

**TOWNSHIP OF COLTS NECK  
PLANNING BOARD MEETING  
APRIL 12, 2005 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: Barbagallo, Malinowski, Forester, Florek, Crossan, Kostka, Robinson, Orgo  
(5 minutes late) and Lear  
Absent: McGarry and Thompson

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

**Approval of Minutes:**

February 8, 2005 Minutes Approved:

OFFER: Kostka  
SECOND: Malinowski  
AFFIRMATIVE: Barbagallo, Malinowski Forester, Florek and Kostka  
NEGATIVE: None

March 29, 2005 Minutes Approved:

OFFER: Crossan  
SECOND: Robinson  
AFFIRMATIVE: Barbagallo, Malinowski Forester, Florek, Crossan, Kostka and Robinson  
NEGATIVE: None

**RESOLUTIONS:**

**Application #620 – Palazzolo – Block 8, Lot 6.08 – Fulling Mill Lane**

Memorialization of Resolution dismissing the application without prejudice.

Motion to Memorialize the Resolution:

OFFER: Malinowski  
SECOND: Robinson  
AFFIRMATIVE: Barbagallo, Malinowski, Forester, Florek, Crossan, Kostka, Robinson and Lear  
NEGATIVE: None

**ADMINISTRATIVE ITEMS:**

**Application #556 – Eyres – Block 43, Lots 11, 14, 18, 19 & 20; Block 44, Lots 11 & 12 and Block 45, Lots 5, 5.01 and 5.02**

Request for a one year extension of time to the Preliminary Major Subdivision approval with variances granted on March 12, 2002. The extension of time will begin on March 12, 2005 and expire on March 12, 2006.

Sal Barbagallo reclused himself from this application. Mr. Anfuso explained to the Board that approval was granted in 2002 and will expire in March 2005. The applicant is entitled to two, one-year extensions of time, this is their first extension.

Motion to Approve the Extension of Time:

OFFER: Crossan

SECOND: Forester

AFFIRMATIVE: Malinowski, Forester Florek Crossan, Kostka, Robinson and Lear

NEGATIVE: None

**OLD BUSINESS:**

**Application #614 – Brusco – Block 22, Lots 6 & 7 – 91 Montrose Road**

Application for a Preliminary Major Subdivision approval with variances to create three residential lots in the A-1 Zone.

Sal Alfieri, Esq. represented the applicant. A.J. Garito, Engineer – sworn. Seven new items were marked as exhibits – report from Planner, report from Engineer, Environmental Commission review, preliminary subdivision plans, Shade Tree Commission review, report from Landscape Architect and a mounted rendering of the landscape plan.

Mr. Garito explained they have addressed the concerns that were raised last month regarding grading. They are now proposing two swales and will be able to save the trees that the Board was concerned with. They are now proposing a small cul-de-sac to access the lots, however they will require variances for lot frontage and width. Mr. Garito felt that the proposed lot configuration would give a smaller building envelope which in turn would limit the size of the homes and amount of fill that is required.

Open to the public. Roger Mumford, 71 Montrose Road – sworn. Mr. Mumford commented that the new grading plan was a huge improvement, however he still had concerns with impervious coverage, drainage and additional fill required for accessory structures that would occur over time. Alma Baumgaertner, Montrose Road asked what impact this would have on her property and if a problem arose after construction, what recourse she would have. Mr. Garito explained that the grading plan included a swale that would take the water away from her property. As long as this plan is followed there would not be an impact to her. George Wuest, 95 Montrose Road – sworn. Mr. Wuest knew the history of the drainage pipe that ran through the Mumford and Brusco properties and was concerned because the properties are very wet. It was stated that as long as the grading plan was followed, there should not be any problems. Carrie Feiler, Montrose Road – sworn. Ms. Feiler stated she lived across the street and has a horse farm. She was concerned with the new homeowners understanding that there were existing farms surrounding them and not being happy with the smells associated with it.

The Board was concerned with the height of the homes and how that would impact the neighboring property owners. Mr. Anfuso stated that the maximum height of a home is 35' and explained how that height is measured. The applicant requested a five minute recess.

Mr. Alfieri, Esq. stated that the applicant would condition the approval that the footprint (including garages) of each home would not exceed 4,000 s.f., a grading plan would be submitted for approval for any improvements to these lots and that a row of pine trees adjoining the Mumford property would be protected.

Motion to Approve the Application:

OFFER: Kostka

SECOND: Robinson

AFFIRMATIVE: Barbagallo, Kostka and Robinson

NEGATIVE: Forester and Orgo

**NEW BUSINESS:**

**Application #462C – Winding Brook Farm - Block 48, Lot 21 – Yearling Path**

Application for a Deviation to the Final Major Subdivision Approval with Variances to allow two structures on-site in the AG Zone to be used as three accessory farm labor housing units while reserving the right to construct a principal residence.

A letter from received from the applicant requesting that this application be carried to the May meeting. This application is carried to the May 10, 2005 meeting with no further notice.

**DISCUSSION:**

None

**MOTION TO ADJOURN**

A motion to adjourn was made by Mr. Malinowski at 9:15 p.m. and this was seconded by Mr. Crossan 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 12, 2005 adopted by the Planning Board of the Township of Colts Neck at its meeting held on May 10, 2005.

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