

**TOWNSHIP OF COLTS NECK  
PLANNING BOARD MEETING  
MAY 10, 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, Forester, Florek, Kostka, McGarry, Robinson (10 minutes late), Thompson, Orgo and Lear  
Absent: Malinowski and Crossan

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

**Approval of Minutes:**

April 12, 2005 Minutes Approved:

OFFER: Lear

SECOND: Orgo

AFFIRMATIVE: Barbagallo, Forester, Florek, Kostka, McGarry, Thompson, Orgo and Lear

NEGATIVE: None

**RESOLUTIONS:**

**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**

Memorialization of resolution 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.

Motion to Memorialize the Resolution:

OFFER: Kostka

SECOND: Forester

AFFIRMATIVE: Forester, Florek, Kostka and Lear

NEGATIVE: None

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

Memorialization of resolution granting Preliminary Major Subdivision approval with variances to create three residential lots in the A-1 Zone.

Motion to Memorialize the Resolution:

OFFER: Kostka

SECOND: Robinson

AFFIRMATIVE: Barbagallo, Kostka and Robinson

NEGATIVE: None

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

Memorialization of a Resolution Dismissing the Application without prejudice.

Motion to Dismiss the application and to Memorialize the Resolution:

OFFER: Kostka

SECOND: Florek

AFFIRMATIVE: Barbagallo, Forester, Florek, Kostka, McGarry, Robinson, Thompson, Orgo and Lear

NEGATIVE: None

**ADMINISTRATIVE ITEMS:**

Appointment of a Peter Avakian, P.E. of LEON S. AVAKIAN, INC. as a Conflict Engineer to review application PB624, a minor subdivision and site plan submitted by Gregory Matzel.

Mr. Lear recused himself from the application. Mr. Anfuso explained that our Township Engineer, Mr. Gerken, has a conflict and can not represent the Township for the above referenced application.

Motion to Approve and Memorialize the Resolution:

OFFER: Florek

SECOND: Kostka

AFFIRMATIVE: Barbagallo, Forester, Florek, Kostka, McGarry, Robinson, Thompson and Orgo

NEGATIVE: None

**OLD BUSINESS:**

None

**NEW BUSINESS:**

**Application #623 – Plean – Block 22.05, Lots 1 and 2 – 137 Montrose Road**

Application for a Preliminary Major Subdivision Approval to consolidate two existing lots and to resubdivide the property into three residential lots in the A-1 Zone.

Mr. Orgo recused himself from this application. Twelve items were marked as exhibits – application, preliminary subdivision plans, boundary survey, Fire Prevention Bureau report, Architectural Review Report, Township Planner’s report, Township Engineer’s report, Environmental Commission Review, Landscape Architect Review, letter from John Giunco dated 5/10/05, color rendering and mounted tax map.

John Giunco, Esq. represented the applicant. Cara Smith, Engineer – sworn. Ms. Smith explained they are able to eliminate two design waivers by adjusting the lot lines and will modify the plans to do so. Ms. Smith explained the drainage would drain to the rear of the properties and piped into an

existing storm drain on Parkwood Lane. Mr. Giunco reiterated that this is a conforming subdivision requesting only one design waiver for lot frontage. Mr. Giunco requested that if the application were approved they would like to post a bond to permit the demolition of the existing dwelling after the map is filed.

Open to the public with no comment. The Board was concerned with the drainage but stated it would have to meet the Township Engineer's approval.

Motion to Approve the Application:

OFFER: McGarry

SECOND: Robinson

AFFIRMATIVE: Barbagallo, Forester, Florek, Kostka, McGarry, Robinson, Thompson and Lear

NEGATIVE: None

### **ORDINANCE REVIEW:**

Review and Recommendation to the Township Committee on Ordinance 2005-11 implementing the Master Plan recommendations.

Mr. Anfuso explained the next step after adopting the new master plan is to clean up many inconsistencies, which is the purpose of this ordinance. The Board was concerned with the change of setbacks for Wineries and thought it should be removed. The Board also felt that the A-5 Rural Residential District should be added to Section 7 "Keeping of farm and wild animals" on the third line to make clear that keeping of farm animals is allowed in this zone.

Mr. Steib, Esq. reminded the Board that it was their job to review the proposed ordinance for consistency with the Master Plan. The Board could add the referenced comments but they can not change the ordinance.

Motion to Recommend Ordinance 2005-11 with comments:

OFFER: Kostka

SECOND: Forester

AFFIRMATIVE: Barbagallo, Forester, Florek, Kostka, McGarry, Robinson, Thompson and Lear

NEGATIVE: Orgo

### **DISCUSSION:**

None

### **MOTION TO ADJOURN**

A motion to adjourn was made by Mr. Orgo at 9:15 p.m. and this was seconded by Mr. Florek 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 May 10, 2005 adopted by the Planning Board of the Township of Colts Neck at its meeting held on June 14, 2005.

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