

**Township of Colts Neck
Shade Tree Commission
Meeting Minutes
6 July, 2006**

- **Call Meeting to order @ 7:40 PM by chair person Eileen Stivala who read the following statement. “As presiding officer of this meeting of the Colts Neck Shade Tree Commission, I hereby declare that notice requirements in accordance with the provisions of Open Meeting Law Chapter 21, P.L. 1995 has been provided in accordance with the Annual Notice Procedures of C10.4-28 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, Henry Hammond, Ben O’Neill
Commision Members Absent –, Mary Barbagallo,
Staff Present Julie McGowan Landscape Architect, Eileen Stivala, James Stuart Committeeman Liaison to Township Committee, Al Reed Sec.

- **Township Committee Liaison Report –** Mr. Stuart Reported that there is no significant actions going on in the Township Committee this month.

New Subdivisions and Site Plans

(NC indicates no changle)

1. PB # 617 Manor Homes at Colts Neck, Route 537 and Schoolhouse Road East – Memo to PB dated 9/9/04. Conditional resolution passed 8/05/04. Require four sets of prints of 9/30/04 prints in accordance with Planning Board Resolution. Awaiting prints for approval. NC JM suggests writing a letter to inform Manor Homes to stabilize the slopes with to prevent the runoff of chemicals into the stream below. JM faxed a landscape plan to Manor Homes.

2. PB # 614A Brusco – Minor subdivision and variance – STC memo of 9/9/04 requests revised prints showing street trees on Montrose Road. Conditional approval granted subject to changes covered in JM memo of 3/3/05 Awaiting Revised Prints. NC

3. **PB # 621 Colts Neck Reformed Church** – Prints dated 2/22/05 received and conditional approval granted subject to receiving four sets of prints for final approval. Awaiting revised prints. NC
4. **PB # 622 Block 51, Lot 2.22 Due Process Tennis Courts – Block # 51, Lots 2 and 2.22 Major lot plan and variance - prints dated 12/30/04** - Conditional approval resolution approved 1/6/05. Revised prints required. PB awaiting action by applicant. NC
5. **PB # 609 A Green, Block 46 Lot # 10 Route 537** – Conditional approval granted 1/6/05. Revised prints required. Awaiting action by applicant. NC
6. . **PB # 625A Vaccaro I (formerly PB # 625)** – Prints dated 2/1/06 reviewed. See JM memo of 3/27/06. JM suggests plans be denied. Commission denied current plans.
7. **PB # 627 Mancini Major subdivision, Block 26.06, Lots 3.0 & 3.01** – 8/9/05 prints submitted for review. JM memo of 9/12/05 and letter of 12/27/05 applies. Awaiting revised prints. NC
8. **PB # 629 Flancbaum – Major Subdivision Route 537, Block 33, Lot 20.** – Conditional approval granted 2/02/06. Revised prints required. Prints approved April 6, 2006 and have been signed.
9. **PB # 631 Desay, Crine Road, Major Subdivision.** –Dropped-
10. **PB # 636 Findel, Cedar Drive – Minor Site Plan** – Prints dated 12/22/05 received for review. Awaiting PB action. Findel has new lawyer. Township's position is to restore to what it was.
11. **PB # 368 Seboldt – Windsor Place** – Prints dated 2/10/06 reviewed. See JM memo of 3/1/06. NC Awaiting PB action.
12. **PB # 639 Miller – Plan dated 2/28/06** Reviewed. Revised prints required. See JM memo of 2/28/06.
13. **PB # Vaccaro II** – Prints dated 2/27/06 reviewed. Revised prints required. JM suggests plans be denied. Commission denied current plans. NC

14. **PB # 642 Roth Sports Court** – STC requires new plans reflecting “NO Lights” which should appear on prints.

