

**TOWNSHIP OF COLTS NECK
PLANNING BOARD MEETING
MAY 14, 2013 MINUTES**

Mr. Powell 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: Powell, Crossan, Fitzgerald, Orgo, Corsi, Kostka, Leccese, Lutkewitte, Robinson and Lisa Singer-Fitzpatrick

Absent: None

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

Approval of Minutes:

April 9, 2013 Minutes Approved:

OFFER: Robinson

SECOND: Orgo

AFFIRMATIVE: Powell, Crossan, Fitzgerald, Orgo, Corsi, Kostka, Leccese, Lutkewitte and Robinson

NEGATIVE: None

RESOLUTIONS:

PB704B – Mauro – Block 10, Lots 2 & 2.01 – 46 Cross Road

Memorialization of Resolution for a Deviation to the Preliminary and Final Major Subdivision Approval to allow the area between the 300’ riparian buffer and freshwater wetland buffer in the conservation easement to be mowed and landscaped on Lots 2.08, 2.09 and 2.10 in the AG Zone.

Motion to Memorialize the Resolution:

OFFER: Robinson

SECOND: Corsi

AFFIRMATIVE: Powell, Crossan, Corsi, Leccese and Robinson
NEGATIVE: None

ADMINISTRATIVE ITEMS:

PB674 – McMahon – Block 7.02, Lots 34.01 and 34.13 – 32 Clover Hill Road

Application for a one year extension of time to the Preliminary Major Subdivision Approval with Variances. The extension of time will begin May 14, 2013 and expire May 14, 2014.

Dustin Glass, Esq. represented the applicant. Mr. Glass told the Board the applicant is not interested in developing the property at this time, they are just looking for protection for the subdivision.

Motion to approve the extension of time:

OFFER: Crossan

SECOND: Orgo

AFFIRMATIVE: Powell, Crossan, Fitzgerald, Orgo, Corsi, Kostka, Leccese, Lutkewitte and Robinson

NEGATIVE: None

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

Application for a sixty day extension of time to the Minor Subdivision Approval with Variances. The extension of time will begin April 17, 2013 and expire June 16, 2013.

Dustin Glass, Esq. represented the applicant. Mr. Glass told the Board the engineer went to the county to file the maps to perfect the subdivision 4:30 p.m. on the last day only to find out the county closed at 4:00 p.m. Therefore they are requesting a 60 day extension to file the map.

Motion to approve the extension of time:

OFFER: Corsi

SECOND: Kostka

AFFIRMATIVE: Powell, Crossan, Fitzgerald, Orgo, Corsi, Kostka, Leccese, Lutkewitte and Robinson

NEGATIVE: None

OLD BUSINESS:

PB707 – Garber – Block 29, Lots 9.02 & 10.05 – 2 Blue Bell Road

Application for a Minor Site Plan and Minor Subdivision Approval with Variances in the AG Zone. Minor Subdivision approval is required for a lot line adjustment following the lot size averaging

provisions in the AG Zone and Minor Site Plan Approval is required to retain a basketball court that was constructed without proper municipal approvals.

Mr. Steib, Esq. advised the Board that correspondence was received from the applicant's attorney stating they have been in contact with a neighbor and were in the process of revising their plan to meet some of the neighbor's concerns. The Planning Board carried this application however they directed Mr. Anfuso to notify the applicant if this application is not advanced at the June 11, 2013 meeting, the application will be dismissed without prejudice for lack of prosecution.

The Planning Board also wanted the applicant to be advised that the original application to retain the improvements that were constructed without proper municipal approval was filed almost 3½ years ago and the proper municipal inspections still have not been made nor have the improvements been removed. This is disturbing to the Board, since the application includes retaining a farm labor housing unit which may not have had the proper electrical, fire, plumbing and building inspections. The Board felt to best protect the public welfare, this unit should remain vacant until all proper inspections have been made and approved.

