

**TOWNSHIP OF COLTS NECK
PLANNING BOARD MEETING
JANUARY 9, 2007 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, Stuart, Hennessy, Kostka, Orgo, Robinson and Eastman
Absent: Malinowski, Crossan, Thompson and Lear
Also Present: Timothy Anfuso, P.P., Glenn Gerken, P.E., Mike Steib, Esq., and Ruth Leininger

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-Chairman and Ruth Leininger as Secretary. There were no nominations from the floor.

Motion to approve the full slate:

OFFER: Orgo
SECOND: Kostka
AFFIRMATIVE: Barbagallo, Stuart, Hennessy, Kostka, Orgo, Robinson and Eastman
NEGATIVE: None

Schedule of Planning Board Meetings for 2007 at 8:00 p.m. at the Court House was proposed.

Motion to adopt schedule:

OFFER: Kostka
SECOND: Stuart
AFFIRMATIVE: Barbagallo, Stuart, Hennessy, Kostka, Orgo, Robinson and Eastman
NEGATIVE: None

Appointment of Street Coordinator: Tom Orgo

Long Range Planning Committee is selected: Barbagallo, Crossan and Orgo

Affordable Housing Subcommittee is selected: Barbagallo, Crossan and Robinson

Motion to appoint Township Engineer: Glenn Gerken, P.E.

OFFER: Stuart
SECOND: Orgo
AFFIRMATIVE: Barbagallo, Stuart, Hennessy, Kostka, Orgo, Robinson and Eastman
NEGATIVE: None

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

OFFER: Kostka

SECOND: Robinson

AFFIRMATIVE: Barbagallo, Stuart, Hennessy, Kostka, Orgo, Robinson and Eastman

NEGATIVE: None

Motion to appoint Landscape Architect: Julie McGowan

OFFER: Orgo

SECOND: Stuart

AFFIRMATIVE: Barbagallo, Stuart, Hennessy, Kostka, Orgo, Robinson and Eastman

NEGATIVE: None

Approval of Minutes:

December 12, 2006 Minutes Approved:

OFFER: Robinson

SECOND: Kostka

AFFIRMATIVE: Barbagallo, Stuart, Kostka, Orgo and Robinson

NEGATIVE: None

RESOLUTIONS:

Application PB556B – Eyres – Block 43, Lots 11, 14, 18, 19 & 20: Block 44, Lots 11 & 12 and Block 45, Lots 5, 5.01 & 5.02 – Mercer and Matthews Roads

Memorialization of Resolution granting a Deviation to Preliminary Major Subdivision Approval for 25 lots (21 residential and 4 ten acre farm lots) and Final Major Subdivision Approval for Phase II consisting of 18 lots (14 residential and 4 ten acre farm lots).

Motion to Approve the Resolution:

OFFER: Robinson

SECOND: Stuart

AFFIRMATIVE: Stuart, Kostka and Robinson

NEGATIVE: None

Application PB646 – Orchards Shopping Center – Block 46, Lot 13 & 14 – Route 34 & 537

Memorialization of Resolution granting Final Major Site Plan approval to install 20 additional off-street parking spaces as well as a 5,000 gallon underground equalization tank for the septic system.

Motion to Approve the Resolution:

OFFER: Orgo

SECOND: Robinson

AFFIRMATIVE: Barbagallo, Stuart, Orgo and Robinson

NEGATIVE: None

ADMINISTRATIVE ITEMS:

Application PB565A – Abbatiello – Block 41.01, Lots 4, 5 and 7 – Stone Hill Road

Request for a one year extension of time to the Final Major Subdivision. The extension of time will begin on December 10, 2006 and expire December 10, 2007.

Motion to Approve the Extension of Time:

OFFER: Orgo

SECOND: Robinson

AFFIRMATIVE: Barbagallo, Stuart, Hennessy, Kostka, Orgo, Robinson and Eastman

NEGATIVE: None

OLD BUSINESS:

None

NEW BUSINESS:

Application PB648 – Omnipoint – Block 16, Lot 11 – Town Hall Site

Application for Preliminary and Final Major Site Plan Approval to mount cellular antennas on a new 120' monopole tower camouflaged as a tree.

Diane Constantine, Esq. represented the applicant. Ten items were marked as exhibits – correspondence, application, Township Committee Resolution 2006-157, two review letters from Township Engineer, facility plan, antenna site compliant assessment, review from Township Landscape Architect, review from Township Planner and sample brochure from manufacturer.

Ms. Constantine explained she represents the successful bidders to construct a new 120' monopole tower on Township property. The applicants - Omnipoint, Nextel and Verizon Wireless propose to mount cellular antennas on a new monopole tower camouflaged as a tree. The top of the tree pole will be 120' in height and the overall height to the top of the lightning rod will be 133'. A 45' x 45' equipment compound will be located at the base of the tower. The proposed tower will be located behind the First Aid Building and serviced by its parking lot and access drive. The tower that currently services the Township located by the Police Station will be removed and two antennas will be located on the tower to service Township emergency services.

