TOWNSHIP OF COLTS NECK
PLANNING BOARD MEETING
December 10, 2024 MINUTES

Mr. Tobia 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 a notice to the Asbury Park Press and the Star Ledger 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 always maintained. I further order that this public announcement be placed in the minutes of this meeting."

Salute the Flag

Roll Call:

Present:	Tobia, Lukowitz, Torchia Buss, Rizzuto, Taeschler, Penczak, Visci, and Sullivan
Absent:	Bader (excused), Corsi (excused), and Lutkewitte (excused)

Also Present: Glenn Gerken, P.E., Timothy Anfuso, P.P., and Mike Steib, Esq.

Approval of Minutes:

Motion to approve the November 12, 2024, meeting minutes

OFFER:	Lukowitz
SECOND:	Taeschler
AFFIRMATIVE:	Tobia, Lukowitz, Torchia Buss, Taeschler, and Visci
NEGATIVE:	None

RESOLUTIONS:

There were no resolutions.

ADMINISTRATIVE ITEMS:

Mr. Anfuso announced there will be a public meeting on January 14, 2025 to review the various options available to the town regarding the next round of affordable housing. Planning Board business will also take place at that meeting. It will be held at 7pm at the Conover Road Elementary School, 76 Conover Road in Colts Neck.

The Board reviewed the proposed meeting dates for 2025. They will vote on the dates at the next meeting.

OLD BUSINESS:

PB762 Roger Mumford Homes, LLC – Block 53, Lots 4, 5 & 7 – Obre Rd
Application for Preliminary and Final Major Subdivision approval for a 26 lot subdivision consisting of 25 residential lots and one open space / stormwater management lot in the A-7 Zone. Time to December 24, 2024

Mr. Steib reminded those present that this was a continuation of the hearing from last month. He listed two new exhibits.

43. Existing Trees Preservation Plans dated 12.02.24
44. Township Planner's Report dated 12.05.24

Dante Alfieri, Esq., represented the applicant. He stated that the applicant heard the Board's requests and worked diligently to comply. He noted that they did their best to save what trees they could, but most of the trees to be removed will be done so out of necessity.

Sarah Rebar Bisaha, LLA, PP was sworn. Brian Decina, P.E., shared that Ms. Rebar Bisaha made a visit to the site with her staff and identified some of the larger trees for preservation. They are identified as part of exhibit #43. Ms. Rebar Bisaha gave testimony regarding the tree preservation plan. She noted it was hard to determine the health of the trees due to the time of the year but there didn't seem to be much breakage, which would suggest they were in good health. Most of the larger trees were oaks. Most of the stands were located on the north side of the property. They determined they could save most of the trees along the boundary of the site. The updated plans will save 129 trees. Ten of the 14 trees over 20" in diameter will be preserved. Any trees 20" in diameter and over were assigned a 60-foot diameter canopy. They will also be able to save some of the trees in the detention basin on the southeast side of the property. She stated that the trees will have to be fenced prior to the start of construction so they are clearly marked for preservation. A 39" tree which was of concern to many will be preserved and there will be no grading beneath its canopy. The applicant agreed to make the erection of snow fencing around the trees to be saved a condition of approval to preserve the health of the trees. Mr. Tobia asked for the applicant to take every effort to preserve the trees, and if it becomes necessary to remove a preserved tree that Mr. Gerken and Mr. Anfuso be consulted before removal. 472 trees were originally scheduled to be removed. Having saved 129, that leaves 343 trees to be removed.

Per Mr. Anfuso, there are no regulated trees being saved on lots 1–12 in Block 53.02. He believes the applicant should be required to replace 3 to 4 trees per lot as some form of mitigation. A condition of approval should require all trees to be saved to be located on the Individual Building Permit Plot Plans, Foundation Location Survey, and Final As-Built Survey. If trees to be saved are removed during construction, two replacement trees should be provided for each tree removed prior to the issuance of a Certificate of Occupancy. And also per his report, the applicant should clarify the proposed bioretention planting plan, as all indicated plantings will not fit in the identified areas. Mr. Tobia requested additional buffer landscaping on Hockhockson and Obre Roads.

Mr. Steib read the list of conditions for approval.

1. The approvals granted in connection with this application are as follows:

a. Variance to permit unencumbered lot area of 30,000 square feet for lots as shown on the Preliminary and Final Major Subdivision Plan prepared by French & Parello.

b. Zero lot frontage on proposed lot 21.14.

c. No scenic corridor along Hockhockson and Obre Roads.

d. Building coverage Variances as shown on the submitted plans for lots 1, 3, 8, 11, 21.03, 21.05, 21.06, 21.07, 21.09 and 21.10.

e. The application for sign Variance has been withdrawn.

f. Tree removal will be permitted in accordance with the existing tree preservation plans prepared by French & Parello, dated December 12, 2024, marked as Exhibit A-43 in evidence which will provide that 129 regulated trees including 10 of which are specimen trees of 20 in. DBH or greater be preserved and 48 replacement trees be required for regulated tree removal on lots 1 through 12 (4 per lot).

2. The Applicant shall comply with technical recommendations set forth in the report of the Township Board of Health, dated October 31, 2024.

3. The Applicant shall record an agricultural deed notice informing potential purchasers of prior farming activities on the subject site and adjoining agricultural uses along with the potential use of pesticides including language as deemed appropriate by the Planning Board Planner.

4. Compliance with the existing tree preservation plan marked as Exhibit A-43 in evidence. Trees to be saved shall be fenced with snow fencing. The Applicant shall cooperate with the Planning Board professionals to rework grading, drywells and/or provide for pervious surfaces to comply with stormwater management regulations.

