

**TOWNSHIP OF COLTS NECK
PLANNING BOARD MEETING
JANUARY 12, 2016 MINUTES**

Mr. Corsi 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: Corsi, Kostka, Fitzgerald, Orgo, Crossan, Leccese, Lutkewitte, Robinson, Singer-Fitzpatrick and D’Eletto
Absent: Powell

Also Present: Timothy Anfusio, P.P., Glenn Gerken, P.E., Rohan Tadas, LSRP, Mike Steib, Esq. and Ruth Leininger

Reorganization:

Mr. Robinson stated that in keeping with the rotation policy, he nominated Dave Kostka for Chairman, John Robinson as Vice Chairman and Ruth Leininger as Planning Board Secretary. Nominations were then opened to the floor. With no other nominations, Mr. Robinson made a motion to close nominations and this was seconded by Mr. Crossan and unanimously carried.

Motion to Adopt the Full Slate:

OFFER: Robinson

SECOND: Crossan

AFFIRMATIVE: Corsi, Kostka, Fitzgerald, Orgo, Crossan, Leccese, Lutkewitte, Robinson, Singer-Fitzpatrick and D’Eletto

NEGATIVE: None

Mr. Kostka thanked Mr. Corsi on behalf of the Board for his time and effort as Chairman this past year. Last year was both quiet and busy but Mr. Corsi did a great job keeping the Board both on tract and informed.

Approval of Meeting Dates for 2016

February 9, 2016
March 8, 2016
April 12, 2016
May 10, 2016
June 14, 2016
July 12, 2016

August 9, 2016
September 13, 2016
October 13, 2016
November 10, 2016
December 13, 2016

All meeting dates are the second Tuesday of the month except October and November. Due to Yom Kippur and Election Day the meetings will be held on the second Thursday.

Motion to approve 2016 Meeting Dates:

OFFER: Corsi

SECOND: Crossan

AFFIRMATIVE: Kostka, Robinson, Orgo, Fitzgerald, Corsi, Crossan, Leccese, Lutkewitte, Singer-Fitzpatrick and D'Eletto

NEGATIVE: None

Chairman Appointments

Mr. Kostka made the following appointments:

Street Coordinator: Lisa Singer-Fitzpatrick

Long Range Planning Committee: Crossan, Kostka and Robinson

Affordable Housing Subcommittee: Corsi, Lutkewitte and Powell

Appointment of Planning Board Engineer

Motion to appoint Planning Board Engineer, Glenn Gerken, P.E.

OFFER: Robinson

SECOND: Lutkewitte

PRESENT: Kostka, Robinson, Orgo, Fitzgerald, Corsi, Crossan, Leccese, Lutkewitte, Singer-Fitzpatrick and D'Eletto

NEGATIVE: None

Appointment of Planning Board Attorney

Motion to appoint Planning Board Attorney, Michael B. Steib, Esq.

OFFER: Corsi

SECOND: Robinson

AFFIRMATIVE: Kostka, Robinson, Orgo, Fitzgerald, Corsi, Crossan, Leccese, Lutkewitte, Singer-Fitzpatrick and D'Eletto

NEGATIVE: None

Approval of Minutes:

December 8, 2015 Minutes Approved:

OFFER: Robinson

SECOND: Corsi

AFFIRMATIVE: Kostka, Robinson, Orgo, Fitzgerald, Corsi, Crossan, Leccese,

NEGATIVE: None

RESOLUTIONS:

None

ADMINISTRATIVE ITEMS:

None

OLD BUSINESS:

PB719 – Amboy Road Associates – Block 39, Lot 11.01 – Route 537 & Lakeside Avenue

Application for Preliminary Major Subdivision Approval with variances for a seven lot residential subdivision with one off-site affordable unit following the growth share provisions in the A-1 Zone.

Salvatore Alfieri, Esq. represented the applicant. Mr. Alfieri reminded the Board they have been in front of the Board several times with different concept plans. The Board previously agreed on the proposed plan however they wanted environmental testing because arsenic levels were high. Six new items were marked as exhibits – Brinkerhoff Environmental Assessment Report, review letter from Environmental Commission, review letter from T & M, mounted historical photos of property, enlarged photo of soil sampling locations and map of Monmouth County Soil Survey.

Laura Brinkerhoff, LSRP (Licensed Site Remediate Professional) – sworn. Ms. Brinkerhoff explained she was able to substantiate that prior to 1940 the property was a potato farm. The property use has not changed much. It is a documented fact that many old orchards and farms have high lead and arsenic levels from pesticides that were used. However when this sight was tested it was discovered that arsenic was present but not lead. The absence of lead is a sign that the arsenic may be natural occurring and not caused by pesticides.

