

**TOWNSHIP OF COLTS NECK  
PLANNING BOARD MEETING  
FEBRUARY 10, 2009 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 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: Malinowski, Orgo, Florek, Barbagallo, Crossan, Kostka, Robinson, Thompson, Lear and Powell

Absent: Forester

Also Present: Timothy Anfuso, P.P., William Hoover, P.E., Julie McGowan, C.L.A., Mike Steib, Esq., and Ruth Leininger

Chairman Malinowski announced that due to a very full agenda he was postponing the last application, PB674 McMahan, to the March meeting. Mr. Steib, Esq. stated he reviewed service and it was satisfactory. Application PB674 was carried to the March 10, 2009 meeting with no further notice.

**Approval of Minutes:**

January 13, 2009 Minutes Approved:

OFFER: Thompson

SECOND: Barbagallo

AFFIRMATIVE: Malinowski, Orgo, Florek, Barbagallo, Crossan, Kostka, Robinson, Thompson and Powell

NEGATIVE: None

**RESOLUTIONS:**

None

**ADMINISTRATIVE ITEMS:**

**Application PB629A – Flancbaum – Block 33, Lot 20 – Route 537**

Request for a one year extension of time to the Approved Final Major Subdivision. The extension will begin June 12, 2009 and expire June 12, 2010.

Motion to Approve an Extension of Time:

OFFER: Barbagallo

SECOND: Thompson

AFFIRMATIVE: Malinowski, Orgo, Florek, Barbagallo, Crossan, Kostka, Robinson, Thompson and Lear

NEGATIVE: None

**Red Fox Investment Partnership, LLC – Block 50, Lots 4.17 & 23 – Hockhockson Road**

Informal Review of a 33 lot Major Subdivision with Variances consisting of 23 market rate lots, nine affordable lots and one open space lot in the AG Zone.

Mr. Steib, Esq. advised the Board this is an informal review of a subdivision. The Board has the authority to hear and give feedback before a formal application is made, however any comments the Board makes are non binding.

John Giunco, Esq. stated the site, Overbrook Farm, is a 217 acre farm that the current owners are unable to keep running profitably. The property does not have road frontage, it is accessible by an access easement which they will use for the development. They have been unsuccessful in purchasing the property containing the easement to this point.

A.J. Garito showed the Board the layout which consists of nine affordable housing single family homes on individual 60' x 100' lots. One of the partners will own these properties and operate them as rental units. This will help the Township in meeting their COAH obligation and exceeds the amount of units that this development requires the developer to provide. Since the units would be rental, the Township receives extra credit from COAH once their rental obligation is met. The affordable properties would contain cottage style homes that are not modular and very energy efficient. Mr. Mason Holly from Solid Wood Homes passed out brochures showing examples of their homes which are 28' x 47' including a porch.

The remaining lots will be market rate homes ranging between 2.4 acres to 12.8 acres. The road would be a private road owned and maintained by a Homeowners Association. Variances would be required for the private road and the size of the affordable lots.

The Board mostly had positive feedback. Some members were concerned with the size of the affordable lots and how that would affect the individual septic systems. Most members seemed to like the single family concept, although a few wondered if townhouses or duplexes might fit in better. The majority of members seem to be happy with way their COAH obligation was being fulfilled.

Mr. Giunco thanked the Board for their comments and stated they would pursue their suggestions and check the feasibility prior to filing a formal application.

**OLD BUSINESS:**

**Application PB672 – Trump National @ Colts Neck –Block 46, Lot 1.52 - Professional Circle**  
Application for Preliminary and Final Major Site Plan with Variance in the AG Zone.

Ten new items were marked as exhibits – review letters from Engineer, Landscape Architect, Environmental Commission, Board of Health and Planner, Environmental Impact Report, Major Site Plans, Architectural Plans, color rendering of site plan and a photoboard of the site containing photos on both sides.

