

**TOWNSHIP OF COLTS NECK
PLANNING BOARD MEETING
SEPTEMBER 9, 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, Kostka, Malinowski, McGarry, Robinson, Orgo (arrived at 8:05 p.m.) and Lear

Absent: Sauter

Also Present: Mike Stieb, Esq., Timothy Anfusio, P.P., Glenn Gerken, P.E., Julie McGowan and Ruth Leininger

Approval of Minutes:

August 5, 2003 Minutes Approved:

OFFER: Burry

SECOND: Barbagallo

AFFIRMATIVE: Crossan, Barbagallo, Burry, Kostka, Malinowski, McGarry, Robinson and Lear

NEGATIVE: None

August 12, 2003 Minutes Approved:

OFFER: Burry

SECOND: McGarry

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

NEGATIVE: None

Chairman Crossan apologized to those in attendance and advised that they would be going into a brief Executive Session. The Board was attempting to accommodate two Zoning Board members that were needed by the Planning Board to create a quorum.

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.

RESOLUTIONS:

None

ADMINISTRATIVE:

Application #PB493 – Zito – Block 47, Lot 13 – 32 Leland Road

Request for a second 1-year extension of time to the Final Major Site Plan Approval with Variances. The extension will be retroactive from May 8, 2003 and expire May 8, 2004.

Mrs. Zito was in attendance and told the Board that they wish to receive a second extension for this project which has not been started. Mr. Anfuso told the Board that this will protect the variances that were given and that no major zoning changes have occurred since this was approved.

Motion to Grant an Extension of Time:

OFFER: Barbagallo

SECOND: Malinowski

AFFIRMATIVE: Barbagallo, Hennessy, Burry, Kostka, Malinowski, McGarry, Robinson and Orgo

NEGATIVE: Crossan

Application #PB532B – Shadow Isle Golf Club - Block 46, Lots 1/1, 1.50, 1.51, & 1.52 Professional Circle

Request for a special public meeting on September 30, 2003 to hear the Preliminary and Final Major Site Plan Application for Phase II (clubhouse, tennis courts, swimming pool and driving range).

Diane Aifer, Esq. represented the applicant. Ms. Aifer stated that due to the nature of their application and their concern for the growing season of the grass for the golf course they were requesting a special meeting to be held. The Board agreed to a special meeting to be held on Tuesday, September 30, 2003 at 8:00 p.m. in the Court House.

Chairman Crossan excused himself, he was not feeling well. Vice-Chairman Barbagallo took over the meeting. Mr. Barbagallo announced that application ZB603, Stalzer, would not be heard this evening. That application has been remanded to the Zoning Board and the applicant will renotece.

Application #PB554 – Fulling Mills Estates – Block 8, Lots 6 & 6.01 – Conover Road

Request for two 1-year extensions of time to the Final Major Subdivision Approval. The extensions will be retroactive from January 9, 2003 and expire January 9, 2005.

Mr. Steib, Esq. was concerned that the applicant did not have an attorney representing his corporation. Mr. Kelly – sworn - advised that he is not a corporation, he is a proprietor and he himself is the sole owner who wished to proceed without council.

Mr. James DiFolco, Engineer –sworn. Mr. DiFolco explained that they had difficulties in getting the subdivision maps signed, even having to go to court – thus they ran out of time.

Mr. Steib, Esq. explained that since the zoning ordinance had changed, reducing the allowable coverage from 6.6% to 6%, the Board should take into account what the zoning impact would be.

Open to the public. Tom Russell, Horse Shoe Court, asked what street these homes would be visible from? The new street, Fulling Mill Lane.

Motion to Grant an Extension of Time:

OFFER: Malinowski

SECOND: Orgo

AFFIRMATIVE: Burry, Malinowski, Robinson, Orgo and Lear

NEGATIVE: Barbagallo, Hennessy, Kostka and McGarry

OLD BUSINESS:

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

Application for Preliminary & Final Major Site Plan Approval with Variances to convert the Honey Shop into a specialty furniture store in the B-3 Zone.

Ms. Burry reclused herself from this application. Mr. Ed Stokes, Esq. represented the applicant. Mr. Stokes told the Board that at the last meeting the Board requested that they contact their neighbors to find out about sharing parking and possible cross easements. Two new items were marked as exhibits – the letter that was sent to neighboring property owners and the affidavit of mailing. The owner of the clock shop replied stating that he was not interested and the owner of the office building (JCL Holding) did not reply. The Board thanked the applicant for attempting to pursue the cross easements.

