

**ZONING BOARD OF ADJUSTMENT
MEETING MINUTES
FEBRUARY 20, 2020 AT 7:00 P.M.**

Mr. Farrell 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 Asbury Park Press, 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: Farrell, Taeschler, Buzzetta, Dnistrian, Lukowitz, Mahoney, Reisinger and Nicoletta

ABSENT: Maguire

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

Approval of Minutes:

Motion to Approve the January 16, 2020 Meeting Minutes:

OFFER: Dnistrian

SECOND: Mahoney

AFFIRMATIVE: Taeschler, Buzzetta, Dnistrian, Lukowitz, Mahoney, Reisinger and Nicoletta

NEGATIVE: None

RESOLUTIONS:

ZB1026 – The Main Event – Block 11, Lot 6 – 118 Crine Road

Memorialization of Resolution denying Use Variance and Minor Site Plan Approval for deviations to Application ZB910.

Motion to Memorialize the Resolution:

OFFER: Dnistrian

SECOND: Mahoney

AFFIRMATIVE: Dnistrian, Mahoney and Reisinger

NEGATIVE: None

ADMINISTRATIVE ITEMS:

None

APPLICATIONS: Old Business

None

APPLICATIONS: New Business:

ZB1028 – O’Connor – Block 43.01, Lot 5 – 12 Burlington Trail

Application to modify rear deck to an existing dwelling in the A-1 Zone. A variance is required to permit a rear setback of 43’ where 46.4’ is required.

The Board accepted the application. Eight items were marked as exhibits – zoning review, application, survey, profile view of deck, Fire Marshall’s review, Health Officer’s comments, Architectural Review Committee’s review and a series of five photographs.

William O’Connor, applicant – sworn. Mr. O’Connor explained he wants to build a deck on the rear of his home where there is currently a patio. He did receive an approval to construct a deck, however it was an odd shape so that a variance would not be required. He would prefer a symmetrical shaped deck that would allow access to all three sets of French doors that are on the rear of the home. The deck will be constructed out of cedar and have an open style railing. There is substantial foliage between his property and the neighbor on the side he is requesting a variance.

Open to the public with no comments. The Board felt the applicant had an undersized lot, the variance was diminimis and the deck would not be visible

Motion to Approve the Application:

OFFER: Reisinger

SECOND: Lukowitz

AFFIRMATIVE: Farrell, Taescler, Buzzetta, Dnistrian, Lukowitz, Mahoney and Reisinger

NEGATIVE: None

ZB1030 – Rytter – Block 17, Lots 1 & 26 – 17 Revolutionary Road

Application to construct a two story addition and breezeway to a single family dwelling in the A-1 Zone. Variances are required to permit a front setback of 77’ where 93’ is required and 77’ is existing and a side yard setback of 20’ where 50’ is required and 60’ currently exist.

The Board accepted the application. Six items were marked as exhibits – zoning review, application, site plan, floor plans, elevation plan and Health Officer’s comments.

Andrew Rytter, applicant – sworn. Mr. Rytter explained his in-laws recently retired and would like to downsize. Since he and his wife have two small children they would like to build an in-law suit to meet all of their needs. They have an irregular shaped lot making it difficult to construct an addition

that would fit within the setbacks. They approached adjoining property owners asking to purchase property but none were willing to do so.

The width of the house with the addition is 108' which kicks in the 90' rule where 18' must be added to all setbacks. Although they were seeking a variance for the addition to be 20' from the property line, Mr. Rytter stated this is a lot from a new subdivision and there will be a 50' landscape easement along the new property line so he felt that was justification. He also stated he could not build in the rear yard because a pool, patio and his septic were there.

Open to the public with no comments. Some of the Board was concerned and felt this was a very large encroachment, the whole addition was within the setback and part of the current house would become nonconforming. Some also thought that opportunities existed to place the addition on the west side of the house to eliminate or reduce the variance required.

The Chairman asked the applicant if they wanted them to vote on the application as is, carry the application to next month and see if they wanted to alter the plans or withdraw the application. The applicant asked for a five minute recess to discuss.

Five minute recess.

The applicant stated they did not feel there was anything else they could do and asked the Board to vote on the application as is.

Motion to Approve the Application:

OFFER: Dnistrian

SECOND: Nicoletta

AFFIRMATIVE: Taeschler, Buzzetta and Reisinger

NEGATIVE: Farrell, Dnistrian, Lukowitz and Mahoney

DISCUSSION ITEMS:

None

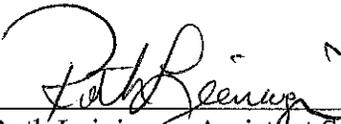
EXECUTIVE SESSION

None

MOTION TO ADJOURN

A motion was made by Mr. Lukowitz at 7:50 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 February 20, 2020 adopted by the Board of Adjustment of the Township of Colts Neck at its meeting held on May 21, 2020.



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