TOWNSHIP OF COLTS NECK
PLANNING BOARD MEETING
June 11, 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, Bader, Corsi, Taeschler, Lutkewitte, and Sullivan
Absent:	Penczak (excused), Visci (excused)

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

Approval of Minutes:

Motion to approve the March 12, 2024 meeting minutes

OFFER:	Rizzuto
SECOND:	Lukowitz
AFFIRMATIVE:	Tobia, Lukowitz, Torchia Buss, Rizzuto, Lutkewitte, and Sullivan
NEGATIVE:	None

RESOLUTIONS:

None

ADMINISTRATIVE ITEMS:

Trailers, Campers, Boats Consistency Review

Mr. Anfuso stated that the Board reviewed and voted on this Consistency Review several months ago, noting that the Ordinance was consistent with the Township's Master Plan. At the meeting of the Governing Body when they were to vote on the Ordinance, there were only four members present. The vote was a tie; therefore, the ordinance didn't pass. The Long Range Planning Committee then made a minor change to the draft ordinance: in the A1, A2, and A3

Zones, trailers, campers, boats, etc. must be screened from the rear and side property lines by a six foot fence or landscaping that would reach a six foot height within a three year growing period. There is no screening requirement for the street or front yard, as the Ordinance does not allow trailers, campers, boats, etc. to be placed in front yard setbacks. The amended ordinance still advances the goals of the Master Plan by encouraging municipal action to guide the appropriate use of the land and to promote light, air, and open space.

Motion to adopt the Consistency Review

OFFER:	Corsi
SECOND:	Lutkewitte
AFFIRMATIVE:	Tobia, Lukowitz, Torchia Buss, Rizzuto, Bader, Corsi, Taeschler, Lutkewitte, and Sullivan
NEGATIVE:	None

OLD BUSINESS:

None

NEW BUSINESS:

PB753 Charleston Meadows/Terry Sherman – Block 42, Lot 4 – Stonehill Rd
Application for Final Major Site Plan and Final Major Subdivision approval for Charleston Meadows, in the A-4 Zone.

Dante Alfieri, Esq., spoke on behalf of the applicant. He reminded the Board that they gave preliminary approval to the applicant in December 2022.

Mr. Steib marked the following items as exhibited.

1. Application, dated 04.25.24
2. Area-wide water quality management plan site-specific amendment, dated 04.11.24
3. Developer's Agreement
4. Master Deed
5. Declaration of Covenants, Easements, and Restrictions
6. Master Association By-laws
7. Condominium Association By-laws for the affordable units
8. Stormwater Management Report, dated 03.05.24 and revised 04.02.24
9. Final subdivision inspection, dated 03.25.22 and revised 04.02.24
10. Report from Township Engineer Glenn Gerken, P.E., dated 05.25.24
11. Report from Township Planner Tim Anfuso, P.P., dated 06.06.24
12. Resolution granting preliminary approval, dated 12.06.22
13. Report from the Shade Tree Commission, dated 06.06.24
14. Report from the Health Department, dated 05.02.24
15. Report from the Fire Council, dated 05.03.24
16. Report from the Architectural Review Committee, dated 03.12.24
17. Report from Hanna McManus regarding affordable housing requirements
18. Emails between Attorney Mike Steib and Township Planner Tim Anfuso, dated 05.23.24
19. Correspondence from the applicant, dated 06.03.24

20. Aerial photograph of the subject property, undated
21. Architectural elevations and floor plans
22. Color scheme exhibit, dated May 2022

Terry Sherman of Countryside Developers, Township Engineer Glenn Gerken, P.E., Township Planner Tim Anfuso, P.P., and Project Engineer Andrew Stockton, P.E. were sworn.

Mr. Sherman summarized technical changes that were made to the project to be in compliance with requests from Mr. Anfuso in a letter dated 06.06.24, and a letter from Mr. Gerken, dated 05.21.24. He noted that they are in compliance with all requirements except for those that can't go forward until prerequisites are complete.

Maintenance fees are based on square footage. Therefore, fees for the affordable units will be somewhat less than the market rate units.

Mr. Anfuso requested clarification on the justification for two homeowner's associations – a Master Association for all units and a Homeowner's Association for the 16 condominium units. He was concerned that the condo unit residents would have to be in two different associations and that they would have to pay two different association fees. Mr. Anfuso was concerned that between the two association fees, condo unit residents would ultimately pay more than townhouse residents. He requested that Mr. Sherman provide supporting documentation demonstrating that the condo units will not be paying more than the townhouse units. Mr. Bader asked why there will be two different associations. Mr. Sherman stated that by breaking down the maintenance fees by association, the condo units will be paying less. He noted that this set up is fairly standard in the industry. Mr. Steib did some research and confirmed that it is not unusual to have an umbrella association as well as smaller associations. The umbrella association covers the things that all units take part in and the smaller associations are specific to the components of smaller unit groups.

