

**TOWNSHIP OF COLTS NECK
PLANNING BOARD MEETING
DECEMBER 14, 2004 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, Burry, Forester, Crossan, Kostka, McBride, Robinson, Orgo and Lear

Absent: Malinowski and McGarry

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

Approval of Minutes:

November 9, 2004 Minutes Approved:

OFFER: Burry

SECOND: McBride

AFFIRMATIVE: Burry, Forester, Kostka, McBride and Robinson

NEGATIVE: None

RESOLUTIONS:

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

Memorialization of Resolution granting 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.

Motion to Approve the Resolution:

OFFER: Burry

SECOND: Kostka

AFFIRMATIVE: Burry, Forester, Kostka, McBride and Robinson

NEGATIVE: None

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

Memorialization of Resolution granting 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.

Motion to Approve the Resolution:

OFFER: Burry

SECOND: Robinson

AFFIRMATIVE: Burry, Forester, Kostka, McBride and Robinson

NEGATIVE: None

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

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

Motion to Approve the Resolution:

OFFER: Kostka

SECOND: Forester

AFFIRMATIVE: Burry, Forester, Kostka, McBride and Robinson

NEGATIVE: None

ADMINISTRATIVE ITEMS:

Manuel Vieira – Block 43.02, Lot 3 – Stone Hill Road

Informal review of a Minor Subdivision with variances to subdivide an existing lot into two building lots in the A-1 Zone.

Manuel Vieira and Carolyn Casagrande, Esq. spoke to the Board. Mr. Vieira would like to subdivide an existing 3.44 acre lot. The new lot that would contain the existing house would be conforming. However the new lot that Mr. Vieira would like to purchase would require variances for area, width and depth. Mr. Vieira stated that 90% of the lots in the area were smaller than two acres.

The Board felt that the variances that would be needed were substantial and did not look favorably on the plan.

Application #546 – Kureti – Block 11, Lot 3 – Dutch Lane Road

Request to remove the Affordable Housing Fee requirement from the resolution granting a two year extension to the Final Major Subdivision Approval.

Carolyn Casagrande, Esq. explained that in August 2004 this Board granted two one-year extensions of time to the applicant. The applicant also agreed to pay the Affordable Housing Fee. Since that time the Board has made a policy of not imposing those fees to those seeking extensions of time because the extension protects the applicant from all zoning changes. The applicant is requesting that condition be removed from their resolution.

Landscape Architect Julie McGowan reminded the applicant that at the time the extension was granted in August, the applicant agreed to plant landscaping in the Fall - which they did not do. Ms. Casagrande stated she would relate the Board's displeasure to the applicant and be sure that they contact Ms. McGowan.

Motion to Amend the Resolution:

OFFER: Burry

SECOND: Kostka

AFFIRMATIVE: Barbagallo, Burry, Forester, Crossan, Kostka, McBride, Robinson and Lear

NEGATIVE: Orgo

Chairman appointment of Nominating Committee for Year 2005 Reorganization

Chairman Barbagallo appointed a nominating committee consisting of Steve McGarry, John Robinson and Tom Orgo.

Review 2005 meeting dates. Approval of January 2005 Reorganization meeting

Mr. Crossan made a motion that the date of the reorganization and regularly scheduled meeting would be held on Tuesday, January 11, 2005 and this was seconded by Mr. Robinson and unanimously carried.

Mr. Orgo left.

OLD 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. Time to January 5, 2005.

Ralph Polcari, Esq. represented the applicant. Ten new items were marked as exhibits- revised preliminary and final site plans, two review letters from Planner, review letter from Fire Prevention Bureau, review letter from Landscape Architect, two review letters from Township Engineer, review letter from Architectural Review Committee and two memos from Shade Tree Commission.

Steven Mitchell, Engineer – sworn. Mr. Mitchell explained that the plans have been revised in accordance with the Board's recommendation to try and save an existing large tree. However, to do so they had to keep 8' from the existing tree which made it impossible to have their required ten parking spaces. The applicant is agreeable to have a deed restriction that no medical use would be permitted on this site due to the shortage of parking. New architectural plans are being drawn to show a stone facade on the bottom portion of the building in lieu of landscaping.

It was noted that during the testing for the new septic a gasoline odor was very prominent between 3' and 7'. Mr. Green stated that a geophysical engineer has been retained and tests have been performed. Two of the tests have come back fine and they are awaiting the results of the last test.

The Board did not want to act on this application until all of the test results were back for the soil. The Board also felt that one more parking space could be added. The applicant agreed to an extension of time until January 30, 2005. The Board directed Mr. Steib, Esq. to have a resolution prepared so that if the soils were acceptable, they would be able to memorialize a resolution for the applicant.

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

Application #614 – Brusco – Block 22, Lots 6 & 7 – 91 Montrose Road

Application for a two lot Minor Subdivision approval with variances in the A-1 Zone.

Caroline Casalgrande, Esq. represented the applicant. Five new items were marked as exhibits – report from Planner, report from Engineer, report from Landscape Architect, concept plan and report from Architectural Review.

A.J. Garito, Engineer – sworn. Mr. Garito showed the Board a new concept plan they prepared under the direction of the Board’s comments at the last meeting. This plan is now considered a major subdivision and requires several variances but it eliminates all driveways on Montrose Road and is the most aesthetically pleasing plan. The Board preferred this plan over any other they have seen.

The applicant granted an extension of time to March 31, 2005. A new application including Lot 6 and new plans will be submitted. The applicant will have to renote for a major subdivision.

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. Four new items were marked as exhibits – report from Landscape Architect, report from Shade Tree Commission, letter from Two River Engineering and a review from the Engineer.

The applicant agrees that the project is in a “special resource protection area” but they feel that they will have 150’ buffer giving an adequate building envelope. It was agreed that greenway markers will be placed along the area that can not be disturbed.

The applicant agreed that if a 300’ buffer is required by the DEP and a lot containing less than 66,000 s.f. exclusive of environmentally sensitive features they will come back to this Board. The applicant also agreed to post a bond for the demolition of all of the existing structures, they will remove the existing cul-de-sac pavement, extend and relocate the cul-de-sac.

NEW BUSINESS:

Application #619 – Matzel – Block 51, Lot 1.05 – 4 Michaels Way

Application for Minor Site Plan Approval to construct a pond, single family dwelling, detached garage, cabana and pool with variances.

The applicant did not service and sent a letter asking to be rescheduled for the February 2005 meeting. The applicant will notice for that hearing date.

EXECUTIVE SESSION

None

MOTION TO ADJOURN

A motion to adjourn was made by Mr. Crossan at 10:10 p.m. and this was seconded by Mr. Lear 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 December 14, 2004, 2004 adopted by the Planning Board of the Township of Colts Neck at its meeting held on January 11, 2005.

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