5. All trees to be saved shall be located on the individual building permit plot plans, foundation, location, surveys and final as built surveys. If trees designated to be saved are removed, they shall be replaced with a ratio of two (2) new trees for one (1) tree replaced.

6. The access easement to landlocked lot 12 shall be 18 feet wide and paved in accordance with Exhibit A-42.

7. Location of generators shall be limited to the rear one half of side yards to rear yards and shall be screened from view of the streetscape and neighboring properties.

8. The 50-foot access easement to lot 6 shown on the plans shall be reduced to 35 feet.

9. The Applicant shall provide electric vehicle (EV) charging stations in the number required by regulations.

10. The Applicant shall provide a deed to vacate the 10-foot access and utility easement and telephone and electric easement on block 53 lot 6.

11. The Applicant shall comply with the technical conditions set forth in the planning reports of Planner Tim Anfuso, dated November 6, 2024, and December 5, 2024.

12. The Applicant shall provide a full width mill and overlay of Hochhockson Road ending at Penny Royal Court extending 150 feet beyond subject property on Obre Road.

13. The Applicant shall prepare a phasing schedule to be approved by the Planning Boards Professionals to address drainage during construction.

14. The stockpile soil mounds on the property will be tested for pesticides. Those soils designated along Obre Road will be removed. The Applicant shall be responsible for obtaining any required State permits for such removal.

15. The Applicant shall comply with the technical recommendations in the report of the Planning Board Engineer, dated November 11, 2024, marked as Exhibit A-35 in evidence.

16. The Applicant shall provide for a Homeowners Association that will be responsible for maintenance of stormwater basins and bioswales. If the Homeowners Association fails to enforce those requirements, the Township shall have enforcement authority. The Homeowners Association shall maintain an Operations and Maintenance Manual and provide periodic reports to the Township as required.

17. A deed restriction shall be recorded providing that bioretention fencing shall be of a "slip rail" style be maintained and replaced as needed by the individual homeowners which requirement shall be enforceable by the Homeowners Association and by the Township of Colts Neck in the event of failure.

18. The Applicant shall employ techniques to mitigate dust/fumes and other noxious impacts of construction and shall comply with Ordinance Section 102-66 "Performance Standards".

19. Construction access shall be limited to the easterly portion of Hockhockson Road and Water Street.

20. The Applicant shall petition the governing body to permit on-street parking on one side only, pursuant to RSIS requirements.

21. The Homeowners Association documents shall include a restriction that all lights on residential homes shall be shielded downward and shall not project off the individual lots.

22. The Applicant shall coordinate with the adjacent farm property with respect to utility and drainage improvements.

Mr. Tobia expressed the Board's appreciation of the applicant's flexibility. He believes the changes made make it a better application.

Motion to approve the application
OFFER: Rizzuto
SECOND: Taeschler
AFFIRMATIVE: Tobia, Lukowitz, Torchia Buss, Taeschler, and Visci
NEGATIVE: None

NEW BUSINESS:

PB763 Colts Neck Pub – Block 47, Lot 14 – 270 Route 34
Application for Minor Site Plan Approval. The applicant seeks to improve a gravel overflow parking area with pavement, sidewalks, and landscaping. The property is zoned B-1, Business, and the 53-seat restaurant is a permitted principal use. Time to January 3, 2025

Mr. Steib shared the following items as exhibits.
1. Development Application dated 07.24.24
2. Minor Site Plan dated 07.01.24, 11.12.24
3. Boundary and Topographic Survey dated 11.10.22
4. Aerial photo of subject property, undated
5. Additional Township Engineer's Report dated 12.04.24
6. Shade Tree Committee Report dated 09.05.24
7. Health Officer's Report dated 11.20.24
8. Fire Official's Report dated 07.29.24
9. Architectural Review Committee Report, undated
10. Township Planner's Review dated 12.05.24

Lawrence Sachs, Esq., appeared on behalf of the applicant. He noted this was a follow-up to a previous application granting a temporary gravel overflow parking lot. The applicant was required to return to the Board to demonstrate if there was a need to make the lot permanent by paving it. The applicant stated there was a need for the additional parking stalls. In addition to the paved parking, currently there are 31 gravel stalls. In paving over the gravel lot, 2 stalls will be deleted for additional landscaping and sidewalk. No additional drainage will be needed.

AJ Garito, P.E., Glenn Gerken, P.E., and Timothy Anfuso, P.P., were sworn. Mr. Garito presented two additional exhibits.
11. Color rendering of the Site Plan
12. Photo Board

Three design waivers are needed for curbing, widening the access drive, and for not installing shade trees 50 feet on center around the perimeter of all parking facilities.

Mr. Gerken noted that the applicant was approved for temporary lighting but installed permanent lighting. His office inspected it and determined the lighting was code compliant.

Mr. Anfuso asked for all conditions of the previous application, PB755, to be continued. Since the proposed improvements are minor, he suggested all site improvements be installed prior to the release of signed plans to avoid the need for performance guarantees and inspection fees.

Mr. Steib read the conditions for approval.

- The applicant has withdrawn the request for street tree waivers
- The applicant continues the request for the driveway width and curbing waiver
- The applicant will comply with the comments in the technical report from Mr. Anfuso and Mr. Gerken

Motion to approve the application

OFFER:	Rizzuto
SECOND:	Lukowitz
AFFIRMATIVE:	Tobia, Lukowitz, Torchia Buss, Rizzuto, Taeschler, Penczak, Visci, and Sullivan
NEGATIVE:	None

DISCUSSION:

There was no discussion.

MOTION TO ADJOURN

A motion to adjourn was made and seconded at 8:32 p.m. 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 10, 2024, adopted by the Planning Board of the Township of Colts Neck at its meeting held on January 16, 2025.

Joni VanNest

Joni VanNest, Secretary
Planning Board
Colts Neck Township