

6 May 2010

**Township of Colts Neck
Shade Tree Commission**

Meeting Minutes May 6, 2010

The Meeting was called to order at 7:30 PM by Chair Person Eileen Stivala who read the following statement. “As the presiding officer of this meeting of the Colts Neck Shade Tree Commission, I hereby declare that the notice requirements in accordance with the provisions of the Open Meeting Law Chapter 21, P. L. 1995 has been provided in accordance with the Annual Notice Procedures of C 10.4 - 28 of said Act. I further order that this public announcement be placed in the minutes of this meeting.

Roll Call -

Commission Members Present - Eileen Stivala, James Nicoletti, Jennifer Axelrod, Mary Barbagallo, Curtis McKittrick,

Commission Members Absent – Henry Hammond, Ben O'Neill

Staff Present – Edward Eastman, Township Board Rep., Julie McGowan Landscape Architect, Al Reed Sec.

Staff Absent -

Township Committee Liaison Report -

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The following items that were removed from the minutes due to lack of action by applicant, failure to furnish STC with adequate information or any required actions that have not been completed by the applicant, will be reviewed at the beginning of the calendar year. If there is no interest shown, these items will be permanently removed from the STC minutes.

1. **PB 622 Block 51, Lot 2.22 Due Process Tennis Courts - Block 51, Lots 2 & 2.22 Major lot plan & variance prints dated 12/30/04. Conditional approval resolution approved 1/6/05. Revised prints required. PB awaiting action by applicant.**

2. **PB 609 A Green, Block 46, Lot 10, Route 537 - Conditional approval granted 1/06/05. Revised Prints required awaiting action by applicant.**

5. **PB 651 Shoppes at Colts Neck, Block 46, Lot # 10, Route 537 –** Inadequate plans – poor landscaping. Not approved. - Plans unacceptable.

7. **PB #667 Kling – Block 7, Lot 4.01/4 –** Not acceptable , need revised plans. Retention Pond is a concern. (See J.M. Memo)

11. **PB # 699 Mumford – Block 22, Lots 8 & 17 -** STC recommends rejection. Needs clarification.

Discussion

Ravine conservation area adjacent to the “Becker Property” is dangerously eroding and endangering adjacent property. This problem is difficult, if not impossible to reach in order to stop erosion. At best it is cost prohibitive to correct and is well beyond the scope of the Shade Tree Commission. This problem will be submitted to the Township Engineer Glen Gerkin.

Julie McGowan has a list of trees that must come down in the interest of safety.

1. Sassafras opposite # 37 on Conover Road.
2. Maple # 4 Dutch Lane Road on Conover.
3. Oak (same location)

The three problem areas submitted to Glen Gerkin to determine
responsibility.

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New Subdivisions and Site Plans

1. PB 636 Findel, Cedar Dr. - Minor Site Plan - JM report dated 3/06/06 on 12/22/05 prints - open item awaiting PB action and revised prints. JM has new plans and reports progress.

2. PB 649 Willow Brook Stables - Block 9, Lot 2.01, Willow Brook Road. - Plans in their present form denied. NC

3. PB 661 Notoro, Mockingbird Drive, Block 11, Lot 3.05 - New plans coming in with revisions. Denied (to be carried in minutes until New PB # is issued.) Driveway in conservation easement. NC Ben O will inspect and report back to STC.

4. PB 665 Rada, Bluebell, Block 29, Lot 9. PB approved – needs new plans.

5. PB # 637 – Furman 41 Muhlenbrink Road, Block 33, Lot 7.01 - Approved , but needs four sets of plans. In process, J. N. to stamp & sign prints @ Town Hall.

6. Mr. Bill Kileen of 37 Acorn Dr. came to our regular STC seeking help/relief from a problem he is having with a neighbor who has changed the topography of his property to such an extent that any precipitation is unnaturally diverted onto Mr. Kileen's property causing water problems that have not previously existed. (J. Nicoletti is aware of some of the details of this problem. J. N. will report on this situation after further investigation to determine if this is in

fact an STC problem.

7. PB 671 Cappola, Clover Hill Road & Moonlight, Block 1, Lot 8.01 and Lot 8.5 - Lot line revision – Need landscape plan

8. **PB # 672 Trump, Block 46, Lot 1.52** – JM is currently overseeing proposed changes to landscaping and the owner is cooperating with STC recommendations.

9. **PB # 680 Trump, Block 46, Lot 1.52** - (revision date 9/29/09) presently awaiting landscape plans.

10. **PB # 681 Garber, Block 29, Lot 10.05** – Landscape plan required.

11. **Illmensee Family Square** – not acceptable in its present form. Landscape plans required.

12. **PB # 623C Lot 2205, Lots 1.02, 2.01** - Not acceptable in its present form. Landscape plans required.