INFRACTIONS & OTHER ITEMS

Rivers Edge – Multiple residents having various greenway violations as follows.

a. **Parikh** – Block 35, Lot 22.24, CEO letter of 9/10/03 reference lights to be removed by 10/01/03. CEO actively pursuing. No landscaping required. JN to follow up with CEO

b. **Bisignano** - Block 35, Lot 22.18. CEO letter dated 10/16/03, violations to be removed by 10/01/03. JN to follow up with CEO.

c. **Damusljian** – Block 35, Lot 22.18. CEO letter dated 10/10/03 with action by 11/01/03. JN to follow up with CEO.

d. **Vulpis/Lionette** – Block 35. :pt 22/19. CEO letter dated 10/16/03. Vulpis called GEF informing that property was sold to Lionette on 4/16/03. Need to consult with 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 on 10/10/03 saying fire caused damage. Need to consult with lawyer regarding STC’s next move. CEO and JN to follow up.

2. **Rogers – Block 2, lot 3.1 Laird Road** Summons issued and went to court on April 7. After a mediation with a court appointed Mediator Mr. Bartholomew Babiak, Megan Bennett Clark, Julie McGowan, Rich Galinski CEO and Eileen Stavala STC Chairperson, it was resolved that Mr. Robers would place a fence (his purchase of a Jerith fence rather than have the township install a “Horse Fence”. Additionally the town was to cut down three dying trees. Additional formal agreements as to where he should cut and not plant, etc., are retained by Julie McGowan.

3. **Shor – Block 27, lot 10.2 Bluebell Road** – Fence and structure in conservation easement and wetlands, groundcover, shrubs and trees cut. CEO sent letter dated 3/11/04. 4/15/05. CEO, GEF and DEP representative to meet with Mr. Shor. He is to proceed with wetlands problem first. CEO and JN to follow up. NC

4. **Nix, Paul - #1 Western Drive Block 100, Lot 9.2** – Greenway cut (mowed) and markers are missing. CEO, JM and GEF inspected site and

confirmed violatons. JN, HH, and CEO inspected site and confirmed violations. JN, HH and CEO to follow up. Letter of 12/14/05 sent by CEO to Nix. HH to check status of fence. NC

5. **PB #633 Clememte # 9 Western Drive – Block 10, Lot 9.6 - Greenway easement and site violation.** On 6/29/05 GEF, AJ Garito discussed 6/02/05 print with Township Committee. They agreed to land swap and other changes. PB approved with conditions. Revised plans required. NC

6. **Salvati # 36 Lake Drive** –Conservation easement violation. CEO, JM and GEF visited site on 3/17/05. Violation notice served on owner. Owner has contacted landscaper. JM to suggest restoration plan. JN to follow up. NC

7. **Marvin # 111 Montrose Road and Westgate Court.** – Block 22.7, Lot 1. – Cut 12 large trees in Carriage Hill Drive Street right-of-way. CEO issued summons. Court agreed that 5 trees shall be planted. GEF, to follow up with CEO, HH, JM and JN. Violator sent letter dated 8/24/05. The court agreed that violator should work with STC on restoration plan. Violator sent letter dated 8/24/05 in reply to STC letter of 8/12/05. Reply discussed at September STC meeting and it was agreed that GEF would write a follow-up letter to Mr. Marvin for ES signature. Letter sent dated 11/11/05. JM to flag tree locations. Discuss status of planting trees with violator. The court gave 60 days to plant 5 each, 4” Caliper trees. (No Pear trees allowed.) JM marked out property for clarity.

8. **Naddeo, # 6 Orchard Lane, Blosk 34, Lot 16.4** – Cut large trees and groundcover in Greenway behind lot. GEF, HH, JM & JN as well as CEO working with owner on resolution. Mr. Naddeo attended the October STC Meeting and agreed to comply with restoration plan. Restoration work in progress. HH to follow up. ES sent letter to Mr. Naddeo requesting replacemnt of dead tree and deer protection for remaining trees. NC

9. **Figaro, Michel, # 153, – Cedar Drive** – Cut large tree in conservation easement. JM and JA to report on site visit and make recommendations for restoration. ES to write letter to Mr. Figaro requesting five inch caliber white oak trees to be planted to replace the 36 inch caliber white oak cut from conservation area. NC

10. **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 attended December STC meeting and agreed to restoration. JM to stake out location of replacement trees and Mr. DeFalco is to replace rails in fence but not to remove any more brush or groundcover. NC

11. **Pokotylo, John # 2 Bowling Green** – Violation reported by CEO. On 11/4/05 foreign material in greenway. Violation form served on violator. Letter of 11/30/05 sent to violator by CEO. **Accomplished – remove from record.**

12. **Caruana, Thomas # 7 Warrenton Lane** – Violation reported by CEO. On 11/14/05, CEO, JN and GEF visited site. Foreign material in greenway and structure in easement. Letter of 11/30/05 sent to violator by CEO. To be inspected.

