

**TOWNSHIP OF COLTS NECK
PLANNING BOARD MEETING
FEBRUARY 7, 2006 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, Florek, Stuart, Kostka and Robinson
Absent: Crossan, Orgo, Thompson, Lear and Behrens
Also Present: Timothy Anfusio, P.P., Glenn Gerken, P.E., Larry Carton, Esq., and Ruth Leininger

Approval of Minutes:

January 10, 2006 Minutes Approved:

OFFER: Malinowski

SECOND: Kostkai

AFFIRMATIVE: Barbagallo, Malinowski, Florek, Stuart, Kostka and Robinson

NEGATIVE: None

RESOLUTIONS:

Application 582 – Parmar – Block 7, Lot 4.14 – Colts Gait Lane

Memorialization of Resolution granting an eighteen month extension of time to the Minor Site Plan with Variance. The extension of time will begin on January 14, 2005 and expire July 14, 2006.

Motion to Approve the Resolution:

OFFER: Malinowski

SECOND: Stuart

AFFIRMATIVE: Barbagallo, Malinowski, Florek, Stuart, Kosta and Robinson

NEGATIVE: None

Application 556A – Eyres - Block 43, Lots 11, 14, 18, 19 & 20, Block 44, Lots 11 & 12 and Block 45, Lots 5, 5.01 & 5.02 – Matthews and Mercer Roads

Memorialization of Resolution granting Final Major Subdivision Approval for Phase I (7 residential lots and 1 farm lot) of a total 27 lots in the AG Zone.

Motion to Approve the Resolution:

OFFER: Malinowski

SECOND: Kostka

AFFIRMATIVE: Malinowski, Florek, Stuart, Kostka and Robinson

NEGATIVE: None

ADMINISTRATIVE ITEMS:

Belon Informal Review – Block 13, Lot 25 – 209 Heyers Mill Road

Request for an informal review of a potential two lot Minor Subdivision with variance application in the A-1 Zone.

A.J. Garito, P.E. and Chris Belon both sworn. Mr. Garito explained that Mr. Belon was considering the feasibility of subdividing his property. He understood that anything the Board said was nonbinding and welcomed informal feedback.

The Board understood that four variances would be required and felt that was too many and would set a bad precedent.

OLD BUSINESS:

Application 633 – Clemente/Colts Neck Township - Block 10, Lots 9.01 & 9.06 – 9 Western Drive

Application for Minor Subdivision Approval with variances for a lot line adjustment in the A-1 Zone.

Tim Anfuso, Township Planner advised the Board that a variance would be required to leave the wall at the existing height because the maximum height permitted for a wall is six feet. Mike Bruno, Esq. represented the applicant. Mr. Rick Sufielli and Shaun Mallory were both sworn. Mr. Mallory stated he worked for Mr. Gatto in 1992/1993 when he purchased this property and cleaned up the lots of the homes that had been abandoned. Mr. Mallory testified that the wall was existing at that time and was a minimum of eight feet tall. Rick Sufielli stated he was the contractor who rebuilt the existing wall. The previous wall was constructed out of railroad ties and was at least six feet in height because he is six feet tall and it was over his head. There were greenway markers and the new fence was built on Mr. Clemente's side of the markers so it was anticipated that it was on his property.

Open to the public. Jim Goedeke, 28 Colonial Terrace – sworn. Mr. Goedeke could not understand how a builder would not get a building permit to construct a retaining wall. George Fessler, 9 Bowie Place – sworn. Mr. Fessler stated the land swap would improve the access to the greenway behind Mr. Clemente's home benefiting the Township. Vince Domidion, 21 Revolutionary Road – sworn. Mr. Domidion did not feel the land swap was equal because of the infrastructure to the reservoir.

The Board asked the applicant if he would be willing to terrace the wall so that a variance would not be required for the height. The applicant agreed to reduce the existing wall to five feet and build another wall behind it closer to the pool at a maximum height of five feet. There would be five to six feet of landscaping in between the walls that will meet Shade Tree Commission's approval. All comments in the Township Engineer's and Planner's review letters would be complied with and there will be no expense to the Township. The applicant will still have to get Township Committee approval.

Motion to Approve the Application:

OFFER: Malinowski

SECOND: Robinson

AFFIRMATIVE: Barbagallo, Malinowski, Florek, Stuart and Robinson

NEGATIVE: Kostka

NEW BUSINESS:

Application 631 – DeSave – Block 7, Lots 7.01 & 7.11 – 55 Crine Road

Application for a Preliminary and Final Major Subdivision with variances for a lot line adjustment between two lots in the AG Zone.

A letter was received from this applicant requesting to be carried. This application was carried to the March 14, 2006 meeting with no further notice.

EXECUTIVE SESSION:

None

MOTION TO ADJOURN

A motion to adjourn was made by Mr. Kostka at 9:30 p.m. and this was seconded by Mr. Robinson 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 February 7, 2006 adopted by the Planning Board of the Township of Colts Neck at its meeting held on March 14, 2006.

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