ZONING BOARD OF ADJUSTMENT
MEETING MINUTES
December 14, 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, Dnistrian, Mahoney, Maguire, Kornbluh, and Yodakis
ABSENT:	Nicoletta (excused)
ALSO PRESENT:	Timothy Anfuso, P.P., and Michael B. Steib, Esq.

Approval of Minutes:

Motion to approve the November 16, 2023 Meeting Minutes:

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

RESOLUTIONS:

1 **ZB2018 Rundella – Block 7.21, Lot 18 – 57 Laurelwood Drive**
Memorialization of a Resolution granting approval 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.

Motion to Memorialize the Resolution:

OFFER:	Buzzetta
SECOND:	Mahoney

AFFIRMATIVE: Reisinger, Farrell, Buzzetta, Mahoney, and Maguire
NEGATIVE: None

2 **ZB1053 Colts Neck Reformed Church – Block 29.01, Lots 13 & 14 and Block 29.13, Lots 6 & 17 – 139 and 143 Route 537**
Memorialization of a Resolution granting Preliminary and Final Major Site Plan approval with Use Variance to remove the existing driveways and construct a new driveway in the A-3 Zone.

Motion to Memorialize the Resolution:
OFFER: Mahoney
SECOND: Buzzetta
AFFIRMATIVE: Reisinger, Farrell, Buzzetta, Mahoney, and Maguire
NEGATIVE: None

3 **ZB2000A Santos – Block 13, Lot 16 – 253 Heyers Mill Road**
Memorialization of a Resolution granting approval to reconstruct a single family dwelling in the A-1 Zone. Variances are required to permit a front setback of 11' where 75' is required, side setback of 19' where 24' is required, and 6.85% building coverage where 6.6% is the maximum permitted.

Motion to Memorialize the Resolution:
OFFER: Farrell
SECOND: Mahoney
AFFIRMATIVE: Reisinger, Farrell, Buzzetta, Mahoney, and Maguire
NEGATIVE: None

ADMINISTRATIVE ITEMS:

1 **ZB1046 Source Brewing – Block 46, Lot 17.13 – 300 Route 34**
Request for a one-year extensions of time to the Use Variance and Preliminary and Final Major Site Plan approval in the B-1 Zone. The extension of time will begin May 20, 2023, and expire May 20, 2024.

Mr. Steib stated that this was a request for an extension of the site plan approval granted in May 2021. The approval was good for two years and expired in May 2023. They are asking for a one-year extension to May 20, 2024. They are entitled to ask for up to three one-year extensions. Attorney Brian Plocker spoke on behalf of the applicant. He clarified that the applicant is requesting two one-year extensions - one for the site plan approval and the second for the use variance. Mr. Steib advised the Board that use variance approval does not expire.

Mr. Plocker said they would like to request just the one-year extension, through May 2024, knowing they have the option to come back for another year if necessary.

Mr. Anfuso noted that he had not yet released the plans, as he is waiting for some items. Mr. Plocker requested a letter from Mr. Anfuso outlining the outstanding items.

Motion to approve the extension of time

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

2 **Appointment of 2023 Nominating Committee**
Three Board members, Ms. Buzzetta, Mr. Mahoney, and Mr. Farrell volunteered for the nominating committee.

APPLICATIONS: Old Business

1 **ZB2022 Tawfik – Block 16, Lot 53.28 – 6 Old Stable Way**
Application to expand patio and to construct a pavilion in the A-1 Zone. Variances are required to allow a lot coverage of 24.8% where 20% is the maximum permitted, and a side setback of 25.23 where 40' is required. Time to February 8, 2024

Mr. Steib reminded the Board that they accepted jurisdiction over this application at the last meeting. He noted additional exhibits received.
#10 Revised variance plan
#11 Supplemental report from Township Planner Anfuso, dated 12.04.23

AJ Garito presented on behalf of the applicant. He was reminded he was still under oath. He reminded the Board that the current lot coverage is 22.9% and they originally proposed a lot coverage of 28.2%. He presented exhibit 12, revised plans from December 1, 2023 reducing the proposed lot coverage by almost 2,000 square feet. The updated plans include drainage improvements, reduction in the sized of the driveway, the pavilion will be relocated and a small shed will be removed. The new proposed lot coverage will be 24.8%.

Although Board members appreciated the work done to reduce lot the coverage, the presiding sentiment was that they felt the newly proposed coverage of 24.8% was still too excessive.

After a short recess to confer with his client, Mr. Alfieri stated the applicant wished to carry the application to the January 18, 2024 meeting. The Board agreed to carry it and Mr. Steib stated there would be no further notice required.

APPLICATIONS: New Business:

1 **ZB2021 Racioppo – Block 35.03, Lot 14 – 21 Beaver Dam Road**
Application to remove front porch and to construct a rear kitchen addition in the A-1 Zone. A variance is required to permit a rear setback of 85' where 95' is required. Time to February 8, 2024

Six items were marked as exhibited.

1. Application dated 10.04.23
2. Zoning Review by Tim Anfuso, P.P., dated 05.04.23
3. Plans by Integra Consultants, dated 09.16.22, revised 03.02.23
4. Board of Health Report, dated 10.11.23
5. Fire Council Report, dated 11.08.23
6. Architectural Review Committee Report, dated 11.03.23

Mr. Racioppo was sworn. He noted that his family of six needs more room. They wished to push the kitchen out over part of the patio. Mr. Anfuso noted there will be no increase in building coverage because they will also be removing the front porch. He stated that removing the porch should be a condition of approval. The 90-foot rule requires a 95-foot rear setback but they currently have 85 feet. It was noted the house predates the 90-foot rule.

There were no questions from the public. The Board was comfortable with the request as long as the porch removal is a condition of approval.

Motion to Approve the Application:

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

Discussion

1 **2023 Annual Report**
Mr. Anfuso presented highlights from the 2023 Annual Report. He noted there seemed to be an addition error which will be corrected for the final presentation at next month's meeting. He also noted there were fewer application this year. Normally there would be 25-30 applications but there were only 22. There were no trend surprises. The A-1 Zone produced the most applications, while the A-1 Cluster development produced the second highest. Additions were the most common type of application. There were a higher than usual number of Use Variance applications. There were no building height variance requests. He stated he was thinking about removing this parameter from the matrix, as there are very few estate homes currently being constructed.

Board members discussed the value of the Architectural Review Committee. The consensus was that it is an advisory committee created by Township ordinance with no authority. Board members may note the committee's recommendation, but they are not obliged to give it any weight in their decision-making.

2 **Review 2024 Meeting Dates**
Board members approved all 2024 meeting dates except for December. They opted to move December's meeting to the second Thursday - December 12, 2024.

EXECUTIVE SESSION

None

MOTION TO ADJOURN

A motion was made by at 8:05 p.m. to adjourn the meeting and unanimously carried.

I hereby certify that the above is a true and exact copy of the meeting minutes for the meeting conducted on December 14, 2023 and adopted by the Zoning Board of Adjustment of the Township of Colts Neck at its meeting held on January 18, 2024.

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