According to DEP guidelines up to 19 parts per million is allowable, 20 to 30 parts per million is what was found at the site. When further sampling was done and deeper samples were taken it was slightly higher, up to 40 parts per million. When the DEP was consulted with these results the DEP said the site should be evaluated to find out if it was naturally occurring. According to DEP Guidance Document if the arsenic is naturally occurring the applicant is not required to remediate the site.

According to the Soil Survey of Monmouth County it is known and documented that there are significant concentrations of glauconite in this area. Higher concentrations of naturally occurring arsenic are specifically associated with soils containing glauconite. Based on the soil sample

conducted, historical property use and soil types found at the site, Brinkerhoff has concluded that arsenic concentrations detected above the NJDEP's Residential Direct Contact Soil Remediation Standard at the property represent natural background conditions and do not pose a restriction to development. Since Ms. Brinkerhoff is the LSRP of record with the State for this property she will be issuing a Nonrestricted Response Action Outcome (RAO).

Open to the public with no comments. The Board discussed whether they felt comfortable with the LSRP's report and if they felt they should impose additional restrictions to the applicant. After discussion the Board felt the State did not require any further disclosure or action and they should not impose anything more than have the applicant record the RAO to the deed of the mother lot as well as have a note on the Final Plat.

Motion to Approve the Application:

OFFER: Crossan

SECOND: Corsi

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

NEGATIVE: None

NEW BUSINESS:

PB703B – G & F Realty of Richmond, LLC – Block 46, Lots 13 & 14 – 240 Route 34

Application for second Deviation to the Preliminary and Final Major Site Plan Approval and the Declaration of Restrictive Covenant to allow five additional examination rooms. The additional examination rooms require a variance to permit 183 off-street parking spaces where 214 are required.

Benjamin Nadell, Esq. represented the applicant. Fourteen items were marked as exhibits – application, Deviation Site Plan, floor plan, Planner's Review letter, Engineer's Review letter, Environmental Commission comments, Board of Health comments, Fire Marshall's comments, Architectural Review Committee comments, parking analysis, mounted color rendering of site plan, sheet 3 of site plan mounted, mounted cover sheet of site plan and six photos mounted and parking counts.

A.J. Garito, Engineer – sworn. Mr. Garito explained the previous owner was in front of this Board in 2012 and was granted a variance to permit 183 parking spaces where 208 are required. The applicant would like to replace a vacant office space with a medical use containing six examination rooms. This change increases the parking requirement by six stalls. Mr. Garito stated the busiest time for the shopping center is between 11 a.m. and 1:00 p.m. and physically sat in the parking lot and counted empty parking spaces over a three week period. The parking lot was never completely full and there was always a minimum of 30 vacant spaces. With the current mixture of uses parking is not a problem.

Tim Anfuso, Township Planner – sworn. Mr. Anfuso told the Board he did his own informal parking analysis over a three week period. His conclusion was that parking was never an issue in the morning. In the afternoon the highest amount of parked cars he found was 148, well below the 183 spaces provided. Mr. Anfuso also noted he performed a site inspection and found that three stores have changed the number of seats/chairs. The bagel store has 12 seats and not 18, the pizzeria has 28 seats and not 24 and the barber shop has 8 chairs and not 7.

Open to the public. Judy Laufer, Green Hill Road – sworn. Ms. Laufer said recently 15 minute parking signs were installed and she found them both offensive and cluttering the parking lot. The Board agreed that there are several sidewalk and pennant signs that should be removed as well.

There was some concern that a different mixture of uses or type of medical could increase the parking usage. However it was noted if the tenants patrons were having a problem parking the tenants would be complaining to the property owner and would want the issue resolved as well. The Board stipulated their approval on an Amended Restricted Covenant must be filed, the second sign for Rook must be removed, the advertising flags must be removed, the applicant must confirm with DEP that adding more medical does not violate their approval and the parking chart will be amended.

Motion to Approve the Application:

OFFER: Fitzgerald

SECOND: Orgo

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

NEGATIVE: Crossan

DISCUSSION:

None

MOTION TO ADJOURN

A motion to adjourn was made by Mr. Lutkewitte at 9:35 p.m. and this was seconded by Mr. Crossan 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 January 12, 2016 adopted by the Planning Board of the Township of Colts Neck at its meeting held on February 9, 2016.

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