

**TOWNSHIP OF COLTS NECK
PLANNING BOARD MEETING
FEBRUARY 8, 2011 MINUTES**

Mr. Kostka 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 Colts Neck Calendar and 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: Kostka, Robinson, Schatzle, Engel, Corsi, Hennessy, Orgo, Powell and Singer-Fitzpatrick

Absent: Crossan and Malinowski

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

Approval of Minutes:

January 11, 2011 Minutes Approved:

OFFER: Orgo

SECOND: Hennessy

AFFIRMATIVE: Kostka, Robinson, Schatzle, Corsi, Hennessy, Orgo and Powell

NEGATIVE: None

RESOLUTIONS:

PB692 – Trump National Golf Club – Phase I – Block 46, Lot 1.52 – One Trump National Blvd.

Memorialization of Resolution granting Preliminary and Final Major Site Plan Approval with Variances to extend the 3rd, 8th and 12th hole and modify the landscaping along the residential lots on Leland Road.

Motion to Approve the Resolution:

OFFER: Crossan

SECOND: Robinson

AFFIRMATIVE: Kostka, Robinson, Corsi, Hennessy and Powell

NEGATIVE: None

ADMINISTRATIVE ITEMS:

PB693 – Reflections at Colts Neck – Block 46, Lot 17.04 – 3 Meridian Circle

Application for Minor Site Plan Waiver to install a 4,000 gallon sludge tank and a 4,000 gallon supernatant recycling tank for backwash generated from the potable water treatment system.

Peter Burke, Executive Vice President of Reflections at Colts Neck and Henry Greenmeyer, Water System Operator, addressed the Board. Mr. Greenmeyer explained they were advised by the State they must eliminate their current water treatment system backwash discharge into the groundwater through seepage pits. They are proposing to eliminate the current seepage pits and discharge all backwash into the two proposed 4,000 gallon holding tanks. From these two holding tanks the water will then be recycled back into the drinking supply treatment system. They are not the original owners of this building however they did find the original plans that were not followed, they are seeking Site Plan waiver to construct the system that what was originally approved. This would eliminate the concern from the State who has already given their approval.

The tanks are in the rear of the property behind the existing building. The abandoned system will be left in the ground with the lines capped and filled in. The proposed tank's will be slightly raised to prevent water to seek into the tanks, the applicant has agreed to plant shrubbery around the tanks to screen them from view.

Open to the public with no comments. Mr. Anfuso told the Board the construction process is all with the DEP because the facility has an NJPDES permit. The Board approved the waiver conditioned on the applicant working with the Landscape Architect to screen the two tanks.

Motion to Approve Minor Site Plan Waiver:

OFFER: Orgo

SECOND: Corsi

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

NEGATIVE: None

Colts Neck High School – Block 43, Lot 1 - 59 Five Points Road

Capital Project Review of solar panels as well as HVAC, lighting and other improvements at the Colts Neck High School

Sean Boyce, Freehold Regional Business Administrator and Steven Spiezle, Architect addressed the Board. Mr. Boyce explained they are looking at ways to finance capital projects that are needed at all of their high schools and how to minimize the cost to taxpayers. In Colts Neck they are looking at the possibility of installing canopies over the parking area with solar panels on roof with the height varying 10' – 14'. They are also looking at the possibility of installing ground mounted solar panels, which are the most efficient, along Five Point Road. The canopy concerned the Board with the safety of new drivers trying to park under them, aesthetics and issues regarding snow removal around them as well as the weight of the snow on the canopies. Regarding the ground mounted panels, the Board thought they should be screened as required by ordinance and questioned if they could be placed in the vacant field instead of adjacent to the street. Mr. Boyce will take the Planning Board's comments to the Freehold Regional Board of Education and will be willing to reappear before the Planning Board in an attempt to work out a compromise.

Jim Burns, Director of Building and Grounds and Warren Leahour, Assistant discussed the new proposed sign. The current freestanding sign at the High School had an electrical fire and needs to either be repaired or replaced. The message area for the new sign is approximately 40 s.f. where the current sign is 70 s.f. The proposed sign is identical to what they have installed at other schools in the district and can be programmed to turn on/off at certain hours. They can also control the brightness, scrolling, color and flashing. The Board was concerned the proposed sign was internally lit which is prohibited by ordinance. Open to the public with no comments.

The Board directed Mr. Anfuso to send a letter to the Board of Education outlining their concerns with the two projects. They would like to support the high school however they are concerned that some of their proposals go against our ordinance. Mr. Boyce thanked the Board and stated he would take their concerns back to the School Board. The Board appreciated the school district working with the town to preserve the character of Colts Neck.

Motion to Send Letter to FRHS:

OFFER: Orgo

SECOND: Corsi

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

NEGATIVE: None

OLD BUSINESS:

PB692 – Trump National Golf Club – Phase II – Block 46, Lot 1.52 – One Trump National Blvd.
Application for Preliminary and Final Major Site Plan Approval with Variances to install a new 76 seat outdoor patio/restaurant in the AG Zone.

Mr. Orgo and Mr. Schatzle recused themselves from the application. Seven new items were marked as exhibits – Letter from Colts Neck Fire Department, two letters from Fire Marshall, Engineer’s review, Site Plan, Board of Health comments and color rendering of sheet 3 of 4 from the Site Plan.

