

**ZONING BOARD OF ADJUSTMENT
MEETING MINUTES
FEBRUARY 15, 2018 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 News Transcript and the 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" followed by flag salute.

Roll Call

PRESENT: Yodakis, Burke, Burry, Farrell, Florek and Reisinger

ABSENT: Karch, Bennett and Sullivan

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

Approval of Minutes:

Motion to Approve the January 18, 2018 Meeting Minutes:

OFFER: Burry

SECOND: Burke

AFFIRMATIVE: Yodakis, Burke, Burry, Florek and Reisinger

NEGATIVE: None

RESOLUTIONS:

ZB982 – Greco – Block 39, Lot 10 – 401 County Route 537

Memorialization of Resolution granting approval to construct an addition to dwelling, remove a portion of the detached garage and remove Quonset addition that was constructed without proper municipal approvals in the A-1 Zone. Variances are required for a side yard setback of 27.6' where 29.7' is required and a building separation of 15' where 20' is required.

Motion to Memorialize the Application:

OFFER: Florek

SECOND: Burry

AFFIRMATIVE: Yodakis, Burke, Burry, Florek and Reisinger

NEGATIVE: Yodakis, Bennett and Florek

ZB985 – Contreras – Block 16, Lot 33.10 – 22 Homestead Drive

Memorialization of Resolution granting approval to construct a detached garage in the A-1 Zone. A variance is required to permit a side yard setback of 24' where 40' is required.

Motion to Memorialize the Application:
OFFER: Burry
SECOND: Reisinger
AFFIRMATIVE: Burke, Burry and Reisinger
NEGATIVE: None

ADMINISTRATIVE ITEMS:

None

APPLICATIONS: Old Business

None

APPLICATIONS: New Business:

ZB986 – Greco – Block 1, Lot 78.01 – 101 Clover Hill Road

Application for additions and renovations to a single family dwelling in the A-1 Zone. Variances are required to permit a front setback of 75' where 175' is required, a side setback of 61.6' where 102' is required and proposed driveway enlargement in a Landscape Easement which is not permitted and requires Township Committee approval.

The application was accepted. Eight items were marked as exhibits – zoning review, application, survey, architectural floor plans, site plan, Health Officer's comments, Fire Marshall's comments and Architectural Review Committee's review.

Andrew Greco, applicant – sworn. Mr. Greco explained they purchased this property in December and would like to enlarge the existing home that currently encroaches in a landscape easement and setback. The existing home is 1,100 s.f. and they want to increase it to 2,900 s.f. by adding an addition to both sides of the existing house.

Open to the public. Mike Borut, 93 Clover Hill Road asked Mr. Greco if they planned on installing a pool. No, not at this time. Have they checked if the septic is adequate? The house is a one bedroom house now and they will remain a one bedroom home, the septic will be fine. Are there any plans to do anything with the detached structure? The only plans are to change the doors. Doreen Rivell, 32 Meadowview Drive – sworn. Ms. Rivell stated her father owns the house across the street that is rented. Although she is happy the applicant will be renovating the property she is concerned with the substantial change and encroachment into the setbacks. She was also concerned with the safety of those traveling down Clover Hill Road and felt the home should conform to the required setbacks.

Some Board members questioned why the applicant needed to have a garage on both sides of the home and whether that was truly a hardship. Although the property is irregularly shaped and heavily sloped in the rear they had reservations granting a variance for the side setback. Mr. Greco understood the concerns of the Board and asked to carry the application so he can revise his plans. This application is carried to the March 15, 2018 meeting with no further notice.

ZB987 – Lemega – Block 9, Lot 2.03 – 2 Evergreen Lane

Application to construct a detached garage/pool cabana in the AG Zone. Variances are required to permit a front setback of 132' from Willow Brook Road where 150' is required, a building footprint of 1,372 s.f. where 1,200 is the maximum permitted and a building volume of 23,200 cubic feet where 20,000 cubic feet is the maximum permitted.

The application was accepted. Seven items were marked as exhibits – zoning review, application, series of six photos, plot plan, architectural floor plans, Health Officer's report and Fire Marshall's report.

Jerry Lemega, Architect and applicant – sworn. Mr. Lemega explained the property owner retained him to blend a new detached garage/pool cabana with the architecture of the existing residence. In order to keep them symmetrical the roofline has to be as presented which requires variances for the size and volume.

Open to the public with no comments. Most of the Board understood the need for symmetry and they did not feel that making it a little smaller would make any difference.

Motion to Approve the Application:

OFFER: Burry

SECOND: Burke

AFFIRMATIVE: Burke, Burry, Farrell, Florek and Reisinger

NEGATIVE: Yodakis

ZB989 – Zatzkin – Block 35.07, Lot 4 – 5 Woodhollow Road

Application to install an inground pool in the A-1 Zone. Variances are required to permit a front setback of 90' where 100' is required, a side setback of 17' where 27' is required and a building separation of 18.5' where 20' is required.

The application was accepted. Five items were marked as exhibits – zoning review, application, survey, Health Officer's comments and Fire Marshall's comments.

Jeffrey Zatzkin, contract purchaser, applicant – sworn. Mr. Zatzkin stated he would like to install a modest (18' x 34') pool on an existing undersized corner lot which limits where a pool can be located. On the side that requires a variance there is an existing farm and he spoke to the owners who did not object. He tried to place the pool in the best possible location.

Open to the public. Dan Kumke, 9 Woodhollow Road asked to see where the pool is being placed, Mr. Kumke's property abuts this property. Mr. Kumke did not have any objections to the pool location.

The majority of the Board felt there was a hardship due to the property being undersized as well as being a corner lot, others felt that sometimes a pool just does not fit on a property.

Motion to Approve the Application:

OFFER: Burry

SECOND: Farrell

AFFIRMATIVE: Yodakis, Burry, Farrell, Florek and Reisinger

NEGATIVE: Burke

DISCUSSION ITEMS:

Mike Steib, Esq. advised the Board the Township Committee adopted a new attendance policy for all non-elected members of the Boards. Failure to attend three consecutive meetings without justifiable cause constitutes justification for removal. Mr. Steib stated they want people to be involved but this is to keep people accountable.

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. Burry and unanimously carried.

I hereby certify that the above is a true and exact copy of the meeting minutes for the meeting conducted on February 15, 2018 adopted by the Board of Adjustment of the Township of Colts Neck at its meeting held on March 15, 2018.



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