

September 4, 2008

Township of Colts Neck
Shade Tree Commission
September 4, 2008
Meeting Minutes

The Meeting was called to order at 7:20

Roll Call -

Commission Members Present - Eileen Stivala, James Nicoletti, Jennifer Axelrod, Henry Hammond, Stephen Marx, Ben O'Neill

Commission Members Absent - Mary Barbagallo,

Staff Present - Al Reed

Staff Absent - J. Stuart Township Board Rep., Julie McGowan

Township Committee Liaison Report - None

New Subdivisions and Site Plans

** = Items to be submitted to twp. Attorney*

***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. NC**

- *2. PB # 609 A Green, Block 46, Lot # 10, Route 537 -**
Conditional approval granted 1/06/05. Revised Prints required awaiting action by applicant. NC
- *3. 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. NC**
- *4. PB # 649 Willow Brook Stables - Block 9, Lot 2.01, Willow Brook Road. - Plans in their present form denied. NC**
- *5. PB # 651 Shoppes at Colts Neck Block 48, Lot 5.39, 40, Route #34 - Inadequate plans - poor landscaping. Not approved, plans unacceptable.**
- 6. PB # 661 Notoro, Mockingbird Drive, Block 11 Lot 3.05**
New plans coming in with revisions *Denied (to be carried in minutes as is, until new PB # is issued.) Driveway in conservation easement.*
- 7. PB # 666 Colts Neck Fire Co. #2/Conover Road Block 8 Lot 10, - Need Landscape Plans Eileen Stivala motions a screen be installed on North & West sides of property. 2nd by Ben Oneill. Fire company #2 is working on their plans.**
- 8. PB # 667 Mr. Kling/ Block 7 Lot 4.01/4 - Not acceptable, need revised plans. (Retention Pond is a concern.) {See J.M. Memo} NC**
- 9. PB # 665 Rada, Bluebelll, Block 29, Lot 9. (PB Approved - needs new plans.) NC**

10. PB # 668 Bonanno - Evergreen, Block 9, Lot 2.09

Fence to be moved from easement. STC requires plans. NC

11. PB # 637B, Furman 41 Muhlenbrink Road, Block 33, Lot 7.01 (Approved, but need 4 sets of plans.) NC

12. PB # 669, Mumford, Block 22 lots 8 & 17. STC recommends rejection. Need clarification. NC

13. Mr. Bill Hilleen on 37 Acorn Dr. came to our regular STC Meeting seeking help/relief from a problem he is having. As he stated, a neighbor has changed the topography of his property to such an extent that any water falling as normal precipitation is unnaturally diverted on to Mr. Hilleen's property causing water problems that did not exist for years before the neighbors changing the elevation of his land to divert the water from his property onto Mr. Hilleen's. (J. Nicoletti is aware of some of the details of this problem.)

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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. NC

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). **CEO to issue summons.** NC

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. NC

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. NC

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. NC

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.

To be forwarded to legal to determine best course of action. NC

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. NC

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 repace 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 STC 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 Landsape plan. Memo sent to T. Anfuso so stating. *Secretary to send Defalco a letter.*

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

7. **Mr. Mark Vanselous, 92 Tulip Lane, Block 7.24, Lot 3** - Violated property boundries by the following actions. Cleared a conservation easement, installed a fence in a conservation easement, has planted grass in the area he cleared. It is required by law that the fence be removed from the conservation easement and placed outside of the boundary of the

conservation easement. Cease all mowing of conservation easement allowing the conservation easement to return to its natural state as it was intended to be. (STC Secretary to write official letter to Mr. Vanselous reflecting the above.)

8.

Committee Reports

Violations Complaints and “other” item resolution subcommittee.

Tree Ordinance was reviewed. A few suggestions were taken. Julie will reply to LRPC. STC will request to Bob Bowden that Rich Galinski come to STC Meetings and will be compensated for his time. This will help all of us to be up to date on matters of concern to the STC. NC

Pools - Ben O’Neill inspected pool installation on Meadowbrook .

Public Lands Committee Report - Street Trees, Town Hall, Park - No report

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

STC Member’s Reports & Questions -Eileen Stivala reported Colts Neck Youth groups participated in Arbor Day plantings in the Township.

**Meeting adjourned @ 7:55 PM - Motioned by Ben O’Neill , seconded by Henry Hammond
Respectfully submitted**

September 4, 2008

A. W. Reed, STC Secretary