

**TOWNSHIP OF COLTS NECK
PLANNING BOARD MEETING
MARCH 13, 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 (5 minutes late), Crossan (10 minutes late)
Hennessy, Kostka, Singer-Fitzpatrick and Lutkewitte

Absent: Malinowski

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

Approval of Minutes:

February 14, 2012 Minutes Approved:

OFFER: Kostka

SECOND: Powell

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

NEGATIVE: None

RESOLUTIONS:

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

Memorialization of Resolution granting 2nd and 3rd 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.

Motion to Memorialize the Resolution:

OFFER: Kostka

SECOND: Orgo

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

NEGATIVE: None

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

Memorialization of Resolution granting 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.

Motion to Memorialize the Resolution:

OFFER: Kostka

SECOND: Powell

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

NEGATIVE: None

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

Memorialization of Resolution granting 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 abandon Final Approval, allow construction upon perfecting Preliminary approval and modify the footprint of the restaurant.

Motion to Memorialize the Resolution:

OFFER: Powell

SECOND: Engel

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

NEGATIVE: None

ADMINISTRATIVE ITEMS:

Review Ordinance 2012-5 Clean Up Ordinance – Completeness Checklist

Mr. Anfuso explained this ordinance does four things. First it clarifies the process an application must follow when it is submitted. Second it defines what a “change of use” is. The third change is it establishes the process of going through a Zoning Review by the Zoning Officer. The fourth change is updating the Township’s Completeness Checklist requirements to include all items and procedures that are currently required but not necessarily specified by ordinance.

The Board felt this ordinance is consistent with the Master Plan because it is making the ordinance consistent with the Township’s policies.

Motion Ordinance 2012-5 is Consistent with the Master Plan:

OFFER: Kostka

SECOND: Crossan

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

NEGATIVE: None

Review Ordinance 2012-6 Site Investigation and Soil Sampling

Mr. Anfuso explained the NJDEP estimated up to 5% of the State may be impacted by historic pesticide contamination and has recommended that soil testing be performed prior to developing agricultural land for residential use. This ordinance outlines the requirements of this testing for major residential developments.

The Board felt this was consistent with the Master Plan because it ensures that future residential developments are free from contamination exceeding established NJDEP levels.

Motion Ordinance 2012-6 is Consistent with the Master Plan:

OFFER: Kostka

SECOND: Crossan

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

NEGATIVE: None

OLD BUSINESS:

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

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

A letter was received from the applicant stating they still have some outstanding issues to resolve and request the application be carried to the April meeting. The applicant also consented to an extension of time to May 30, 3012.

This application was carried to the April 10, 2012 meeting with no further notice.

NEW BUSINESS:

PB691A – Feiler – Block 23, Lot 17.01 – 86 Montrose Road

Application for a Deviation to Minor Site Plan Approval with Variances to retain two pump houses and a decorative colonnade that have been constructed without proper municipal approvals in the AG Zone.

Sal Alfieri, Esq. represented the applicant. Thirteen items were marked as exhibits – site plan, pump house elevation, application, Planner's review letter, Engineer's review letter, Environmental Commission's comments, Landscape Architect's comments, Fire Marshall's review, Board of Health comments, Architectural Review Committee's comments, board mounted color rendering of the landscape plan, six photos mounted and architectural elevations of the pump house.

A.J. Garito, Engineer – sworn. Mr. Garito explained they are in front of the Board for an amendment to an approval the Board granted several months ago. They are requesting to retain two 10' x 10' pump houses and a decorative colonnade that is 10' in height and have been partially constructed without building permits. Both the colonnade and pumps house require variances to permit a front setback of 243.88' where 400' is required. Mr. Garito explained the house is set back 500' and according to the ordinance to put an accessory structure in the front yard it has to be twice the required setback for an accessory or in this case 400'. Since the ponds are in the front yard it is not reasonable to put the pump house or colonnade in the rear of the home. The pump houses will be finished with stone to match the existing house.

Quirino Salvati, Contractor – sworn. Mr. Salvati stated all construction on site has followed the approved site plan except the Board granted a variance to retain an old house on the property; it has been removed and is not being replaced. It was agreed that any damage or change in grade of neighboring property will be corrected prior to an application for a C.O.

