

**TOWNSHIP OF COLTS NECK
PLANNING BOARD MEETING
SEPTEMBER 13, 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, Crossan, Kostka, Robinson, Thompson , Orgo and Lear

Absent: None

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

Approval of Minutes:

August 9, 2005 Minutes Approved:

OFFER: Lear

SECOND: Thompson

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

NEGATIVE: None

RESOLUTIONS:

Application #594 – Romano – Block 35, Lot 22.22 – 14 Rivers Edge Drive

Memorialization of resolution granting a one extension of time to the Minor Site Plan and variance approval to retain a sports court. The extension of time will begin on August 12, 2005 and expire on August 12, 2006.

Motion to Memorialize the Resolution:

OFFER: Florek

SECOND: Forester

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

NEGATIVE: None

Application #626 – Two River Engineering Office Building – Block 48, Lot 10 - Route 34

Memorialization of resolution granting Preliminary and Final Major Site Plan approval to construct a 2,944 s.f. office building to the rear of the existing 9,000 s.f. office building in the B-1 Zone.

Motion to Memorialize the Resolution:

OFFER: Robinson

SECOND: Thompson

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

NEGATIVE: None

ADMINISTRATIVE ITEMS:

None

OLD BUSINESS:

Application #625 – Vaccaro – Block 48, Lot 6 – Route 34

Application for Preliminary and Final Major Site Plan with variances to construct a 23,999 s.f. shopping center.

Sal Barbagallo recused himself from this application and turned the meeting over to Vice-Chairman Richard Malinowski. Sal Alfieri, Esq. represented the applicant. Mr. Alfieri advised that they have substantially changed the configuration and size of the project and they sent out new notices to property owners. Fourteen new items were marked as exhibits – updated Planners report, Architectural Review report, Engineer’s report, revised site plans, revised architectural plans, mounted color rendering of Phase One, Environmental Commission review, Landscape Architect review and mounted plans and elevations of each of the buildings.

A.J. Garito, Engineer – sworn. Mr. Garito explained how the buildings have been significantly downsized from the original total size of 28, 210 s.f. to 23,999 s.f. The new plan has much more green areas and is only lacking eight parking spaces. It was their contention that the public space benefit outweighs the lack of eight parking spaces. The N.J.P.D.E.S. permit process is a very lengthy one and the applicant would like to phase the project to start construction while awaiting the permit by installing a treatment works plant.

Ed O’Neill, Architect – sworn. Mr. O’Neill went over the design of each of the buildings, which the Board all found very appealing. Julie McGowan, Landscape Architect for the Board, did not feel that the plan had sufficient landscaping. The applicant agreed to meet with her and come up with a better plan. Open to the Board with no comments.

The Board felt there should be better pedestrian connections and landscaping. Some of the Board members were concerned with the variance for parking and that the front building was too close to Route 34, others felt it was an improvement to the existing structure.

Mr. Alfieri, Esq. told the Board that they would revise the plan and come back with their best plan and ask the Board to vote on the application next month.

This application is carried to the October 11, 2005 meeting with no further notice.

NEW BUSINESS:

Application #627 – Mancini – Block 26.06, Lots 3 & 3.01

Application for a Preliminary & Final Major Subdivision approval for a lot line adjustment in the A-1 Zone.

Mr. Steib, Esq. advised that the notice for this application was defective, therefore it will not be heard. The applicant will renote for the October 11, 2005 meeting.

Application #629 – Flancaum – Block 33, Lot 20 – Route 537

Application for Preliminary Major Subdivision approval for a five lot subdivision in the A-1 Zone.

Sal Barbagallo reclused himself from this application and turned the meeting over to Vice-Chairman Richard Malinowski. Sal Alfieri, Esq. represented the applicant. Eleven items were marked as exhibits – application, subdivision plan, Architectural Review report, Fire Prevention Bureau report, Planner’s report, two review letters from the Landscape Architect, Board of Health report, mounted landscape plan, six mounted color photos and a mounted grading plan and tax map. A.J. Garito, Engineer – sworn.

Mr. Garito explained this a 12.7 acre parcel that slopes down to wetlands in the rear. The applicant is proposing to demolish all existing structures and subdivide the property into five lots serviced by a new cul-de-sac road. The applicant has received an L.O.I. and a 50’ buffer is required from the wetlands. The Board was very concerned with the proposed rear lot. The severe slope would require substantial fill and grading would be required in the wetlands. The Board suggested only creating four lots instead of five. Susan Ruzuno, applicant – sworn. Ms. Ruzuno stated the back lot is where they want to build their home because it is so beautiful. Mr. Flancaum, applicant – sworn. Mr. Flancaum stated that he would keep the integrity of the property and he would work with the Landscape Architect.

Open to the public. Kim Rothberg, 132 County Road East – sworn. Ms. Rothberg stated that the Farmland Preservation Committee had just placed this farm on a list of potential farms to save and she was very sorry to see it go. Ms. Rothberg appealed to the Board to keep the homes as close to grade level as possible so the homes will not be obtrusive.

The Board wanted a better delineation of the wetlands with minimal disturbance and minimal variances. The applicant requested this application be carried to the October meeting to revise the plans with requested information. This application is carried to the October 11, 2005 meeting with no further notice.

ORDINANCE REVIEW:

Review and Recommendation to the Township Committee on Ordinance 2005-20 amending Section 102-91 “Golf Course’s”.

Mr. Anfusio explained to the Board that a lawsuit had been filed against the Township stating that the ordinance regarding golf courses is arbitrary and capricious. This new ordinance is a result of settlement negotiations.

After much discussion, the Board found that the ordinance was inconsistent with the Master Plan because:

- It increases the intensity of a Type A golf course
- It dramatically increases the Type B golf course
- It increases commercial use in residential areas
- It increases the commercial zone
- It expands hours of use in a residential zone
- It changes the use far beyond Master Plan distinctions and creates an enforcement nightmare

Motion the Ordinance is inconsistent with the Master Plan:

OFFER: Crossan

SECOND: Orgo

AFFIRMATIVE: Barbagallo, Malinowski, Crossan, Kostka, Robinson, Thompson, Orgo and Lear

NEGATIVE: None

ABSTAIN: Forester and Florek

DISCUSSION:

None

MOTION TO ADJOURN

A motion to adjourn was made by Mr. Malinowski at 11:20 p.m. and this was seconded by Mr. Orgo 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 September 13, 2005 adopted by the Planning Board of the Township of Colts Neck at its meeting held on October 11, 2005.

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