

**TOWNSHIP OF COLTS NECK
PLANNING BOARD MEETING
NOVEMBER 9, 2004 MINUTES**

The Vice-Chairman called the meeting to order by reading the following statement: “As Vice-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: Malinowski, Burry, Forester, Kostka, McBride, McGarry and Robinson

Absent: Barbagallo, Crossan, Orgo and Lear

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

Approval of Minutes:

October 12, 2004 Minutes Approved:

OFFER: Burry

SECOND: McBride

AFFIRMATIVE: Malinowski, Burry, Forester, McBride, McGarry and Robinson

NEGATIVE: None

RESOLUTIONS:

Application #617 – Manor Homes @ Colts Neck – Block 22, Lots 11, 12, 13 & 14 – Route 537

Memorialization of Resolution granting Preliminary and Final Major Site Plan Approval to construct 48 courtyard units in the A6 Zone.

Motion to Approve the Resolution:

OFFER: Burry

SECOND: Robinson

AFFIRMATIVE: Malinowski, Burry, McGarry and Robinson

NEGATIVE: None

Application #532A – Shadow Isle Golf Club – Route 34 & Leland Road

Memorialization of Resolution granting a four year extension of time. The extension begins March 2, 2004 and will expire March 2, 2008.

Motion to Approve the Resolution:

OFFER: Burry

SECOND: McGarry

AFFIRMATIVE: Malinowski, Burry, Forester, McBride and McGarry

NEGATIVE: None

ADMINISTRATIVE ITEMS:

Application #565A – Abbatiello – Block 41.01, Lots 4, 5 and 7 – Stone Hill Road

Request for two one-year extensions of time to the Final Major Subdivision Approval. The extension of time would begin December 10, 2004 and expire December 10, 2006.

Sal Alfieri, Esq. represented the applicant. Mr. Alfieri explained that although substantial progress has been made with this 13 lot subdivision, it will not be completed by next month. Mr. Anfuso told the Board that the only changes in zoning that would effect this application are the new restrictions on building height and the affordable housing contribution.

Motion to Approve the Extension of Time:

OFFER: Burry

SECOND: Forester

AFFIRMATIVE: Malinowski, Burry, Forester, Kostka, McBride, McGarry and Robinson

NEGATIVE: None

Application #539A – Lunvan Properties, LLC – Block 53, Lot 20 – Hockhockson Road

Request for a second one year extension of time to the Final Major Subdivision. The extension of time would begin November 11, 2004 and expire November 11, 2005.

Sanford Brown, Esq. represented the applicant. Mr. Brown explained that although they are in negotiations for the sale of the last lot, they are not yet ready to get a building permit, thus requiring an extension of time. Mr. Anfuso told the Board that the only changes in zoning that would effect this application are the new restrictions on building height, the new restriction of building coverage to 6% from 6.6% and the affordable housing contribution.

Motion to Approve the Extension of Time:

OFFER: Burry

SECOND: Robinson

AFFIRMATIVE: Malinowski, Burry, Forester, Kostka, McBride, McGarry and Robinson

NEGATIVE: None

Application #592 – DFC, Inc. – Block 53.01, Lot 1 – 64 Squankum Road

Request for an extension of time to the Minor Subdivision Approval. The extension of time would begin August 20, 2003 and expire August 20, 2005.

Jeffrey Gale, Esq. represented the applicant. Mr. Gale explained that it has taken them 16 months to obtain NJDEP approval and they are now ready to proceed. Mr. Anfuso told the Board that the only changes in zoning that would effect this application are the new restrictions on building height and the affordable housing contribution.

Motion to Approve the Extension of Time:

OFFER: Kostka

SECOND: McBride

AFFIRMATIVE: Malinowski, Burry, Forester, Kostka, McBride, McGarry and Robinson

NEGATIVE: None

Colts Neck PTO – Block 8, Lot 2.03 – Conover Road

Request for a Capital Project Review to install a basketball court and 30' x 30' play area at the Conover Road Elementary School.

