PLANNING BOARD
MEETING MINUTES
September 9, 2025 AT 7:00 P.M.

Mr. Tobia called the meeting to order by reading the following statement: "As Presiding Officer of the Colts Neck Planning Board, I hereby declare that the notice requirements of the law has been satisfied by prominently posting a notice of this meeting on the Township Bulletin Board, and that there has been transmitted a copy of said Notice to the Asbury Park Press and that a copy is on file in the office of the Township Clerk. This meeting is a quasi-judicial proceeding. Any questions or comments must be limited to issues that are relevant to what the board may legally consider in reaching a decision and decorum appropriate to a judicial hearing must be maintained at all times. I further order that this public announcement be placed in the minutes of this meeting."

Salute to the Flag.

Roll Call.

PRESENT:	Tobia; Torchia Buss; Corsi; Lutkewitte; Sullivan; Teaschler; Viola; Stivala, Visci, and Montalvo
ABSENT:	None
ALSO PRESENT:	Timothy Anfuso, P.P.; Glenn Gerken, PE, PP, CME; and Michael B. Steib, Esq.

APPROVAL OF MINUTES:

Motion to approve the June 9, 2025 and August 12, 2025, Meeting Minutes:

OFFER:	Viola
SECOND:	Corsi
AFFIRMATIVE:	Tobia, Torchia Buss; Corsi; Lutkewitte; Sullivan; Taeschler; Viola; Stivala
NEGATIVE:	None

GENERAL PUBLIC COMMENT (Non-Agenda Items):

None

RESOLUTIONS

None.

ADMINSTRATIVE

Mr. Steib noted that Mr. Christopher Montalvo had been sworn in and is now an official Planning Board member.

1. Appointment of Vice Chairman

Mr. Tobia asked for nominations for Vice-Chairmen. Mr. Lutkewitte offered Mr. Corsi. Mr. Sullivan seconded. There were no other nominations.

Motion to appoint Mr. Corsi as Vice-Chairman:

OFFER:	Lutkewitte
SECOND:	Sullivan
AFFIRMATIVE:	Tobia, Torchia Buss; Corsi; Lutkewitte; Sullivan; Taeschler; Viola; Stivala
NEGATIVE:	None

2. Stavola Realty Company – Block 53, Lot 12 – Obre Road

Informal presentation of a potential three lot Preliminary and Final Major Subdivision with Variances to in the A-1, Agricultural Residential Zone.

Mr. Steib informed the board that this was an informal presentation where the applicant is looking for feedback and that feedback is not binding. This process is exploratory.

Bryan Ehnes from Bohler Engineer, 125 Half Mile in Red Bank NJ representing Stavola Realty. Mumford Homes LLC previously came in for a subdivision and their development is in agreement with the Board and Stavola for access to the land-locked piece of property as well as an agreement between the properties for utilities and roadway access.

The request will have variances and involves three lots. One of the proposed lots would be undersized and all three lots would require variances for frontage and width where 300' is required.

Chairman Tobia asked why the board should consider the potential variances when they are substantial, Mr. Ehnes noted that they could develop the property without variances.

Mr. Anfuso noted all three lots will require lot width variances, all three will need variances for the unencumbered lot area where 75,000 square feet is required, and two lots will require frontage variances. The unencumbered lot area is roughly 12% of the requirement and is a large deviation.

Mr. Anfuso continued with issues noting that 35' access easement, there is not a 50' right of way from Mumford to the property. Will Mr. Mumford be amending his approval to incorporate the lot or will he be perfecting the approval and taking the two lots and resubdividing them to incorporate them into the approval?

Mr. Ehnes noted that they would not be incorporating the lots together. Mr. Anfuso noted they would need to because of the impact on two of Mr. Mumford's lots with the road as proposed.

Mr. Gerken noted that only leaves 38' width for a house to be built, which does not typically occur in the Township.

With these concerns, the Board believes this request would be difficult to grant as it does not benefit the Township and limits the lots substantially. Chairman Tobia thanked Mr. Ehnes.

3. Ordinance Review: 2025-17 "Riparian Buffer"

Mr. Anfuso spoke regarding Riparian Buffer easements and an issue brought to the Township Committee's attention regarding conservation easements. The Township has allowed encroachments such as fences and partial releases which may go against the Public Trust documents. Speaking with Green Acres, the opinion of Jessica Patterson was that if the easement was created only by map, then it would not need to go before Green Acres; however, if it was created by deed, the Township would need to go before Green Acres for release. This ordinance follows the same requirements as the Conservation Easement ordinance and is made to be clear that partial releases for minor structures like fences are allowed to be released by the Governing Body. Mr. Anfuso noted it is aligned with the Master Plan and preserves environmental features.

