

**ZONING BOARD OF ADJUSTMENT
MEETING MINUTES
DECEMBER 20, 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. 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: Karch, Bennett, Burke, Farrell, Florek, Reisinger and Sullivan

ABSENT: Yodakis (excused) and Burry (excused)

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

Approval of Minutes:

Motion to Approve the November 15, 2018 Meeting Minutes:

OFFER: Karch

SECOND: Sullivan

AFFIRMATIVE: Karch, Bennett, Farrell, Reisinger and Sullivan

NEGATIVE: None

RESOLUTIONS:

ZB1004 – Patlen – Block 1.01, Lot 20 – 10 The Enclosure

Memorialization of Resolution granting approval to construct an inground pool in the A-1 Zone. Variances are required to permit a side yard setback of 17' to the filter where 30' is required and a rear setback of 21' for the pool where 30' is required.

Motion to Memorialize the Resolution:

OFFER: Farrell

SECOND: Reisinger

AFFIRMATIVE: Karch, Bennett, Farrell, Reisinger and Sullivan

NEGATIVE: None

ADMINISTRATIVE:

Review 2019 Meeting Dates and Adopt January Meeting Date

The Board reviewed the dates for 2019 and approved January 17, 2019 for the January meeting date.

Motion to Approve the January 17, 2019 for the January meeting date:

OFFER: Florek

SECOND: Farrell

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

NEGATIVE: None

Chairman Karch appointed Ken Florek and Bob Farrell as the Nominating Committee.

APPLICATIONS: Old 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.

Two new items were marked as exhibit – correspondence from Edward O'Neill, Architect and a letter from the Fire Marshall.

Mr. Garito stated he attended an on-site meeting with the applicant, Tim Anfusio and the Fire Marshall. The Fire Marshall found the bedrooms are not in close proximity to the outdoor fireplace, it is actually a two story atrium on the inside of the home. Mr. O'Neill inspected the structure that was built and determined the materials were compliant with the building code although building permits would still be required as well as inspections.

Open to the public with no comments. Ms. Burke was concerned the structure if visible from Boundary Road. The majority of the Board was comfortable with the Fire Marshall's findings and felt his report alleviated their concerns.

Motion to Approve the Application:

OFFER: Florek

SECOND: Farrell

AFFIRMATIVE: Bennett, Farrell, Florek and Reisinger

NEGATIVE: Burke

APPLICATIONS: New Business:

ZB998 – Sparacino – Block 21, Lot 29 – 480 Marl Road

Application to construct a detached garage in the A-1 Zone. A variance is required to permit a side yard setback of 28' where 40' is required.

The application was accepted. Nine items were marked as exhibits – zoning review, application, variance plan, architectural plans, Board of Health comments, Fire Marshall's comments, Architectural Review Committee's comments, color variance plan and six photos of current conditions.

Charles Sparacino, applicant and A.J. Garito, Engineer – both sworn. Mr. Sparacino explained he has medical issues and finds it increasingly hard to go up the stairs in his home. It is his intent to convert the existing garage into a bedroom and build a separate detached garage. Mr. Garito explained there is an approximately 200' wide greenway behind the house. Some trees will have to be removed to construct the garage but they would like to move the trees by the greenway if they will survive.

Open to the public. Patricia Krietzberg, 901 Lovett – sworn. Ms. Krietzberg stated she lives directly behind the Spaacino's and is concerned she will be looking straight into a large garage, could the applicant be required to plant screening? Susan Bixby, 821 Lovett – sworn. Ms. Bixby stated the trees in the greenway are mostly gone and was concerned about seeing large structures lined up.

Mr. Sparacino stated he could put the garage behind his home without requiring a variance but he thought the proposed location was better. It is his intent to move the trees and to screen the neighbors but he has been working on this project for many months and he thought this was the best option.

The Board understood the concerns of the neighbors and wondered if the garage could be attached to the home. The applicant stated he would review the plans again with his professionals and see if they could come up with a better plan. This application is carried to the January 17, 2019 meeting with no further notice.

ZB1005 – Plenzo – Block 16, Lot 15 – 10 Green Hill Road

Application to reconstruct a single family dwelling. Variances are required to permit a front setback of 76.6' for the porch where 82.6' is required and a building separation between the terrace and pool of 8' where 20' is required.

The application was accepted. Five items were marked as exhibits – zoning review, application, survey, architectural plans and Architectural Review Committee's comments.

Dan Plenzo, applicant – sworn. Mr. Plenzo explained he recently purchased this property and the deck was destroyed. He removed the deck and replaced it with pavers in the same footprint. The front porch overhang was also rotted and leaking because of termites. He replaced the framing and gave a larger gable and was advised he needed a variance.

Open to the public with no comments. The Board felt the renovations enhanced the home but there was no correspondence from the Fire Marshall therefore they made the approval contingent on a favorable report from the Fire Marshall.

Motion to Approve the Application:

OFFER: Farrell

SECOND: Florek

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

NEGATIVE: None

DISCUSSION ITEMS:

Review 2018 Annual Report

Mr. Anfuso reviewed the updated Draft Annual Report for 2018 that he had prepared. The Board was happy with the report and Mr. Anfuso stated he will update the statistics to include the results from the applications that were discussed this evening and the report will be placed on the January 17, 2019 agenda to be approved by the Board.

EXECUTIVE SESSION

None

MOTION TO ADJOURN

A motion was made by Mr. Karch at 9:10 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 December 20, 2018 adopted by the Board of Adjustment of the Township of Colts Neck at its meeting held on January 17, 2019.



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