

**TOWNSHIP OF COLTS NECK
PLANNING BOARD MEETING
MARCH 14, 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, Stuart, Kostka, Robinson, Thompson, Lear and Behrens

Absent: Malinowski, Florek, Crossan and Orgo,

Also Present: Timothy Anfusio, P.P., Glenn Gerken, P.E., Mike Steib, Esq., and Ruth Leininger

Approval of Minutes:

February 7, 2006 Minutes Approved:

OFFER: Robinson

SECOND: Kostka

AFFIRMATIVE: Barbagallo, Stuart, Kostka and Robinson

NEGATIVE: None

RESOLUTIONS:

Application PB633 – Clemente/Colts Neck Township - Block 10, Lots 9.01 & 9.06 – 9 Western Drive

Memorialization of Resolution granting Minor Subdivision Approval with variances for a lot line adjustment in the A-1 Zone.

Motion to Approve the Resolution:

OFFER: Robinson

SECOND: Stuart

AFFIRMATIVE: Barbagallo, Stuart and Robinson

NEGATIVE: None

ADMINISTRATIVE ITEMS:

Application PB573 – Levin/Meyer – Block 33, Lots 16 & 18 – Route 537

Application for a one year extension of time to the Minor Site Plan and Minor Subdivision. The extension of time will begin on April 8, 2005 and expire April 8, 2006.

Motion to Approve the Extension of Time:

OFFER: Stuart

SECOND: Thompson

AFFIRMATIVE: Barbagallo, Stuart, Kostka, Robinson, Thompson, Lear and Behrens
NEGATIVE: None

Application PB556 – Eyres - Block 43, Lots 11, 14, 18, 19 & 20; Block 44, Lots 11 & 12 and Block 45, Lots 5, 5.01 & 5.02

Application for a one year extension of time to the Preliminary Major Subdivision. The extension of time will begin on March 12, 2006 expiring March 12, 2007.

Motion to Approve the Extension of Time:

OFFER: Stuart

SECOND: Kostka

AFFIRMATIVE: Barbagallo, Stuart, Kostka, Robinson, Thompson, Lear and Behrens

NEGATIVE: None

OLD BUSINESS:

None

NEW BUSINESS:

Application PB631 – DeSaye – Block 7, Lots 7.01 & 7.11 – 55 Crine Road

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

A letter was received from the applicant requesting this application be dismissed without prejudice.

Motion to Dismiss the Application Without Prejudice:

OFFER: Stuart

SECOND: Thompson

AFFIRMATIVE: Barbagallo, Stuart, Kostka, Robinson, Thompson, Lear and Behrens

NEGATIVE: None

Application PB634 – Spatial – Sections 1, 2 & 3 (PB345) and Block 46, Lots 1/1, 1.50, 1.51, 1.52 and 17.12

Application for Minor Subdivision Approval to subdivide Lot 1/1 from Lots 1.50, 1.51 and 1.52 and to release its restriction against being developed as a building lot. In exchange for the subdivision, Lot 17.12 will be merged with Lots 1.50, 1.51 and 1.52.

Diane Aifer, Esq. represented the applicant. Fifteen items were marked as exhibits – amended application, Architectural Review report, Shade Tree Commission report, two reports from the Landscape Architect, two Environmental Commission reports, Planners report, Engineer's report, Fire Prevention review, map, mounted rendering plan, tree location plan, typical plot plan and photocopy of a portion of the filed map.

Mr. Garito, Engineer – sworn. Mr. Garito explained that there is a lot that fronts South Brentwood, Loch Arbor and Hominy Hill Road that as a condition of the original approval, is restricted against being developed. This lot is 4.43 acres and a relatively flat open lot. They would like to swap the development rights with a lot that is 3.57 acres and is heavily wooded at the end of Leland Road which buffers the back of the golf course from Route 18.

Robert O'Neill, applicant – sworn. Mr. O'Neill stated that many of the residents of the golf course would prefer the entrance lot to be developed instead of being left natural.

Ed O'Neill, Planner – sworn. Mr. O'Neill stated that when Spatial Design purchased this property it already had preliminary approval so they did not have any input of the layout of the project. It was his opinion that swapping the development rights was a better plan because Lot 1.1 is perfectly suited to be a building lot in terms of size and location while Lot 17.12 being heavily wooded serves as an effective buffer to Route 18 at the back of the golf course. It would also save a large number of trees.

Open to the public. Dawn Lopes, 76 Hominy Hill Road – sworn. Ms. Lopes told the Board that they recently purchased their home which is directly across the street from the lot that Spatial would like to build on. She did her research and specifically bought their lot because the lot across the street from them could not be built on and they would have a view of the golf course. Ms. McGowan told Ms. Lopes that a double row of white pines are going to be planted along Hominy Hill and will grow to be as high as a house would be. The Board questioned where her home was in relation to the building envelope of this lot as it was not shown on any of the drawings.

