ZONING BOARD OF ADJUSTMENT
MEETING MINUTES
June 15, 2023 AT 7:00 P.M.

Mr. Reisinger 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 a copy of said Notice to the Asbury Park Press 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 times. I further order that this public announcement be placed in the minutes of this meeting.

Salute to the Flag:

Roll Call:

PRESENT: Reisinger, Buzzetta, Dnistrian, Mahoney, Nicoletta, Maguire, Kornbluh, Yodakis

ABSENT: Farrell (excused)

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

Approval of Minutes:

Motion to approve the May 18, 2023 Meeting Minutes:

OFFER:	Buzzetta
SECOND:	Mahoney
AFFIRMATIVE**:**	Reisinger, Buzzetta, Dnistrian, Mahoney, Kornbluch, Yodakis
NEGATIVE:	None

RESOLUTIONS:

1 **ZB2007 Bennett – Block 7.05, Lot 8 – 20 East Larchmont Drive**
Memorialization of Resolution granting approval for second story addition, sunroom, deck, porch and interior renovations in the A-2 Zone.

Motion to memorialize the Resolution

OFFER:	Kornbluh
SECOND:	Yodakis
AFFIRMATIVE:	Reisinger, Buzzetta, Dnistrian, Mahoney, Kornbluh, Yodakis
NEGATIVE:	None

2 <u>ZB2008 Mark</u> – Block 29.11, Lot 11 – 13 Yellow Brook Drive
Memorialization of Resolution granting approval to construct a second story addition and interior renovations in the A-3 Zone.

Motion to memorialize the Resolution
OFFER: Reisinger
SECOND: Kornbluh
AFFIRMATIVE: Reisinger, Buzzetta, Dnistrian, Mahoney, Kornbluh, Yodaks
NEGATIVE: None

3 <u>ZB2005 – Santos-Costa</u> - Block 13, Lot 38 – 21 Ann Street
Memorialization of Resolution granting approval to construct two additions and front porch to the existing single family dwelling in the A-1 Zone.

Motion to memorialize the Resolution
OFFER: Buzzetta
SECOND: Reisinger
AFFIRMATIVE: Reisinger, Buzzetta, Dnistrian, Mahoney, Kornbluh, Yodakis
NEGATIVE: None

<u>ADMINISTRATIVE ITEMS:</u>

None

<u>APPLICATIONS: Old Business</u>

1 <u>ZB2004 Andree</u> – Block 34, Lot 3.08 – 26 Ravin Road
Application to modify driveway, remove walkways, part of pool patio, shed and deck to construct addition, front porch, interior renovations, detached garage and new driveway. Variances are required to permit detached garage side setback of 25.3' where 40' required, principal building coverage of 6.78% where 6% maximum permitted, detached garage total floor area of 1,423 s.f. where 1,200 s.f. maximum permitted and proposed detached garage building volume of 15,052 cubic feet where 13,000 cubic feet maximum permitted.

Attorney Steib noted a new zoning review from Mr. Anfuso, Township Planner, submitted as exhibit 13, dated June 25, 2023; revised Architectural Plans prepared by Robert Adler, dated June 1, 2023 as exhibit 14; a Color Rendered Landscape Plan prepared by Twin Industries, dated June 1, 2023, marked as Exhibit 15; and a 3D Renderings of current model, prepared by Robert W. Adler & Associates, dated March 14, 2023, marked as Exhibit 16 in evidence.

Mr. Mark Aikin spoke on behalf of the applicant, Mr. & Mrs. Andree regarding this single family residence in the A-1 district. The applicant has been able to address all of the issues brought up by the Board. The lot coverage variance has been eliminated.

Reductions have been made to the driveway, the size of the auto court and the walkway from the patio to the auto court, and the footprint of the detached garage. The front facing elevation, which was an important aesthetic consideration for the Board, has been preserved. The walkway from the dining room to the patio pool has been removed. Portions of the pool patio and the gazebo have been reduced. The requested variance for the principal building coverage has been reduced to 6.78%, and is now only 400 s f over the maximum permitted.

Project Architect James J. Blarr, AIA, of Robert Adler and Associates was sworn. The Board confirmed Mr. Blarr's credentials to give testimony at the proceeding. A revised color rendered plot plan dated June 1, 2023 was provided to Board members. Mr. Blarr reviewed in detail the above-mentioned changes as they appeared on the drawing. The color rendering was marked as exhibit 15.

The revised plan addresses the Board's concern about the size of the garage, reducing it by 458 s f. The landscape buffer plan includes pruning an existing hedgerow and adding other flora to provide a 14'-16'dense screening at the time of planting. The metal pool fence will be fully compliant, at a maximum of 48" high. There will be 2 masonry piers out front with a stone veneer finish and a copper pitched metal roof. The piers will be complementary to the architectural style of the house, using the same materials used on the exterior of the house. The piers will have a 2' base and a 4' element for a total height of 6'. It will be placed further back from the road. Mr. Blarr confirmed the piers will be wide enough to allow for emergency vehicles to pass through.

The Board was pleased with the plan revisions.

Chairman Reisinger opened up the hearing for public comment. No comments.

