

Call to Order:

It is 6:30 p.m. on March 28, 2024 and this is the regular meeting of the Monroe Township Zoning Board of Adjustment. Notice of this meeting was given as required by the Open Public Meetings Act of February 1, 2024 and a copy was posted on the 2nd floor bulletin board in Town Hall and on the Township's website.

“Be advised, no new item of business will be started after 10:30 p.m., and the meeting shall terminate no later than 11:00 p.m.”

The Board saluted the flag.

Roll call: Present; Mr. Carino, Mr. Colavita, Mr. Kozak, Mr. Rice, Mr. Seidenberg, Ms. Fasano, Mr. Fooder, Mr. Fiore, Solicitor. Also present; Ms. Gallagher, Secretary, Ms. Gabbianelli, Clerk Transcriber, Mr. Heverly, Council. Excused: Mr. Cummiskey, Mr. Kernan, Mr. Warburton.

Memorialization of Resolutions:

1. Res. 27-2024 – #23-58 - Great Railing – Request for Continuance Approved
2. Res. 28-2024 – #WSP-06-23 - Great Railing – Request for Continuance Approved

Announcement for the Public:

The applications for Great Railing will not be heard this evening.

Administrative Amendment for Board Action:

1. #24-03 – Robert Tullo – Amendment to Res. #18-2024

Upon review of the approved resolution, it was recognized that one of the requested variances was not addressed. In addition to the variances that were granted, the applicant was also requesting a side yard variance for the existing gazebo to allow 2' where 5' feet are required.

Mr. Fiore swears in Mr. Tullo.

Ms. Gallagher states to the Board that Mr. Tullo is present because they missed a side yard variance. He has a shed and a gazebo but the exact footage was missed in his previous application. He is in front of the Board to amend his resolution.

Mr. Colavita summarized the amendment to Res. #18-2024.

Motion to amend by Mr. Rice, seconded by Mr. Carino. Roll call vote; Ayes- Mr. Carino, Mr. Colavita, Mr. Kerr, Mr. Seidenberg, Mr. Fasano, Mr. Kozak. Nays- Zero.

Public Portion:

1. #24-11 – Ryan Storey – Lot Coverage Variance

The applicant is requesting a lot coverage variance to allow 41% where 30% is the maximum permitted for the existing in-ground pool and concrete; along with any other variances or waivers deemed necessary by the Board. The property is located at 376 Staggerbush Road, also known as Block 103.0101, Lot 65; in the RG-PR Zoning District.

Mr. Fiore swears in Ryan Storey and motion passed to deem the application complete.

Mr. Storey would like a variance granted for a lot coverage. Unintentionally, he went over concrete usages. Mr. Fiore ask if Mr. Storey received a lot grading plan because this percentage is slightly higher than the average. Mr. Storey replies they did get a lot grading plan. And the final as built survey is when they noticed they were over.

Mr. Kozak points out the additional concrete is between Mr. Storey's pool and his home. He agrees. So, the drainage issues would cause the applicant more of a problem than his neighbors. Mr. Storey agrees that it drains towards the pool and the sides.

Mr. Kozak notices he has stone and asks how long has it been there. Mr. Storey replies 2 years. Asked if there have been any problems with rain and Mr. Storey replies no.

Mr. Fiore asks if majority of his neighbors have similar size backyard with pool and Mr. Storey responds yes.

Motion passed to close the hearing to the public.

Mr. Fiore summarized the application for the Board.

Motion to approve by Mr. Seidenberg, seconded by Mr. Carino. Roll call vote; Ayes- Mr. Seidenberg, Mr. Carino, Mr. Colavita, Mr. Kerr, Mr. Kozak, Ms. Fasano. Nays- Zero.

2. #24-12 – Richard & Stacy Snyder – Lot Coverage Variance

The applicant is requesting a lot coverage variance to allow 54% where 30% is the maximum permitted for the existing in-ground pool and concrete; along with any other variances or waivers deemed necessary by the Board. The property is located at 800 Spain Court, also known as Block 12104, Lot 23 in the RG-PR Zoning District.

Mr. Fiore swears in Richard Snyder.

Mr. Snyder states he previously was granted a variance in 2004. But the sidewalk from his deck to his pool was not included so he is asking the Board for another variance.

2. #24-12 – Richard & Stacy Snyder – Lot Coverage Variance (cont.)

He states he has a lot of stones in his backyard and most of it is river rock. He also has concrete, a deck and a shed.

Mr. Colavita asks him if he had a previous variance and Mr. Snyder replies yes.

Mr. Snyder discusses with the Board his survey and the discrepancy. Mr. Fiore clarifies that the land surveyor may not be considering some of the areas and he may be considering the impervious surfaces. The engineer, whom is the expert, would make the final opinion on pervious versus impervious.

Mr. Snyder states he does not have any water issues and the pool has been there for 2 years. Mr. Colavita asks if there are any problems with his neighbors and he replies no.

Mr. Kozak asks if Mr. Snyder's testament is that with the river rock the water drains through it. Mr. Snyder replies yes it and there is nothing blocking it. Also, he states with all of his down spouts in the backyard have been moved and angled to the front of the house. In addition, his sump pump is underneath the stones and fanned out. There have been no issues with the neighbors.

Mr. Snyder states the only area in his back yard the is impervious is the concrete.

Motion passed to close the hearing to the public.

Mr. Fiore summarized the application for the Board.

