

**ZONING BOARD OF ADJUSTMENT
MEETING MINUTES
MARCH 15, 2012 AT 8:00 P.M.**

Mr. Yodakis 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: Yodakis, Bennett, Burry (5 minutes late), Farrell, Karch and Lewis

ABSENT: Sobieski, Florek and Karchar

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

Approval of Minutes:

Motion to Approve the February 16, 2012 Meeting Minutes:

OFFER: Farrell

SECOND: Bennett

AFFIRMATIVE: Yodakis, Bennett and Farrell

NEGATIVE: None

RESOLUTIONS:

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

Memorialization of Resolution to waive a postponement of mortgage subordinating the existing mortgage to the Declaration of Covenants and Restrictions about to be filed.

Motion to Memorialize the Resolution:

OFFER: Farrell

SECOND: Bennett

AFFIRMATIVE: Yodakis, Bennett and Farrell

NEGATIVE: None

ZB884 – DeBlase – Block 23, Lot 13.11 – 19 Deer Path Lane

Memorialization of Resolution granting approval to construct a front porch on an existing dwelling in the A-1 Zone. A variance is required to permit a front setback of 72’ where 75’ is required.

Motion to Memorialize the Resolution:

OFFER: Farrell

SECOND: Yodakis

AFFIRMATIVE: Yodakis and Farrell
NEGATIVE: None

ZB887 – Raval – Block 8, Lot 6.10 – 4 Fulling Mill Lane

Memorialization of Resolution granting approval to install an inground pool in the A-1 Zone. Variances are required to permit a side setback of 25’ where 40’ is required and a building separation of 10’ where 20’ is required.

Motion to Memorialize the Resolution:

OFFER: Farrell
SECOND: Bennett
AFFIRMATIVE: Yodakis, Bennett and Farrell
NEGATIVE: None

ADMINISTRATIVE ITEMS:

None

APPLICATIONS: Old Business

None

APPLICATIONS: New Business:

ZB886 – Tafani – Block 35.03, Lot 19 – 9 Beaver Dam Road

Application to construct a detached garage in the A-1 Zone. A variance is required to permit a 106.52’ front yard setback where 150’ is required.

Nine items were marked as exhibits – zoning review, application, variance plan, Board of Health comments, Fire Marshall’s comments, elevation and floor plans, color rendering of the floor plan, architectural plans and six photos.

Mitchell Jacobs, Esq. represented the applicant. Aldi Tafani, applicant and A.J. Garito, Engineer – sworn. Mr. Garito explained the house faces the reservoir and the majority of property in the front yard (streetside). The house was approximately 2,000 s.f. but the applicants are currently renovating the house. The original garage is being converted to living space as well as two small additions to update the home. Due to the placement of the existing house it is less intrusive to place the garage off to the side of the property utilizing the existing driveway requiring less impervious coverage. This placement is also better because of the flood hazard requirements it is further from the reservoir. The garage has 400 s.f. of attic storage and will not have heat. The architecture and style will match the house.

Open to the public with no comment. The Board agreed the proposed location would cause the least disturbance and was the logical location.

Motion to Approve the Application:

OFFER: Burry

SECOND: Lewis

AFFIRMATIVE: Yodakis, Bennett, Burry, Farrell, Karch and Lewis

NEGATIVE: None

ZB888 – Pastor – Block 9, Lot 30 – 51 Blackbriar Drive

Application to modify existing crawl space into a finished basement in the A-1 Zone. A variance is required to permit 7.11% building coverage where 6% is the maximum permitted.

Eight items were marked as exhibits – zoning review, application, Health Officer's comments, Fire Marshall's comments, plot plan, architectural elevation and floor plans, site plan and color rendering of the floor plan. Robert and Diane Pastor, applicants – sworn.

Approximately 18 months ago the Pastor's removed an old wood deck and replaced it with a terrace. The property naturally slopes under the terrace and a crawl space was built underneath. They would now like to finish the crawl space and connect it to the existing finished basement to give them an additional 750 s.f. of living space.

Open to the public with no comments. Many of the Board members felt the building coverage was excessive. Some members felt there was no impact to the neighbors and will improve the appearance. The Board wanted the applicant to deed restrict the property stating the terrace can not be enclosed and can not be any higher than the current terrace.

Motion to Approve the Application:

OFFER: Karch

SECOND: Farrell

AFFIRMATIVE: Yodakis, Bennett, Farrell, Karch and Lewis

NEGATIVE: Burry

ZB889 – Shurawardi – Block 45, Lot 7.01 – 155 Mercer Road

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

Six items were marked as exhibits – zoning review, application, survey, elevation drawing, Fire Marshall's review and a handout consisting of the fence spec sheet and a total of seven photos.

Ghulam Suhrawardi, applicant and Dominick Donner and Bryan Resnick, owners of EcoSystems. The property is a large parcel located at the end of a cul-de-sac that borders Route 18. There is currently an old 4' fence along the side property line but there is not a fence in the front yard. The applicant would like to transition the 5' fence along the front to meet the existing fence. The homeowner is hoping the fence will help deter the deer as well as people who wander onto his property. The house is set back quite far and it is very desolate. There is a thick row of trees between the house and Route 18, this would completely enclose the property.

Open to the public with no comment. Some members agreed it was a large property and very desolate, however the majority of the Board did not see what a five foot fence would do that a four foot fence could not. There was no justification presented to grant the variance.

Motion to Approve the Application:

OFFER: Farrell

SECOND: Burry

AFFIRMATIVE: Burry and Farrell

NEGATIVE: Yodakis, Bennett, Karch and Lewis

DISCUSSION ITEMS:

None

EXECUTIVE SESSION

Motion to Go Into Executive Session:

OFFER: Lewis

SECOND: Karch

AFFIRMATIVE: Yodakis, Bennett, Burry, Farrell, Karch and Lewis

NEGATIVE: None

MOTION TO ADJOURN

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

I hereby certify that the above is a true and exact copy of the Meeting minutes for the meeting conducted on March 15, 2012 adopted by the Board of Adjustment of the Township of Colts Neck at its meeting held on April 19, 2012.

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