

**TOWNSHIP OF COLTS NECK  
PLANNING BOARD MEETING  
NOVEMBER 9, 2010 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: Orgo, Kostka, Florek, Schatzle, Corsi, Crossan, Hennessy, Malinowski, Robinson, Powell and Singer-Fitzpatrick

Absent: None

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

**Approval of Minutes:**

September 14, 2010 Minutes Approved:

OFFER: Kostka

SECOND: Robinson

AFFIRMATIVE: Orgo, Kostka, Florek, Schatzle, Corsi, Robinson, Powell and Singer-Fitzpatrick

NEGATIVE: None

**RESOLUTIONS:**

None

**OLD BUSINESS:**

None

## **NEW BUSINESS:**

### **PB690 – Huddy’s Inn – Block 48, Lot 19 – 20 County Route 537 East**

Application for Preliminary and Final Major Site Plan approval for Phase I to remove approximately 5,184 s.f. of existing Meridian Academy and construct a new 11,542 s.f. restaurant with 175 seats.

Vince Halleran, Esq. represented the applicant. Sixteen items were marked as exhibits – preliminary application, final application, survey, preliminary and final site plan, architectural and floor plans, application, Board of Health comments, Environmental Commission comments, Landscape Architect’s comments, Engineer’s review, Architectural Review Committee’s comments, Shade Tree Commission comments, color rendering of landscape plan, color rendering of overall development, reduced color rendering of the architectural plan reduced and existing conditions plan.

John Vincenti, Engineer and Planner – sworn. Mr. Vincenti stated the property is a 7.5 acre site that contains the existing Meridian Academy. The property owner would like to redevelop the site and relocate Huddy’s Inn to this property. The kitchen area of the Meridian Academy is only about ten years old and will remain and used as the kitchen for Huddy’s. A new approximate 6,000 s.f. addition will be constructed for the restaurant area. Approximately 5,000 s.f. of the existing Meridian Academy will be removed. The remainder of the school will remain and be sealed off to be utilized in Phase II of the development some time in the future.

The site currently has three septic fields that they will remain. They have applied to the DEP for a treatment plant and are anticipating that approval at any time. Currently the applicant has approval for 3000 gallons per day which would equate to 86 seats. They wish to start the demolition and construction process based on that flow. The applicant stated he would obtain approval from the DEP to reconnect these fields to the new restaurant prior to the issuance of a building permit. It is anticipated that prior to the completion of the restaurant, the applicant will receive a second DEP approval for the treatment plant.

Ray Longobardi, owner/partner – sworn. Mr. Longobardi stated his main objective was to get the construction started so he can move Huddy’s from its current location to this new location as soon as possible. If he has to wait to get the approval from the DEP before he can start construction it could be a year or more. He stated he would not move the restaurant over without full permits and approval from DEP and he can open the restaurant completely, financially it would not be feasible. The restaurant will have a porch wrapping around three sides of the building to accommodate some outside dining. Pavement will be removed along the front and be replaced with grass and landscaping. There will be 101 parking spaces which exceed the minimum required but they are looking for a waiver to reduce the amount of landscape islands but make them larger to enhance the look and survivability of trees planted. Some of the existing parking lot is within 300’ of a stream and the applicant will apply for a Flood Hazard Permit By Rule from the DEP to modify the parking area.

There was much discussion regarding the Highway Access Management Plan (HAMP). The Plan requires the road be built but the applicant is seeking a variance not to build it at this time and provide a right-of-way easement instead. It was questioned if the easement shown on the plans complied with

the HAMP. Mr. Vincente stated that HAMP map contains several errors. For example the JCP&L easement is shown in the wrong location and several lot lines are incorrect. Mr. Vincente stated that in his opinion the HAMP road shown is in accordance with the HAMP and will provide additional information to the Board Engineer and Planner demonstrating that fact. If and when the access road is built the parking lot will be changed to prevent access within 100' of Route 537. The applicant agrees to change it at that time.