Frank Colasurdo, Architect – sworn. Mr. Colasurdo explained the Board needed to decide the type of branches it preferred – long or short branches. The long branches would hide the monopole better but the short branches give it more of a cone shape and could come down lower. The lowest antenna would be approximately 50' and the top of the shelter will not exceed 10'5" above grade.

The facility will be unmanned with equipment from each carrier located with a 45' x 45' compound at the base of the facility. A representative from each carrier will routinely make maintenance checks every 4 – 6 weeks. The compound will be heavily screened meeting all requirements of the Township Landscape Architect. It was noted that Verizon will have a backup generator, the Board questioned if the Township will have one also. Declan O'Scanlon, Wireless Consultant for the Township – sworn.

Mr. O'Scanlon stated that in his meetings with the Township they felt if the need arose they could use the generator that is located in the First Aid Building.

Discussion ensued regarding the feasibility of the compound being built in the architecture to match the surrounding buildings. Mr. Colasurdo explained if a structure were to be built it would also have to be 45' x 45' and much higher than the 10' 5" proposed shelter. With proper screening, the compound will easily blend in with the surroundings. Open to the public.

Robert Hoffbauer, 2 Shawnee Court – sworn. Mr. Hoffbauer was concerned, due to the close proximity of his home with emissions, interference with electronics and safety issues. Mr. Daniel Collins, Electrical Engineer – sworn. Mr. Collins explained in detail how testing is done and gave the comparison of opening your refrigerator, he stated you are exposed to more emissions than from this tower. He also explained the tower works on completely different frequencies and would not affect anything within your home.

The Board approved the application with the following conditions: the maintenance of the tower and site must be reviewed every five years, long branches are to begin 30' up with the option to be lower if deemed appropriate with the "trunk" painted brown and all the technical comments of the Township Planner and Engineer's review letters.

Motion to Approve the Application:

OFFER: Stuart

SECOND: Hennessy

AFFIRMATIVE: Barbagallo, Stuart, Hennessy, Robinson and Eastman

NEGATIVE: Kostka and Orgo

Application PB625B – Vaccaro I – Block 48, Lot 6 – Route 34

Application for a deviation to the Preliminary and Final Major Site Plan Approval granted May 9, 2006.

Sal Barbagallo recused himself from this application and turned the meeting over to John Robinson. Sal Alfieri, Esq. represented the applicant. Ten items were marked as exhibits – amended site plan, Bank of America plan, floor plans, application, letter from applicant's Engineer, review from Township Planner, rendering of bank, review from Township Engineer, review from Township Landscape Architect and Environmental Commission.

Mr. Alfieri explained that although the applicant already has an approval for this site he is finding it hard to rent the space with the current footprint, thus the request for a deviation.

A.J. Garito, Engineer – sworn. A bank was approved previously; however Bank of America wants to increase it by 1,894 s.f. The original approval was for a 4,000 s.f. bank with an 823 s.f. drive thru canopy and the new proposal is for a 4,462 s.f. bank with a 2,255 s.f. canopy. They would like to expand the depth of the center building and change the phasing that was previously proposed. They would also like to increase the footprint of the middle building by 1,464 s.f. The second floor will decrease by 614 s.f. and the overall building will have 616 more square footage of leasable floor area (excluding the porch). However, they are only seeking approval for the 9,560 s.f. of the first floor of the middle building; the second floor will remain vacant and is labeled as attic. This would keep the septic flows less than 2,000 gallons per day and a septic system would be constructed for this

application. Mr. Anfuso and members of the Board were not convinced the attic space should not be calculated as part of floor area.

Ed O'Neill, Architect – sworn. Mr. O'Neill reviewed the floor plans of the middle building and explained there will be no access to the second floor; no stairs, no elevator. His contention was if you don't have access you can't count it as square footage. None of the buildings have a basement.

Lou Stellato, representative of Bank of America – sworn. Mr. Stellato explained Bank of America has been purchasing other banks and are trying to have a prototypical style with all of their banks. The Board expressed their wishes for a colonial style such as the surrounding buildings.

The applicant wants to get the construction and site work started. The Board sympathized with the applicant but was uncomfortable with what they were proposing. Mr. Alfieri requested to come back so that revisions could be made to accommodate concerns and comments from the Board.

This application is carried to the February 13, 2007 meeting with no further notice.

Application PB640A – Vaccaro II – Block 48, Lot 6 – Route 34

Application for a deviation to the Preliminary and Final Major Site Plan granted on June 13, 2006.

Due to the hour this application was carried to February 13, 2007 with no further notice.

DISCUSSION:

Mr. Anfuso advised the Board the Third Round Affordable Housing Plan is due to COAH in June. The subcommittee has been working on a proposal and he would like to review with members to receive input before it is brought in front of the full Board for adoption.

MOTION TO ADJOURN

A motion to adjourn was made by Mr. Robinson at 11:10 p.m. and this was seconded by Mr. Stuart 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 9, 2007 adopted by the Planning Board of the Township of Colts Neck at its meeting held on February 13, 2007.

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