The Board questioned if a standpipe was being installed. Mr. Salvati stated that one is not required for the house, the Fire Marshall requested a fire suppression system for the house and they followed his recommendation. Mr. Salvati apologized for not getting the correct approvals, the pump houses were installed for optimum efficiency. If the Fire Marshall requires the standpipe they will install one.

Open to the public. Willard Thompson asked what effect this will have on his water supply? None. It was explained the ponds are lined and the pumps only circulate the existing water.

The Board understood the need for the pump houses and the intent of the colonnade and the need for them to be in close proximity to the existing ponds. The Board conditioned their approval on confirmation from the Fire Marshall whether the standpipe is required.

Motion to Approve the Application:

OFFER: Engel

SECOND: Crossan

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

NEGATIVE: None

PB701 – Colts Neck Golf Club – Block 17, Lot 10.16 & Block 31, Lot 1.03 – 50 Flock Rd.

Application for Preliminary and Final Major Site Plan Approval with Variances for an outdoor 48 seat pavilion, second floor dining room addition, driving range building addition and new maintenance building in the AG Zone.

Michael Steib, Esq. noted for the record that the Notice of Hearing states the hearing is Wednesday instead of Tuesday however it the date is correct. Martin McGann, Esq. represented the applicant and requested the application proceed.

Thirteen items were marked as exhibits – application, Planner's review letter, Engineer's review letter, Landscape Architect's comments, Environmental Commission's review, Architectural Review

Committee's comments, Health Officer's comments, Fire Marshall's review, site plan, architectural plans, color mounted site plan, color mounted maintenance building and a photo board with six photos.

A.J. Garito, Engineer and Dr. DeGennaro one of the principal owners – both sworn. Dr. DeGennaro explained they would like to offer better amenities in a tough market to their existing members. They do not have amenities such as a pool or tennis courts but they are looking for a multipurpose pavilion as an amenity. They currently use this area but would like to make it a permanent structure to match the club house. They would also like to expand the existing dining room to enclose an existing patio that is rarely used. This would enable them to use the space to its maximum potential and add 18 seats. This addition will make the flow of the room much better by opening up a portion of the room that is currently obstructed. An addition is proposed to increase the shed by the driving range by 20' so they can create a studio to video tape and have more instruction which gets players more involved in the game. Lastly they would like to put up a 24' x 28' maintenance building to keep their backhoe and truck out of the weather and more aesthetically pleasing.

Mr. Garito explained when the golf course was created the Board was inclined to grant variances so the old barn could be used for a club house instead of tearing it down and building something new. The majority of variances that are required for this application are because of that decision to keep the barn. The addition of seats both in the pavilion and in the dining room requires additional parking by ordinance. They are requesting 194 paved and 42 overflow stating they currently have overflow parking that has never been used since they have opened twelve years ago.

Mr. Anfuso confirmed that the setback variances being sought are bulk variances. The hardship the applicant has is that the current structures lawfully exist on the property today. Due to the location of these structures it is impossible to construct any addition and not require a variance. Any new building would have to be in the middle of the golf course and the Board would have to consider if the benefit outweighs the detriments. He indicated the applicant should provide testimony regarding the parking variances and the variance for the size of the restaurant.

If this application is approved the applicant would like to construct the pavilion right away and the dining room expansion in the fall. The maintenance building requires a flood hazard permit from the NJDEP so they would have to wait for that. The applicant agreed to install fencing along Flock Road and landscaping that the Landscape Architect will approve.

Open to the public with no comment. Some Board members struggled with the expansion to the dining room and the purpose of the ordinance. A lengthy discussion ensued.

Motion to Approve the Application:

OFFER: Corsi

SECOND: Engel

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

NEGATIVE: Crossan and Kostka

DISCUSSION:

None

MOTION TO ADJOURN

A motion to adjourn was made by Mr. Hennessy at 10:30 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 March 13, 2012 adopted by the Planning Board of the Township of Colts Neck at its meeting held on April 10, 2012.

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