

**TOWNSHIP OF COLTS NECK
PLANNING BOARD MEETING
JULY 8, 2014 MINUTES**

Mr. Crossan 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: Crossan, Corsi, Fitzgerald, Leccese, Powell, Robinson and Singer-Fitzpatrick

Absent: Orgo, Kostka, Lutkewitte and Bartolomeo

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

APPROVAL OF MINUTES:

June 10, 2014 Minutes Approved:

OFFER: Robinson

SECOND: Corsi

AFFIRMATIVE: Crossan, Corsi, Leccese, Powell, Robinson and Singer-Fitzpatrick

NEGATIVE: None

RESOLUTIONS:

PB714 – Tolchin – Block 46, Lot 1.27 – 3 Comstock Lane

Memorialization of Resolution granting Minor Site Plan approval to construct a tennis court in the AG Zone.

Motion to Memorialize the Resolution:

OFFER: Robinson

SECOND: Powell

AFFIRMATIVE: Crossan, Corsi, Leccese, Powell, Robinson and Singer-Fitzpatrick

NEGATIVE: None

OLD BUSINESS:

None

NEW BUSINESS:

PB713 – 73 Mercer Management, LLC – Block 44, Lots 12.01 & 12.02 and Block 45, Lots 5.03 to 5.17 – Mercer Road

Application for a Sketch Plat Review of a fifteen lot Major Subdivision with variances in the AG Zone.

Eight items were marked as exhibits – application, sketch plat of subdivision, Planner’s review letter, Engineer’s review letter, aerial photo of property, Board of Health comments, Fire Marshall’s comments and a memo from Mike Steib, Esq. dated July 7, 2014.

Sal Alfieri, Esq. represented the applicant. Mr. Alfieri explained the applicant received subdivision approval for this property many years ago and perfected the subdivision by filing the map. One portion of the subdivision was sold but no other improvements have been done, because of new DEP regulation the remaining property cannot be developed as approved.

AJ Garito, Engineer – sworn. Mr. Garito explained the original subdivision created 25 lots, there were 6 existing homes leaving 19 new buildable lots. The NJ Flood Hazard Regulations limits the construction of the approved project. Although the subdivision was perfected, since no improvements were done the subdivision is not grandfathered in. The applicant is now seeking to consolidate 17 approved lots and reconfigure the property into 15 new lots and develop the land in accordance with both the Flood Hazard Regulations and the Township Zoning Ordinance.

The Board must first interpret if they consider the property as one tract or two to determine if the Planning Board or Zoning Board has jurisdiction of the application. In the original application all of the lots were contiguous when the right-of-way of Mercer Road and Matthew Road were excluded. Therefore, the parcels were considered as one tract. However, since the area to the north of Matthew Road is not included in this proposal, the tracts are not contiguous when the street right-of-way’s are excluded and are actually off-set by approximately fifty feet.

After a lengthy discussion the Board felt if the properties extended to the middle of the road and did not meet they should not be considered as one tract, giving the Planning Board jurisdiction.

The original subdivision was deed restricted against further subdivision therefore to resubdivide the property the Township Committee must release that deed restriction. They are seeking a favorable recommendation from the Planning Board before they appear in front of the Township Committee.

The Board felt that the proposed subdivision did not give each lot enough unencumbered property and the number of lots should be reduced.

The applicant asked to return next month with a subdivision consisting of fewer lots for the Board to review and hopefully give a favorable recommendation to the Township Committee. This application is carried to the August 12, 2014 meeting with no further notice.

ADMINISTRATIVE ITEMS:

None

DISCUSSION:

None

MOTION TO ADJOURN

A motion to adjourn was made by Mr. Corsi at 8:55 p.m. and this was seconded by Mr. Fitzgerald 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 July 8, 2014 adopted by the Planning Board of the Township of Colts Neck at its meeting held on August 12, 2014.

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