Mr. Tobia asked for a motion to find the ordinance is consistent with the Master Plan:

OFFER:	Lutkewitte
SECOND:	Corsi
AFFIRMATIVE:	Tobia, Torchia Buss; Corsi; Lutkewitte; Sullivan; Taeschler; Viola; Stivala; Visci
NEGATIVE:	None

4. Ordinance Review: 2025-18 "Non-Residential Development Regulations"

Mr. Anfuso introduced the ordinance by noting its intent is to have options available for builders to comply with. The materials are classed, and each area of the building would have specifications to guide what can be constructed. The ordinance is not meant to provide specifics, like a historical development architecture may, and instead is intended to provide options that can be customizable for proposed construction projects that provide a desirable visual environment.

Mr. Tobia asked for a motion find the ordinance is consistent with the Master Plan:

OFFER:	Corsi
SECOND:	Taeschler
AFFIRMATIVE:	Tobia, Torchia Buss; Corsi; Lutkewitte; Sullivan; Taeschler; Viola; Stivala; Visci
NEGATIVE:	None

5. Environmental Resource Inventory (ERI)

Mr. Anfuso presented a PowerPoint presentation of the ERI report. The presentation covered regional relationships, the history of the area, land use, climate, air quality, geology and topography, soils, surface water resources, groundwater resources, waste disposal, vegetation, wildlife/habitat, and freshwater wetlands.

Mr. Lutkewitte asked why it would be beneficial to the Township. Mr. Anfuso noted that it is beneficial to Planning because it provides a resource for quick access to concerns of specific areas. Additionally, applicants and engineers as well as Governing Body can reference the report that would serve as a single source reference.

The report will go on the website for access and record keeping.

Ms. Teresa Dinelli- Colts Neck Resident noted that 20 points would be awarded for Sustainable Jersey's bronze certification.

Mr. Lutkewitte acknowledged the work of all participating parties from Environmental Commission, Long Range Planning, and Sue Fitzpatrick's leadership which led to the creation of the report.

Chairman Tobia thanked the members for creating a fact-based working document.

Mayor Buss noted the benefit of the report and questioned how the document will be updated and managed. Mr. Anfuso noted that with a Master Plan element they are reevaluated every 10 years so there is a cycle that would update by default. Board Members asked if something else were to occur in a timelier fashion how updates would be made, Mr. Anfuso noted it could be updated as needed.

Mr. Viola thanked everyone for their efforts and noted the report as a major contribution.

Mr. Tobia asked for a motion to adopt and memorialize the resolution incorporating the ERA as an element of the Master Plan:

OFFER:	Viola
SECOND:	Lutkewitte
AFFIRMATIVE:	Tobia, Torchia Buss; Corsi; Lutkewitte; Sullivan; Taeschler; Viola; Stivala, Visci
NEGATIVE:	None

4. Affordable Housing

Mr. Viola completion of the first strategy is imminent for Fourth Round Affordable Housing and there is a plan to draft the Fourth-Round plan changes with Beth McManus on October 14th. From there, the plan would be documented and memorialized on agenda for October 24th with the Township Committee.

OLD BUSINESS

1. **PB766 Delicious Orchards – 320 Route 34 - Block 46; Lot 15**

Application for Minor Site Plan Approval with Variance to remove existing pad and generators and construct a new generator pad and install two generators in the B-1, Business Zone. Time to November 12, 2025.

Mr. Giunco introduced the application noting that it would require continuance of an existing variance which will allow 4 feet of separation to continue where 20 feet is required by ordinance.

Mr. Steib noted that last month's meeting was cancelled and that the service was reviewed and acceptable and the board has jurisdiction with no requirement for further notice given the change of the meeting.

