

**TOWNSHIP OF COLTS NECK  
PLANNING BOARD MEETING  
AUGUST 12, 2003 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: Crossan, Barbagallo, Hennessy, Burry, McGarry, Robinson and Lear

Absent: Kostka, Malinowski, Sauter and Orgo

Also Present: Timothy Anfusio, P.P., William Hoover, P.E., Julie McGowan and Ruth Leininger

**Approval of Minutes:**

July 8, 2003 Minutes Approved As Amended:

OFFER: Burry

SECOND: Barbagallo

AFFIRMATIVE: Crossan, Barbagallo, Hennessy, Burry, McGarry, Robinson and Lear

NEGATIVE: None

**RESOLUTIONS:**

**Application #PB525 – Folio Art Glass – Block 48, Lot 44 – Route 34**

Memorialization of Resolution granting a one-year extension of time to the Final Major Site Plan Approval and Variances granted on April 10, 2001. The extension will begin on April 10, 2003 and expire on April 10, 2004.

Memorialization of Resolution:

OFFER: Robinson

SECOND: Lear

AFFIRMATIVE: Hennessy, Burry, McGarry, Robinson and Lear

NEGATIVE: None

**Application #PB594 – Romano – Block 35, Lot 22.22 – 14 Rivers Edge**

Memorialization of Resolution granting Minor Site Plan Approval with Variances to retain an existing sports court in the A-1 Zone.

Memorialization of Resolution:

OFFER: Barbagallo

SECOND: Robinson

AFFIRMATIVE: Crossan, Barbagallo, Hennessy, Burry, McGarry, Robinson and Lear

NEGATIVE: None

**Application #PB602 – Roger Mumford – Block 22, Lots 8 & 17 – Montrose Road**

Memorialization of Resolution granting Minor Subdivision Approval to reestablish Lot 8 as a separate lot and Minor Site Plan Approval to construct a caretakers cottage with Variances in the AG Zone.

Memorialization of Resolution As Amended:

OFFER: Barbagallo

SECOND: Burry

AFFIRMATIVE: Crossan, Barbagallo, Hennessy, Burry, McGarry, Robinson and Lear

NEGATIVE: None

**OLD BUSINESS:**

**Application #PB598 – Brock – Block 31.01, Lot 7 – Route 34**

Application for Preliminary and Final Major Site Plan Approval with Variances to construct a 15,000 mixed retail/office building in the B-1 Business Zone.

Mr. Peter LaFrance, Esq. represented the applicant. A.J. Garito, Engineer – sworn. Mr. Garito stated that since the last meeting the building was decreased in size so that the FAR is not exceeded and the Planning Board can keep jurisdiction of this application. Letters have been sent to the three neighboring property owners regarding cross easements for parking. Mr. Hansen who testified at the last hearing is favorable. Mr. Duva stated that he was interested and they are waiting to hear from the bank, if approval is received from the bank they will construct an interconnecting driveway. The Board felt the applicant should first try for a driveway connection, if that can not be obtained than at least a walkway interconnection should be obtained.

Mr. Jack Purvis, Architect – sworn. Mr. Purvis told the Board that the canopy on the building is what puts the building over the allowable FAR. He has several options that he can pursue such as removing the canopy from a portion of the building, adjusting the corners or sliding the building back. The Board agreed that it was preferable to keep the canopy on the side facing Route 34.

Motion to Approve and Memorialize Resolution As Amended:

OFFER: Barbagallo

SECOND: Robinson

AFFIRMATIVE: Barbagallo, Hennessy, Burry, McGarry, Robinson and Lear

NEGATIVE: None

**NEW BUSINESS:**

**Application #PB601 – Colts Neck Creations – Block 46, Lot 11 – County Route 537**

Application for Preliminary & Final Major Site Plan with Variance to convert the Honey Shop into a specialty furniture store in the B-3 Zone. Time to October 23, 2003.

Mr. Ed Stokes, Esq. represented the applicant. Mr. Stokes told the Board that the applicant has purchased the old Honey Shop and would like to renovate it and use for their business. Fourteen items were marked as exhibits – the application, preliminary and final plan, architectural plan, two reports from the Township Engineer, report from the Township Planner, description of operations, report from the Fire Marshall, stormwater management report, report from Architectural Review Committee, report from Environmental Commission, two reports from Landscape Architect and report from the Board of Health.

Abbie Stokes, applicant – sworn. Mrs. Stokes told the Board that she is a decorative artist. She faux finishes various items, primarily at client's homes and she also creates pieces in her studio. She primarily puts an old world European finish on new pieces. She uses all water based paints and no chemicals or strippers. It is her intention that the first floor of this building will be the foyer/entrance and her art studio which will be exclusively for her own use. The second floor will be for retail, both her own pieces and pieces she purchased for resale. The third floor will be used as office/storage.

In order for the Planning Board to retain jurisdiction, the Board had to find the work being done in the studio was accessory to the retail furniture store.

Motion that the studio work is an accessory use:

OFFER: Crossan

SECOND: Burry

AFFIRMATIVE: Crossan, Barbagallo, Hennessy, Burry, McGarry, Robinson and Lear

NEGATIVE: None

Next, the Board had to find that the use would not increase with this new business. Mrs. Stokes stated that there would be two employees, she and her son. The second floor was used prior and the third floor was used minimally for storage.

Motion that the use would not increase:

OFFER: Burry

SECOND: Crossan

AFFIRMATIVE: Crossan, Barbagallo, Hennessy, Burry, McGarry, Robinson and Lear

NEGATIVE: None

It was determined that the Planning Board kept jurisdiction of this application. A.J. Garito, Engineer – sworn. Mr. Garito stated that the existing building will remain and the interior will be improved. The driveway will be paved, curbing will be added, striping for parking, seepage pits and landscaping are all planned. The Board questioned if the parking could be connected with neighboring businesses. The applicant stated that they approached the clock shop, but the owner was not interested. The applicant agreed to make a Good Faith Effort to attempt a walkway with the property to the west.

The Board requested the Township Planner write a letter stating the Town's position on interconnecting commercial properties that the applicant could show their neighbors. If this could not be obtained, the applicant would pursue the possibility of land banking some parking or deed restricting the property to a single use.

This application was carried to the September 9, 2003 meeting with no further notice.

**DISCUSSION ITEMS:**

**Review of Ordinance 2003-11 Amending and Supplementing the lot size averaging provisions in the Agricultural District.**

The Board reviewed the proposed ordinance pursuant to N.J.S.A. 40:55D-64 and found that Ordinance 2003-11 was consistent with the Master Plan.

Motion that Ordinance 2003-11 is consistent with the Master Plan:

OFFER: Barbagallo

SECOND: Burry

AFFIRMATIVE: Crossan, Barbagallo, Hennessy, Burry, McGarry, Robinson and Lear

NEGATIVE: None

**EXECUTIVE SESSION**

A motion was made by Mrs. Burry to go into Executive Session to discuss matters of litigation and/or personnel seconded by Mr. McGarry and unanimously carried.

**MOTION TO ADJOURN**

A motion to adjourn was made by Ms. Burry at 10:05 p.m. and this was seconded by Mr. McGarry 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 August 12, 2003 adopted by the Planning Board of the Township of Colts Neck at its meeting held on September 9, 2003.

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