A.J. Garito, Engineer – sworn. Mr. Garito explained the Site Plan has been amended to make the patio 18’ in width and to make a 45’ turning radius for better access. They are proposing a 10’ wide area that will be kept clear at all times, they will anchor six tables in the patio area that can not be moved. During the off season (December 1 – March 1) the tables and chairs will be removed and stored indoors. The Fire Marshall stated as long as the 10’ area was kept clear at all times as proposed it would meet code.

The Board was comfortable approving the variances noting the property will have a deed restriction for the types of activities that are permitted, ensuring the property’s primary use is a golf club and not a catering hall. The applicant agreed to all requests and recommendations from the Engineer and Planner.

Motion to Approve the Application:

OFFER: Hennessy

SECOND: Robinson

AFFIRMATIVE: Kostka, Robinson, Corsi, Hennessy and Powell
NEGATIVE: None

NEW BUSINESS:

PB687 – Red Fox Investments, LLC – Block 50, Lots 4 & 5 – Hockhockson Road

Application for Minor Subdivision approval with variances to adjust the common lot line between two existing lots in the AG Zone.

Mr. Orgo and Mr. Schatzle recused themselves from the application. Fifteen items were marked as exhibits – application, Description of Operations for Overbrook Farm, subdivision plans, preliminary plat, two Architectural Review Committee comments, Fire Prevention Bureau comments, Engineer's review letter, Planner's review letter, Environmental Commission comments, mounted tax map sheet 11, mounted subdivision plan, color overall aerial of site, proposed subdivision and a photoboard with two aerials and four photographs.

Vincent DiSomone, Esq. represented the applicant. Mr. Giunco, principle of Red Fox Investments addressed the Board. Mr. Giunco told the Board this application is to adjust the lot between two properties. He told the Board that he will be in front of them soon with another application developing Overbrook Farm. That application will subdivide the farm into 23 conforming market rate lots and 8 affordable housing rental homes that are each approximately 3/4 of an acre.

There were some DEP violations on the Maiello property that have not been 100% satisfied, however if this application is approved Mr. Giunco will complete the restoration that is required.

Brian Dicina, Engineer – sworn. Mr. Dicina explained Overbrook Farm is made up of three separate lots for a total of 103 acres but no frontage along a public street. Currently access is gained to Overbrook Farm by an easement that is on Mr. Maiello's property. The Maiello property is currently seven acres and after the subdivision it would be 5.79 acres. They would like to subdivide the property where the access easement currently divides the property.

Andrew Janiw, Planner – sworn. Mr. Janiw said there are no new improvements being made by this lot line adjustment, it is a matter of functionality. The lot line will formalize the natural division of where the easement is and make that the property line. This will put the driveway on the farms property instead of in an easement. Mr. Janiw felt this was consistent with the Master Plan and the variances that are required are caused by pre-existing conditions. The property shape is very unique and the easement causes the property to be divided. There is no detriment in granting the subdivision, nothing will change with the way either property is functioning.

A Wetland Report and Letter of Interpretation was only submitted for the farm and not the Maiello property. The applicant offered to put the wetland areas in conservation easements. The applicant also agreed to preserve the entrance and put a substantial buffer for the Maiello property.

Open to the public. Ken Pape, Esq. represented objector Patricia Eastman. Mr. Pape told the Board this application is the first building block for the major subdivision that Mr. Giunco spoke of. He felt the wetlands should be delineated on the smaller lot and the Board should have a flood hazard determination before they make a decision. Wayne Pominowski, Obre Road – sworn. Mr. Pominowski said the Zoning Board is their sister Board and they never allow an increase to a

nonconforming use, this Board should follow there lead. Brian Cassidy, Hockhockson Road – sworn. Mr. Cassidy urged the Board not to rush to a judgment, they should get the DEP work done first. Joe Ioia, Hockhockson Road – sworn. Mr. Ioia asked the Board to uphold the regulations. He stated he lives across the street from the property and the only benefit is to the applicant.

The Board was concerned that the Maiello property was already an undersized lot and this subdivision was making it even smaller. The Board also felt there should be a metes and bounds survey done, a Flood Assessment and Letter of Interpretation done prior to any type of approvals being granted. This application is carried to the March 8, 2011 meeting with no further notice.

DISCUSSION:

Mr. Schatzle noted the Board received a copy of the Zoning Board of Adjustment's Annual Report. In reading the recommendations from the Zoning Board to the Township Committee the Zoning Board again requested the Township report contractors who do work in town without obtaining proper permits to the Department of Community Affairs. It appears that many contractors and residents feel it is easier to build whatever they want and ask for forgiveness later if caught. It is the Zoning Board's hope that when the word gets around that contractors are being reported this will be a deterrent. If the Board was in agreement Mr. Schatzle suggested the Planning Board send a memo to the Township Committee supporting the Zoning Board's recommendation.

The Board agreed this is a process that should be followed. If contractors fear they could lose their license it would certainly be a deterrent. Mr. Schatzle made a motion for Mr. Anfuso to write a letter for the Board stating the Planning Board strongly supports the Zoning Board's recommendation to report contractors to the DCA and this was seconded by Mr. Hennessy and unanimously carried.

MOTION TO ADJOURN

A motion to adjourn was made by Mr. Hennessy at 11:00 p.m. and this was seconded by Mr. Corsi 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 February 8, 2011 adopted by the Planning Board of the Township of Colts Neck at its meeting held on April 12, 2011.

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