

**ZONING BOARD OF ADJUSTMENT
MEETING MINUTES
MARCH 15, 2018 AT 8:00 P.M.**

Mr. Karch 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: Karch, Yodakis, Bennett, Burke, Florek and Reisinger

ABSENT: Burry (excused), Farrell (excused) and Sullivan (excused)

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

Approval of Minutes:

Motion to Approve the February 15, 2018 Meeting Minutes:

OFFER: Reisinger

SECOND: Yodakis

AFFIRMATIVE: Yodakis, Burke, Florek and Reisinger

NEGATIVE: None

RESOLUTIONS:

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

Memorialization of Resolution granting approval 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.

Motion to Memorialize the Application:

OFFER: Reisinger

SECOND: Burke

AFFIRMATIVE: Burke, Florek and Reisinger

NEGATIVE: Burry and Farrell

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

Memorialization of Resolution granting approval 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.

Motion to Memorialize the Application:

OFFER: Reisinger

SECOND: Florek

AFFIRMATIVE: Yodakis, Florek and Reisinger

NEGATIVE: None

ADMINISTRATIVE ITEMS:

ZB948 – Kubeck – Block 50, Lot 2.02 – 108 Hockhockson Road

Request for two one-year extensions of time to the approved variance. The extension of time will begin February 18, 2017 and expire February 18, 2019.

Mr. Anfuso explained to the Board approved this application in 2016 however they also had to get permits from the DEP. The Kubeck's recently received the DEP approval and came in to get their building permits but the variance approval had expired.

Motion to Approve the Extension of Time:

OFFER: Yodakis

SECOND: Karch

AFFIRMATIVE: Karch, Yodakis, Bennett, Burke, Florek and Reisinger

NEGATIVE: None

APPLICATIONS: Old 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 83' where 161' is required and proposed driveway enlargement in a Landscape Easement which is not permitted and requires Township Committee approval.

Two new exhibits were marked – site plan and floor plan and a revised Zoning Review.

Mr. Greco said he revised his plans by eliminating the circular drive and the addition on the right side of the home. There is still a portion of the driveway in the Landscape Easement that they will have to get Township Committee approval to allow. Mr. Greco stated he modified the house by incorporating many of the suggestions the Board gave and tried to comply with the ordinances as best they could. Open to the public with no comments.

The Board appreciated the applicant's efforts and felt the modifications they made were substantial.

Motion to Approve the Application:

OFFER: Florek

SECOND: Burke

AFFIRMATIVE: Yodakis, Bennett, Burke, Florek and Reisinger

NEGATIVE: None

APPLICATIONS: New Business:

ZB984 – Esposito Car Wash – Block 48, Lot 6 – 297 Route 34

Application for Use Variance and Preliminary and Final Major Site Plan Approval with variances to permit a car wash and detail facility and a 5,920 s.f. office building in the B-1 Zone. The applicant has bifurcated the request and is applying for only the Use Variance at this time.

A letter was received from the applicant's attorney requesting this application be carried to the April meeting. This application is carried to the April 19, 2018 meeting with no further notice.

ZB983 – Source Brewing – Block 46, Lot 17.13 – 300 Route 34

Application for Preliminary and Final Major Site Plan Approval with variances to convert an existing barn into a 5,564 s.f. brewery in the B-1 Zone.

Geoff Karch recused himself from this application and turned the meeting over to Vice Chairman Yodakis.

Twenty items were marked as exhibits – application, survey, Preliminary and Final Major Site Plan, Stormwater Management Report, floor plans and simulation, Operation & Maintenance Manual, Historic Pesticide Report, Engineer's review, Landscape Architect's review, Planner's review, Fire Marshall's review, Health Officer's review, Architectural Review Committee's review, aerial photo, Use Variance Resolution, color rendering of sheet 4 of 12, first floor summer seating plan, second floor summer seating plan, winter seating plan, east and west elevation plan and north and west elevation plan.

Christopher Hanlon, Esq. represented the applicant. A.J. Garito, Engineer – sworn. Mr. Garito stated this Site Plan is very similar to the plan that was shown when they received their Use Variance. The detention basin is now in the rear of the property and they will comply with the landscaping ordinance but they are not able to plant the ornamental trees where they abut the Distillery's property. They are not providing a loading space however they will only be using box trucks which will be scheduled to come during off peak hours. They will approach the Assisted Living regarding a cross access easement, if they will not agree it will still be designed for a connection in the future. They also agreed to have the Fire Marshall come out and be sure a fire truck can get in and out of the site. Open to the public with no comments.

Philip Petracca, Partner – sworn. Mr. Petracca reiterated the largest delivery truck they will use is a box truck. They are happy to provide the spent grains to local farmers to use as feed. The Brewery license does not allow them to serve food or to have any live music, they will only have background music. The license also limits the amount of events a Brewery may have but it is anticipated that law will be changing in the summer.

Ed O'Neill, Architect and Planner – sworn. Mr. O'Neill reviewed the architectural plans as well as seating plans. The seating plans were broken into summer and winter because in the summer some of the seats will be outside however total seats will not exceed 64. A 36 s.f. façade sign that meets the ordinance is requested however it has not been designed yet. There is not a kitchen as their ABC license does not allow them to serve food. The barn will be white with a green metal roof and white windows. Open to the public with no comments.

The Use Variance approved hours of operation but the applicant would like to have these hours extended. Since they are a new business they feel it is hard to anticipate their needs but are asking for the opportunity to be open longer if business does well. They are asking to be open 12:00 p.m. to 10:00 p.m. seven days a week. The Board had concerns about being open that late if they were having an outdoor event. The Board felt Monday through Saturday they could be open until 9:00 p.m. for outdoor events and 10:00 p.m. for indoor events and Sunday the hours would be until 9:00 p.m.

Greg Taylor, Partner – sworn. Mr. Taylor is the Head Brewer and he told the Board he will only be brewing beer during the morning when the Brewery is not open to the public. All wastewater will go into holding tanks that will be hauled away, only the bathroom will go into the septic system.

Open to the public. Tom Orgo asked if the town will be notified if they were having a special event? Yes, they agreed to notify the town prior to hosting an event. The Board was concerned that their bathroom facilities would not be able to accommodate a large special event – the applicant stated they would get port-a-johns whenever an outdoor event would be held. The Board was also concerned about the amount of people that would be allowed to attend an event. Mr. O’Neill stated the Architect sets an occupancy load and the Fire Official has to agree to the number. The applicant agreed to cap the total amount allowed to an event at whatever the maximum occupancy load is.

Motion to Approve the Application:

OFFER: Burke

SECOND: Reisinger

AFFIRMATIVE: Yodakis, Bennett, Burke, Florek and Reisinger

NEGATIVE: None

DISCUSSION ITEMS:

None

EXECUTIVE SESSION

None

MOTION TO ADJOURN

A motion was made by Ms. Burke at 10:05 p.m. to adjourn the meeting, seconded by Mr. Reisinger 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, 2018 adopted by the Board of Adjustment of the Township of Colts Neck at its meeting held on April 19, 2018.



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