

**TOWNSHIP OF COLTS NECK  
PLANNING BOARD MEETING  
FEBRUARY 14, 2012 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 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: Robinson, Powell, Engel, Orgo, Corsi, Hennessy, Kostka, Malinowski, Singer-Fitzpatrick and Lutkewitte

Absent: Crossan

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

**Approval of Minutes:**

January 10, 2012 Minutes Approved:

OFFER: Orgo

SECOND: Kostka

AFFIRMATIVE: Robinson, Powell, Engel, Orgo, Corsi, Hennessy, Kostka, Malinowski and Singer-Fitzpatrick

NEGATIVE: None

**RESOLUTIONS:**

None

**ADMINISTRATIVE ITEMS:**

Mr. Domidion, Chairman of the Monmouth County Planning Board, advised there will be a public hearing of the State Redevelopment Plan on Tuesday, February 28, 2012 at Monmouth University. Monmouth County Planning Board will also be discussing the Redevelopment Plan at their February 21, 2012 meeting and he encouraged all to attend if possible.

**PB629A Flancbaum – Block 33, Lot 20 – 81 County Route 537**

Request for the 2<sup>nd</sup> and 3<sup>rd</sup> one year retroactive extensions of time to the Final Major Subdivision Approval. The extensions will commence from June 12, 2010 and expire June 12, 2012.

Sal Alfieri, Esq. represented the applicant. Mr. Alfieri explained this is the last extension the applicant can receive. All site improvements have been completed; it is only the map that has not been perfected. Mr. Anfuso stated the only ordinance change that has occurred effecting this application is the flood hazard regulations. Mr. Gerken will also have to recalculate the performance guarantees for the applicant to post.

Motion to Approve Extensions of Time:

OFFER: Orgo

SECOND: Corsi

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

NEGATIVE: None

### **OLD BUSINESS:**

#### **PB688 – Overbrook Farm Estates – Block 50, Lots 4, 17 & 23 – Hockhockson Road**

Application for Preliminary Major Subdivision approval with variance for a 27 lot subdivision consisting of 12 lot size averaging lots, 14 farmettes and one lot for a 10 resident group home.

Mr. Orgo recused himself from the application. Ten new items were marked as exhibits – Planner’s review letter, subdivision plan, Engineer’s review letter, Environmental Commission’s report, Landscape Architect’s comments, Fire Marshall’s comments, Board of Health comments, Architectural Review Committee’s comments, Tree Removal Plan and Dimension Plan.

John Giunco, Esq. represented the applicant. Brian Decina, Engineer – sworn. Mr. Decina told the Board the plans have been revised to address comments they received last month. Overland Drive has been relocated to eliminate the required retaining wall and disturbance to the wetlands. The drainage has been changed on Bayonet Court, lowering the grade so that it will drain into the storm sewer. There are six pecan trees that were going to be removed; they are now able to save five of them.

A.J. Garito, Engineer – sworn. Mr. Garito stated that no variances are required.

The Board asked who would maintain the bridge. Mr. Decina stated the bridge is designed to county and DOT standards, it is a much better design than what currently exists today. He has spoken informally to the county and was advised the town should make the application. Mr. Anfuso told the Board that the county will probably have no interest in maintaining the bridge since the bridge only serves the residential homes on this dead end street. Mr. Steib quoted a Supreme Court ruling stating if the Board was compelled to approve the application the town must take responsibility of the bridge if the county does not take the bridge. As long as the applicant is willing to cooperate and apply to the county that is all the Board can ask.

The applicant has talked to the Fire Marshall and designed the standpipe to the specifications required to be utilized by the Colts Neck Fire Department. Julie McGowan stated Shade Tree and the Environmental Commission would like to go on the property prior to the commencement of any work and mark the trees to be saved. Mr. Giunco agreed they could mark with paint as long as it is not

visible to the horses if they are still there. Mr. Giunco stated they would like to put a note on the plans that prior to the transfer of property they could bring in fill if required.

Open to the public. Vince Domidion, Revolutionary Road – sworn. Mr. Domidion commended the applicant for their effort and noted the good community impact it will have, he felt it was a worthwhile project. Vince Scanelli, Freemont Lane – sworn. Mr. Scanelli stated this is a wonderful opportunity for a group home to be placed in the community. His son is autistic. He was born and raised in Colts Neck, this gives him an opportunity that was never available before.

The Board thanked the applicant for their cooperation during this application.

