

**ZONING BOARD OF ADJUSTMENT  
MEETING MINUTES  
JUNE 20, 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, Burry, Farrell, Florek, Karch, Yodakis and Lewis

ABSENT: Bennett and Karcher

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

**Approval of Minutes:**

Motion to Approve the May 16, 2013 Meeting Minutes:

OFFER: Burry

SECOND: Yodakis

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

NEGATIVE: None

**RESOLUTIONS:**

**ZB909 – Abadiotakis – Block 9, Lot 1.01 – 867 Route 34**

Memorialization of Resolution to construct a 24’ x 36’ and 21’ x 22’ shed roof to an existing barn. Variances are required to permit a front setback of 170’ where 200’ is required and a building separation of 33’ where 100’ is required and 35’ currently exists.

Motion to Memorialize the Resolution:

OFFER: Burry

SECOND: Yodakis

AFFIRMATIVE: Sobieski, Burry, Florek and Yodakis

NEGATIVE: None

**ADMINISTRATIVE ITEMS:**

None

**APPLICATIONS: Old Business**

None

**APPLICATIONS: New Business:**

**ZB911 – Mammano – Block 44.02, Lot 5 – 7 Darien Court**

Application to construct an open front porch to an existing single family dwelling in the A-1 Zone. A variance is required to permit a front setback of 68’ where 83’ is required and 70.55’ currently exists.

Six items were marked as exhibits – zoning review, application, survey, floor plans, Board of Health comments and Fire Marshall’s review. Ernest Mammano – sworn. Mr. Mammano told the Board he has a ranch home with no cover over the front door. He would like to construct an open 5’ x 12’ porch over the existing cement to give protection from the weather and will make the house look better. The house is currently 70.55’ from the front property line so anything he would do to the front of the home would require a variance. Open to the public with no comments.

The Board understood the applicant wanting protection from the weather as you enter the home and felt this was a modest porch.

Motion to Approve the Application:

OFFER: Burry

SECOND: Lewis

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

NEGATIVE: None

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

Application for a Use Variance and Site Plan Waiver. The applicant proposes to convert the former Stewart’s Tool and Die building for light fabrication in the A-1 Zone.

Don Burry and Al Yodakis both recused themselves from this application. Mr. Steib, Esq. stated he reviewed service for the Use Variance which was fine, however the applicant did not notice for Site Plan Waiver, therefore the Board could not consider the Site Plan Waiver. Eight items were marked as exhibits – application, description of operations, Use Variance plan, Planner’s review letter, Engineer’s review letter, Board of Health comments, Architectural Review Committee’s comments and Fire Marshall’s review.

John Giunco, Esq. represented the applicant. Mr. Giunco did not agree that notice was required for Site Plan Waiver stating no changes were proposed to the site; however he bifurcated the application so the Board would consider the Use Variance.

Roger Stewart, property owner – sworn. Mr. Stewart stated he worked at his father’s Tool & Die shop since he was a kid, 65 years. The shop consisted of an office area, approximately 40 machines such as lathes, milling machines and band saws where the manufacturing was done and a warehouse area for the storage of stock materials. The shop operated Monday through Friday from 7:00 a.m. to 4:30 p.m. and half day on Saturday when business was good with 25 full time employees. As manufacturing in the United States slowed down so did their business until 2011 when there were only two employees

and they had to close the business. They tried selling the property but it is very difficult because it is landlocked. There have been a few businesses that were interested in renting – a blanket manufacturer, a pool company and a landscaper but none of them were a good fit. The Stewart's were looking for someone that was a good neighbor and would be a good neighbor. They feel Short Slate, LLC is a good use. Open to the public – Sandy Ientile, Crine Road asked what type of farming is done on the farm assessed property – no farming at this time, they keep animals however they are in the process of renting it to a farmer.

Christopher Short – owner operator of Short Slate, LLC – sworn. Mr. Short said he has lived in Colts Neck 15 years and is raising four children on nearby Hillsdale Road where he also sells Christmas Trees. His current office is in a carriage house in Freehold Borough but it is getting too small for him. Mr. Short explained he puts slate on roofs, does intricate copper work and historic renovations. He only works with three employees and the slate is delivered directly to the job sites. The only thing that would be delivered to the office would be copper which comes in rolls or sheets and would come via box truck, no tractor trailers will be making deliveries. The only time his employees will be at the shop during the day is if it is raining and they are not able to work at the job site. Those are days they will be bending the copper, which is done by using a manual machine – no noise. Mr. Short is not proposing any changes to the site, he is only renting the tool and die shop, and it will not be open to the public. His intentions are to use the existing office as his office to do paperwork, quotes, phone calls, etc. There will be an area in the building where he will store excess slate, copper, tools, ladders, nails, etc. and an area that will be used to fabricate the copper. They keep the excess slate and copper to do repairs. His operation is from 7 a.m. to 3 p.m. five days a week. Mr. Slate agreed that he would only fabricate for Short Slate, there would not be any outdoor storage and he intends to keep the Stewart's existing sign and is not proposing a new sign. It is a very low impact use.

Open to the public. Ronnie MacCary, 8 Fairway West – sworn. Mr. MacClary stated he has lived in his home for 47 years and he has mistrust, there will not be any noise? No noise. Kathy Wallentine, 28 Fairway East asked if there will be any reconstruction of the building? No. Walter Friedauer, 4 Fairway West asked where the scaffolding will be kept. Inside. Is this a lease purchase or lease? Lease. Bob Melankirk, 5 Fairway asked if there will be any chemicals? No. Sara Stewart-Donofrio – sworn. Ms. Stewart-Donofrio stated she has lived at 118 Crine Road for 64 years, this is where she was raised and she raised her children as well and by living next to the shop she has a vested interest in what happens. Her brother does not want to sell the property, they would like to keep the farm in the back. She feels Short Slate is ideal for Colts Neck, the neighbors and Stewart family - they are just trying to hold on to what they have.

John Giunco, Esq. told the Board the proposed use is very similar to what was there by using the office and metal fabrication except the proposed use is less intense. Almost all activities will take place inside the building with no power machinery, no potential negativity. They feel the building is particularly suited because it is a very similar use. The character of the neighborhood will not change since the tool and die shop predated the residential zoning being in existence since 1946, before all the residential homes were built. With a less intense use it is a good blend of uses in the area with an existing vineyard, farm, nursery, farm that sells Christmas trees and some residential.

The Board agreed the proposed use was less intense than the previous and seemed like a good use however they still had some concerns. The Board conditioned their approval to four employees with hours of operation 7:00 a.m. to 3:00 p.m. Monday thru Friday, no outdoor storage, no retail, fabrication only to be done for Short Slate, LLC, no power fabrication, no sign and only slate roofing. The applicant will have to apply for a C.C.O., comply with the Health Officer's comments and must get

either a site plan waiver or approval. These restrictions will be a condition of the resolution as well as recording a notice referring to the approval in the deed.

Motion to Approve the Application:

OFFER: Lewis

SECOND: Farrell

AFFIRMATIVE: Sobieski, Farrell, Florek, Karch and Lewis

NEGATIVE: None

**DISCUSSION ITEMS:**

None

**EXECUTIVE SESSION**

None

**MOTION TO ADJOURN**

A motion was made by Mr. Farrell at 10:30 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 June 20, 2013 adopted by the Board of Adjustment of the Township of Colts Neck at its meeting held on July 18, 2013.

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