

**TOWNSHIP OF COLTS NECK  
PLANNING BOARD MEETING  
OCTOBER 9, 2012 MINUTES**

Mr. Robinson 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: Robinson, Engel, Orgo, Corsi, Crossan, Kostka, Singer-Fitzpatrick and Lutkewitte

Absent: Powell and Hennessy

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

**Approval of Minutes:**

September 11, 2012 Minutes Approved:

OFFER: Kostka

SECOND: Orgo

AFFIRMATIVE: Robinson, Orgo, Corsi, Crossan, Kostka, Singer-Fitzpatrick and Lutkewitte

NEGATIVE: None

**RESOLUTIONS:**

**PB706 – Sebolt – Block 7.30, Lot 6 – 17 Windsor Place**

Memorialization of Resolution approving a two lot Minor Subdivision with Variances in the A-1 Zone.

Motion to Memorialization the Resolution:

OFFER: Kostka

SECOND: Orgo

AFFIRMATIVE: Robinson, Orgo, Corsi, Crossan, Kostka, Singer-Fitzpatrick and Lutkewitte

NEGATIVE: None

**ADMINISTRATIVE ITEMS:**

**PB708 – Colts Neck Business Park – Block 48, Lot 8 – 281 Route 34**

Request for a waiver from Section 102-34A1 which requires the payment of all real estate taxes prior to deeming an application for Minor Subdivision Approval complete for review.

Sal Alfieri, Esq. represented the applicant. Mr. Alfieri explained the applicants are currently delinquent with their taxes. There are two buildings and they are selling the rear building. They are asking for the application to proceed stipulating that prior to the subdivision being perfected, which must be done within 190 days of approval, the taxes will be brought current.

The Board felt the deferral of the taxes being paid prior to recording the subdivision and was in the best interest of the town. This will be a condition of approval if approval is granted.

Motion to Waive Requirement 102-34A1:

OFFER: Orgo

SECOND: Corsi

AFFIRMATIVE: Robinson, Engel, Orgo, Corsi, Crossan, and Lutkewitte

NEGATIVE: Kostka and Singer-Fitzpatrick

**OLD BUSINESS:**

**PB704 – Mauro – Block 10, Lots 2 & 2.01 – 46 Cross Road**

Application for Preliminary Major Subdivision with variances for a nine lot subdivision consisting of seven residential lots, two farm lots and two off-site affordable housing lots following the lot size averaging and growth share provisions of the AG Zone.

Tom Orgo recused himself from the application. Eight new items were marked as exhibits – preliminary major subdivision plat, Planner’s review letter, Engineer’s review letter, Fire Prevention Bureau’s comments, two review letters from the Landscape Architect’s, Board of Health comments and a mounted color landscape plan.

Sal Alfieri, Esq. represented the applicant. A.J. Garito, Engineer – sworn. Mr. Garito said they are requesting a 24’ wide entrance road, keeping the trees along the current driveway while adding supplemental trees (15 on each side) behind the existing trees with belgium block curbing. Mr. Garito met with Mr. Anfuso and he was able to lower the grading for the majority of lots.

Open to the public. Rosalie Bennett, applicant – sworn. Ms. Bennett said the existing trees were beautiful; the trees on the north end of Cross Road that were cut by the electric company is an area that the town should be worried about. She did not feel the Board should make them take down the trees.

The Board preferred the trees remain but was concerned with who would maintain them. It was agreed that the tree maintenance would be incorporated into the homeowners association. The Fire Marshall raised some concerns in his review letter regarding the existing trees remaining and access for fire

equipment. The Board wanted clarification from Mr. Zander before they voted on the application. The Board directed Mr. Steib, Esq. to prepare a resolution for the next meeting so that if the Fire Marshall is comfortable with the application they can both approve the application and memorialize the resolution in November. This application is carried to the November 13, 2012 meeting with no further notice.

### **NEW BUSINESS:**

#### **PB705 – Esposito – Block 33, Lot 21 – 69 Route 537 East**

Application for Sketch Plat Review of a three lot Major Subdivision with variances in the A-1 Zone.

Mr. Steib, Esq. told the Board the applicant was not required to notice. This is a Sketch Plat Review for the Board to look at and classify and give any nonbinding comments that they choose. The property owner, Mr. Esposito stated he was directing A.J. Garito, Engineer to speak on his behalf.

Eleven items were marked as exhibits – application, sketch plat, Planner’s review letter, Engineer’s review letter, Landscape Architect’s comments, Environmental Commission’s review letter, Health Officer’s comments, Fire Marshall’s review, Architectural Review Committee’s comments, photoboard with tax map and eight photos and a mounted color rendering of a conforming subdivision.

The property is 13 acres that consists of one main farm house and several barns and structures that may have been used as dwellings in years past. The applicant is proposing all existing improvements will be removed and three new single family homes will be constructed. All of the homes will be serviced by a new cul-de-sac street extending from Route 537. Two of the three lots will require variances for not preserving the 300’ riparian/special water resource protection area in a conservation easement. Mr. Garito said that with DEP approval regulated activities are permitted within these areas. They are not proposing any building within 150’ of the stream. Flood hazard permits are lengthy and expensive so they were looking for some guidance from the Board before they apply to the DEP.

The Environmental Commission did not think eliminating the conservation easement was adequate based on the 300’ buffer and suggested only having two lots and to conserve the conservation easement. There were also suggestions to possibly have a smaller conservation easement and to shorten the cul-de-sac. The Board stated if the DEP looked favorably on the application it would have a positive impact on the Board. Mr. Garito thanked the Board for their input.

### **DISCUSSION:**

None

**MOTION TO ADJOURN**

A motion to adjourn was made by Mr. Kostka at 9:25 p.m. and this was seconded by Mr. Orgo 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 October 9, 2012 adopted by the Planning Board of the Township of Colts Neck at its meeting held on November 13, 2012.

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