Kathleen Schatzman, represented the PTO and addressed the Board. The PTO and Sports Foundation are proposing a joint venture to construct a basketball court and play area. The Sport Foundation will use this area after school hours and during the summer. There was a basketball court at the school but it had to be removed for the Primary School parking lot. There will not be any lights or cover over the area. The Board directed Mr. Anfuso to let the School Board know that they reviewed the project and had no comments.

OLD BUSINESS:

None

NEW BUSINESS:

Application #609A – Green – Block 46, Lot 10 – 45 West Route 537

Application for Preliminary and Final Major Site Plan Approval with variances to construct a 916 s.f. addition to the existing commercial building in the B-3 Zone.

Mayor Burry reclused herself from this application. Twenty items were marked as exhibits – application, waiver list, letter from Schiano Construction, preliminary and final site plan, two reports from Glenn Gerken, survey, architectural elevations, two reports from Landscape Architect, two reports from Planner, two reports from Architectural Review Committee, report from Environmental Commission, two memos from Shade Tree Commission, revised site plan and report from Fire Prevention Bureau.

Ralph Polcari, Esq. represented this application. Mr. Polcari advised the Board that although Mr. Green is not against interconnecting the parking with adjoining property owners, they ask that the interconnection not be a condition of his approval since he has no control over the other property owners. Cliff Green – sworn. Mr. Green explained that he purchased this property in December of 2003 and consists of a 1000 s.f. two-story retail building. Currently the first floor has a dress shop and the second floor has a psychologist office. He would like to add a two-story addition with a 468 s.f. footprint. The dress shop will expand on the first floor and the upstairs will be general office space only. The existing signs will remain and no new signs will be added.

Steven Mitchell, Engineer – sworn. Mr. Mitchell explained that the lot is conforming in size however the current building location is nonconforming, the building encroaches on the front setback. The back half of the property is not able to be used due to environmental constraints. There are currently seven parking stalls and they are proposing to add three more, which will be compliant with the proposed use.

Open to the public. Randy Mazur – sworn. Mr. Mazur stated that he owns the adjoining office building and has no objection to this application. Ed Stokes, Esq. represented Mr. Stokes, adjoining property owner for Colts Neck Creations. Mr. Stokes stated that his clients are not in favor of interconnecting the properties. Last year when they were in front of this Board they had to proceed as a standalone project with considerable cost and time to reengineer plans. In fact they just recently got approval from the County and are now able to proceed.

The Board wanted the applicant to meet with the Shade Tree Commission to address concerns of landscaping around the building. The Fire Marshall also had some concerns that should be addressed. The applicant agreed to try and resolve these issues and return next month. This application is carried to the December 14, 2004 meeting with no further notice.

Application #618 – Dalmazio – Block 7.30, Lot 3.06 – 30 Paddock Lane

Application for Preliminary and Final Major Subdivision for a two lot subdivision in the A-5 zone.

Gordon Gemma, Esq. represented the applicant. Twelve items were marked as exhibits – application, preliminary and final plat, two Engineer’s reports, two Landscape Architect’s reports, report from Planner, Architectural Review Committee report, Fire Prevention report, Shade Tree Commission report, Environmental Commission Report and page 1 of 4 concept plan mounted color rendering.

A.J. Garito, Engineer – sworn. Mr. Garito explained that this is a twelve acre parcel located in the A5 Zone, which requires a minimum of five acres. The applicant wishes to extend the cul-de-sac, take down all of the structures and subdivide the property into a five and seven acre parcel. Both lots will be conforming and the subdivision does not require any variances or design waivers.

Big Brook surrounds this property and the Board was very concerned that it may be a Category One stream. If this is the case, there would be a 300’ setback leaving a very small building envelope. The Board felt this was a very important piece of information that should be clarified before a decision could be made.

Mr. Gemma gave an extension of time to December 15, 2004. This application is carried to the December 14, 2004 meeting with no further notice.

EXECUTIVE SESSION

None

MOTION TO ADJOURN

A motion to adjourn was made by Mr. Forester at 10:25 p.m. and this was seconded by Ms. Burry 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 November 9, 2004, 2004 adopted by the Planning Board of the Township of Colts Neck at its meeting held on December 14, 2004.

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