13. **Reformato, Paul # 11 Warrenton Lane** – Greenway and conservation easement violation – Reported by CEO on 11/14/05. CEO, JN & GEF visited site. Foreign material in greenway and structure in greenway. Letter of 11/30/05 sent to violator by CEO To be inspected.

14. **O'Brien, Brian # 11 Warrenton Lane** - Greenway and conservation easement violation. – Reported by CEO on 11/14/05. CEO, JN and GEF visited site. Foreign material in greenway and structure in easement. Letter of 11/30/05 sent to violator by CEO. To be inspected.

15. **# 23 (Patricia DeCarlo, #14 (Mr and Mrs. James Luisi, and # 15 Mr & Mrs. Angelo Monello) Culpepper Key** – Conservation easement violation reported. JM to follow up. Letters will be sent by ES asking resident to cease mowing grass and remove lawn sprinklers from conservation easement.

Committee Reports

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Violations, Complaints and “other” item resolution subcommittee.

Greenway – No report

Cul-de-sac- Sub Committee – Guardian to spray bag worms.

Pools – No report

Public Lands Committee report – Street trees, Town Hall, Parklands, Greenways, Conservation and Landscape Easements.

- Bag Worms #7 Tanglewood Court not yet sprayed
- #20 Ridge Road – Tree Problem – Messina
- 229 Heyers Mill Road, Tree Problem
-

STC Member’s Reports & Questions : - None

Meeting Adjourned @ 9:45 PM

Motioned by Ben O’Neil and seconded by Henry Hammond.

New Subdivisions and Site Plans

(NC indicates no change)

- 1. PB # 617 Manor Homes at Colts Neck RT 537 & SchoolHouse Road East** – Memo to PB dated 9/9/04.

Conditional resolution passed 8/5/04. Require four sets of 9/30/04

prints in accordance with Planning Board Resolution. Awaiting prints for approval. NC

2. **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
3. **PB # 621 Colts Neck Reformed Church** – Prints dated 2/22/05 received and conditional approval granted subject to receiving four sets of prints for final approval. Awaiting revised prints. NC
4. **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
5. **PB # 609A Green, Block 46 Lot # 10 Route 537** – Conditional approval granted 1/6/05. Revised prints required. Awaiting action by applicant. NC
6. **PB # 625 Vaccaro Block 46, Lot 6 – Route 34 site plan and Variance** – 10/05/05 issue of prints received and conditional approval resolution passed on Oct. 3, 2005 subject to JM approval of 10/05/05 prints or revised prints. Awaiting Vaccaro action. NC
7. **PB # 627 Mancini Major subdivision, Block 26.06, Lot 3.0 & 3.01** – 8/9/05 prints submitted for review. JM memo of 9/12/05 & letter of 12/27/05 applies. Awaiting revised prints. NC
8. **PB # 629 Flancbaum – Major Subdivision route 537, Block 33, Lot 20** - Conditional approval granted Feb. 2, 2006. Revised prints required. Revised 2/26/06 prints reviewed, further changes required.
9. **PB # 631 Desaye, Crine Road, Major Subdivion Prints dated 10/07/05 for review.** Awaiting landscaping prints which were required per 11/15/05 memo from STC to PB. Received revised prints of 12/12/05 for review. Awaiting PB Action. NC

10. **PB # 636 Findel, Cedar Drive – Minor Site plan**, Prints dated 12/22/05 for review. Awaiting PB action.
11. **PB Belon – Heyers Mill Road – Minor Subdivision, Prints dated 12/22/06** for informal review. Denied by P.B. Drop from agenda.
12. **PB # 638 Sebolt – Windsor Place** – Prints dated 2/10/06 Reviewed. See JM memo of 3/1/06. Awaiting PB action.
13. **PB # 639 Miller – Plan dated 2/26/06** – Reviewed. Revised prints required. See JM 2/28/06 memo.
14. **PB # 637 Furman – sketch plate Prints dated - 1/23/06** reviewed. Revised prints required.
15. **PB # 640 Vaccaro II– Prints** dated 2/27/06 reviewed . Revised prints required.
16. **PB # 625A Vaccaro I–Prints dated 2/1/06** reviewed See JM memo of 3/27/06. Revised prints required
17. **PB #634 Spatial Design – Hominy Hills Road** – Prints dated 12/27/05 revised and conditional approval granted. See Resolution attached.