The existing sign is in the right-of-way and will be removed. A new sign is proposed and needs a variance to permit a sign area of 21 s.f. The restaurant will be in warm earth tone colors that are cedar shakes and brick with white columns. The Board suggested a walkway between the golf course and the restaurant but Mr. Longobardi said he preferred to see how the natural path formed before he made a formal path.

Open to the public. Fred Garber, 4 Twin Lakes Drive – sworn. Mr. Garber stated he supported the application in general, however he had some quality of life concerns. When asked if the outside porch could be turned into a bar Mr. Anfuso stated the applicant would have to come back before the Board for site plan approval. Mr. Longobardi said it was his position that he will continue to run the restaurant as a family restaurant.

The Board had concerns with the portion of the school that would be left vacant, they did not want to approve a vacant building left indefinitely. Mr. Longobardi explained he is working with the town to help fulfill the COAH obligation but right now COAH is in flux, therefore the town is not sure if they are ready to pursue the site. However Phase II includes using the building that is left vacant to construct COAH apartments. It was agreed that a ten year time limitation would be imposed on the vacant building and the structure would have to be removed prior to December 2020.

Motion To Approve the Application:

OFFER: Kostka

SECOND: Malinowski

AFFIRMATIVE: Orgo, Kostka, Florek, Schatzle, Corsi, Crossan, Hennessy, Malinowski and Robinson

NEGATIVE: None

### **ADMINISTRATIVE ITEMS:**

#### **Review of Ordinance 2010-15 regarding Fees**

Mr. Anfuso explained the fees have not gone up in over ten years. The fees cover the administrative cost of an application. Although the Master Plan does not discuss fees, it seems the intent is that an applicant should cover their costs.

Motion Ordinance 2010-15 is Consistent with the Master Plan:

OFFER: Kostka

SECOND: Crossan

AFFIRMATIVE: Orgo, Kostka, Florek, Schatzle, Corsi, Crossan, Hennessy, Malinowski and Robinson

NEGATIVE: None

### **Review of Ordinance 2010-16 regarding Accessory Structures**

Mr. Anfuso explained the Zoning Board has requested the last few years that the Township Committee address the issue of accessory structures; many do not appear as an accessory. Although accessory structures are limited to 900 s.f. people were also building a full basement and full second floor, the ordinance then restricted the floor area to 1,200 s.f. maximum. However people are still building the same size structure just keeping the interior open as a cathedral ceiling and the structure still appears like a second dwelling. This ordinance restricts the volume on a sliding scale measured by the size of the lot.

Although this is not specifically recommended in the Master Plan the goals and objectives state that accessory structures should appear as accessory and this also promotes the rural character of the town.

Motion Ordinance 2010-16 is Consistent with the Master Plan:

OFFER: Malinowski

SECOND: Kostka

AFFIRMATIVE: Orgo, Kostka, Florek, Schatzle, Corsi, Crossan, Hennessy, Malinowski and Robinson

NEGATIVE: None

### **Review of Ordinance 2010-17 regarding Wireless Telecommunications Towers and Antennas**

Mr. Anfuso explained the existing ordinance states wireless telecommunications towers are only on Township property except towers are prohibited on schools, large scale preserves, active recreational areas and cemeteries. This ordinance simply revises the wording. The new ordinance moves the prohibited locations to a separate paragraph in an attempt to clearly demonstrate that it is a severable clause and is separate from the requirement that new towers be placed on Township property.

This is consistent with the Master Plan because the Master Plan states towers should be located on town property.

Motion Ordinance 2010-17 is Consistent with the Master Plan:

OFFER: Crossan

SECOND: Malinowski

AFFIRMATIVE: Orgo, Kostka, Florek, Schatzle, Corsi, Crossan, Hennessy, Malinowski and Robinson

NEGATIVE: None

**EXECUTIVE SESSION**

None

**MOTION TO ADJOURN**

A motion to adjourn was made by Mr. Kostka at 10:30 p.m. and this was seconded by Mr. Crossan 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, 2010 adopted by the Planning Board of the Township of Colts Neck at its meeting held on December 16, 2010.

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