

**ZONING BOARD OF ADJUSTMENT
MEETING MINUTES
OCTOBER 18, 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. This meeting is a quasi-judicial proceeding. Any questions or comments must be limited to issues that are relevant to what the board may legally consider in reaching a decision and decorum appropriate to a judicial hearing must be maintained at all time. I further order that this public announcement be placed in the minutes of this meeting".

Roll Call

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

ABSENT: Karch (excused) and Sullivan (excused)

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

Approval of Minutes:

Motion to Approve the September 20, 2018 Meeting Minutes as Amended:

OFFER: Bennett

SECOND: Reisinger

AFFIRMATIVE: Bennett, Burke, Florek and Reisinger

NEGATIVE: None

RESOLUTIONS:

ZB1001 – Scholze – Block 13, Lot1 – 68 Crine Road

Memorialization of Resolution granting approval to construct a 2nd story addition to an existing single family dwelling in the A-1 Zone. Variances are required to permit a front setback of 47' from Crine Road and 48' from Heulitt Road where 75' is required, a building coverage of 8.8% where 6.6% is the maximum permitted and a total lot coverage of 26.4% where 20% is the maximum permitted.

Motion to Memorialize the Resolution:

OFFER: Reisinger

SECOND: Burke

AFFIRMATIVE: Bennett, Burke, Florek and Reisinger

NEGATIVE: None

ZB1002 – Kostka – Block 9, Lot 36 – 75 Blackbriar Drive

Memorialization of Resolution granting approval to construct a front porch to an existing single family dwelling in the A-1 Zone. A variance is required to permit a front yard setback of 70' where 75' is required.

Motion to Memorialize the Resolution:

OFFER: Florek

SECOND: Reisinger

AFFIRMATIVE: Bennett, Burke, Florek and Reisinger

NEGATIVE: None

ADMINISTRATIVE ITEMS:

None

APPLICATIONS: Old Business

None

APPLICATIONS: New Business:

ZB999 – Salvo – Block 1, Lot 36 – 72 Glenwood Road

Application to retain jacuzzi, fireplace, roof structure and grill in the A-1 Zone. Variances are required to permit a rear setback of 21.72' where 40' is required and a building separation of 6.8' where 20' is required.

The application was accepted. Nine items were marked as exhibits – zoning review, application, variance plan, Architectural Review Committee's review, Health Officer's comments, Fire Marshall's comments, colored site plan, sheet 2 of site plan and six color photos of the property.

Michael Salvo, applicant and A.J. Garito, Engineer – both sworn. Mr. Garito explained the Salvo's purchased this property about a year ago. A few months ago, when they applied for a Building Permit they were informed the jacuzzi, fireplace, grill and roof structure were built without building permits and all required variances. They are in front of this Board asking to retain what was constructed by the previous owner. The Salvo's live at the end of a cul-de-sac and there is greenway behind the property that is a minimum of 75' in depth.

Open to the public. Brad Daniels, 68 Glenwood – sworn. Mr. Daniels stated he is the next door neighbor and he supports the application. He did not have any idea it was built without permits but he said the rear yard looks very nice. Lonnie Fortuna, 57 Glenwood Drive – sworn. Mr. Fortuna said he lives across the street from the Salvo's and thinks the rear yard looks good. He supports the application.

It was noted that the back yard is visible from Boundary Road. The Board had concerns with the roof structure being so close to the house. The letter from the Fire Marshall did not say he was fine with it which concerned the Board; they did not want the applicant's family to be at risk.

The applicant agreed he did not want his family to be at risk and asked to carry the application so that he can try and meet with the Fire Marshall on site to get his recommendations. This application is carried to the November 15, 2018 meeting with no further notice.

ZB1003 – Suarez – Block 21.06, Lot 13 – 18 Saratoga Drive

Application to construct a front porch and second story addition in the A-1 Zone. A variance is required to permit a front setback of 70' where 75' is required for the porch.

Mr. Farrell recused himself from this application. Mr. Steib advised the Board the applicant provided the certified mail receipts however they did not have the name and addresses on them, so he was unable to verify that everyone was properly noticed. The only way to know for sure will be when all the green cards are returned to him. The applicant is requesting the Board hear his application with the stipulation that all of the green cards come back. If any cards are missing the application will have to be renoticed and reheard.

The application was accepted with the stipulation that all of the green cards are received and correct. Six items were marked as exhibits – zoning review, application, survey, architectural plans, Architectural Review Committee's comments and Health Officer's comments.

Jeremy Suarez, applicant – sworn. Mr. Suarez explained he purchased this home in February 2017 and is in the process of a full renovation. The front door is weathering from the elements and he would like to not only replace the front door but build a roof structure to protect both the door and those standing in front of it.

Open to the public with no comments. The Board felt the variance was diminimis and stipulated the porch must remain open.

Motion to Approve the Application:

OFFER: Florek

SECOND: Reisinger

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

NEGATIVE: None

DISCUSSION ITEMS:

None

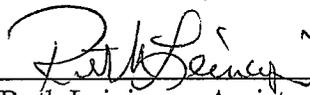
EXECUTIVE SESSION

None

MOTION TO ADJOURN

A motion was made by Mr. Florek at 8:55 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 October 18, 2018 adopted by the Board of Adjustment of the Township of Colts Neck at its meeting held on November 15, 2018.



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