Exhibits before board-

A1 Application for Minor Site Plan 6.4.2025
A2 Minor Site Plan prepared by Colliers Engineering 6.4.2025 and revised 7.9.2025
A3 Commercial Topographic Survey prepared by Colliers Engineering 4.11.2025
A4 Aerial Photograph of property
A5 Photograph of existing and proposed generator
A6 Kohler Power Systems Technical Information Bulletin
A7 Initial Engineering Letter prepared by Glenn Gerken dated 8.6.2025
A8 Report from Board of Health 7.16.2025 updated 9.3.2025
A9 Report from Environmental Commission dated 7.21.2025
A10 Report from Planner Tim Anfuso 8.7.2025
A11 Report from Fire Council dated 6.20.2025

Mr. Steib swore in professional witnesses Timothy Anfuso, Daniel Sobieski, and Glenn Gerken.

Mr. Giunco ask Mr. Sobieski to describe the site plan. Mr. Sobieski noted the property size of approximately 33.01 acres in the A-1 Business District Zone. The existing generator is located at the southwest corner of the rear of the building and adjacent to the loading docks. The applicant is proposing to remove the pad and generator and replace with two new generators, with the installation on a new concrete pad that is approximately 12" thick and in the same location as the existing. The new generators are approximately 4.3' wide by 18.2' long, approximately 125 inches in height and the concrete pad will be 22' x 20'. The generators will have fuel tanks located below each generator and include sound enclosures.

Mr. Sobieski continued noting the generators are located approximately 393' from the front yard, 196' from side yard, 801' rear yard all within permitted distances. There was a sound study conducted by Renewable Power Energy LLC and based on the results 130' distance from both generators at 100% power, measures approximately 63.8 decibels. The threshold for continued airborne sound at property line is 65 decibels and given that the nearest property line is 196', the generators comply with the NJ State Statute 7.91.92

Mr. Sobieski noted that the distance from the structure to the generators is a continuation and not a new request and that no conditions are being worsened. The new systems are also more efficient in both fuel consumption and sound. The additional variance for not providing a 4' plant strip with a proposal instead would be screened by a 6' wooden stock-ade fence, Mr. Sobieski's opinion is that there is no visual detriment to the public or property owners and that the variances can be granted without significant or substantial detriment to the public good.

Mr. Gerken wanted clarification of which property line is at 196' which was noted to be the medical facility line. Mr. Gerken also noted that generators are typically tested weekly and would typically be during the day, and in an emergency situation the noise code from the state would not apply.

Chairman Tobia asked if the Board were to deny and request, they meet code they would need to move the generators further and create additional impervious coverage. Mr. Giunco noted that it was correct and it would impact on aesthetic features that currently exist.

Mr. Tobia also noted a condition of approval that the generators would be required to have extended oil and antifreeze drains to minimize environmental concerns during servicing.

A Board Member asked what the design standards were for generators to be distanced behind the building. Mr. Sobieski noted 3' from a building and 10' from a window/door. Mr. Anfuso noted that the 20' setback is standard, however it was not designed for consideration on HVAC or generator systems and currently there are no exemptions.

Chairman Tobia opened for public and noted no public comments were present.

Mr. Giunco walked through the application, reports, considerations, and noted the generators were integral to Delicious Orchards given any power outage to keep their goods safe. The owners do not recall any noise complaints for the existing generators and noted the Township has no record of same.

Mr. Tobia asked for a motion with the conditions set forth

Motion to approve Mr. Corsi as Vice-Chairman:
OFFER: Lutkewitte
SECOND: Corsi
AFFIRMATIVE: Tobia, Torchia Buss; Corsi; Lutkewitte; Sullivan; Taeschler; Viola; Stivala
NEGATIVE: None

2. **PB768 Sciandra – 88 Clover Hill Road - Block 7.08; Lot 15**

Application for two lot Minor Subdivision in the A-2, Agricultural Residential Zone. Time to October 10, 2025. Mr. Steib noted the Board has jurisdiction and that the service requirements are in order.

Exhibits before the board-

A1 Application for Minor Subdivision from Anthony Sciandra dated 6.30.2025
A2 Minor Subdivision Plan prepared by Two River Engineering 6.25.2025 revised 8.18.2025
A3 Report from Glenn Gerken dated 9.5.2025
A4 Report from Health Officer dated 8.29.2025
A5 Report from Fire Council dated 7.7.2025
A6 Report from Environmental Commission dated 7.15.2025
A7 Report from Tim Anfuso dated 9.5.2025

Mr. Alfieri introduced the application, Mr. Steib swore in AJ Garito from Two River Engineering, Mr. Timothy Anfuso, and Mr. Glenn Gerken.

