

**TOWNSHIP OF COLTS NECK
PLANNING BOARD MEETING
DECEMBER 14, 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 (10 minutes late), Corsi, Crossan, Hennessy, Malinowski, Robinson, Powell (5 minutes late) and Singer-Fitzpatrick

Absent: Malinowski

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

Approval of Minutes:

November 9, 2010 Minutes Approved:

OFFER: Kostka

SECOND: Crossan

AFFIRMATIVE: Orgo, Kostka, Florek, Corsi, Crossan, Hennessy, Robinson and Singer-Fitzpatrick

NEGATIVE: None

RESOLUTIONS:

PB690 – Huddy’s Inn – Block 48, Lot 19 – 20 County Route 537 East

Memorialization of Resolution granting Preliminary and Final Major Site Plan approval for Phase I to remove approximately 5,184 s.f. of existing Meridian Academy and construct a new 11,542 s.f. restaurant with 175 seats.

Discussion ensued regarding the stipulation in the resolution stating the applicant would obtain a performance guarantee for a maximum of ten years to ensure that the remaining portion of the Meridian Academy was demolished. The applicant stated the performance guarantee was not

discussed although he did agree the building would be demolished within ten years. After discussion it was agreed the resolution be changed to require the demolition within two years and no performance guarantee would be required.

Motion to Approve the Resolution As Amended:

OFFER: Corsi

SECOND: Hennessy

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

NEGATIVE: None

ADMINISTRATIVE ITEMS:

Review 2011 meeting dates and adopt January meeting date.

Meeting dates for 2011 were reviewed. The Board felt since the regular November meeting date is Election Day it would be best to change that date. The Board approved January 11, 2011 for their regular meeting and reorganization.

Motion to Approve January 11, 2011 meeting date:

OFFER: Kostka

SECOND: Crossan

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

NEGATIVE: None

OLD BUSINESS:

PB681 – Garber – Block 29, Lot 10.05 – 2 Blue Bell Road

Application for Minor Site Plan Approval with Variances to retain a basketball court, barn, farm labor unit and shed in the AG Zone.

The applicant purchased the adjoining property anticipating demolishing the home and merging the two lots to help with their lot coverage problem. However the applicant has now decided they would like to keep the house on the new lot, now requiring a Use Variance. The Planning Board does not have jurisdiction over a Use Variance and the application must be transferred to the Zoning Board of Adjustment and the Planning Board must Dismiss the application.

Motion to Dismiss the Application Without Prejudice:

OFFER: Kostka

SECOND: Robinson

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

NEGATIVE: None

ABSTAIN: Schatzle and Hennessy

NEW BUSINESS:

PB689 – Domestic Church Media Foundation – Block 48.01, Lot 2 – 231 Route 34

Application for Minor Site Plan Waiver to install communication antennas on an existing Sprint tower as well as one 8' x 10' equipment cabinet in the MP Zone.

Mr. Steib, Esq. explained to the Board the applicant did not have to notice because are seeking a Site Plan Waiver. Twelve items were marked as exhibits – letter from Mr. Manning, Esq., application, review from Township Planner, Shade Tree Commission comments, Fire Marshall's comments, Architectural Review Committee's comments, Landscape Architect's review, Township Engineer's review, tower elevation drawing, drawing of compound, panel installation drawing and Environmental Commission comments.

Vincent P. Manning, Esq. represented the applicant who is a nonprofit organization with religious broadcastings. The organization is currently on the air on an A.M. radio station but would like to return to a FM station. The applicant is requesting to install a communication antenna on the existing tower at the Public Works property as well as installing one 8' x 10' equipment cabinet. The antennas will be mounted at approximately 150' in height. No other site improvements are proposed.

Mr. Anfuso told the Board since the existing tower and equipment compound was established by site plan approval, he had no planning objections to granting site plan waiver to install an additional antennas and an equipment cabinet within the approved facility. Open to the public with no comments.

The Board agreed that adding an antenna to an existing tower and a cabinet shed within the approved facility warranted site plan waiver.

Motion to Approve the Application:

OFFER: Hennessy

SECOND: Robinson

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

NEGATIVE: None

ABSTAIN: None

PB691 – Feiler Pond – Block 23, Lot 17.01 – 86 Montrose Road

Application for Minor Site Plan Approval to install three ponds in the AG Zone.

Sal Alfieri, Esq. represented the applicant. Thirteen items were marked as exhibits – application, minor site plan, report from Planner, Board of Health comments, two letters from the Fire Marshall, Shade Tree comments, Landscape Architect's comments, Engineer's review, survey, Environmental Commission review, tax map and color grading plan.

A.J. Garito, Engineer – sworn. Mr. Garito explained this is an approximately 24 acre parcel where the homeowner is in the process of building a new home and would like to also build three ponds. There is a low point on the property where the water naturally collects and that is the proposed location of the large pond. There will be the one large pond close to the street with a smaller pond on each side of the

driveway that will all be connected by an underground pipe and have an aeration system. The two upper ponds will be lined but not the large pond. A standpipe will be installed for the fire departments use and the water will also be used to sprinker the home in case of a fire.

