



Meeting Minutes  
December 7, 2015

**Members**

Present – David Kostka, Vince Domidion, Mary Massey, D.J. TenHoeve and David Zeni

Absent – Liaison Jarrett Engel (excused), Thomas Hennessy (excused), Michael Tormey (excused) and Associate Member John Vig

The meeting was called to order at 7:00 PM by Mr. Kostka, who read the following statement. “In accordance with the provisions of the Open Public Meeting Act P.L. 1975, Chapter 231, public notice of this meeting has been provided by publication of an annual notice in the Asbury Park Press and posting of this notice on the bulletin board at Town Hall.”

On a motion by Mr. Domidion, seconded by Mr. TenHoeve, the minutes of the November 2, 2015 meeting were approved.

Jenna Giaquinto of Global Advisors Smokefree Policy spoke about the initiative to make local parks smokefree. She stated that under this initiative most surrounding communities, including Freehold Township, Holmdel, Marlboro, Middletown, Shrewsbury Borough and Tinton Falls, now have smokefree parks. Taking this step could give the Township up to 45 points in the Sustainable Jersey program. Enforcement is the responsibility of the municipality, usually by the local police. However, the “Smokefree” signs are free from G.A.S.P. and tend to be highly effective without recourse to police enforcement. Mr. Kostka asked about smokers who argue for the rights of the individual, and Ms. Giaquinto responded that is usually not a problem, except in housing developments. Mr. Kostka stated that he will speak with the Health Officer and review existing ordinances, as well as bringing the information to the Monmouth County Environmental Council. Mr. Kostka remarked that the matter will probably be referred to Long-Range Planning.

The matter of Kamlesh & Krishnapriya Modh, Block 44.01, Lot 9.10, 89 Stone Hill Road, was heard by the Township Committee, which accepted all the recommendations of the Commission. A list of suggested native plantings that was prepared by Mr. Domidion was sent to the Modhs. Mr. Kostka reported that lolly columns are initially placed in subdivisions by the developer, but property owners are responsible for installing new or replacement columns. Mrs. Massey suggested creating a folder for this matter and referring it to the Code Enforcement Officer in one year, in order to assure that the applicant has complied.





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Al Papetti, Block 11, Lot 3.10, 1 Mockingbird Drive, has withdrawn his application for an additional 8-car garage, leaving the conundrum of procedural direction, as almost the entire property is in violation. Mr. TenHoeve urged that these violations be dealt with now, as they could cloud title when the applicant decides to sell. Mrs. Massey offered a motion, seconded by Mr. Domidion, to refer the matter to the Code Enforcement Officer. The motion passed unanimously on a roll call vote.

Matthew Kaufman, Block 31, Lot 4, 460 State Route 34, objected to the recommendations that were offered in regard to the easements on the property he purchased, and his attorney did a search for records regarding initial placement and construction of the garage that is now located in a conservation easement. As the easement was not in place at the time of construction, the garage was not in violation when it was built. The applicant wishes to be permitted to re-build the garage if necessary. Mr. Domidion pointed out that the Commission has been lenient with the applicant in order to ensure him a nice yard, but that the very steep slope behind the garage must be protected. Mr. Domidion offered a motion, seconded by Mr. TenHoeve, that the Commission reaffirm its initial recommendations to the Township Committee. The motion passed unanimously on a roll call vote. Mrs. Massey suggested creating a folder for this matter and referring it to the Code Enforcement Office in one year, in order to assure that the applicant has complied.

**LIAISON REPORT**

None

**OLD BUSINESS**

None





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**NEW BUSINESS**

Mr. Domidion reported that the N.J.D.E.P. has proposed new rules for water quality management. The rules require modeling on Hydrologic Unit Code 11, but Mr. Domidion stated that it would be preferable to use H.U.C. 14 level for Monmouth County because of the diversity here. The proposed rules do not recognize the interdependency between water supply and wastewater management, the availability of infrastructure for which is the single greatest determinant in the intensity of development that occurs on a given site. The importance of the role of local planning and zoning is acknowledged in these rules. Mr. Domidion suggested that because the proposed Rule seeks to achieve consistency with the State Development and Redevelopment Plan the rules should adopt the delineation criteria for Planning Area 5, the Environmentally Sensitive Planning Area as its own definition for "environmentally sensitive" areas. Comments will be taken before December 18, 2015.

**CORRESPONDENCE**

None

On a motion by Mrs. Massey, seconded by Mr. Domidion, the meeting was adjourned at 8:55 PM. The next meeting will be at 7:00 PM on Monday, January 4.

Respectfully submitted,

Ellen Terry, Secretary

