

**TOWNSHIP OF COLTS NECK
PLANNING BOARD MEETING
JANUARY 11, 2005 MINUTES**

The Chairman called the meeting to order by reading the following statement: "As Chairman and Presiding Officer of this meeting of the Planning Board, I hereby declare that the notice requirements of the law have been satisfied by prominently posting on the Township bulletin board a notice of this meeting, and that there has been transmitted by regular mail a notice to the Colts Neck Calendar and the Asbury Park Press and that a copy is on file in the Office of the Township Clerk. I further order that this public announcement be placed in the minutes of this meeting."

Salute the Flag

Roll Call

Present: Barbagallo, Malinowski, Forester, Florek, Crossan, Kostka, McGarry, Robinson, Thompson, Orgo and Lear

Absent: None

Mr. Orgo stated that the nominating committee felt that the current appointments were working very well and nominated Sal Barbagallo as Chairman, Richard Malinowski as Vice-Chair and Ruth Leininger as Secretary. Mr. Crossan and made a motion to approve the nominations and this was seconded by Mr. Kostka and unanimously carried. There were no nominations from the floor.

Motion to approve the full slate:

OFFER: Crossan

SECOND: Kostka

AFFIRMATIVE: Barbagallo, Malinowski, Forester, Florek, Crossan, Kostka, McGarry, Robinson and Thompson

NEGATIVE: None

Schedule of Planning Board Meetings for 2005 at 8:00 p.m. at Town Hall was proposed.

Motion to adopt schedule:

OFFER: Crossan

SECOND: Robinson

AFFIRMATIVE: Barbagallo, Malinowski, Forester, Florek, Crossan, Kostka, McGarry, Robinson and Thompson

NEGATIVE: None

Appointment of Street Coordinator: Tom Orgo

Long Range Planning Committee is selected: Barbagallo, Crossan, Malinowski, Forester and Stuart

Motion to appoint Township Engineer: Glenn Gerken

OFFER: Malinowski

SECOND: Crossan

AFFIRMATIVE: Barbagallo, Malinowski, Forester, Florek, Crossan, Kostka, McGarry, Robinson and Thompson

NEGATIVE: None

Motion to appoint Planning Board Attorney: Michael B. Steib, Esq.

OFFER: Malinowski

SECOND: Kostka

AFFIRMATIVE: Barbagallo, Malinowski, Forester, Florek, Crossan, Kostka, McGarry, Robinson and Thompson

NEGATIVE: None

Motion to appoint Landscape Architect: Julie McGowan

OFFER: Malinowski

SECOND: Crossan

AFFIRMATIVE: Barbagallo, Malinowski, Forester, Florek, Crossan, Kostka, McGarry, Robinson and Thompson

NEGATIVE: None

Approval of Minutes:

December 14, 2004 Minutes Approved:

OFFER: Crossan

SECOND: Robinson

AFFIRMATIVE: Barbagallo, Forester, Crossan, Kostka, Robinson, Orgo and Lear

NEGATIVE: None

RESOLUTIONS:

Application #546 – Kureti – Block 11, Lot 3 – Dutch Lane Road

Memorialization of Resolution removing the Affordable Housing Fee requirement from the resolution granting a two year extension to the Final Major Subdivision approval.

Motion to Approve the Resolution:

OFFER: Kostka

SECOND: Robinson

AFFIRMATIVE: Barbagallo, Forester, Crossan, Kostka, Robinson and Lear

NEGATIVE: None

Application #618 – Dalmazio – Block 7.30, Lot 3.06 – 30 Paddock Lane

Memorialization of Resolution granting Preliminary and Final Major Subdivision approval for a two lot subdivision in the A-5 zone.

Motion to Approve the Resolution:

OFFER: Kostka

SECOND: Lear

AFFIRMATIVE: Barbagallo, Forester, Kostka, Robinson and Lear

NEGATIVE: None

ADMINISTRATIVE ITEMS:

Application #561 – Ron Rose Office Building/ General Store – Block 30, Lots 14 & 15 – Route 537 West

Request for a one year extension of time to the Preliminary & Final Major Site Plan approval, Minor Subdivision and variance approval granted on January 14, 2003. The extension of time will expire on January 14, 2006.

Ed Thompson recused himself from this application. Pat Menna, Esq. represented the applicant. Mr. Menna explained that all conditions of the approval have been met except three. These should be completed within a month. Since the time of the approval the General Store has been sold and it has taken some time to negotiate with the new owner, who must sign the general notes.

