the application was filled out stating 5 Kids, LLC was the owner and there was no consent from the owner on file. The Board agreed to hear the application but stated they would not vote on the application until the correct paperwork was filed with the Planning Board office.

Mr. Anfuso, Township Planner stated he had safety concerns with the location of the garage door stating someone would be backing out right onto Muhlenbrink Road. Also the front door is only ten feet from the pavement for Muhlenbrink Road.

Open to the public with no comment. The Board had mixed feelings regarding the application. Although the property is an eyesore and they are proposing to clean up the property it is a very awkward lot. They also had concerns with the location of the garage and the front door and the distance to the street.

The applicant requested to carry the application to the August meeting to amend the application and revise the plans. This application is carried to August 17, 2017 with no further notice.

DISCUSSION ITEMS:

None

EXECUTIVE SESSION

None

MOTION TO ADJOURN

A motion was made by Ms. Burke at 9:20 p.m. to adjourn the meeting, seconded by Mr. Florek and unanimously carried.

I hereby certify that the above is a true and exact copy of the Meeting minutes for the meeting conducted on July 20, 2017 adopted by the Board of Adjustment of the Township of Colts Neck at its meeting held on August 17, 2017.



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