Open to the public. Willard Thompson stated in light of the draught this year this seemed like a waste of water with no purpose. Betty Baumgartner, 90 Montrose asked where the water would come from to fill the ponds? They will be filled from the well. Ms. Baumgartner was concerned how this would affect her well. It was stated that there are twelve ponds with two miles, three more seem excessive. Barbara Baumgartner, 99 Montrose asked how many wells the property will have? Three. Querino Salvati, Contractor – sworn. Mr. Salvati said the area of the large pond is where the property is naturally very wet, they had canoes in there last year there was so much water. The storm water runoff will drain into the pond and the water will be maintained by a well only if it falls below a certain level. Betty Baumgartner asked how the property owner will maintain their farmland assessment which permits the accessory dwelling? Abbey Feiler, property owner – sworn. Ms. Feiler said she has been speaking with the tax assessor who has given her direction but she is still unsure, possibly hay. Mr. Thompson asked how to fight the application if approved. Mr. Steib, Esq. explained if this application is approved a resolution will be memorialized at the January 11, 2011 meeting. There is a 45 day appeal period from the date that action is published and anyone can appeal the decision in Superior Court in Freehold.

The applicant agreed to line the ponds which would eliminate the need for a well and to have water brought in by the Fire Department to fill the ponds to address the concerns of the neighbors.

The Board appreciated the concessions the applicant made on behalf of the neighbors as well as the fire suppression system that will help all of the neighbors.

Motion to Approve the Application:

OFFER: Kostka

SECOND: Crossan

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

NEGATIVE: None

ABSTAIN: None

PB692 – Trump National Golf Club – Block 46, Lot 1.52 – One Trump National Blvd.

Application for Preliminary and Final Major Site Plan Approval with Variances to extend the 3rd, 8th and 12th hole, install a new 148 seat outdoor patio/restaurant and modify the landscaping along the residential lots on Leland Road.

Chairman Orgo recused himself from this application and turned the meeting over to Vice Chairman Kostka.

Sal Alfieri, Esq. represented the applicant. Fifteen items were marked as exhibits – application, site plans, Board of Health comments, Shade Tree Commission comments, Landscape Architect review, Planner’s review, Engineer’s review, Fire Marshall’s comments, architectural floor plans,

Environmental Commission's comments, color overall plan, sheet 2 of 4 new tee box plan, sheet 4 of 4 landscape plan, sheet 3 of 4 outdoor lounge and Mutual Aid Fire Drill poster.

Ed Russo, Project Consultant – sworn. Mr. Russo stated the club is doing very well but they would like to have a higher rating to permit certain types of golf events, this requires more tees. Trump National Golf Club is a private family country club and all amenities are for the enjoyment of the members and guests. They are not seeking any additional parking, this application is merely enhancing the amenities for their members.

A.J. Garito, Engineer – sworn. Mr. Garito explained they would like to move three tees to allow three holes to have a higher rating and this moves them closer to residential property lines. The direction of play is away from the homes and they will add landscaping to buffer as well. They would also like to add landscaping behind some of the homes on Leland Road to buffer the course.

Previously a gazebo was approved for outdoor informal dining. They would like to eliminate the previously approved gazebo and extend the existing patio out to give the option of outdoor dining overlooking the pond. The patio will be partially covered and there is currently a 10' wide grasscrete fire lane that would have to be eliminated.

John Roberts, General Manager – sworn. Mr. Roberts told the Board that a Mutual Aid Drill was done at the golf course. During the course of this drill the fire lane was not used and he was told that it could not be used because it was too narrow. Since it is impractical they would like to remove it.

Mr. Ed O'Brien, Architect – sworn. Mr. O'Brien stated he researched and found that a fire lane is not required by building code therefore removing it would not violate any codes. The cover over the patio they are proposing is a fabric canopy with steel framing over an open patio to protect members from the sun. Since the fire lane is not something that would be utilized by emergency personnel they did not see any reason to keep it.

Open to the public. Janice Anania, 45 Leland Road – sworn. Ms. Anania stated she did not oppose the application but her concern was the parking lot lighting that hit the back of her home. Mr. Roberts stated the lights are on a timer – between December 20 and March 3 they will go out at 6 pm but then they will have to go back to the regular schedule when the golf course is open. Joe Anania, 45 Leland Road – sworn. Mr. Anania said when the golf course took down numerous large trees they lost their buffer from the lights of the golf course. The lights seem to be on regardless of whether there is an event or not. Mr. Anania also asked when the remediation fescue would be planted behind his home. It should be sometime in the spring. Joseph Louro, 47 Leland and 16 Cypress – sworn. Mr. Louro stated he thought this application would be a great asset for the members and Colts Neck.

The Board was concerned with the Fire Marshall's comments and the need for the fire lane. The Board was also concerned that the new seating area is going from the previously approved 36 seats to 148 seats. They thought that was a very large jump. The applicant requested the application be carried to the January 11, 2011 meeting with no further notice.

EXECUTIVE SESSION

None

MOTION TO ADJOURN

A motion to adjourn was made by Mr. Corsi at 10:35 p.m. and this was seconded by Mr. Robinson 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 December 16, 2010 adopted by the Planning Board of the Township of Colts Neck at its meeting held on January 11, 2011.

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