

**TOWNSHIP OF COLTS NECK
PLANNING BOARD MEETING
JUNE 8, 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, Hennessy, Malinowski, Robinson, Powell and Singer-Fitzpatrick

Absent: Crossan

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

Approval of Minutes:

May 11, 2010 Minutes Approved:

OFFER: Malinowski

SECOND: Robinson

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

NEGATIVE: None

RESOLUTIONS:

None

ADMINISTRATIVE ITEMS:

PB629A - Flanchbaum – Block 33, Lot 20 – 81 Route 537 East

Application for second one year extension of time for the Final Major Subdivision Approval that will begin June 12, 2010 and expire June 12, 2011.

Sal Alfieri, Esq. represented the applicant. Mr. Alfieri stated this is there second request for an extension of time. All site improvements are complete and they have all outside agency approvals, it is the economy that is the problem. +

Motion to Approve the Extension of Time:

OFFER: Malinowski

SECOND: Robinson

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

NEGATIVE: None

PB665 - Rada – Block 29, Lot 9 – 2 Freemont Lane

Application for one year extension of time for the Minor Site Plan Approval with Variances that will begin August 12, 2010 and expire August 12, 2011.

Brian Harvey, Esq. represented the applicant. Mr. Harvey told the Board the applicant has been working on a resolution compliance letter, the only item still needed is Freehold Soil approval. They should be ready to get building permits in the next few weeks but an extension of time is still required.

Motion to Approve the Extension of Time:

OFFER: Malinowski

SECOND: Kostka

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

NEGATIVE: None

OLD BUSINESS:

None

NEW BUSINESS:

PB623C – McGee – Block 22.05, Lots 1.02 & 2.01 – 131 Montrose Road

Request for a completeness checklist waiver to submit proof that all local property taxes are paid to date on Lot 2.01 and an application for a Deviation to Special Condition No. 5 of the Resolution granting Preliminary Major Subdivision Approval with Variances to eliminate the common driveway and have both lots serviced by separate driveways from Montrose Road.

Mr. Anfuso told the Board the application has not been formally deemed complete. One of the completeness items listed in the ordinance is to have all property taxes paid to date. Although Mr. McGee’s taxes are paid, this application also encompasses the neighboring property whose taxes are not current. Mr. Mehr, Esq. representing Mr. McGee asked the Board to waive this requirement

stating his client has no control over the neighbor. Mr. Steib, Esq. told the Board they had the right to waive the completeness item and condition their approval on the taxes being paid.

Motion to Conditionally Waive the Taxes Being Paid to Date:

OFFER: Florek

SECOND: Malinowski

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

NEGATIVE: None

Eleven items were marked as exhibits – application, Deviation Plan, Planner’s review letter, two letters from the Fire Marshall, Board of Health comments, Engineer’s review, Landscape Architect’s review, Environmental Commission comments and color rendering of grading plan.

A.J. Garito, Engineer – sworn. Mr. Garito explained in 2004 this subdivision created three lots with a shared driveway for these two lots. In 2006 the Board approved an application to eliminate the shared driveways and the Township Committee approved the vacation of the easements for the driveways, however this was never filed or finalized.

The new owner is requesting the landscape easement and scenic corridor be reinstated in full and is asking for “an exception” to allow the driveways through the easements. They are requesting a 29’ exception to permit a 20’ driveway and a few feet on each side. Mr. Anfuso clarified that only a driveway is permitted in an exception, piers would not be allowed. Open to the public with no comments.

The Board agreed that an exception is more restrictive and desirable than an easement through both the landscape easement and scenic corridor, although the final decision is with the Township Committee. The Board did not see the need for a 29’ exception; they thought 24’ would be adequate. The Board also felt the lot that is vacant only did not require a “Y” shaped driveway, one drive going straight back would be adequate.

The Board conditioned their approval on the applicant getting Township Committee approval, taxes being paid, deed vacating easements, performance bonds being posted for new improvements and all stipulations in the Township Planner, Engineer and Landscape Architect’s review letters. No building permits will be issued until all site improvements are installed and the curb cut and monuments will not be in the easements.

Motion to Approve the Application:

OFFER: Florek

SECOND: Malinowski

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

NEGATIVE: None

DISCUSSION:

Vince Domidion told the Board there is a new document “Housing Opportunity Task Force Findings & Recommendations”. This document outlines COAH’s progression and prospective need and funding. Mr. Domidion urged the Board to be proactive if we don’t like what is happening at the State level.

EXECUTIVE SESSION

None

MOTION TO ADJOURN

A motion to adjourn was made by Mr. Koska at 9:00 p.m. and this was seconded by Mr. Malinowski 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 June 8, 2010 adopted by the Planning Board of the Township of Colts Neck at its meeting held on July 13, 2010.

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