TOWNSHIP OF COLTS NECK
PLANNING BOARD MEETING
MARCH 12, 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, Buss, Rizzuto, Lutkewitte, Penczak, Visci, and Sullivan
Absent: Bader (excused), Corsi (excused), and Taeschler (excused)

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

Approval of Minutes:

Motion to approve the January 9, 2024 meeting minutes
OFFER: Lukowitz
SECOND: Penczak
AFFIRMATIVE: Tobia, Lukowitz, Buss, Rizzuto, Lutkewitte, Penczak, Visci, and Sullivan
NEGATIVE: None

RESOLUTIONS:

There were no Resolutions to memorialize.

NEW BUSINESS:

The Board conducted a review of the following Ordinances for Consistency with the Master Plan. Mr. Anfuso stated that adoption of these state model Ordinances is mandatory. The Ordinances set minimum standards. Municipalities are free to make the standards more restrictive. He noted that he is required to file an annual report in which he must advise the state if the township adopted the new model Ordinances. If the answer is no, the state will know the township is out of compliance. Therefore, he recommended adoption of the Ordinances.

Ordinance 2024-5, Stormwater Control
Mr. Anfuso listed the main changes contained in the Ordinance. It changes the rainfall intensity standards for storm events, increases the 100-year flood elevation by 2", and it requires the use of multiple stormwater controls to spread water throughout a development.

Motion to adopt the Stormwater Control Consistency Report

OFFERED BY:	Penczak
SECONDED BY:	Lutkewittte
YES:	Tobia, Lukowitz, Buss, Rizzuto, Lutkewitte, Penczak, Visci, and Sullivan
NO:	None
ABSENT:	Bader, Corsi, Taeschler

Ordinance 2024-8, Privately Owned Salt Storage
Per Mr. Anfuso, this Ordinance regulates private salt storage facilities in the township. The municipality is already in compliance. He does not believe there are any commercial enterprises in town with private salt storage facilities. Residencial storage facilities must now meet the new standards for storage: loose de-icing materials can be stored outside only allowed between October 15th and April 15th, it must be placed on an impervious surface, it must not be within 50 feet of any stream or body of water or storm drain and must be covered. De-icing materials may be stored in a permanent structure year round.

Motion to adopt the Privately Owned Salt Storage Consistency Report

OFFERED BY:	Rizzuto
SECONDED BY:	Penczak
YES:	Tobia, Lukowitz, Buss, Rizzuto, Lutkewitte, Penczak, Visci, Sullivan
NO:	None
ABSENT:	Bader, Corsi, Taeschler

Ordinance 2024-9, Commercial Vehicle Parking
Mr. Anfuso stated that currently no commercial vehicles are permitted to park on residential properties unless they are actively engaged in delivering or construction. The proposed Ordinance will relax the current standards. A maximum of one commercial vehicle will be allowed to park in the A-2, A-3, and A-7 zones. A maximum of 2 commercial vehicles will be allowed in the A-1 and AG Zones. Commercial vehicles will not be allowed to be parked in the front yard and must meet the side and rear setbacks for the zone they are in. Signage maximum of 4 square feet per side. Commercial vehicles will be limited to a single rear axle. The parking of rack bodies, dump bodies, omnibuses, and school buses will remain prohibited residential zones. The vehicles must have a valid registration and must be the property of and registered to the property owner or tenant. There is an exemption for farm vehicles, as they are covered by the Right-to-Farm Act. Mr. Anfuso stated the Ordinance is consistent with the Master Plan.

Board members engaged in debate over language in Section 2 regarding vehicles in a state of substantial disrepair or derelict. They believe the terms to be very vague and were concerned it would put undue burden on the Code Enforcement Officer to have to pass judgment without the Ordinance setting any clearly defined standards.

The Planning Board recommended that consideration should be given to include standards to define what constitutes "substantial disrepair" of vehicles in order to provide guidance to the Code Enforcement Officer.

Consideration may also be warranted to expand what vehicles will be prohibited such as those which expand basic vehicles such as attached "rack ladder" trucks.

The chairman opened up the meeting for public comment. Kevin O'Brien of 18 The Enclosure read a prepared statement. He shared how other "upscale" communities handle the issue of commercial vehicles in residential areas. He suggested that since most Colts Neck homes have two-car garages it would be appropriate to require residents to park commercial vehicles in their garages.

Motion to adopt the Commercial Vehicle Parking Consistency Report with Board suggestions as noted above

OFFERED BY:	Rizzuto
SECONDED BY:	Lutkewitte
YES:	Tobia, Ludowitz, Buss, Rizzuto, Lutkewitte, Penczak, Visci, and Sullivan
NO:	None
ABSENT:	Bader, Corsi, and Taeschler

Ordinance 2024-10, Camper, Boat, Recreational Vehicle and Trailer Parking

Currently, there are no restrictions on the number of campers, boats, RVs or other trailers parking on residential properties. They must be either in the back or side yards and must meet setback requirements. The current requirement that they be screened from public view is being eliminated with this Ordinance. The Ordinance will also cap the number of vehicles/trailers to only two. Mr. Anfuso clarified that a boat which is stored on a trailer will be considered to be one unit, not two. The vehicles must have a valid registration and be the property of either the owner or property tenant. Farm vehicles and trailers are exempt from this Ordinance.

The chairman opened the meeting to public comment. Mr. O'Brien spoke again. He compared Colts Neck's proposed regulations to those of other towns. He also noted "eyesores" in various places throughout Colts Neck where vehicles/trailers are parked in full view. He asked the Board to limit parking of vehicles/trailers to only backyards. Mr. O'Brien suggested that the Ordinance is being created to lighten the load on the Code Enforcement Official.

Motion to adopt the Camper, Boat, Recreational Vehicle and Trailer Parking Consistency Report

OFFERED BY:	Rizzuto
SECONDED BY:	Penczak
YES:	Tobia, Lukowitz, Buss, Rizzuto, Lutkewitte, Penczak, Visci, and Sullivan
NO:	None
ABSENT:	Bader, Corsi, Taeschler

DISCUSSION:

None

PUBLIC COMMENT

Mr. O'Brien was given the opportunity to speak again. He was given a five minute limit. He requested that the Board take the retaining of shade trees into consideration when granted approvals. Protective fencing should be extended out to the tree drip line so that roots are not disturbed during construction. A lot on Clover Hill has elevated their property, thereby creating a slope which allows stormwater drainage to flow into the neighbor's property. He suggested remedial options to correct this. He also noted a situation where the town engineer suggested a redesign of a septic system to avoid effluent bleeding out of a retaining wall. He believed the engineer did not do his due diligence in assuring the wall did not leak. In closing, Mr. O'Brien noted that when he voiced his concerns the Administrator directed the Health Officer not to respond to his questions.

Mr. Tobia advised Mr. O'Brien that he appreciates his concerns, but these situations are not in the purview of the Planning Board. He suggested Mr. O'Brien take his concerns to either the Zoning Board, Township Administrator, or the Township Committee.

MOTION TO ADJOURN

A motion to adjourn was made at 8:40 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 March 12, 2024, adopted by the Planning Board of the Township of Colts Neck at its meeting held on June 11, 2024.

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