

HOLMDEL TOWNSHIP  
ZONING BOARD OF ADJUSTMENT  
**Minutes – Regular Meeting ~ Via Zoom Conferencing**  
**Wednesday, June 2, 2021 at 7:00 p.m.**

Mr. Blumenthal, Chairperson called the meeting to order at 7:00 p.m. and Mr. Buffalino read the following: *In accordance with the Open Public Meetings Act, N.J.S.A. 10:4-10, and regulations governing remote meetings, N.J.A.C. 5:39-1.5, I hereby declare this meeting of the Holmdel Township Zoning Board to be open and announce that adequate and electronic notice of this meeting was provided in notices dated January 8, 2021 and May 28, 2021. Notices were sent to the Asbury Park Press, Two River Times, and posted on the bulletin board, and on the main access door to Town Hall. Notices were filed in the Clerk's Office, and posted on the Township's website at [www.holmdeltownship.com](http://www.holmdeltownship.com). There will be an opportunity for members of the public to ask questions or provide comments once the meeting is open to the public. At that time, you will need to use the "raise your hand" feature on the bottom of the screen, and you will be invited into the meeting by the Chairperson one at a time. You will need to have audio and video capability, you will be sworn in and asked to provide your name and address for the record. If you have any technical difficulties, please contact the phone number listed in the Webinar information below.*

**Roll Call**

Present: Ms. Avrin  
Mr. Blumenthal, *Chairperson*  
Mr. Buffalino  
Ms. Campis  
Mr. Hern  
Mr. Orfanitopoulos, *Vice Chairperson*  
Mr. Pesce  
Ms. Collur, *Alternate 1*  
Mr. Lateef, *Alternate 2*

Also Present: Martin Pfleger, Esq., Board Attorney  
Robert Bucco, PE, Board Engineer  
Kate Keller, PP, Board Planner  
Loretta Coscia, Board Secretary  
Brian O'Malley, Webinar Host

**Pledge of Allegiance ~ Moment of Silence**

Item #1 **New Horizon Properties LLC, 494 Middle Road, Preliminary/Final Site Plan #2019-3 Block 56, Lot 1** Applicant proposes to develop the property as a convenience store with a fuel service facility. The property presently consists of a one-story masonry building/garage. The applicant proposes to demolish the existing structure on the property and construct a 3,000 square foot convenience store and fueling area consisting of six (6) fuel pumps.

*This item will not be heard tonight and will be carried without further notice to June 16. New meeting log on information will be available on the agenda on the township website prior to the meeting.*

Item #2 **1 Crocus Drive, Christie & Jeffrey Sargent, ZB Variance #449, Block 5, Lot 50.43** Applicant seeks variance relief for side yard setback relief of 30' where 80' is required for installation of a built in pool.

*This item will not be heard tonight and will be carried to July 21 without further notice. New meeting log on information will be available on the agenda on the township website prior to the meeting.*

Item #3 **2 Cardinal Road, Richard DeHanes & Donna DePinto DeHanes, ZB Variance #450 Block 21, Lot 3.21 – R40A Zone** Applicant seeks variance relief of 15' for the rear setback of 25' for installation of a 16' X 32' in ground pool, surrounding patio and 200 sq. foot pool/pump house. Seeking variance relief of 25' from side setback where 75' is required as per ordinance (corner lot).

Present on behalf of the applicant: Richard DeHanes, Applicant  
Donna DePinto DeHanes, Applicant

*Richard DeHanes and Donna DePinto DeHanes are sworn in (telephone call-in)*

Mr. DeHanes stated his is seeking variance relief to install a built-in pool. The property slopes so the placement of the pool is limited. There is a flat area of 15 feet for the patio and then slopes up about eight feet towards the rear property line. They tried to minimize the impact, proposing a step-up to an elevation and cutting a 30 x 65 grade for a flat area to install the pool. A 25-foot rear setback requirement would put the pool off the patio and force them to install a larger retaining wall in the rear property line. He referenced (shared screen) exhibits of the property. Survey map shows the layout and positioning of the pool.