INFRACTIONS & OTHER ITEMS -

1. Rivers edge multiple residents having various greenway violations - as follows: *In progress*

A. Parikh - Block 35, Lot 22.24. CEO letter of 9/10/03 reference lights to be removed by 10/10/03. CEO actively pursuing. No landscaping required. JN to follow up with CEO.

B. Bisignano - Block 35, Lot 22.23 - CEO letter of 11/13/03 violations to be removed by Oct 1, 2003. JN to follow up with CEO. Letter sent requesting Bisignano or Bisignano representative requested to attend STC Meeting to develop restoration plan to area cleared of under-story and removal of stairs leading down to water edge of reservoir. Mr. Bisignano attended the STC public meeting and agreed to cooperate with STC requirements to restore under-story to natural state, and develop a plan to minimize run off to reservoir while under-story grows back. He also agreed to remove stairs to reservoir. He asked why he was

being singled out and was told that he is not the only one being approached

regarding violations. It just happens that he is the first in line of many offenders who also will be notified to remove all violations and restore natural conditions as necessary to prevent precipitation run off into water supply (reservoir).

C. Damusjian - Block 35, Lot 22.18 - CEO letter dated 10/16/03 with action by 11/01/03. No action observed by 11/01/03. CEO & JN to follow up.

D. Vulpis/Lionette - Block 35, Lot 22.19 - CEO letter dated 10/16/03. Need to consult lawyer regarding STC's nest move. CEO and JN to follow up.

E. Aprilante - Block 35, lot 22.20, CEO sent letter dated 10/16/03. Mrs. Aprilante called GEF saying "Fire caused damage." Need to consult lawyer regarding STC's next move. CEO & JN to follow up. Property inspection required.

2. **Shor - Block 27, Lot 10, Bluebell Road - Fence and structure in Conservation Easement and wetlands, groundcover shrubs and trees cut.** CEO sent letters dated 3/11/04 & 4/15/05. CEO and GEF and DEP representative met with Mr. Shor. He is to proceed with the wetlands problem first. CEO and JN to follow up.

3. **PB 633 Clemente 9 Western Drive, Block 10, Lot 9.6 - Greenway easement and site violation. On 6/29/05, GEF and AJ Garito discussed 6/02/05 print with Township Committee. They agreed to land swap and other changes. PB approved with conditions. Revised prints required. NC JM to check with T. Anfuso.**

4. **Figaro, Michel 153 Cedar Drive - Cut large tree in conservation easement** JM & JA to report on site visit and make recommendations for restoration. NC ES will write letter to Mr. Figaro asking that he replace the large 36 inch caliber tree that was removed with five 3 inch caliber white oaks. Locations will be flagged by JM and suggested planting by 15 May '06. NC Letter sent to Mr. Figaro informing him that 5 trees should be planted by May 15, 2007 to avoid further action against him. It is duly noted that the trees planted are NOT white oak trees and Mr. Figaro is in violation. To be forwarded to legal to determine course of action.

5. **DeFalco, Robert 26 Twin Lake Drive, Block 48, Lot 20.13 - Landscape easement violation.** - Off Bond. Tax Map 7.05, 6/05/05. JN, GEF visited site - GEF needs to review with JM and follow up. Violation notice served 11/06/05 and on site visit with GEF. Mr. DeFalco to replace rails in fence but not to

Remove any more brush or ground cover. Discuss restoration procedure. JM will determine what is to be planted after a visit to the site. JM to follow up w/letter. Need Landscape plan. Memo sent to T. Anfuso so stating.

6. Polino - Williamsberg - STC to get Rich Galinski (CEO) to explain violation if any regarding fencing, wall height, and pool built into deck. Deferred until next month.

7. Discussion (From April Minutes)

Gerber – New landscape plans required.

Proposed Cell Tower at Colts Neck High School – New landscape plans required. Both above items of discussion unanimously agreed by STC membership that new landscape plans are required.

8. Mr. Otinel (Odie) Shore – Planted bambo which is an invasive specie and undesirable in Colts Neck Township. Additionally, there are numerous other unspecified violations/infraction.

Committee Reports

Violations Complaints and “other” item resolution subcommittee.

Pools - No Report

Public Lands Committee Report - Street Trees, Town Hall, Park - H
Hammond reports that trees will be ordered for planting on Township property using any remaining funds in budget.

Lands, Greenways, Conservation acres, and Landscape easements. -
No report

STC Member’s Reports & Questions - none

**Meeting adjourned @ 8:40 PM - Motioned by Jen Axelrod,
seconded by Jim Nicoletti**

Respectfully Submitted -

A. W. Reed, STC Secretary

May 6, 2010

Approved 03JUN10

Curtis McKittrick, Secretary