Motion to approve by Mr. Rice seconded by Mr. Carino. Roll call vote; Ayes- Mr. Rice, Mr. Carino, Mr. Colavita, Mr. Kerr, Mr. Kozak, Mr. Seidenberg, Ms. Fasano. Nays- Zero.

3. #24-13 – Marla Huff & Rick Meng – Lot Coverage Variance

The applicant is requesting a lot coverage variance to allow 32% where 30% is the maximum permitted for the existing in-ground pool and concrete; along with any other variances or waivers deemed necessary by the Board. The property is located at 620 Mills Lane, also known as Block 27.0102, Lot 16 in the RG-PR Zoning District.

Mr. Fiore swears in Rick Meng.

Mr. Meng is requesting a lot coverage variance. There were misinformed by their engineer and asking for the 2 %.

3. #24-13 – Marla Huff & Rick Meng – Lot Coverage Variance (cont.)

Mr. Fiore asks if the property is similar to their neighbors and Mr. Meng replies yes. Asked about any drainage issues and Mr. Meng replies no.

Mr. Kozak states that Mr. Meng is requesting a very minimal 2 % and there are no issues with his neighbors.

Motion passed to close the hearing to the public.

Mr. Fiore summarized the application for the Board.

Motion to approve by Mr. Seidenberg seconded by Mr. Rice. Roll call vote; Ayes- Mr. Seidenberg, Mr. Rice, Mr. Carino, Mr. Colavita, Mr. Kerr, Mr. Kozak, Ms. Fasano. Nays- Zero.

4. #24-14 – Kenneth Benson – Lot Coverage Variance

The applicant is requesting a variance to allow 38.6% where 30% is the maximum permitted for the installation of a 31' x 14' in-ground pool and concrete patio; along with any other variances or waivers deemed necessary by the Board. The property is located at 320 Marissa Court, also known as Block 27.0201, Lot 6 in the RG-MR Zoning District.

Mr. Fiore swears in Kenneth Benson.

Mr. Colavita asks if Mr. Benson has built the pool yet and he replies no. Asked where the calculations for the pool came from and he replies from the survey company he had hire. Mr. Colavita states that Mr. Benson is getting the variance before having the work done and to be careful that he does not going over the lot coverage.

Mr. Kozak states the problem is the pool companies try to get their customers to add more and when the final engineering calculations is when people go over their lot coverage. Mr. Benson is aware of this situation.

Mr. Fiore states Mr. Benson not only provided the survey but the grading plan as well. Mr. Benson states he is trying to do all of his due diligences before the project and Mr. Kozak appreciates that.

Mr. Colavita says looking at the grading plan there should not be an issue. Mr. Benson mentions his property is pretty flat.

Motion passed to close the hearing to the public.

Mr. Fiore summarized the application for the Board.

4. #24-14 – Kenneth Benson – Lot Coverage Variance (cont.)

Mr. Kozak asks if there are any existing water problems and Mr. Benson replies no.

Motion to approve by Mr. Kozak seconded by Mr. Rice. Roll call vote; Ayes- Mr. Kozak, Mr. Rice, Mr. Carino, Mr. Colavita, Mr. Kerr, Mr. Seidenberg, Ms. Fasano. Nays- Zero.

5. #24-23 – Rachael & Mike Fitzgibbon – Side Yard Variance

The applicant is requesting a side yard variance to allow 0' where 10' is required for placement of a driveway to line up with the existing curb lip; along with any other variances or waivers deemed necessary by the Board. The property is located at 316 Oak Street, also known as Block 11902, Lot 5 in the RG-40 Zoning District.

Len Schwartz is representing the Fitzgibbon. Mr. Fiore swears in Rachael Fitzgibbon.

Mr. Schwartz states there will be a new house being built on the property. There was a previous house on the property with a curb cut. In the curb cut is a zero-lot line to the property next door. The next-door driveway is on the other side of the property. It is not right next door to this driveway. In the other direction you cannot go any further because there is a telephone pole stopping the curb cut.

Mr. Schwartz says from the survey zero but it moves up to 5 feet and then gets further in. 10 feet is required but they need the zero because its right on the street. The survey indicates the zero but its five feet out. It will not be zero all the way down the line.

Mr. Fiore asks about the corner on the survey and states there was a variance before the Board with a similar situation. The driveway was lined up against the property line.

Mr. Kozak says the difficulty with this situation is the pole is there. So, if they tried to go the other way it would throw off the esthetics of the house. The other neighbor's driveway isn't side by side, so there is not a problem with them both backing out. Ms. Fitzgibbon agrees and states the neighbor's driveway sits a little farther from their property line anyways so there still would be some distances.

Ms. Fitzgibbon has not heard any negative feedback from her neighbors.

Motion passed to close the hearing to the public.

Mr. Fiore summarized the application for the Board.

Motion to approve by Mr. Kozak seconded by Mr. Rice. Roll call vote; Ayes- Mr. Kozak, Mr. Rice, Mr. Carino, Mr. Colavita, Mr. Kerr, Mr. Seidenberg, Ms. Fasano. Nays- Zero.

Motion passed to close to the hearing

Reports: None

Approval of Minutes:

1. March 14, 2024

Adjournment: The meeting was adjourned 7:06 p.m.

These minutes are an extract from the meeting that was held on the above date and are not a verbatim account or to be construed as an official transcript of the proceedings. Respectfully submitted by: Scottie Lea Gabbianelli, Clerk Transcriber.