Open to the public with no comment. The Board stipulated that any approval is contingent upon Board of Health approval and a deed restriction.

Motion to Approve the Application

OFFER: Robinson

SECOND: Lear

AFFIRMATIVE: Barbagallo, Hennessy, McGarry, Robinson and Lear

NEGATIVE: None

NEW BUSINESS:

Application #PB599 - Illmensee Family Square – Block 48, Lot 7 – Route 34

Application for a Preliminary & Final Major Subdivision and Major Site Plan Approval with Variances to construct a 19,150 SF commercial (retail/office) development in the B-1 Zone.

Mr. Barbagallo reclused himself from this application and Mayor Hennessy took over the meeting.

Larry Carton, Esq. represented the applicant. Sixteen items were marked as exhibits – application, subdivision plan, site plan, two review letters from Township Engineer, review letter from Township Planner, review letter from Township Landscape Architect, review letter from Architectural Review Committee, review letter from Fire Prevention Bureau, review letter from Board of Health, review letter from Shade Tree Commission, letter describing anticipated tenants, color rendering subdivision plan sheet 4 of 11, color rendering page 2 of 2, color rendering of site plan sheet 2 of 2 and composite

map with adjoining property. John Ploskonka, Engineer, George Illmensee, applicant and Ed O'Neill, Architect all sworn.

Mr. Carton, Esq. told the Board that the applicant is showing a subdivision requiring many variances, however once the Highway Access Road is built and accepted by the Township many of these variances will go away. This property has been in the Illmensee family for over 60 years and his plan is to subdivide the property so that it can be divided among family members.

Mr. Ploskonka described the project and its unique problems due to the Highway Access Management Road. Although this is a unique area with unique problems, there are not any unique guidelines, the existing standards must be used. Each property will have its own well and septic but the parking will be shared. The project will be phased, the back building being constructed first and the Wicker Shop will moving in and than the existing building will be demolished. The middle building will be constructed and the Real Estate Office will move in and the building they currently inhabit will be demolished. It was agreed that the buildings must be demolished before the C.O.'s are issued.

Mr. Ed O'Neill, Architect had ten exhibits marked – floor plan and elevation plan for building A, floor plan and elevation plan for building B, first floor, second floor and elevations for building C, original concept subdivision plan, area perspective from the south, color list and a brick sample.

Mr. O'Neill advised that he is in charge of the Architecture Department at Brookdale whose students were asked to develop a concept plan for this area by the Township. Since he is very aware of the goals of the Township, a village concept with small buildings and colonial character, that is the way that he developed this property. Mr. O'Neill stated that he went out to Williamsburg and did extensive research before designing these buildings which are brick with timberline roofs and metal roofs over the windows. Mrs. Burry told the Board that the Architectural Review Committee was very pleased with the time and effort that was put into this project and hoped that the architecture could be a prototype for future development of this area.

Open to the public. Mr. Art Goodwin, The Enclosure – sworn. Mr. Goodwin stated that as the founder of the Business Advisory Committee they knew there would be unique and new situations coming up, especially with twelve different property owners. The Business Advisory Committee is very pleased and strongly endorses this application. John Orrico – sworn. Mr. Orrico stated as an adjoining property owner he feels that this plan enhances access and is an asset to the town and community. Robert Coutts, Spring Garden Avenue - sworn. Mr. Coutts felt that this plan was a credit to the town and promotes a sense of community.

Mr. Anfuso questioned the signs that would be used. Mr. Ploskonka stated that one conforming free standing sign would be placed, similar to the adjoining property Colts Neck Commons. It will be wood, uniform in color and externally lit. It was agreed that bonds would be posted in order to allow the phasing of construction and demolition of existing buildings. Also 3000 s.f. of the rear building is limited to a furniture store because of parking calculations.

Motion to Approve the Application

OFFER: Malinowski

SECOND: Burry

AFFIRMATIVE: Hennessy, Burry, Kostka, Malinowski, McGarry, Robinson and Lear

NEGATIVE: None

Application #PB603 – Stalzer – Block 35, Lots 7 & 23 – Wide Horizon Drive

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

Mr. Steib, Esq. announced that this application has been moved to the Zoning Board. The applicant will have to renotice for their meeting.

MOTION TO ADJOURN

A motion to adjourn was made by Mr. Lear at 10:35 p.m. and this was seconded by Mr. Malinowski 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 9, 2003 adopted by the Planning Board of the Township of Colts Neck at its meeting held on October 14, 2003.

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

