

**TOWNSHIP OF COLTS NECK
PLANNING BOARD MEETING
OCTOBER 10, 2017 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 News Transcript and Star Ledger 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, Corsi (10 minutes late), Bartolomeo, Orgo, Crossan (5 minutes late),
Leccese, Lutkewitte, Powell and Singer-Fitzpatrick

Absent: Kostka and D’Eletto

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

APPROVAL OF MINUTES:

September 12, 2017 Minutes Approved:

OFFER: Lutkewitte

SECOND: Leccese

AFFIRMATIVE: Robinson, Leccese, Lutkewitte and Singer-Fitzpatrick

NEGATIVE: None

RESOLUTIONS:

PB723 - Verizon Wireless – Block 46, Lots 13 & 14 – 340 Route 34

Memorialization of Resolution for Minor Site Plan Approval with Variances to install two small Network Node Antennas on the Orchards Shopping Center.

Memorialization of Resolution:

OFFER: Leccese

SECOND: Lutkewitte

AFFIRMATIVE: Robinson, Leccese, Lutkewitte and Singer-Fitzpatrick

NEGATIVE: None

ADMINISTRATIVE ITEMS:

None

OLD BUSINESS:

PB724 - NJ American Water – Block 38, Lot 1 & Block 35, Lot 6 – Swimming River Road

Application for Conditional Use Permit and Preliminary and Final Major Site Plan with Variances to construct a 1,831 s.f. Electrical Building, 1,410 s.f. High Service Pump Station and one million gallon Clearwell Tank at the Swimming River Water Treatment Plan.

Twelve new items were marked as exhibits – site plan, Sound Level Assessment, Soil Erosion Plan, Stormwater Management Report, Major Site Plan, Engineer’s review, Environmental Commission’s review, Architectural Review Committee’s comments, Fire Marshall’s comments, Planner’s review, updated rendering of new electric/pump building and Sound Level Assessment.

Frank Tedesco, Esq. represented the applicant. Eugene DeStefano, Engineer – sworn. Mr. DeStefano stated they were last in front of the Board in July where they received many comments from the Board. The revised plan has addressed most of those comments and they agree to comply with all of the Planner’s, Engineer’s, Environmental Commission, Shade Tree Commission, Architectural Review, Board of Health and Fire Marshall comments. The existing gravel drive will be eliminated and restored to grass and grass pavers will be used where needed for access. They are not able to eliminate the front yard setback because they must connect to the existing gravity main which is 12” deep. The foundation cannot be too close and space is needed for maintenance and repairs. They will remove the existing fence on Swimming River Road and install a new ornamental fence in the same location. A row of plantings will be installed behind the fence along the entrance to help screen the building along with plantings in front of the generator to screen that as well. The four transformers will now be located on the second level of the building so they will not be visible as well as help reduce the noise. Open to the public with no comments.

Ahmed El-Aassar, Noise and Air Quality Engineer – sworn. Mr. El-Aassar stated he wanted to get a base line reading for the existing sound levels and tested August 21st and 22nd. He used two different types of noise meters and set one by the property line fence and the other 150’ back. There was a significant drop in sound when you go back 150’. Mr. El-Aassar went through his report in detail. It is his opinion that when the project is complete it will still exceed the NJ Sound Ordinance levels but NJ American Water has agreed to remediate the sound by adding louvers and the sound level will be below the level permitted in a residential zone. Open to the public. A resident from 2 Grand Court, Lincroft asked if any testing was done while the generator is running? No, the testing was for a base line. After the project is complete they will make sure that the sound complies with NJ Sound Ordinance.

David Karlebath, Planner – sworn. Mr. Karlebath stated a public utility is a permitted use in the A-3 Zone and the diminimis variance required to permit the building to be 73’ where 75’ was justified and consistent with surrounding properties. He felt the public benefit outweighed any negative criteria and enhanced the public welfare for this public utility. NJ American Water will be improving the landscape and overall look of the property. There is no substantial detriment to this necessary improvement to an essential service. Open to the public with no comments.

Ken Selig, Project Manager – sworn. The Board previously asked if the spillway had ever been raised and Mr. Selig stated he found the answer was no. It is the same height as when it was built. Open to the public with no comments.

The Board discussed whether they should get more information regarding the type of acoustic louvers that would be used but ultimately felt the applicant will comply with the NJ Sound Ordinance and make sure they did not exceed it. The approval was conditioned on complying with NJ Sound Ordinance, merging the two lots and informing when the testing would be taking place so that the Engineer could attend.

Motion to Approve With Conditions:

OFFER: Corsi

SECOND: Lutkewitte

AFFIRMATIVE: Robinson, Corsi, Bartolomeo, Orgo, Lutkewitte, Powell and Singer-Fitzpatrick

NEGATIVE: Crossan

NEW BUSINESS:

PB703C – The Orchards Shopping Center – Block 46, Lots 13 & 14 – 340 Route 34

Application for Third Deviation to Preliminary & Final Major Site Plan with Variance to modify the parking requirement chart to add a 22 seat food establishment and 6 salon chairs.

Twelve items were marked as exhibits – parking analysis, Third Deviation Site Plan, Planner’s report, aerial photo, application, Engineer’s report, Environmental Commission, Fire Marshall’s review, Health Officer’s review, Shade Tree Commission’s review, site plan rendering and a color sheet of the site plan and parking data.

Timothy O’Connor, Esq. represented the applicant. A.J. Garito, Engineer – sworn. Mr. Garito stated this is the third time the owners of the shopping center have been back in front of this Board for a parking variance. There is a new tenant that is a food establishment and requests 22 seats requiring 11 parking spaces, five more than are available. Also, when the nail salon was approved there was an oversight, there were seats in the back requiring six more parking spaces. There are currently 183 parking spaces and they received a variance to permit 216. They were asking for 221 but the Zoning Officer requested 226 to legalize what is currently in effect. Mr. Garito stated he performed a parking analysis which showed there are always plenty of available parking any time of the day. The Board noted that when the shopping center first opened parking was an issue with the mix of tenants. It was

noted in the last application that lighting was supposed to be addressed so the light would shine down as originally approved.

Anthony Ritundo, owner – sworn. Mr. Ritundo stated the light fixtures are old and he has had trouble finding replacement parts and he stated it would be very costly to have to buy all new light fixtures. He also asked if there was a way he would not have to come back in front of the Board each time he had a new tenant. This process is lengthy and very expensive. Open to the public with no comments.

The Board was sympathetic to Mr. Ritundo however they felt it was important to monitor the mix of tenants. The Board understood it was difficult for the owner and felt comfortable allowing a variance for 230 parking spaces where 183 exist.

Motion to Approve the Application:

OFFER: Crossan

SECOND: Lutkewitte

AFFIRMATIVE: Robinson, Corsi, Crossan, Leccese, Lutkewitte and Singer-Fitzpatrick

NEGATIVE: None

DISCUSSION:

None

MOTION TO ADJOURN

A motion to adjourn was made by Mr. Corsi at 10:15 p.m. and this was seconded by Mr. Leccese 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 10, 2017 adopted by the Planning Board of the Township of Colts Neck at its meeting held on November 14, 2017.

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