

**TOWNSHIP OF COLTS NECK  
PLANNING BOARD MEETING  
NOVEMBER 1, 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, Florek, Kostka, Orgo, Robinson and Thompson

Absent: Malinowski, Forester, Crossan and Lear

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

**Approval of Minutes:**

October 11, 2005 Minutes Approved:

OFFER: Florek

SECOND: Orgo

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

NEGATIVE: None

**RESOLUTIONS:**

**Application #605 – Pebble Creek Golf Club – Block 48, Lot 20 – Route 537 East**

Memorialization of Resolution permitting a one year extension of time the Preliminary & Final Major Site Plan with Variances. The extension of time will begin on January 13, 2006 and expire January 13, 2007.

Motion to Memorialize the Resolution:

OFFER: Florek

SECOND: Kostka

AFFIRMATIVE: Barbagallo, Florek, Kostka, Robinson and Thompson

NEGATIVE: None

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

Memorialization of Resolution granting Preliminary and Final Major Site Plan with variances to construct a 16,000 s.f. shopping center in the B-1 Zone.

Motion to Memorialize the Resolution:  
OFFER: Kostka  
SECOND: Robinson  
AFFIRMATIVE: Florek, Kostka and Robinson  
NEGATIVE: None

**Application #629 – Flancbaum – Block 33, Lot 20 – Route 537**

Memorialization of Resolution granting Preliminary Major Subdivision approval for a five lot subdivision in the A-1 Zone.

Motion to Memorialize the Resolution:  
OFFER: Orgo  
SECOND: Kostka  
AFFIRMATIVE: Florek, Kostka, Orgo, Robinson and Thompson  
NEGATIVE: None

**Application #547A – Tsarsis – Block 16, Lot 53.18 – 9 Old Stable Way**

Memorialization of Resolution denying Minor Site Plan with variances to retain a sports court in the A-1 Zone.

Motion to Memorialize the Resolution:  
OFFER: Robinson  
SECOND: Florek  
AFFIRMATIVE: Barbagallo, Florek, Kostka, Robinson and Thompson  
NEGATIVE: None

**ADMINISTRATIVE ITEMS:**

None

**OLD BUSINESS:**

None

**NEW BUSINESS:**

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

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

Gary Fox, Esq. represented the applicant. Ten items were marked as exhibits – application, location plan, final subdivision plat, two Environmental Commission reviews, Planner’s report, Engineer’s report, Landscape Architect review, Architectural Review letter and Board of Health approval.

Mr. Fox, Esq. explained that there are currently two existing lots and all structures will remain. One lot is undersized and is purchasing property from the neighbor. This will not make it a conforming lot but it will be substantially closer to conformance. The remaining lot is currently conforming and will remain conforming. Open to the public with no comments.

The Board did not see any detriment to this and stipulated that the applicant must conform to all comments by the Township, Engineer, Planner and Landscape Architect.

Motion to Approve the Application:

OFFER: Robinson

SECOND: Orgo

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

NEGATIVE: None

**Application #628 – Colts Neck Inn – Block 31.01, Lot 5 – Route 537**

Application for Minor Site Plan Waiver with Variances to retain an outdoor cafe in the B-2 Zone.

Eleven items were marked as exhibits – application, five photos, sketch of outdoor patio, survey, Board of Health approval, Environmental Commission review, Architectural Review report, Fire Prevention review, Engineer’s review, Planner’s report and Landscape Architect report.

Louis Mavroukas – sworn. Mr. Mavroukas stated that the outdoor dining area was created by putting pavers over existing dirt and stone. There is a 4’ high wall between Heyers Mill Road and the patio with arborvitaes as a buffer. The only lighting is solar lights that are installed at ground level. Mr. Anfuso explained to the Board that outdoor cafes are exempt from site plan approval, however since it does not meet the required front yard setback from Heyers Mill Road can not be administratively approved and requires Site Plan approval.

Open to the public. Mr. Chuck Camarata, 22 County Route 537 West – sworn. Mr. Camarata stated that he is the closest neighbor to the patio. In June Mr. Mavroukas came to him and explained his intentions. He stated that he did not have any problem with the patio and there has not been any excessive noise.

The Board was concerned with noise if patrons were on the patio late at night and thought it would be reasonable to limit the hours of use to 11 p.m. for week days and midnight on the weekends.

Motion to Approve the Application:

OFFER: Kostka

SECOND: Robinson

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

NEGATIVE: None

**Application #630 – Community Building – Block 23, Lot 37 – Bucks Mill Park**

Application for Preliminary and Final Major Site Plan Approval for a 70’ x 100’ community building in the AG Zone.

Sal Barbagallo reclused himself from this application and turned the meeting over to Deputy Mayor Florek. Ten items were marked as exhibits – application, site improvement plan, elevation plan, elevation and construction drawing, letter from NJDEP Green Acres Program, letter from Silvan Lutkewitte, Jr., review from Township Planner, review from Township Engineer, review from Landscape Architect and review letter from Fire Prevention Bureau.

John Giunco, Esq. represented the applicant. A.J. Garito, Engineer – sworn. Mr. Garito stated that Bucks Mill Park is approximately 61 acres. Funds and donations have been raised to take the existing

1,500 s.f. building down and construct a new 5,000 s.f. building and septic. They have not received enough funds to complete the inside as of yet. The project will be constructed and once completed turned over to the Township as was done with the library.

Board of Health approval has been granted for the septic. No variances are required but they are seeking a waiver so that a parking area does not have to be paved. The park has been in existence and utilized without a paved parking area. Open to the public with no comments. The Board felt that the building was an appropriate size to commensurate with the property and will be a huge asset to the Township. The Board complemented all that are involved in this tremendous undertaking.

Motion to Approve the Application:

OFFER: Kostka

SECOND: Robinson

AFFIRMATIVE: Florek, Kostka, Orgo, Robinson and Thompson

NEGATIVE: None

**Application #623A – Pleau – Block 22.05, Lots 1 & 2 – Montrose Road**

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

John Giunco, Esq. represented the applicant. A.J. Garito, Engineer – sworn. Three items have been marked as exhibits – the application, Township Engineer’s letter and Township Planner’s review.

Mr. Garito explained that this is an application for final approval that the Board has already granted preliminary approval. All conditions of approval have been met and they agreed to satisfy all comments in the Engineers and Planners review letters. Open to the public with no comments.

Motion to Approve the Application:

OFFER: Robinson

SECOND: Florek

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

NEGATIVE: None

**DISCUSSION:**

None

**MOTION TO ADJOURN**

A motion to adjourn was made by Mr. Orgo at 9:25 p.m. and this was seconded by Mr. Kostka 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 1, 2005 adopted by the Planning Board of the Township of Colts Neck at its meeting held on December 13, 2005.

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