Mr. Garito added additional exhibits for his testimony:

A8 Color Rendering of Subdivision Plan prepared by Two River Engineering dated 8.18.2025
A9 Photo Board with Six 8.5 in. x 11 in. Photographs of Subject Property

The Applicant proposes to subdivide the property into two lots, both of which will be accessed from Clover Hill Road. Proposed new lot 15.01 will have a lot area of 94,324 square feet (2.0165 +/- acres) and will be a vacant property. A portion of the existing circular driveway on that proposed new lot will be removed except as may be usable to access a new single-family home to be constructed on that lot in the future.

Proposed new lot 15.02 will have a lot area of 123,458 square feet (2.834 +/- acres) and will retain the existing two-story residential home, inground swimming pool, driveway and walkways. Both lots will fully conform with the dimensional requirements of the A-2 Residential Zone District. No Variances are required. The Applicant is requesting relief from the requirement for providing a 150-foot scenic corridor easement and has agreed to comply with the recommendations set forth in the Township Planners report to provide a 75-foot-wide landscape easement (excluding driveways) on both lots.

Mr. Garito provided testimony as to the existing conditions of the property and the proposed improvements. He testified that the proposed subdivision is Variance free and complies with the requirements of the Ordinance. He further testified that there are no other lots in the area that maintain a 150-foot scenic corridor easement and agreed that the 75-foot landscape easement (excluding driveways) recommended by Planner Anfuso was reasonable under the circumstances.

Mr. Garito advised that the Applicant agrees to comply with the technical comments and recommendations contained in the report of the Township Planner marked as Exhibit A-7 in evidence and the report of the Board Engineer marked as Exhibit A-3 in evidence including

adding a note to the plan that only trees in the disturbed portion of the site will be removed and protective tree fencing will be placed along the limits of disturbance. A deed for the right-of-way dedication along Clover Hill Road will be submitted as a condition of approval. Greenway markers will be provided for the landscape easement, deeds perfecting the subdivision or a map will be filed to perfect the subdivision.

Public Comment

Mr. Wilcox – Clover Hill Resident: Lot is adjacent and is 2.08 acres and is concerned that he could lose acreage. The conceptual building shows a rear-entry garage and Mr. Wilcox believes this is encroaching and noted neither neighbor has a rear-entry garage. Mr. Garito noted that the concept includes a side-entry garage as opposed to rear-entry.

Ms. Vickers- parents are Woodland Drive Residents behind the lot and Ms. Vickers wanted to note concerns about environmental impacts and drainage. Additionally, with mentions of shifting the house plans back, will there be an additional meeting to discuss those plans?

Mr. Steib noted that the Environmental Commission did provide a report and there were no negative comments on the proposed plans. Chairman Tobia asked Mr. Garito regarding the existing lot next door to the home, how far is the pool off the back property line? Approximately 95' Mr. Garito noted.

Ms. Denny – Woodland Drive Resident: the proposed house being built impacts the neighborhood with tree removal. Mr. Garito noted that the intentions are not to completely clear the lot.

Mr. Rouche – Squire Terrace Resident: concerned about the impact to open space which impacts light, noise, and will negatively impact wildlife and neighbors.

Mr. Butterman- Woodland Drive Resident: concerns about grading with this plan as they already have issues with drainage. Mr. Garito addressed the concerns.

All required monuments and pins will be set, landscape easement and right-of-way dedication deeds recorded and structures to be removed shall be removed prior to recording of the subdivision plat for deeds perfecting the subdivision.

The individual building permit plot plans shall comply with the Township's basement/seller definition as well as 8:1 grade for fill around the new house. The Zoning table on sheets 1 and 3 shall be revised to correct the front, side and rear yard setback requirements, show the location of the existing well, location of the existing septic tank and disposal field and secure Board of Health approval or a Letter of Exception for new lot 15.01 from the Monmouth County Planning Board.

Mr. Tobia asked for a motion with the conditions set forth

OFFER: Stivala

SECOND: Viola
AFFIRMATIVE: Tobia, Torchia Buss; Corsi; Lutkewitte; Sullivan; Taeschler; Viola; Stivala; Visci
NEGATIVE: None

MOTION TO ADJOURN

Mr. Tobia adjourned the meeting at 8:46 pm.

I hereby certify that the above is a true and exact copy of the meeting minutes for the meeting conducted on September 9, 2025, adopted by the Planning Board of Colts Neck Township at its meeting held on December 9, 2025.

Kristen Hillkane

Secretary
Planning Board of
Colts Neck Township