

December 3, 2009

Township of Colts Neck

Shade Tree Commission

December 3, 2009

Meeting Minutes

The Meeting was called to order at 7:45PM by 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, Henry Hammond, Curtis McKittrick, Ben O'Neill

Commission Member Absent –

Staff Present –, Julie McGowan, Al Reed Sec.

Staff Absent – Edward Eastman

Township Committee Liaison Report – None

1. Rivers Edge – Rich Galinski followed up & reported back the following.

2. Shore (NC) " " "

3. Clemente – complied and will be inspected by Julie McGowan and Mary Barbagallo. " "

4. Figaro " " "

5. DeFalco Julie Located plans and will review

6. Resolved

7.

8. Approved plan received from Kling. – easement cleared and bond posted.

9. **Kureti Shiv, Ranjan** 14 Paddock Lane, Block 7.30, Lot 3.2 – **New infraction**, Rich Galinski to investigate. **NC**

10. Findel is still in court. **NC**

11. Romano shed is in violation and case will come up in court. Has lights installed on a tennis court. He is in violation and must remove said lights. **NC**

Rich said he needs support in court since he is not an expert in matters concerning tree species, shrubbery, etc. He was promptly told by Julie McGowan that he will always be supported by the STC. Just let us know when any support is needed before the court date.

Rich explained that several properties on Rivers Edge are in foreclosure and it is useless to try to catch violators for offences that happened before foreclosure was initiated.

New Subdivisions and Site Plans

The following items have been carried over from 2008.

1. **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. JM has new plans and reports DEP is checking. **NC**
2. **PB # 649 Willow Brook Stables – Block 9, Lot 2.01, Willow Brook Road** – Plans in their present form denied. **NC**
3. **PB # 665 Rada, Bluebell, Block 29, Lot 9. (PB approved – needs new plans.** **NC**
4. **PB # 668 Bonanno – Evergreen, Block 9, Lot 2.09** – Resolution written accepting revised plans showing fence moved and new plantings. Ben “O” to verify and check for any activity. **NC**
5. **Mr. Bill Kileen of 37 Acorn Dr.** came to our regular STC Meeting seeking help/relief from a problem he is having. As he stated, a neighbor has changed the topography of his property to such an extent that any water falling as normal precipitation is unnaturally diverted on to Mr.

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Kileen's property causing water problems that did not exist for years before the neighbor changed the elevation of his land causing the water to be diverted onto Mr. Kileen's property. (J. Nicoletti is aware of some of the details of this problem. J. Nicoletti will contact Mr. Kileen and report on findings at the next STC Meeting. NC

6. **PB # 671 Cappola, Clover Hill Road & Moonlight, Block 1, Lot 8.01 and Lot 8.5** – Lot Line Revision – Need Landscape plan NC

7. **PB # 672 Trump, Block 46, Lot 1.52** – JM is currently overseeing proposed changes to landscaping and the owner and/or his representative is cooperating with STC recommendations. As presented sizes of plantings are unspecified.

Sizes are to be as follows.

24 to 30 inch Winter Gem

24 to 30 inch Holly

9 to 10 ft. Norway Spruce

9 to 10 ft. Weeping Cherry

4 inch Cal. Zelcova

Conditionally approved with the specification of sizes on prints. Motioned by J. Nicoletti, Seconded by H. Hammond. Unanimously voted yes by the Commission. Resolution issued by secretary.

NC Full plan expected by September.

Julie McGowan reports progress.

8. **PB # 674 Mc Mahon, Clover Hill Road, Block 7.02 Lot 34.01 & 34.13** Inadequate as presented. Plans need clarification.

9. **Casaburi, Michaels Way , Block 51 Lot 1.05** - After review of plans presented, J. McGowan recommends Conditional Approval if plans are revised to agree. (Architectural and Landscape Plans must match/agree) NC

10.

INFRACTIONS & OTHER ITEMS

1. Rivers edge multiple residents having various greenway violations – As follows: *In progress* 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.

NC

2. **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 and GEF and DEP representative met with Mr. Shor. He is to proceed with the wetlands problem first. CEO & JN to follow up. **NC**
3. **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. (Land swop never happened.) PB approved with conditions. Revised prints required. *Property needs to be inspected. Mary & Sal Barbagallo & Julie to inspect property.* **NC (Progress Reported)**
4. **Figaro, Michel # 153 Cedar Drive** – Cut large tree in conservation easement. JM & JA to report on site visit and make recommendations for

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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. It is duly noted that the trees planted are not white oak and Mr. Figaro is in violation. To be forwarded to legal to determine course of action. NC Awaiting course of action from legal.

5. **DeFalco, Robert # 26 Twin Lake Dr., Block # 48, Lot 20.13-Landscape easement violation.** – Off Bond. Tax map 7.05, 6/05/05. - J. N., GEF visited site.- Needs to be reviewed with J. M. and follow up. Violation notice served 11/06/05 and on site visit with GEF. Mr. DeFalco to replace rails in fence but must not 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. Need landscape plan. Memo sent to T. Anfuso so stating. Secretary to send Mr. Defalco a letter. NC

6. Polino, on Williamsberg – STC needs to get Rich Galinski (CEO) to explain violation if any regarding fencing, wall height, and pool built into deck. Deferred until next month NC

Committee Reports –Violations, Complaints and “other” item resolution subcommittee –

1. Julie McGowan noted that Rogers is mowing again. After discussion, Hank Hammond recommended sending Rich Galinski (CEO) to investigate.

STC has requested from Bob Bowden that Rich Galinski come to STC Meetings and will be compensated for his time. This will help all of us to be up to date on matters of concern to the STC. Rich Galinski did not show for this meeting.

Committee Reports

Violations, Complaints and “other” item resolution subcommittee.

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Pools - Ben O'Neill reports all known pool construction inspections current. Eleven inspections reported to date.

Public Lands Committee Report - *Street Trees, Town Hall, Park*

H. Hammond reports that trees will be ordered for planting on Township property using any remaining funds in budget. No action says H. Hammond.

Lands, Greenways, Conservation acres, and Landscape easements. No report.

STC Member's Reports & Questions – Ben O'Neill motions that the STC should try to get Rich Galinski , Code Enforcement Officer (CEO) paid for attending STC Meeting. Henry Hammond seconded the Motion and it was unanimously passed. It is noted that close coordination between STC and CEO is necessary to get STC agenda acted upon in a timely efficient manner.

E. Eastman took the (CEO) funding/pay matter to be presented to the Twp. Committee. E. Eastman suggested that if we want to make use of the Jackson Tree Ordinance, we should start action to do so. Accordingly he will obtain copies for STC review before formalizing efforts to adopt the Ordinance.

Bids turned in for list of trees and landscape shrubery for the Township property. H.Hammond and J. McGowan are taking advantage of dormant planting and to fully use available funds.

Approval of November Meeting Minutes _____

Meeting Adjourned @ 8:26 PM - Motioned by Ben O'Neill,
Seconded by J. Nicoletti

Respectfully Submitted, Al Reed, STC Secretary

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