This application is carried to the June 11, 2013 meeting with no further notice.

NEW BUSINESS:

PB709 – Colts Neck Golf Club – Block 17, Lot 10.16 & Block 31, Lot 1.03 – 50 Flock Road

Application for Minor Site Plan Approval for a deviation to Special Condition No. 8 of the Resolution granting Preliminary and Final Major Site Plan Approval memorialized on April 10, 2012 to replace the black vinyl wire from the post and rail fence on Flock Road and 45 juniper plantings with a midblock crosswalk over Flock Road and to construct a 237 s.f. golf bag storage room in the AG Zone.

Richard Stone, Esq. represented the applicant. Mr. Stone first asked for Mr. Orgo to recuse himself because of prior litigation between himself and the DeGennaro's. Mr. Orgo stepped down and recused himself from the application.

Mr. Stone then requested to bifurcate the application, tabling the crosswalk portion and pursuing the golf bag storage room. Mr. Stone also stated they felt they should have been able to have input on the hiring of the Traffic Engineer.

The majority of the members did not want to bifurcate the application. The letter from the Police Chief stated it was a dangerous situation and they felt that was something they could not ignore and by keeping the application as one the safety issues would be more likely to get resolved. The Board was concerned that the fencing and landscaping have not been installed leaving an open path for golfers to cross Flock Road wherever they wanted.

Motion Not to Bifurcate the Application:

OFFER: Kostka

SECOND: Crossan

AFFIRMATIVE: Powell, Crossan, Fitzgerald, Corsi, Kostka, Leccese, Lutkewitte

NEGATIVE: Robinson and Singer-Fitzpatrick

The applicant agreed that they would install the fence within 30 days and all of the shrubs would be planted by September 30, 2013 and withdrew the cross-walk from this application.

Mr. Steib, Esq. noted thirteen items were received as exhibits – application, partial floor plan, preliminary and final cross access plans, Planner’s review letter, Engineer’s review letter, Board of Health comments, two separate comments from Architectural Review Committee, site plan, survey, letter from Dr. DeGennaro, letter from Mr. Stone and letter from Colts Neck Chief of Police.

Dr. DeGennaro – sworn. Dr. DeGennaro said it was always their intention to have the 237 s.f. area enclosed and used for golf bag storage. For some reason the area was not labeled on the original plans but when they came in for their building permits Tim noticed it was now labeled. They desperately need the area to store the golf bags which they are currently using a pod to store, the pod will be removed after approval is granted. They are also requesting a generator pad adjacent to where the gas main goes into the utility room as well as a large transformer box that is camouflaged by arborvitae; they will also screen the generator. Open to the public with no comment.

The Board agreed that any construction would require variances because the property has two front yards and what they were requesting was de minimis. Enclosing the area for the golf bag storage does not increase the footprint of the building and cannot be seen from the street or other properties. The location they proposed for the generator was a logical one requiring a variance for 123’ setback from Flock Road where 600’ is required and 58’ setback from Tall Oaks Drive where 400’ is required. The applicant agreed to screen the generator per the Landscape Architects request.

Motion to approve the application:

OFFER: Corsi

SECOND: Robinson

AFFIRMATIVE: Powell, Fitzgerald, Corsi, Kostka, Leccese, Lutkewitte, Robinson and Singer-Fitzpatrick

NEGATIVE: Crossan

DISCUSSION:

Financial Disclosure Statements

Mr. Anfuso informed the Board that the Financial Disclosure Forms the State requires all Board members to fill out each year must now be completed online. Mr. Anfuso offered anyone having

trouble completing the form to call his office or come in and he would help them complete the Disclosure Form.

MOTION TO ADJOURN

A motion to adjourn was made by Mr. Crossan at 8:45 p.m. and this was seconded by Mayor Fitzgerald 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 May 14, 2013 adopted by the Planning Board of the Township of Colts Neck at its meeting held on June 11, 2013.

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