

Township of Colts Neck

Shade Tree Commission

April 5, 2007

Meeting Minutes

The Meeting was called to order at 7:40 PM by Chair Person Eileen Stivala who read the following statement. "As the presiding officer of this meeting of the Colts Neck Shade Tree Commission, I hereby declare that the notice requirements in accordance with the provisions of the Open Meeting Law Chapter 21, P.L. 1995 has been provided in accordance with the Annual Notice Procedures of C 10.4 28 of said Act. I further order that this public announcement be placed in the minutes of this meeting.

Roll Call —

Commission Members Present Eileen Stivala, James Nicoletti, Jennifer Axelrod, Mary Barbagallo, Stephen Marx, Henry Hammond, Ben O'Neill

Commission Member Absent — None

Staff Present — Julie McGowan, James Stuart Township Committee Liaison

Staff Absent — None

Corrected Jan, 2007 thru March 2007 Minutes approved by a motion from Henry Hammond, Seconded by Mary Barbagallo

Township Committee Liaison Report: Mayor Stuart reports --The Tree Removal Ordinance is in the Township's hands. The STC feels strongly that the present version not be watered down. Regarding the WPNSTA Earle property – Tinton Falls has resolved not to take military children. 2009 will be the date that Colts Neck will get the military children from Earle. There will be a big meeting next week regarding the Earle property.

There is a Beer Keg Ordinance already on the books for open air parties. There is an issue over the placement of Memorials at the scene of fatalities in the Township. Most are in favor of these impromptu Memorials being allowed for a short time only after the fatal event.

New Subdivisions and Site Plans

1. **PB # 614A Brusco - Minor subdivision & Variance** - STC Memo of 9/9/04 requests revised prints showing street trees on Montrose Road. Conditional approval granted subject to changes covered in J.M. memo of 3/3/05. Awaiting revised prints. NC
2. **PB # 622 Block 51, Lot 2.22 Due Process Tennis Courts** — Block # 51, Lots 2 & 2.22 Major lot plan & Variance Prints Dated 12/30/04. Conditional approval resolution approved 1/6/05. Revised prints required. PB awaiting action by applicant. NC
3. **PB # 609A Green, Block 46, Lot # 10, Route 537** — Conditional approval granted 1/6/05. Revised Prints Required. Awaiting action by applicant. NC
4. **PB # 636 Findel, Cedar Dr. — Minor Site plan** JM report dated 3/6/06 on 12/22.05 prints — open item awaiting PB action and revised, prints. NC
5. **PB # 636 Findel, Cedar Dr. Minor Site plan** JM report dated 3/6/06 on 12/22.05 prints open item awaiting PB action and revised prints. NC
6. **PB # 638 Sebolt Windsor Place.** — Prints dated 2/10/06 reviewed. See JM memo of 3/1/06 Awaiting PB action. JM to review NC
- 7: **ZB # 740 Colts Neck Animal Clinic, Hwy #- 34**—Awaiting New Plans.
8. **PB # 649 Willow Brook Stables — Block 9, Lot 2.01 Willow Brook Road** — Plans in their present form denied.
8. **PB # 650 Morgan - Block 30, Lot 13. Rt. 537 & New Street.** - Recommend new plans.
- 10, **PB # 651 Shoppes at Colts Neck Block 48, Lot 5.39, 40 Route 34** - Inadequate plans — poor landscaping. Not approved — plans unacceptable.

INFRACTIONS & OTHER ITEMS

1. Rivers edge multiple residents having various greenway violations—
As follows: NC
 - a. **Parikh** — Block 35, Lot 22.24. CEO letter of 9/10/03 reference lights to be removed by 10/10/03. CEO actively pursuing. No landscaping required. JN to follow up with CEO.
 - b. **Bisignano** — Block 35, Lot 22.23 — CEO letter of 11/13/03, violations to be removed by Oct 1, 2003. JN to follow up with CEO.
 - c. **Damusjian** —Block 35, Lot 22.18 — CEO letter dated 10/16/03 with action by 11/01/03. No action as of 11/01/03. CEO and JN to follow up.
 - d. **Vulpis/Lionette** — Block 35, Lot 22.19 — CEO Letter dated 10/16/03. Need to consult lawyer regarding STC's next *move*. CEO and JN to follow up.
 - e. **Aprilante** — Block 35, lot 22.20, CEO sent letter dated 10/16/03. Mrs. Aprilante called GEF saying " Fire caused damage" . Need to consult lawyer regarding STC's. next move. CEO &. JN to follow up. Property inspection required.

