

**ZONING BOARD OF ADJUSTMENT  
MEETING MINUTES  
JUNE 21, 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, Bennett, Burke, Farrell and Reisinger

ABSENT: Yodakis, Burry, Florek and Sullivan

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

**Approval of Minutes:**

Motion to Approve the May 17, 2018 Meeting Minutes:

OFFER: Farrell

SECOND: Reisinger

AFFIRMATIVE: Karch, Bennett, Burke, Farrell and Reisinger

NEGATIVE: None

**RESOLUTIONS:**

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

Memorialization of Resolution granting a 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.

Motion to Memorialize the Resolution:

OFFER: Burke

SECOND: Farrell

AFFIRMATIVE: Bennett, Burke, Farrell and Reisinger

NEGATIVE: None

**ZB991 – Mallios – Block 12, Lot 3.08 – 20 Downing Hill Lane**

Memorialization of Resolution granting 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.

Motion to Memorialize the Resolution:

OFFER: Farrell

SECOND: Burke

AFFIRMATIVE: Karch, Bennett, Burke and Farrell

NEGATIVE: None

**ADMINISTRATIVE ITEMS:**

**Stormwater Management Training**

Mr. Anfuso advised the Board there is a new requirement from the State that all Board members must receive Stormwater management training by July 1, 2018. There is a website that has a 45 minute video all members must watch and sign a certification that the Planning Office must keep on file. Everyone was asked to watch the video and send the certification as soon as possible to the Planning Office so that we will be compliant.

**APPLICATIONS: Old Business**

None

**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 stated it was not proper to have the application in the pool companies name, it should be amended to be in the homeowners name. The applicant agreed to amend the application to be in the name of Ganine Bonanno. The application was accepted. Seven items were marked as exhibits – zoning review, application, pool location plan, Health Officer's comments, Fire Marshall's comments, Architectural Review Committee's comments and a revised pool location.

Ganine Bonanno, homeowner and Michele Struble, contractor – both sworn. Due to the location of the septic in the rear yard and the driveway on the other side the applicant felt the proposed location was best for the pool. After reviewing the location the applicant agreed to slide the pool over to one side so that the building separation would not be required and the pool would be 33' from the rear property line.

Open to the public. Leanne Lucarelli, 56 Blackbriar Drive – sworn. Ms. Lucaarelli stated her rear yard abuts the applicants rear yard. She did not have a problem with the variances however she asked

if some type of low buffering could be installed because she has small dogs. The applicant agreed that as a condition of approval they will provide a minimum 4' year round screening.

Motion to Approve the Application:

OFFER: Reisinger

SECOND: Farrell

AFFIRMATIVE: Karch, Bennett, Burke, Farrell and Reisinger

NEGATIVE: None

**ZB993 – Shields – Block 52, Lot 4 – 14 Water Street**

Application to retain a detached garage in the A-1 Zone. A variance is required to permit side yard setback of 26.17' where 29' is required.

The application was accepted. Seven items were marked as exhibits – zoning review, application, survey, floor plans, elevation plans, Health Officer's comments and Architectural Review Committee's comments.

Steven Shields, applicant – sworn. Mr. Shields stated in 2012 he hired Pioneer Pole Barn to construct the garage that was built. Now that he is applying for a final C.O. for the house he built the Zoning Officer noticed the garage is in a nonconforming location. Apparently, the location was marked wrong therefore the garage was built too close to the property line.

Open to the public. Dr. Reiner, 187 Hockhockson Road – sworn. Dr. Reiner's property abuts this property. Dr. Reiner said Mr. Shield's has filled in swampy land and changed the flow of water and now his property is constantly wet. He also stated Mr. Shield's is using this property as commercial property with constant truck, pallet and debris close to his property line, he does not want to be living next to a commercial property. Mr. Steib advised Dr. Reiner those were issues for Code Enforcement this Board could only comment on the location of the garage and if the Board approved the application they would not be approving it for commercial use.

Mr. Shields said the garage is not being used commercially. The Board felt it appeared that an honest mistake was made when they were measuring for the garage.

Motion to Approve the Application:

OFFER: Burke

SECOND: Reisinger

AFFIRMATIVE: Karch, Bennett, Burke, Farrell and Reisinger

NEGATIVE: None

**ZB994 – Kubeck – Block 50, Lot 2.02 – 108 Hockhockson Road**

Application to install piers and fence in the AG Zone. A variance is required to permit 7' piers and 6' fence where 4' is the maximum height permitted.

The application was accepted. Six items were marked as exhibits – zoning review, application, sketch, survey, Architectural Review comments and Health Officer's comments.

Justin Kubeck, applicant – sworn. Mr. Kubeck explained the fence that existed when he purchased the property was a horse fence that was in disrepair. He wanted to replace it with a 6' iron fence that matches his neighbors with 7' piers in between. There are three neighboring homes with higher

fences. Mr. Kubeck has an 11 acre lot with his home set back very far, he felt a 4' fence and piers would look out of proportion. Open to the public with no comment.

The Board felt the fence and piers were consistent with surrounding properties and was fitting for the large parcel.

Motion to Approve the Application:

OFFER: Burke

SECOND: Reisinger

AFFIRMATIVE: Karch, Bennett, Burke, Farrell and Reisinger

NEGATIVE: None

**ZB995 – Greco – Block 39, Lot 10 – 401 Route 537**

Application to modify the roofline and complete renovations to main house and modify roofline to detached accessory structure in the A-1 Zone. Variances are required to permit side yard setback of 27.6' where 29.7' is required for the house and a detached garage volume of 17,735 c.f. where 13,000 c.f. is the maximum permitted and 16,120 c.f. currently exist.

The application was accepted. Six items were marked as exhibits – zoning review, application, survey, floor plan/site plan of garage, Health Officer's review and existing/proposed survey of residence.

Michele Greco, applicant and Pat Merbrico, architect – both sworn. The applicant stated they were trying to make the house and garage look less industrial and more residential by changing the flat roof to a gable roof. The footprint of the garage is remaining the same, there will not be any plumbing, bathroom, heat or access to the upstairs.

Open to the public with no comments. The Board agreed the gable roof is aesthetically more pleasing and felt the increased volume was not usable space.

Motion to Approve the Application:

OFFER: Karch

SECOND: Bennett

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. Karch at 9:20 p.m. to adjourn the meeting, seconded by Mr. Farrell 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 21, 2018 adopted by the Board of Adjustment of the Township of Colts Neck at its meeting held on July 19, 2018.



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