Infractions & Other Items

1. **Rivers Edge Multiple residents having various greenway violations – List of violations –**
 - (a) **Parikh Block 35, Lot 22.24**, CEO letter of 9/10/03 reference lights to be removed by 10/01/03. 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 of 10/16/03 wutg actuib bt 11/01/03, No action as of 11.03.03. CEO & JN to follow up.
 - (d) **Vulpis/Lionette** – Block 35, Lot 22.19 – CEO letter 10/16/03. Vulpis called informing that Property was sold to Lionette on 4/16/03. Need to consult with lawyer regarding STC’s next move. CEO & JN to follow up.
 - (e) **Aprilante Block 35, lot 22.20**, CEO sent letter dated 10/16/03. Mrs. Aprilante called GEF on 10/20/03 saying “Fire caused damage.” Need to consult lawyer regarding STC’ next move. CEO to follow up with JN.
 - (f) **Romano – 14 Rivers Edge Dr. – Block 35, lot 22.22/23** **Time limit for** completion of minor site plan Approval is up in August. Referred to PB for action. PB granted a one year extension. JN & JM to follow up. *Committeeman J. Stuart to set up joint meeting with Colts Neck Prosecutor to review Items (a) thru (f).*
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 it too crude to be of any use. Mr. Rogers refused to provide a reasonable complete, to scale sketch of his proposed restoration plan. After he, (Rogers) refusal to provide STC with necessary information in the form of a usable sketch, Mr. Stuart stated that he would propose to the Township Committee that J. McGowan – Township Landscape Architect – to prepare a restoration plan meeting the Township’s objectives which would then be presented to Mr. Rogers for implementation. J.M. drew a landscape plan to scale. Plan & letter sent via registered and regular mail to Rogers.
3. **Shor – Block 27, lot 10.2 Bluebell Road** – Fence and structure in Conservation Easement and wetlands, ground cover, shrubs & trees cut. CEO sent letter dated 3/11/04, 4/15/05 CEO, GEF, JN & DEP representatives met with Mr. Shor. He is to proceed with the wetlands problem first. CEO & JN to follow up. NC

4. **Nix, Paul #1 Western Drive Block 100, Lot 9.2** – Greenway cut (mowed) and markers are missing. CEO, JM & GEF inspected site and confirmed violations. JN, HH, & CEO to follow up. Letter of 12/14/05 sent to Nix by CEO. NC H.H. to check out status of fence.
5. **PB # 633 Clemente # 9 Western Drive. Block 10, Lot 9.6** – Greenway easement and site violation. On 6/29/05 GEF/ AJ Garito discussed 6/02/05 print with Township Committee – they agreed to land swop and other changes. JN to follow up. New prints of 12/20/05 received for review. 1/05/06 STC Conditional approval resolution to PB. Awaiting PB action. NC
6. **Salvati # 36 Lake Drive** – Conservation easement violation. CEO, JM & GEF visited site on 3/17/05. Violation notice served on owner. Owner has contacted landscaper. JM to suggest restoration plan. JM & JN to follow up. JN to write a letter to Mr. Salvati. NC
7. **Marvin #111 Montrose Road and Westgate Court** – Block 22.7, Lot 1, cut 12 large trees in Carriage Hill Dr. Street Right-of- way. CEO issued summons. Court agreed that 5 trees shall be planted. The Court agreed that violator should work with STC on restoration plan. Violator sent letter dated 8/24/05. Reply discussed at Sept. STC Meeting and it was agreed that GEF would write a follow-up letter to Mr. Marvin for ES signature. Letter sent dated 11/11/05. Marvin called GEF. Marvin attended Jan. 5, 2006 STC Meeting. JN to follow up with Mr. Marvin. J.M. to stake out marking planting locations using flags.
8. **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 the owner on resolution. Mr. Naddeo attended October STC meeting and agreed to comply with restoration plan. Restoration work in progress. H.H. to follow up. H.H. reports that one tree fatally damaged by deer which must be replaced. All trees must be wrapped to prevent deer damage.
9. **Figaro, Michel # 153 Cedar Dr.** – Cut large three large trees in Conservation easement. JM & JA to report on site visit and make recommendations for restoration. NC