Sal Alfieri, Esq. represented the applicant. Mr. Alfieri told the Board they were withdrawing their request for a height variance and seating variance. They would also comply with all comments in the Engineer and Planner’s review letters. Ed Russo – sworn. Mr. Russo stated they would limit the sales area to 1000 s.f. and submit a floor plan depicting that. Mr. Russo also affirmed that trees will be planted to replace those taken down near holes 7 and 15 to the satisfaction of Shade Tree Commission.

Mr. Kostka made note of the Environmental Commission’s review which stated the items that are not essential to the operation of the golf course should not be permitted within the easements. They were also concerned with the type of lighting that would be used to illuminate the two 80’ flag poles. Discussion ensued regarding the two 80’ flag pole structures. Mr. Kostka asked what type of justification the applicant could provide to approve a structure 45’ higher than what the ordinance allows. Open to the public. Larry Sorsby, 3 Westbury Place – sworn. Mr. Sorsby stated he was one of the original homeowners and feared the golf course would be left vacant. He was very happy Mr. Trump purchased the golf course and was willing to put so much money into it. Elaine Mann, 587 Route 34 – sworn. Ms. Mann stated she called Bedminster Township to find out how they felt about the Trump Golf Course in their town. She was informed the Trump Organization always operates in a professional manner and the Township is very pleased to have them. John Orrico, 4 Comstock Lane – sworn. Mr. Orrico said he was very proud to have the flag flying in his back yard. Randall Lazzaro, 5 White Oak Drive – sworn. Mr. Lazzaro felt it would be disrespectful to deny the flag poles. Paul Kacandes, 39 Leland Road – sworn. Mr. Kacandes stated he owns the closest residence to the flag pole proposed at the entrance and he did not have any problem with it.

As instructed, Mr. Steib had prepared a resolution the Board could memorialize if they chose. The Board reviewed the resolution and amended it to coincide with the agreements made. Mr. Florek reiterated that only the American flag would be flown on these flag poles.

Motion to Approve the Application and Memorialize the Resolution as Amended:

OFFER: Barbagallo

SECOND: Orgo

AFFIRMATIVE: Malinowski, Orgo, Florek, Barbagallo, Crossan, Robinson, Thompson and Lear

NEGATIVE: Kostka

**NEW BUSINESS:**

**Application PB673 – Gary Spencer – Block 31, Lot 19 – Route 34**

Application for Sketch Plat Approval for a two lot major subdivision in the B-3 Zone.

Six items were marked as exhibits – application, sketch plat, Board of Health comments, Engineer’s letter, Planner’s review and a color rendering of the sketch plat. Sal Alfieri, Esq. represented the applicant.

A.J. Garito, Engineer – sworn. Mr. Garito explained Dr. Spencer owns the existing building where his chiropractor’s office and the Buy Rite Liquor store are and he has a 99 year lease for the property. The lease gives the option for Dr. Spencer to subdivide one acre from the property prior to the lease expiring. Dr. Spencer can not co-exist with the current owner and feels he must subdivide the property. The daily operations will remain exactly as they currently are, however several variances will be required and a new well will have to be drilled.

The Board understood and felt the subdivision would improve the aesthetics of the portion of the shopping center that Mr. Spencer would control. The Board stated the sign would have to be removed from the application in order for the Planning Board to retain jurisdiction. One other concern they had is the transition of the pavement once the parking area is repaved.

Mr. Alfieri thanked the Board for their comments and they will take them all into consideration before they come back for their application.

**Application PB674 – McMahon – Block 7.02, Lots 34.01 & 34.13 – Clover Hill Road**

Application for Preliminary Major Subdivision Approval for a ten lot subdivision consisting of eight market rate lots and two affordable lots in the A-1 Zone. Time to June 5, 2009

Due to a full agenda, this application was carried to the March 10, 2009 meeting with no further notice.

**DISCUSSION:**

None

**EXECUTIVE SESSION**

None

**MOTION TO ADJOURN**

A motion to adjourn was made by Mr. Thompson at 10:50 p.m. and this was seconded by Mr. Lear 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 10, 2009 adopted by the Planning Board of the Township of Colts Neck at its meeting held on March 10, 2009.

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