

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

Mr. Taeschler 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.

Further, on August 6, 2020 notice was provided to The Asbury Park Press and News Transcript that in order to comply with Executive Order 104 from the Governor of the State of New Jersey, this meeting would be held virtually with log-in information and telephonic numbers for call-in being provided via the Township website.”

Roll Call

PRESENT: Taeschler, Buzzetta, Dnistrian, Lukowitz, Mahoney, Reisinger, Nicoletta and Maguire

ABSENT: Farrell (excused)

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

Approval of Minutes:

Motion to Approve the July 16, 2020 Meeting Minutes:

OFFER: Dnistrian

SECOND: Buzzetta

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

NEGATIVE: None

RESOLUTIONS:

ZB1035 – Ciniglia – Block 7.26, Lot 20 – 12 Fox Hedge Road

Memorialization of Resolution granting approval to construct a wood deck on a single family dwelling in the A-1 Zone. A variance is required to permit a building separation of 14’ where 20’ is required.

Motion to Memorialize the Resolution:

OFFER: Mahoney

SECOND: Reisinger

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

NEGATIVE: None

ADMINISTRATIVE ITEMS:

None

APPLICATIONS: Old Business

None

APPLICATIONS: New Business:

ZB1031 – Racioppo – Block 29, Lot 14.03 – 4 Shady Tree Lane

Application to construct a detached garage in the A-1 Zone. A variance is required to permit a side yard setback of 30' where 40' is required. Time limit waived.

Mr. Steib, Esq. advised the applicant requested to carry this application to the September meeting. This application is carried to September 17, 2020 and will renote if the meeting is held virtually.

ZB1034 – Tosato – Block 30, Lot 3 – 40 New Street

Application to construct an addition to a single family dwelling in A-3 Zone. Variances are required to permit a front setback of 38' where 75' is required and 34' exists, a side setback of 7.4' where 15' is required and 7.4' and 10.9' currently exists and building coverage where 7.1% where 6.6% is the maximum permitted.

Mr. Steib, Esq. advised the applicant did not send the notice for the Colts Neck Baptist Church to the correct address and the notice for the Asbury Park Press was printed nine days prior to the hearing not ten. Therefore, the applicant must renote the church and place the ad in the Asbury Park Press a minimum of ten days prior to the hearing. This application is carried to September 17, 2020 and any other interested person should check the Township website for updated log in information for the September 17, 2020 meeting.

ZB1036 – Rytter – Block 17, Lots 1 & 26 – 17 Revolutionary Road

Application to construct a two-story addition and generator to an existing dwelling in the A-1 Zone. A variance is required to permit a front yard setback of 77' where 85' is required, a side yard setback of 27' where 51' is required and a side yard setback for the generator of 30' where 41' is required.

The Board accepted the application. Six items were marked as exhibits – zoning review, application, site plan, architectural plans, Fire Marshall's comments and Health Officer's comments.

Andrew Rytter, applicant – sworn. Mr. Rytter explained he was in front of the Board in February asking for variances to construct a suite for his in-laws who recently retired. The addition was attached to the home by a breezeway and the Board ultimately denied the application. Circumstances have now changed with the health of their young daughter and they now find it is a necessity to have them live with them with the care of their daughter as well as her sibling.

They have now eliminated the breezeway which reduces the width of the home and the required setbacks. The property that is next to the addition was part of a recent subdivision and is currently vacant. There is no cooking in the addition and the home will remain one family dwelling.

The Board discussed the second driveway however they felt the road is very narrow and thought it was better to allow space for cars to park on the property. The applicant stated they explored options of putting an addition in the back of the home however the septic is there as well as a pool. They also thought of constructing an addition over the garage however that is not ideal for the grandparents to have to constantly go up a flight of stairs. If they put the addition on the other side of the home the same variances would be required. The Board was concerned with the location of the generator and the noise for the neighbor – the applicant agreed to move it to a location behind the home not requiring a variance.

Open to the public. Janice Heller, 8 Revolutionary Road – sworn. Ms. Heller stated she did not have an objection and thought it would be nice for the street. The owner of the adjacent vacant lot received variances for his subdivision application, what's fair is fair.

The Board agreed the applicant has a unique shaped lot and felt this application was much better than the application that was denied back in February. The Board thanked the applicant for reducing the variances and wished his family well.

Motion to Approve the Application:

OFFER: Reisinger

SECOND: Nicoletta

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

NEGATIVE: None

ZB1037 – Chern – Block 13, Lot 6 – 70 Prothero Road

Application to install a 24' x 40' shed in the A-1 Zone. A variance is required to permit a front yard setback of 80' where 150' is required.

The Board accepted the application. Eleven items were marked as exhibits – zoning review, application, survey, photo of proposed barn, three photos of garden area, Health Officer's comments, Fire Marshall's comments, Architectural Review Committee's comments and three additional photos.

Laine Chern, applicant – sworn. Ms. Chern explained that although she has 6.2 acres her property is irregularly shaped as well as having a steep slope in the back yard making it unbuildable. They currently have a large 30' x 50' garden and they need a large shed in close proximity to the garden to hold the garden equipment and supplies. Ms. Chern felt the shed would not be seen from the street due to the steep embankment and line of trees separating their property from Prothero Road.

Open to the public. Tan Win, neighbor felt the shed could easily be seen in the fall and winter and he objected to the application. Lori Rizzo, 1 Northwood Place – sworn felt the shed was oversized, unnecessary and could be constructed in the back yard.

The Board felt it was a large structure close to the street and would be very visible from the street. Ms. Chern hearing the comments from the Board requested the application be carried to the September meeting.

Mr. Steib, Esq. announced this application will be carried to the September 17, 2020 meeting with no further notice being mailed. Any interested person should check the Township Website for information to log onto the meeting or call the Zoning Board office.

DISCUSSION ITEMS:

None

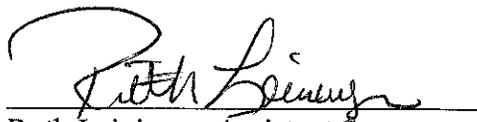
EXECUTIVE SESSION

None

MOTION TO ADJOURN

A motion was made by Mr. Dnistrian at 8:40 p.m. to adjourn the meeting, seconded by Mr. Buzzetta and unanimously carried.

I hereby certify that the above is a true and exact copy of the meeting minutes for the meeting conducted on August 20, 2020 adopted by the Board of Adjustment of the Township of Colts Neck at its meeting held on September 17, 2020.


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