ZONING BOARD OF ADJUSTMENT
MEETING MINUTES
October 19, 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, Buzzetta, Mahoney, Maguire, Kornbluh, Yodakis, Mr. Dnistrian arrived late

ABSENT: Nicoletta (excused)

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

Approval of Minutes:

Motion to approve the September 21, 2023 Meeting Minutes:

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

RESOLUTIONS:

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

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

APPLICATIONS: New Business:

1 **ZB2018 Rundella – Block 7.21, Lot 18 – 57 Laurelwood Drive**
Application to construct an open pavilion in the A-2 Zone. Variances are required to permit a pool and pavilion separation of 9' where 10' is required, and a separation of 13' between the pavilion and house where 20' is required. Time to December 7, 2023

Eight items were marked as exhibited.

1. Zoning Review from Township Planner Anfuso, dated 08.08.23
2. Variance application, dated 08.09.23
3. Architectural Plans
4. Plot Plan Zone Analysis
5. Board of Health Report, dated 08.09.23
6. Fire Council Report, dated 08.25.23
7. Architectural Review Committee Report, dated 09.12.23
8. Aerial Photograph of the subject property

David Rundella, appearing on his own behalf, was sworn. Mr. Rundella stated that he would like to construct a 4-post pavilion in his yard, placed where it would be the most aesthetically pleasing and where they would get the most use out of it. Mr. Reisinger expressed concern over the lack of adequate separation between the pavilion and the house, believing it to be a fire hazard. Mr. Rundella believed there would be no problem with a firetruck getting access to the building or a ladder getting to the windows. The Board questioned if there was anywhere else on the property the pavilion could go that would be just as aesthetically pleasing. Mr. Rundella stated that they looked at all options, and there was no other option because of the way the layout of the backyard. The Board suggested the pavilion be kept the same distance from the pool but placed farther from the house. Mr. Rundella explained that would require changing the slope of the yard.

The Chairman opened the meeting for public comment; there were no comments.

Board members shared their discomfort with the proposed location of the pavilion due to it being a safety hazard. Mr. Reisinger suggested two options for the applicant: 1) to allow the Board to vote on the application. If denied, he would have to start over with a new application with updated plans, 2) update the plans and come back to the Board at a later meeting.

Mr. Rundell opted to try and update the plans as much as possible and return to the Board at a later date. He also plans to submit supporting photos demonstrating his hardship. The application carried until November 16, 2023.

The property is an 8-acre complex of buildings, with one-way drives on either side of the sanctuary. They looked at multiple ways of improving the situation, and the submitted plan was the best option.

Previously, per ordinance, the separation was 30'. They are proposing a 20' separation from the eastern side of the driveway to the property line, with a landscape buffer. The ordinance has since changed to 70' separation.

Mr. Garito noted there is currently no drainage on the property. The plan will add drainage. Additionally, by eliminating one of the driveways, they will be reducing impervious lot coverage. A rain garden environmental feature is also proposed.

The chairman asked if there were any questions for Mr. Garito. Debra Matizka, the church's neighbor to the east, spoke. She is concerned about damage to the foundation of her older home from the heavy equipment which will be used close to the house. She suggested some variations to the plan to which she would be more amenable. Mr. Pfleger agreed to look at and discuss her concerns and suggestions when they meet.

The chairman asked for Board questions. Mr. Yodakis asked if there was need for a dedicated left and right turn lane. Mr. Garito said it will likely be brought up when they meet with County representatives. Mr. Yodakis also mentioned that he would prefer the additional 16 parking spaces not to be off the main access aisle where people could be backing up into traffic coming or going. He also suggested a fence to be placed as a buffer between the church and the neighbor's property, as landscape buffering could take quite a few years to fill in.

The chairman opened the meeting to public comment. Debra Matizka – sworn. She came prepared with plans for changes to the church's proposed plans, including: grading down the driveway for emergency vehicle access, keep the driveways one-way, install speed bumps and a stop sign to slow traffic, and moving the well and parking spaces for an additional 20' of separation and up 47' if it is kept as a one-way driveway. She believes there are alternatives to the church's proposed plans and will share her plans with them.

The application was adjourned and carried until November 16, 2023.

3 **<u>ZB1093 Express Auto Spa Car Wash</u> – Block 48, Lot 6 – 297 Route 34**
Application for a Deviation to the Preliminary and Final Major Site Plan Approval to amend Special Condition No. 2(w) of the Resolution of Approval. Time to November 10, 2023

Mr. Dnistrian recused himself from this application.

Nine items were marked as exhibited.

1. Letter from Andrew Trocchia, dated 09.22.23, requesting deviation from Special Condition #2 of the Resolution.

until the plans get out of the zoning department, which is why he is trying to move the process along before the easement is released by JCP&L.
A motion to approve the application with the above-referenced conditions:

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

EXECUTIVE SESSION

None

MOTION TO ADJOURN

A motion to adjourn at 8:40 PM unanimously carried.

I hereby certify that the above is a true and exact copy of the meeting minutes for the meeting conducted on October 19, 2023 adopted by the Board of Adjustment of the Township of Colts Neck at its meeting held on November 16, 2023.

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