Mr. Orfanitopoulos said Exhibit 11 shows the slope and where the pool would be located. Mr. DeHanes said they have a small patio and front small slope with a boulder wall, three to four foot in diameter to create a fall off for the rain garden. There is a landscape bed and to the left of the pool there is a curved line to help with any runoff. The retaining wall is three feet. There is a five-foot step up of the elevation and a three-foot retention wall with a 10-foot buffer that will give them some distance and give privacy between them and their neighbor.

Mr. Pflieger stated the Board should include relief for the existing garage, approving the setback of a pre-existing condition.

Mr. Buffalino asked if there are any stormwater issues. Mr. Bucco said if we get good engineering drawings, the stormwater run-off would be handled. His concern is going into the steep slopes. He would have to address run off from the neighbor on Lot #508. He would like to see a grading plan with the proposed boulders so that additional run off and grading does not adversely affect that property owner. A three-foot high retaining wall is fine, but anything that exceeds that would require an engineering plan. He will have to apply to Freehold Soil, as he is disturbing more than 5000 square feet.

*Mr. and Mrs. DeHanes (now able to access video) and Board Professionals sworn in.*

Ms. Keller stated that the pool house is also within the rear setback and should be included if approved.

Comments – Public

Mary Knoblauch, 4 Cardinal Road *sworn* Ms. Knoblauch is the neighbor to the applicant on the side of the house near slopes. Her concern is soil erosion, drainage and run-off issues. There were many trees removed, which helped to keep the soil from eroding.

Mr. DeHanes advised they are planting Leyland Cyprus and boulder wall, and feels it will handle a lot of the excess run-off. Between the evergreens and fencing it will give them both more privacy.

Mr. Buffalino asked why the trees were removed. Mr. DeHanes said they lost a lot of trees over the years in various storms. They removed many trees, which fell close to the house.

Ed Knoblauch, 4 Cardinal *sworn*. He stated that 20 trees were removed last year, and the rest recently. The trees were five feet from the property line. His own pool is 105 feet from Cardinal Road with the same 50-foot setback. His trees are right on the property line, and it would cut his roots. Mr. Bucco said it depends on the ordinance. If the roots are on his property, he is entitled to improve his property. Mr. Blumenthal said that there is no ordinance in Holmdel on trees. It becomes a private issue between neighbors.

Mr. DeHanes said they are intending on maintaining a 10-foot buffer from the property line. The only thing they are looking at planting is Leyland Cyprus. The root system would not make it to the retaining wall, which is 10-feet from the property line. Any concern with trees on their side will not come into play with the 10-foot buffer.

Mr. Pflieger summarized the conditions including grading plan to be submitted to Board Engineer, Freehold Soil approval, and variance for existing garage setback. If retaining wall exceeds three feet, applicant will submit an engineering plan for the retaining wall.

**Motion** by Ms. Avrin to approve the variance with conditions stated, seconded by Mr. Orfanitopoulos and carried on the following roll call vote:

Affirmative: Ms. Avrin, Mr. Buffalino, Ms. Campis, Mr. Hern, Mr. Pesce, Mr. Orfanitopoulos, Mr. Blumenthal

Not seated: Ms. Collur, Mr. Lateef

Item #4 **Draft Minutes – April 21, 2021** **Motion** by Mr. Pesce seconded by Mr. Orfanitopoulos to approve the minutes. Motion carried by voice vote.  
**Draft Minutes – May 5, 2021** **Motion** by Ms. Avrin seconded by Ms. Campis to approve the minutes. Motion carried by voice vote.

Item #5 **Zoning Board 2020 Annual Report – Draft 1** – Carried

**Professional Reports** – None

**Adjournment**

There being no further business at 8:30 p.m., **motion** by Ms. Avrin to adjourn seconded by Mr. Orfanitopoulos. Motion carried by voice vote.

Respectfully submitted,

Loretta Coscia  
Zoning Board Secretary

Minutes approved 7/21/21 (VA/DO)

Note: The foregoing are summary minutes.

Meeting has been recorded, and can be viewed in its entirety on YouTube ~ *Holmdel Township Meetings*