ZONING BOARD OF ADJUSTMENT
MEETING MINUTES
MAY 17, 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, Burry, Farrell, Florek, Reisinger and Sullivan

ABSENT: None

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

Approval of Minutes:

Motion to Approve the April 19, 2018 Meeting Minutes:
OFFER: Yodakis
SECOND: Bennett
AFFIRMATIVE: Karch, Yodakis, Bennett, Burry, Farrell, Florek and Reisinger
NEGATIVE: None

RESOLUTIONS:

ZB958 Garber – Block 29, Lot 10.05 – 2 Bluebell Road
Memorialization for one-year extension of time to the approved variance. The extension of time will begin September 15, 2017 and expire September 15, 2018.

Motion to Memorialize the Resolution:
OFFER: Burry
SECOND: Karch
AFFIRMATIVE: Karch, Yodakis, Bennett, Burry, Farrell, Florek and Reisinger
NEGATIVE: None

ADMINISTRATIVE ITEMS:

None

APPLICATIONS: Old 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.

Chairman Karch recused himself from the application and turned the meeting over to Vice Chairman Yodakis. Sal Alfieri, Esq. represented the applicant. Mr. Alfieri stated they did close their testimony at the last meeting however he wanted to have the Engineer clarify one item.

A.J. Garito, Engineer – sworn. Mr. Garito explained vehicles will be vacuumed prior to entering the tunnel to be washed. Patrons will exit their car and walk through the building and pay. The detail area will be a separate area for those that wish to have a thorough cleaning of the vehicle. Cars will not be leaving the wash area and pulling into the detail area to be vacuumed. The detail area will be owned and operated by the owner of the car wash and the applicant agrees to condition any approval on that.

Open to the public. Nick Morfogen – sworn. Mr. Morfogen felt the car wash was a good idea and good for all merchants. Gary Federico, 9 Culpepper – sworn. Mr. Federico said the car wash is going on Route 34 in a commercial zone. He said this is where the you would want it and felt the applicant was doing it the right way. Tony Costa, 133 Cedar Dive – sworn. Mr. Costa was concerned with the aquifer and felt the car wash could be detrimental to the health and welfare of the residents. He asked the Board to please consider the aquifer. Glen Dalakian, 21 Maplecrest Drive – sworn. Mr. Dalakian felt the town needs services and a car wash would benefit the town. The Colts Neck Business Association is behind this application and thinks it is a good use and positive addition to the town. Greg Calderaro, 11 Hialeah Drive – sworn. Mr. Calderaro said he has lived in town for 23 years and it has mostly stayed the same. He felt the town should respectfully conform with updates and must embrace change or we will fail. Brian Krisman, 7 Morrisfield Pass – sworn. Mr. Krisman stated the residents need places to spend their money in town instead of having to go elsewhere. We need to evolve as a town and the car wash would be good for the community.

Some Board members stated one of the major reasons the application was denied last time was residents had concerns with idling cars adjacent to the school and the fact the Master Plan explicitly states "there shall be no car wash facilities". The Township Committee could have amended the ordinance if they felt differently but they have not. Others felt a lot has changed with car washes regarding water usage and were happy the Highway Access Management Road was being extended. The property has been vacant for 15 years and now could be developed with something most residents would use that is designed in a way that is consistent with Colts Neck.

The Board conditioned their approval on the technical comments from the Planner, Engineer and Health Officer, the maximum water usage will be 39.6 gallons per car with 33.6 gallons of reclaimed water, full design of the recycling system, all overflow water or hazard waste will go into holding tanks and shall not be connected to the septic or stormwater management system, there will be no overnight storage of cars on the site, detail bays limited to cleaning vehicles with no automotive repair or service and the second story office space shall not be subleased to a separate business.

Motion to Approve the Application:
OFFER: Burry
SECOND: Burke
AFFIRMATIVE: Yodakis, Bennett, Burke, Farrell and Reisinger
NEGATIVE: Burry and Florek

APPLICATIONS: New Business:

ZB990 – The Pool & Spa Doctor – Block 9.01, Lot 3 – 32 Blackbriar Drive
Application to install an inground pool in the A-1 Zone. Variances are required to permit a rear setback of 15.5' where 40' is required and a building separation of 17.6' where 20' is required.

Mr. Steib, Esq. announced the applicant did notice adjoining property owners however the newspaper did not publish the legal notice in the newspaper. Therefore, the Board does not have jurisdiction to hear this application. The applicant is going to have the notice published in the newspaper however the property owners will not be renoticed. This application is carried to the June 21, 2018 meeting with no further notice to property owners.

ZB991 – Mallios – Block 12, Lot 3.08 – 20 Downing Hill Lane
Application for additions and renovation to a single family dwelling in the A-5 Zone. Variances are required to permit a front setback of 75.6' where 113' is required and a side setback of 52' where 88' is required.

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

Demetrios and Melissa Mallios, applicants – sworn. Mr. Mallios stated they recently purchased this property and they are trying to fix up the home with rear additions and renovations. The addition is going on the back of the home and they would also like to build an open front porch. Variances are required because of the 90' rule. The home was built prior to the adoption of the 90' rule.

Open to the public with no comments. The Board felt the variance was diminimis and adding an open front porch would aesthetically improve the home. The location of the home on the large lot made it impossible to add a porch and addition without requiring a variance.

Motion to Approve the Application:
OFFER: Burry
SECOND: Burke
AFFIRMATIVE: Karch, Yodakis, Bennett, Burke, Burry, Farrell and Florek
NEGATIVE: None

DISCUSSION ITEMS:

None

EXECUTIVE SESSION

None

MOTION TO ADJOURN

A motion was made by Mr. Burry at 9:15 p.m. to adjourn the meeting, seconded by Mr. Yodakis and unanimously carried.

I hereby certify that the above is a true and exact copy of the meeting minutes for the meeting conducted on May 17, 2018 adopted by the Board of Adjustment of the Township of Colts Neck at its meeting held on June 21, 2018.

Ruth Leininger

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