2. **Rogers-Block 21, Lot 3.1 Laird Road** 75- ft: strip Greenway restoration along Laird. Road. The Commission had requested Mr. Rogers to provide a reasonable sketch of the existing plantings in the area as well as his proposal for restoration. Mr Rogers presented: a rough sketch purporting to

show the existing plantings but it was lacking scale and is too crude to be of any use. Committeeman Stuart reviewed the past history of this violation and the current status. Mr. Rogers refused to provide a reasonable complete-to-scale sketch of his proposed restoration plan. After, he (Rogers) left the meeting, Mr. Stuart stated that he would propose to the Township Committee that J. McGowan – the Township Landscape Architect – prepare a restoration plan meeting the Township's objectives which would then be presented to Mr. Rogers for implementation. JM subsequently drew a landscaping plan to scale. The plan was then sent to Mr. Rogers via registered and regular mail. See Rogers email to ES dated 3/10/06. Summons was issued to Mr. Rogers. The case went to Court on April 7. The court heard a discussion of the case and set Friday May 26, for an expected resolution. Meanwhile, Mr. Rogers mowed part of the greenway again. Prosecutor says Glenn Gerken to survey: STC chair to work/review. If determined to be delinquent court order will be pursued.

New Court date **May**.

- 3 **Shor – Block 27, Lot 10.2 Bluebell Road** – Fence and structure in Conservation Easement and wetlands, groundcover, shrubs and trees cut. CEO sent letters dated 3/11/04 & 4/15/05. CEO, GEF and DEP representative met with Mr. Shor. He is to proceed with the wetlands problem first. CEO and JN to follow up. NC
4. **Nix, Paul, #1 Western Drive, Block 100, Lot 9.2** Greenway mowed and markers are missing. CEO, JM and GEF inspected site and confirmed violations. JN, HH and CEO to follow up. Letter of 12/14/05 sent to Mr. Nix by CEO. HH to check status of fence. H.H. reports fence installed with only 1 section left to install. NC Awaiting report from H.H.
5. **PB # 633 Clemente # 9 Western Drive, Block 10, Lot 9.6** –Greenway easement and site violation. On 6/29/05; GEF and AJ Garito discussed 6/02/05 print with Township Committee. They agreed to land swap and other changes. PB approved with conditions. Revised prints required. NC J.M. to check with T. Anfuso.
6. **Naddeo # 6 Orchard Lane, Block 34, Lot 16.4** _ Cut trees and ground cover in greenway behind lot. GEF, HH, JM & JN and CEO working with owner on resolution. Mr. Naddeo attended October STC meeting and agreed to comply with restoration plan. Restoration work currently in progress. HH to follow up. ES wrote letter to Mr Naddeo suggesting replacement of deer damaged tree and protection solutions to further control deer damage. H.H to check. To be inspected by J. N. & J. A. NC

7. **Figaro, Michel # 153 Cedar Drive** – Cut large tree in conservation easement. JM & JA to report on site visit and make recommendations for restoration. NC ES will write letter to Mr. Figaro asking that he replace the large 36 inch caliber that was removed with five 3 inch caliber white oaks. Locations will be flagged by JM and suggest planting by 15 May `06
NC - Letter sent to Mr. Figaro informing him that 5 trees should be planted by May 15, 2007 to avoid further action against him.

8. **DeFalco, Robert # 26 Twin Lake Drive, Block # 48, Lot 20.13**
Landscape easement Violation. – Off Bond. Tax Map 7.05, 6/05/05. JN, GEF visited site - GEF needs to review with JM and follow up. Violation notice served 11/06/05 and on-site visit with GEF. Mr. DeFalco to replace rails in fence but not to remove any more brush or ground cover. Discuss restoration procedure. JM will determine what is to be planted after a visit to the site. JM to follow up w/letter.

Committee Reports

Violations, Complaints and "other" item resolution subcommittee.

Greenway —

Cul-de-sac Sub Committee — S. Marx reported — Tallyrand Dr. cul-de-sac in poor shape. Requires major fill (preferably top soil). It is suggested that once fill is completed residents should be approached to adopt. Progress . . . Stephen Marx submitted more than ten photographs showing condition of the cul-de-sac which is lacking soil and has dead stumps of long since dead trees.

Pools - No report. —

Public Lands **Committee Report** - Street Trees, Town Hall, Park **Lands, Greenways, Conservation acres, and Landscape easements. No report.**

STC Member's Reports & Questions — None

Meeting Adjourn @ - 9: 43 PM - Motioned by H. Hammond seconded Ben O'Neill