10. **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 – Violation notice served 11/06/05 and on site visit with GEF. Mr. Defalco to attend Feb. STC meeting. Mr. Defalco was very willing to comply with STC recommendations to replace removed trees with evergreen trees. J.M. to stake out locations for replacement trees and Mr. Defalco to replace missing rails in fence but not to remove any more brush and ground cover in easement.
11. **Pokotylo, John #2 Bowling Green** – Violation of Conservation Easement – Trees, brush and ground cover removed. Mr. Pokotylo attended STC meeting and agreed to provide a resolution plan in accordance with objectives stated by J.M. Restoration in progress per J.M. follow up. NC
12. **Carauna, Thomas #7 Warrenton Lane** – Violation reported by CEO. On 11/14/05 Foreign material in Greenway. Violation Form served on violator. Letter of 11/30/05 sent to violator by CEO. NC
13. **Reformato, Paul #9 Warrenton Lane** – Violation reported by CEO. On 11/16/05 CEO, JN, & GEF visited site. Foreign material in Greenway and there was a structure in the easement. Violation form served on violator. Letter of 11/30/05 sent to violator by CEO NC
14. **O'Brien, Brian #11 Warrenton Lane** – Greenway and Conservation Easement Violation – Reported by CEO. On 11/14/05 CEO, JN & GEF visited sight. Foreign material in Greenway and structure in easement. Letter of 11/30/05 sent to violator by CEO.

Committee Reports –

Violations, Complaints and “other” item resolution subcommittee.

Greenway –

Cul-de-sac Sub Committee –

Pools –

Public Lands Committee Report – Street Trees, Town Hall, Park Lands, Greenways, Conservation acres, and Landscape easements.

- Bag Worms, # 7 Tanglewood Court - not yet sprayed.
- Greenway tree limb problem #24 Chestnut Drive. - Maggio – active.
- #20 Ridge Road – Greenway Tree Problem – Messina
- Tree Reported down in Slope Brook cul-de-sac.

STC Member's Reports & Questions –

- **Budget**

Meeting Adjourn @ 9:37 PM

- **Attachment # 1 Recommendation to Planning Board re: PB Application # 634 Spatial Design**

Planning Board Application # 634
Project Name – Spatial Design
Block # 46, Lot # 11; 1.50; 1.52; 1.52 & 17.12
Address – Hominy Hill Road
Latest Issue Date of Subject Prints 12/12/05

WHEREAS, the Planning Board has referred Landscaping Prints for subject application to the Shade Tree Commission for review and recommendations and,

Whereas, this Commission has reviewed the subject prints and associated information and reports,

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NOW THEREFORE BE IT RESOLVED that this Commission recommends approval with conditions, of subject Landscaping Prints to the Planning Board.

BE IT FURTHER RESOLVED that the reasons for the recommendation for approval with condition are as follows.

Four sets of 12/27/05 Required for Approval.

BE IT FURTHER RESOLVED that a copy of this resolution be sent to the planning board and a copy be made available to the applicant.

OFFERED BY; B. O'Neill

SECONDED BY: J. Nicolleti

UNANIMOUSLY PASSED Roll Call Vote

Abstain: None

Absent: H.Hammond & Mary Barbagallo

I hereby certify that the above is a true and exact copy of the resolution adopted by the Shade Tree Committee of the Township of Colts Neck at its meeting held on February 2, 2006.

Date: 3 February, 2006

Secretary – Alan W. Reed
Shade Tree Commission of the
Township of Colts Neck

Issue Date: 31 March 2006