Motion to Approve the Application:

OFFER:	Buzzetta
SECOND:	Nicoletta
AFFIRMATIVE:	Reisinger, Buzzetta, Dnistrian, Mahoney, Nocoletta, Maguire, and Kornbluh
NEGATIVE:	None

2 <u>ZB2006 Leiner</u> – Block 21.05, Lot 1 – 193 Laird Road

Application to construct a 66' x 198' indoor riding arena in the A-1 Zone. Variances are required to permit a front yard setback of 126.37' from Laird Road where 150' required, building height of 28' where 25' maximum permitted, accessory building coverage of 5.42% where 5% maximum permitted, arena building foot print of 13,068 square feet where 1,200 square feet maximum permitted, arena total floor area of 13,608 square feet where 1,800 square feet maximum permitted and arena building volume of 248,292 cubic feet where 20,000 cubic feet is the maximum permitted.

Mr. Steib announced that a June 12, 2023 correspondence was received from Mr. Alfieri requesting the Board to carry the application to the July meeting. This application was carried to the July 20, 2023 hearing at 7 p.m. with no further notice.

APPLICATIONS: New Business:

2 ZB2010 McCormack – Block 39, Lot 11.05 – 10 Noble Court

Application to install a 6 foot aluminum fence in the front yard of Route 537 in the A-1 Zone. A variance is required to permit a 6-foot fence in a front yard setback where 4 feet is the maximum height permitted. Time to July 31, 2023.

Mr. Steib announced the applicant did not give notice for this hearing; therefore, the Board did not have jurisdiction to hear the application. The application will be carried to the July 20, 2023 meeting. The applicant will have to give public notice for that meeting.

1 ZB2009 Zakusilo – Block 21, Lot 37 – 961 Lovett Road

Application to extend deck (19' x 36") alongside of house in the A-1 Zone. A variance is required to permit a side yard setback of 27' where 50' required. Time to July 18, 2023

Eight items were marked as exhibited – application from Mr. Zakusilo dated March 29, 2023; architectural floor plan and elevation drawing; survey by Morgan Engineering dated August 12, 2022; report from the Architectural Review Committee dated April 11, 2023; Zoning Review Report from Township Planner Mr. Anfuso dated March 7, 2023; report from the Health Officer dated March 31, 2023; report from the Township Fire Official dated April 7, 2023; undated aerial photograph of the subject property.

The applicant, Mr. Zakusilo was sworn. Mr. Zakusilo stated he recently purchased the property in large part because of the view of the reservoir. He is asking for approval of extra footage on the deck to allow space for a table and extended views of the reservoir. Mr. Zakusilo noted the isolation of the property. The side property line in question abuts Township Greenway property and will not be developed. He specifically noted the project would not infringe on any neighbors.

The Board spoke in favor of the application as it did not infringe on neighbors. It abuts public property, has no impact on surrounding residences. It allows the applicant to enjoy the views which attracted him to purchase the property.

Motion to Approve the Application:

OFFER:	Dnistrian
SECOND:	Nicoletta
AFFIRMATIVE:	Reisinger, Buzzetta, Dnistrian, Mahoney, Nicoletta, Maguire, and Kornbluh
NEGATIVE:	None

3 ZB2011 Ottrando – Block 7.31, Lot 1.19 – 11 Applethorn Court

Application to retain rear stone terrace (11' x 18') in the A-1 Zone. A variance is required to permit a terrace and pool separation of 12 feet where 20 feet is required. Time to August 17, 2023

Seven items were marked as exhibited – an application from Mr. Ottrando dated April 5, 2023; a survey dated March 17, 2018; Zoning Review by Township Planner Tim Anfuso, P.P dated April 4, 2023; report of the Architectural Review Committee dated May 9, 2023; report of the Township Health Officer dated April 5, 2023; report of the Township Fire Official dated April 12, 2023; six photographs of the patio area and steps.

Lauren and Michael Ottrando were sworn and testified in support of the application.
Mr. Ottrando stated they purchased the home in 2017 and did not have a survey performed at the time. They have since discovered improvements were made to the property by the previous owner without permits.

They would like to legalize the current configuration on the property to avoid disruptions to any future sale of the property.

Mr. Ottrando described the property as having grass between the pool and the pool fence. There is also a fence that goes around the entire backyard. Beyond that is an easement between their property and the neighbor. The pool cannot be seen by neighbors even during the winter.

Chairman Reisinger opened the hearing for comments or questions from the public. No comments.

The Board appreciated that the applicants were requesting a variance to legitimize the preexisting work.

Motion to Approve the Application:

OFFER:	Buzzetta
SECOND:	Nicoletta
AFFIRMATIVE:	Reisinger, Buzzetta, Dnistrian, Mahoney, Nicoletta, Maguire, and Kornbluh
NEGATIVE:	None

DISCUSSION

Mr. Anfuso advised the Board that the new Town Hall meeting room will be available for the August meeting. However, there is nobody on for August. He also advised that the Planning Board is taking August off for summer vacation. Board members discussed

their availability for that month. It was determined that the July meeting will go forward and the August meeting will be cancelled.

EXECUTIVE SESSION

Narrative/None

MOTION TO ADJOURN

A motion was made to adjourn the meeting and unanimously carried. The meeting adjourned at 8:00 p.m.

I hereby certify that the above is a true and exact copy of the meeting minutes for the meeting conducted on June 15, 2023 adopted by the Board of Adjustment of the Township of Colts Neck at its meeting held on July 20, 2023.

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Joni VanNest, Secretary
Board of Adjustment of the
Township of Colts Neck