ZONING BOARD OF ADJUSTMENT
MEETING MINUTES
September 21, 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, Farrell, Dnistrian, Mahoney, Nicoletta, Maguire, Kornbluh, and Yodakis

ABSENT: Buzzetta (excused)

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

Approval of Minutes:

Motion to approve the July 20, 2023 Meeting Minutes:

OFFER:	Farrell
SECOND:	Nicoletta
AFFIRMATIVE:	Farrell, Nicoletta, and Kornbluh
NEGATIVE:	None

RESOLUTIONS:

1 **ZB2010 McCormack – Block 39, Lot 11.05 – 10 Noble Court**
Memorialization of Resolution granting approval 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 where 4 feet is the maximum height permitted.

OFFER:	Nicoletta
SECOND:	Farrell
AFFIRMATIVE:	Farrell, Nicoletta, and Kornbluh
NEGATIVE:	None

2 **ZB2012 Passalacqua – Block 34, Lot 14 – 295 Route 537**
Memorialization of Resolution granting approval to remove front porch and construct a one story addition to the single family dwelling. A variance is required to permit a front setback of 44' where 75' is required.

OFFER:	Nicoletta
SECOND:	Kornbluh
AFFIRMATIVE:	Farrell, Nicoletta, and Kornbluh
NEGATIVE:	None

3 **ZB2013 Gutowski – Block 35.02, Lot 10 – 40 Beaver Dam Rd**
Memorialization of Resolution granting approval to install a generator. A variance is required to permit generator front setback from Woodhollow Road of 75 feet where 100 feet required.

OFFER:	Nicoletta
SECOND:	Farrell
AFFIRMATIVE:	Farrell, Nicoletta, and Kornbluh
NEGATIVE:	None

4 **ZB2014 Kape – Block 7.20, Lot 9 – 39 Mulberry Ln**
Memorialization of Resolution granting approval to construct open front porch. A variance is required to permit a front setback of 72.5 feet where 75 feet is required.

OFFER:	Nicoletta
SECOND:	Kornbluh
AFFIRMATIVE:	Farrell, Nicoletta, and Kornbluh
NEGATIVE:	None

ADMINISTRATIVE ITEMS:

None

APPLICATIONS: Old Business

1 **ZB2006 Leiner – Block 21.05, Lot 1 – 193 Laird Road**
Request to withdraw the application to construct a 66' x 198' indoor riding arena in the A-1 Zone.

Motion to dismiss the application without prejudice:

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

APPLICATIONS: New Business:

1 **ZB2015 Scanelli – Block 24, Lot 4 – 20 Crusius Place**
Application to construct a second story addition and interior renovation to a single-family dwelling in the A-3 Zone. The application requires a variance to permit a side setback of 28.7' where 30' is required. Time to October 19, 2023

Mr. Nicoletta recused himself from hearing the application.

Nine items were marked as exhibited.

1. Zoning Review by Tim Anfuso, P.P., Township Planner, dated 05.24.23
2. Variance Application, dated 06.08.23
3. Architectural Plans, dated 11.28.22
4. Site Plan, undated
5. Architectural Elevations and Floor Plans, dated 11.28.22
6. Aerial view, 05.29.23
7. Architectural Review Committee Report, dated 07.11.23
8. Fire Council Review, dated 06.22.23
9. Board of Health Review, dated 06.22.23

Planner Anfuso – sworn.

Applicant Lina Scanelli, appearing on her own behalf, was sworn.
Ms. Scanelli stated that she purchased the home in 2020 with a pre-existing non-conforming addition. The plan is to extend the second floor master bedroom into the current attic to make additional living space on the second floor. It will enlarge the master bedroom, add a closet, and add another bathroom. The plan will not exceed the current footprint of the home. A variance is required because the second floor, when complete, will not comply with the required setback. It is not certain if there was a variance granted for the previous addition.

The chairman opened the meeting to public comment. There were none.

Board members had one comment – that if the applicant ever decides to add an additional bedroom she will be required by the Board of Health to increase the size of the septic system.

Motion to Approve the Application:

OFFER:	Dnistrian
SECOND:	Mahoney
AFFIRMATIVE:	Reisinger, Farrell, Dnistrian, Mahoney, Maguire, Kornbluh, and Yodakis
NEGATIVE:	None

2 **ZB2016 Miller – Block 20, Lot 10.02 – 11 Liberty Knoll**
Application to add a dormer and finish half story above the attached garage in the A-1 Zone. A variance is required to permit a dormer side setback of 46.25' where 57' is required and 46.1' currently exists. Time to November 14, 2023

Seven items were marked as exhibited.

1. Zoning Review by Tim Anfuso, P.P., Township Planner, dated 03.24.23
2. Variance application, dated 07.13.23
3. Survey, dated 10.24.14
4. Architectural Elevation and Floor Plan, dated 03.19.23
5. Aerial photograph, undated
6. Fire Council Review, dated 08.25.23
7. Board of Health Review, dated 07.17.23

Planner Anfuso – sworn.

Applicant Maureen Miller, appearing on her own behalf, was sworn.
Per Ms. Miller, the house was built in 1991. The house was lawfully constructed at the time, but now is a pre-existing non-conforming structure, as it does not conform to the 90 foot rule. The plans entail finishing a room above the garage, which includes adding a dormer for additional light and a bathroom.

The Board asked if they would need to increase the septic system size. Per Mr. Anfuso, septic requirements are based on the number of bedrooms, not bathrooms. There is no need for increased septic capacity as they are not adding a bedroom. He also stated the applicant will have to go through the Board of Health to get a building permit. If the septic system requires an upgrade, Mr. Frank, the Health Officer, will address it at that time. Discussion ensued regarding determining the required septic size based on bedrooms, and just what constitutes a bedroom.

The chairman opened the application to the public for comments. No comments.

Motion to Approve the Application:

OFFER:	Dnistrian
SECOND:	Kornbluh
AFFIRMATIVE:	Reisinger, Farrell, Dnistrian, Mahoney, Nicoletta, Maguire, and Kornbluh
NEGATIVE:	

3 **ZB2017 Fareholm Sequoia Trust – Block 20, Lot 8 – 132 Muhlenbrink Road**
Request to withdraw the application to install a generator in the front yard in the AG Zone.

Motion to dismiss the application without prejudice:

OFFER:	Dnistrian
SECOND:	Reisinger

AFFIRMATIVE:	Reisinger, Farrell, Dnistrian, Mahoney, Nicoletta, Maguire, and Kornbluh
NEGATIVE:	None

EXECUTIVE SESSION

None

MOTION TO ADJOURN

The meeting adjourned at 7:34 by unanimous decision.
I hereby certify that the above is a true and exact copy of the meeting minutes for the meeting conducted on September 21, 2023, adopted by the Zoning Board of Adjustment of the Township of Colts Neck at its meeting held on October 19, 2023.

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