Motion to Approve the Application:

OFFER: Engel

SECOND: Corsi

AFFIRMATIVE: Robinson, Powell, Engel, Corsi, Hennessy, Kostka, Malinowski and Singer-Fitzpatrick

NEGATIVE: None

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

Application for a second Deviation to Preliminary and Final Major Site Plan approval to amend General Conditions No. 5 and No. 6 of the Resolution of Approval to bifurcate the Preliminary and Final Approvals into separate approvals, allow construction upon perfecting Preliminary approval and modify the footprint of the restaurant.

Ten items were marked as exhibits – correspondence from JV Engineering, site plan, memo from Michael Steib, Esq., Landscape Architect correspondence, Board of Health comments, Architectural Review Committee’s comments, Engineer’s review, Fire Prevention Bureau’s comments, Environmental Commission comments and Planner’s review.

John Vincenti, Engineer – sworn. Mr. Vincenti explained this is their 2<sup>nd</sup> deviation that they are requesting to the approved Preliminary and Final Major Site Plan approval. There are three changes that have been made for this application. First they would like to modify the footprint, reducing the total square footage by 10,345 s.f. and want to be able to build the project in phases. Second the applicant is requesting to be able to obtain full building permits without posting performance guarantees. Lastly the applicant requests to commence site work after satisfying conditions of Preliminary Site Plan approval and signing of plans. Separate plans would be provided, one labeled preliminary and one labeled final enabling the building permits to be issued.

The applicant is requesting to abandon their final approval that they currently have to allow the start of construction based on preliminary approval. This allows the applicant to post inspection fees and start construction instead of having to post performance guarantees. Open to the public with no comments.

The Board understood that receiving NJDEP approval is a very lengthy process and this would allow the applicant the opportunity to begin construction while awaiting to increase their Treatment Works Permit. The Board conditioned their approval on the occupancy of the restaurant is limited to the capacity permitted by the NJDEP/Treatment Works permit.

Motion to Approve the Application:

OFFER: Kostka

SECOND: Powell

AFFIRMATIVE: Robinson, Powell, Engel, Orgo, Corsi, Hennessy, Kostka, Malinowski and Singer-Fitzpatrick

NEGATIVE: None

**NEW BUSINESS:**

**PB700 – Matzel – Block 39, Lot 6.02 – 105 Galloping Hill Road**

Application for Preliminary and Final Major Subdivision with Variance for a three lot subdivision consisting of 2 lot size averaging lots and 1 farmette in the AG Zone.

Fourteen items marked as exhibits – application, Environmental Assessment, deed, preliminary and final subdivision plan, final subdivision plan, Landscape Architect's comments, Engineer's review, Planner's review, Environmental Commission's comments, Board of Health comments, owner's affidavit of consent, preliminary plat adjusted lot line, variance cure and amendment to RSIS.

John Giunco, Esq. represented the applicant. Mr. Giunco explained a small piece of the adjoining property (Lot 9) is affected by this application. The property owners, Mr. and Mrs. Peter Burnham are in attendance and have signed a consent for the application.

Andrew Stockton, Engineer, Surveyor and Planner – sworn. Mr. Stockton explained the property is 25.987 acres with a large farm to the south and west and a Government Road to the north. Two new lots will be created as lot size averaging. The size of the new lots will be 2.021 acres and 3.272 acres and the remaining farm lot with the existing house and detached garage will be 20.15 acres. Mr. Stockton stated one variance is required to permit a lot depth of 260.8' where 300' due to a hardship because of the location of the existing road and Navy railroad. The size of the two new proposed lots are larger than the surrounding lots on Galloping Hill Road. An exhibit was shown where the cul-de-sac was extended 18' to eliminate a design waiver but the applicant felt it was better planning alternative to have less impervious surface.

The Landscape Architect requested the existing conservation easement be extended to the right-of-way and the applicant agreed. The catch basin in the new cul-de-sac will drain into the existing pond.

Open to the public. Joseph Geller, 104 Galloping Hill Road – sworn. Mr. Geller stated his property is also on the existing cul-de-sac and will also be affected. The applicant has agreed to provide him with a new survey and relocate his existing sprinklers as well but he would like it noted on the record. The applicant concurred they will provide this for both lots. Peter Burnham, Galloping Hill Road – sworn. Mr. Burnham stated he had an extensive discussion with the applicant regarding his driveway and sprinklers. It was a positive discussion and he is in agreement with the application.

The Board stated they would like to get revised plans addressing all of these concerns. They would also like a tree save plan and a landscape plan.

This application is carried to the March 13, 2012 meeting with no further notice.

**DISCUSSION:**

None

**MOTION TO ADJOURN**

A motion to adjourn was made by Mr. Malinowski at 10:25 p.m. and this was seconded by Mr. Orgo 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 February 14, 2012 adopted by the Planning Board of the Township of Colts Neck at its meeting held on March 13, 2012.

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