The Board requested the applicant to come back next month with a plan showing the Lopes' home. Several members wanted to do a site visit. This application is carried to the April 11, 2006 meeting with no further notice.

Application PB635 – Madden – Block 10, Lots 3 & 3.01 and Block 19, Portion of Lot 10 – Cross Road

Application for Site Plan Waiver to hold a public horse show in a Type 3 Riding/Training Stable.

Emily Daher, Esq. represented the applicant. Ten items were marked as exhibits – application, plot plan, narrative, certificate of insurance, lease agreement, Planner's review, Engineer's review, Environmental Commission report, Landscape Architect's review and Architectural Review report.

The past three years Mr. Madden has hosted a public horse show as a charity event for Virtua Health Foundation. Mr. Anfuso noted that the show has been a very well run event with no complaints and been an excellent promotion for Colts Neck. It was also his opinion that if there were no substantial changes to the event program a five year waiver would be prudent. The only change to this years program is there may be a silent auction and dinner after the Grand Prix event on Sunday.

The Board agreed this has been an exceptionally well run affair and that a five year approval was warranted as long as there were no substantial changes to the program.

Motion to Approve the Application:

OFFER: Stuart

SECOND: Thompson

AFFIRMATIVE: Barbagallo, Stuart, Kostka, Robinson, Thompson, Lear and Behrens

NEGATIVE: None

Application PB637 – Furman – Block 33, Lot 7.01 – Muhlenbrink Road

Application for Sketch Plat Review of a potential two lot subdivision in the A-1 Zone.

Chairman Barbagallo and Ed Thompson both secluded themselves from this application. The meeting was turned over to Dave Kostka. Sal Alfieri, Esq. represented the applicant. Eleven items were

marked as exhibits – application, two feasibility study plans, Engineer’s review, Planner’s review, Landscape Architect report, Environmental Commission review, copy of tax map, two color renderings and a series of six photos.

A.J. Garito, Engineer – sworn. Two concepts were presented. One plan was a completely conforming subdivision but would create a public street that the Township would have to maintain. The other plan would create a flag lot requiring several variances. Currently three lots share a driveway and this would make four.

Open to the public. Kevin Kohm, 39 Muhlenbrink Road – sworn. Mr. Kohm stated that his house is in the front of this property. He had concerns with four families sharing one driveway, stating that it is not an ideal situation now with three families. If there was only a shared driveway all garbage would have to go in front of his home and emergency services would not be able to access the back.

The Board felt that it was time for a public street with a cul-de-sac. They did not think it should be the 750’ that was shown but should have enough turn around room for emergency services.

Application PB639 – Miller – Block 45.03, Lot 1 – Mine Brook Road

Application for Minor Site Plan to install a 60’ x 120’ tennis court in the A-5 Zone.

A.J. Garito, Engineer – sworn. Eight items were marked as exhibits – application, site plan, Planner’s report, Engineer’s review, Landscape Architect Review, Environmental Commission review, Architectural Review report and copy of tax map.

Mr. Garito explained that the Miller’s are new owners of this property and would like to add a tennis court on their property. The court is conforming and does not require any variances. The surface allows water to drain through and any excess drains toward the pond on the property.

Open to the public with no comment. It was stated that as conditions of approval the applicant will have to post a performance guarantee and an as-built survey will have to be provided after the completion of the court.

Motion to Approve the Application:

OFFER: Kostka

SECOND: Stuart

AFFIRMATIVE: Barbagallo, Stuart, Kostka, Robinson, Thompson, Lear and Behrens

NEGATIVE: None

Application PB625A – Vaccaro – Block 48, Lot 6 – Route 34

Application for Preliminary and Final Plat Major Site Plan approval to construct a 4,000 s.f. bank and a 12,000 s.f. medical/retail building in the B-1 Zone.

Mr. Steib, Esq. advised the Board that the service for this application was defective and would not be heard. The applicant will renote for the April 11, 2006 meeting.

Application PB640 – Vaccaro II – Block 48, Lot 6 – Route 34

Application for Preliminary Major Site Plan approval with variances to construct a 6,000 s.f. retail/office building in the B-1 Zone.

Mr. Steib, Esq. advised the Board that the service for this application was defective and would not be heard. The applicant will renote for the April 11, 2006 meeting.

EXECUTIVE SESSION:

None

MOTION TO ADJOURN

A motion to adjourn was made by Mr. Thompson at 9:55 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 March 14, 2006 adopted by the Planning Board of the Township of Colts Neck at its meeting held on April 11, 2006.

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