The Board had no questions for Mr. Sherman or Mr. Stockton.

Mr. Steib noted the following conditions of approval.

1. Except as modified by this Resolution, all conditions of the Resolution granting Preliminary Subdivision and Site Plan approval dated December 6, 2022 shall be continuing conditions of this approval.
2. The Applicant shall provide a Declaration of Covenants and Restrictions providing that the "stub road" to be extended into adjacent Howell Township from Charleston Court will not serve more than three single family lots to be developed on contiguous Howell Township block 172 lot 15.
3. The Riparian Buffer shall be placed within a Conservation Easement which will permit the inclusion of the access drive and stormwater management retention basin.
4. Sight Triangle Easements shall be placed at the intersection of the access road and Stone Hill Road.
5. Two potable wells on site shall be sealed by a licensed driller prior to the issuance of building permits.

6. Septic systems on the property shall be placed by a licensed contractor prior to the issuance of permits.
7. Additional plantings in the disturbed area of the 300-foot Riparian Buffer in rear yards next to the Conservation Easements shall be planted.
8. The solid waste refuse area shall be screened with a solid vinyl fence and bollards.
9. Applicant shall comply with the comments set forth in the reports of Township Planner McManus dated October 5, 2022, May 20, 2024 and May 21, 2024.
10. There shall be no decks on the Townhouses or Apartments.
11. Buildings facing one another and those facing Stone Hill Road shall be provided with enhanced facades. The Planning Board notes that the Applicant decided to enhance all facades of the building to provide continuity within the development.
12. The Applicant shall provide irrigation for all landscaped areas.
13. The Applicant shall provide an additional 18 trees along the rear lot lines of the fee simple units.
14. The Applicant shall comply with the May 3, 2024 report of the Fire Council requiring adequate clearance around structures for access by fire apparatus.
15. The Applicant shall comply with the May 2022 color scheme marked as Exhibit A-22 in evidence.
16. The Applicant shall comply with the technical recommendations in the Planners report dated June 6, 2024 marked as Exhibit A-11 in evidence including comment paragraphs 2, 3, 4, 5, 6, 8, 9, 10, 11, 12, 13 14, 15, 16, and 17.
17. The Applicant shall comply with the technical recommendations set forth in the Planning Board Engineer's report dated May 21, 2024 including paragraph 4 under Zoning Requirements paragraphs 1, 2, 3 a, b, c, d, e and f, 4 a, b, and c, 5 a, b, c and d, 6, 7 a, b and c, 8 a, 9 a, 10 and 11 under Stormwater Management paragraph 2 under Sanitary Sewer, paragraph 2 under Water System, paragraphs 2, 3. And 4 under Subdivision Map, paragraphs 2, 3, 4, 5, 6, 7, 8 and 9 under Additional Sight Plan Comments.
18. The Applicant shall provide documentation confirming that the proposed Association Structure with a Master Association and Condominium Association will not result in association fees to the Affordable Units that exceed the association fees to be paid by the townhouse units.

Motion to approve the application

OFFER:	Taeschler
SECOND:	Lukowitz
AFFIRMATIVE:	Tobia, Lukowitz, Torchia Buss, Rizzuto, Bader, Corsi, Taeschler, and Lutkewitte
ABSTAIN:	Sullivan
NEGATIVE:	None

Mr. Tobia commended the applicant for diligently working with the Board and the Township on the numerous requests and conditions for the project. He believed the project to be a role model for the Township of how affordable units can be integrated into a development and create very attractive buildings and landscapes while being a much needed and positive addition to the Township.

DISCUSSION:

Mr. Tobia suggested cancelling the August meeting as there were no new applications in the works for that meeting. Mr. Anfuso advised the Board that if the Mumford application for a major subdivision is not approved in July the Board will have to ask the applicant to postpone until September to be heard. The Board agreed to leave that open for discussion next month.

MOTION TO ADJOURN

A motion to adjourn was made at 8:04 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 June 11, 2024, adopted by the Planning Board of the Township of Colts Neck at its meeting held on July 9, 2024.

Joni VanNest

Joni VanNest, Secretary
Planning Board of the
Township of Colts Neck