Mr. Anfuso verified that there were no zoning changes that would effect this application except the affordable housing fee. The Board was frustrated with the applicant, they had hoped the approval of this application would alleviate zoning violations on the site. The Board felt a six month extension should be adequate to complete the paperwork so that work could begin on the site.

Mr. Menna stated that six months should be plenty of time and that he would pass along the Board's frustrations to the applicant.

Motion to a Six Month Extension of Time:

OFFER: Crossan

SECOND: Kostka

AFFIRMATIVE: Barbagallo, Malinowski, Forester, Florek, Crossan, Kostka, McGarry, Robinson and Lear

NEGATIVE: None

OLD BUSINESS:

Application #609A – Green – Block 46, Lot 10 – 45 West Route 537

Application for Preliminary and Final Major Site Plan approval with variances to construct a 916 s.f. addition to the existing commercial building in the B-3 Zone. Time to January 30, 2005.

Ed Thompson recused himself from this application. Seven new items were marked as exhibits – Groundwater & Environmental Services Report, revised plans, report from Township Planner, report from Township Engineer, report from Environmental Commission, report from Shade Tree Commission and Board of Health report.

Cliff Green, applicant – sworn. Mr. Green agreed that he would submit the report to the DEP for a Notice of No Further Action. Steven Mitchell, Maser Consulting – sworn. Mr. Mitchell agreed that they would move the parking stall further from the large tree they are trying to save. Much discussion ensued regarding cross access with neighboring properties. The Board understood the neighboring property owners were not in favor of the cross access at this time, however they wanted the provision on the deed so that it could still be feasible at a later time. This was made a condition of the approval.

Motion to Approve the Application:

OFFER: Crossan

SECOND: Kostka

AFFIRMATIVE: Barbagallo, Forester, Crossan, Kostka, Robinson and Lear
NEGATIVE: None

NEW BUSINESS:

Application #622 – Due Process – Block 51, Lots 2 and 2.22 – Route 537

Application for Preliminary and Final Major Site Plan approval with variances to construct six tennis courts.

Eleven items were marked as exhibits – application, site plan, Township Planner’s report, survey, Township Engineer’s report, Stormwater Management Report, Fire Marshall’s report, Township’s Landscape Architect’s report, Environmental Commission’s report, Shade Tree Commission’s report and a mounted, colored site plan.

Mike Bruno represented the applicant. A.J. Garito, Engineer – sworn. Mr. Garito explained that the ordinance limits a golf course to three tennis courts and they are requesting six. The ordinance also requires a minimum of 220 parking stalls and they are not proposing to add any additional parking spaces, there are currently 90 for the golf course. They are requesting six regulation size courts made of a clay type surface which requires water to rejuvenate itself.

Ed Masterson, Property Manager – sworn. Mr. Masterson clarified that the courts will be used by members only. They currently have 103 members and restrict themselves to 150 members. Cars are valet parked as they come in and they typically have around 30 golfers at a time. They do have six major tournaments a year, but the most they will have is 70 golfers. The owner’s wives are tennis players and would like to host tournaments, which require four courts. Having the additional two courts allows others to play during a tournament.

Since this lot is a separate lot from the golf course, the applicant agreed that the tennis courts will always be used as an accessory use to the golf course and that they will remove the courts if this lot were to be developed differently. The applicant also agreed if this golf course changed from being private it would comply with the parking and they would come back to the Board to provide additional parking.

Open to the public. Vince Cirillo, 237 Route 537 East – sworn. Mr. Cirillo applauded Due Process for the way they keep the property, he felt it is an asset to the Township.

Motion to Approve the Application:

OFFER: Crossan

SECOND: Malinowski

AFFIRMATIVE: Barbagallo, Malinowski, Forester, Florek, Crossan, Kostka, McGarry and Thompson

NEGATIVE: None

EXECUTIVE SESSION:

None

MOTION TO ADJOURN

A motion to adjourn was made by Mr. Orgo at 9:45 p.m. and this was seconded by Mr. Malinowski and unanimously carried.

I hereby certify that the above is a true and exact copy of the Planning Board Meeting minutes for the meeting conducted on January 11, 2005 adopted by the Planning Board of the Township of Colts Neck at its meeting held on February 8, 2005.

Ruth Leininger, Secretary
Planning Board of the
Township of Colts Neck of Colts Neck