

**TOWNSHIP OF COLTS NECK
PLANNING BOARD MEETING
APRIL 13, 2004 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, Burry, Forester, Robinson, Orgo and Lear

Absent: Crossan, Kostka, McBride and McGarry

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

Approval of Minutes:

March 9, 2004 Minutes Approved:

OFFER: Burry

SECOND: Malinowski

AFFIRMATIVE: Barbagallo, Malinowski, Burry, Forester, Robinson and Orgo

NEGATIVE: None

RESOLUTIONS:

Application #593 – Sorsby – Block 46, Lot 1.15 – 3 Westbury Place

Memorialization of Resolution granting a one year extension of time to the Minor Site Plan granted on March 11, 2003. The extension will begin on March 11, 2004 and expire on March 11, 2005.

Memorialization of Resolution.

OFFER: Robinson

SECOND: Malinowski

AFFIRMATIVE: Barbagallo, Malinowski, Burry, Forester, Robinson and Orgo

NEGATIVE: None

Application #612 – Dell'Anno – Block 29, Lot 14.05 – 8 Shady Tree Lane

Memorialization of Resolution granting Minor Site Plan Approval to construct a 30' x 46' sports court in the A-1 Zone.

Memorialization of Resolution.

OFFER: Malinowski

SECOND: Burry
AFFIRMATIVE: Barbagallo, Malinowski, Burry, Forester, Robinson and Orgo
NEGATIVE: None

Application #611 – Brock Farms – Block 32, Lots 11 & 12 – Route 34

Memorialization of Resolution granting Minor Site Plan Approval with Variances to remove and reconstruct a 3,950 s.f. portion of the existing garden center (no change in footprint).

Memorialization of Resolution.

OFFER: Malinowski
SECOND: Robinson
AFFIRMATIVE: Barbagallo, Malinowski, Burry, Forester and Robinson
NEGATIVE: None

ADMINISTRATIVE ITEMS

Application #614 - Brusco – Block 22, Lots 6 & 7 – Montrose Road

Informal Sketch Plat Review and Classification of a Major Subdivision. The applicant has submitted two conceptual subdivision plans for review and comment. The first plan is a two lot subdivision of only Lot 7. The second plan consolidates Lots 6 and 7 and proposes a three lot subdivision.

Chairman Barbagallo reclused himself from this application and turned the meeting over to Vice Chairman Malinowski. Sal Alfieri, Esq. represented the applicant. A.J. Garito, Engineer – sworn. Mr. Garito explained to the Board that he had three different concept plans that they would like feedback on. Two had been previously submitted to the Planning Department and the third is a new concept. All three plans end up with a total of three lots, it is the configuration that is different. The first requires a road to be built but does not need any variances, only two design waivers. The second requires a road and also requires several variances. The third is a flag lot which also requires several variances.

Open to the public. Jennifer Krimco, Esq. represented Mr. George Wuest, a neighboring property owner. Ms. Krimco advised the Board that they would be opposing any formal application. It is their contention that the 75' landscape easement should not be part of the calculation, therefore requiring variances not waivers. Roger Mumford, 71 Montrose Road – sworn. Mr. Mumford was concerned because his farm bordered this property and felt that the orientation of the homes was not conducive to bordering a farm. He suggested it would make more economic sense to knock down the existing two homes and make two larger lots with two larger homes. Adam Klemons, Deer Path Lane – sworn. Adam stated he was concerned with all of the construction going on in Colts Neck, he was afraid Colts Neck would soon look like Red Bank II.

The Board too was concerned with all of the building, but people do have a right to develop their property. The Board also agreed with Mr. Mumford's suggestion of two large lots. If the Board had to choose from the proposals given, the majority felt the flag lot was the best option. Mr. Alfieri thanked the Board for their input, they have enough feedback to come up with a formal application.

Application #345 – Colts Neck Country Club – Block 46, Lot 1.18

Application for a two year extension of time to Phase I, II and III Final Major Subdivision Approval. The extension will begin August 13, 2003 for Phase I and expire August 13, 2005. The extension of

will begin on May 11, 2004 for Phase II and expire on May 11, 2006 and the extension for Phase III will begin on December 14, 2004 and expire on December 14, 2006.

This application was not heard due to defective service. This item will be rescheduled and the applicant will send out notice for the next meeting scheduled for May 11, 2004.

OLD BUSINESS:

None

NEW BUSINESS:

Application #615 – Aether Commercial Building – Block 46, Lot 16 – Rte 34 & Leland Rd
Application for Preliminary and Final Major Site Plan with Variances to construct an 8,860 s.f. commercial building in the B-1 Zone.

Chairman Barbagallo and Mr. Orgo both reclused themselves from this application, the meeting was turned over to Vice Chairman Malinowski.

John Giunco, Esq. represented the applicant. Mr. Giunco told the Board that Mr. Ralph Mara is 100% owner of this property since December 2003. The property is peculiar in shape bordered on three sides by streets and one side by an office building. Ralph Mara, applicant, Ed O’Neill, Architect and A.J. Garito, Engineer all sworn.

Thirteen items were marked as exhibits – application, site plans, elevation and floor plans, two reports from the Township Engineer, Architectural Review report, Township Planner’s review, Shade Tree Commission report, two reports from Township Landscape Architect, description of operations, color rendering of landscape plan and a rendering of the front building.

Mr. Garito explained that the plans show an 8,860 s.f. consisting of retail on the first floor and office space on the second floor. The parking is sufficient to allow some medical. Landscaping is proposed around the dumpster, no cellar is proposed and one multi use sign 15 s.f. is proposed. The applicant agreed to contribute his fair share toward the Highway Access Management Plan and to also put all utilities underground. Mr. O’Neil explained the architecture of the building and the reason that it was not parallel to Route 34 is so that it would not be entirely visible as you drive by. Open to the public with no comments.

The Board felt that the applicant was trying to put too much on the lot, asking for too many variances that were severe. Mr. Giunco reminded the Board that many of the variances were preexisting such as the lot depth. The Board felt that the applicant knew what he was buying when he purchased the property. It was felt that a smaller building reconfigured so that less of the parking was in front of Leland Road would be more favorable. The Board was not happy with the aesthetics of the building either – it did not “fit in” with the surrounding commercial buildings.

The applicant asked for time to revise their plans and come back in June. This application was carried to the June 8, 2004 meeting with no further notice.

Application #602A – Mumford – Block 22, Lots 8 and 17 – Montrose Road

Application for a deviation to the approved Minor Site Plan with Variances to increase the size of the pool cabana.

This application was not heard due to defective service. This item will be rescheduled and the applicant will send out notice for the next meeting scheduled for May 11, 2004.

DISCUSSION ITEMS:

None

EXECUTIVE SESSION

None

MOTION TO ADJOURN

A motion to adjourn was made by Mr. Robinson at 9:45 p.m. and this was seconded by Mr. Forester 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 April 13, 2004 adopted by the Planning Board of the Township of Colts Neck at its meeting held on May 11, 2004.

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