TOWNSHIP OF COLTS NECK
PLANNING BOARD MEETING
November 14, 2023 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, Rizzuto, Bader, Corsi, Taeschler, Penczak, Visci, and Sullivan
Absent: Fitzpatrick (excused), Lutkewitte (excused)

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

Approval of Minutes:

Motion to approve the October 10, 2023 meeting minutes
OFFER: Lukowitz
SECOND: Bader
AFFIRMATIVE: Tobia, Lukowitz, Rizzuto, Bader, Corsi, and Taeschler
NEGATIVE: None

RESOLUTIONS:

1. **PB751 – Antler Ridge – Block 22 Lots 6 & 7– 87 & 91 Montrose Rd**
   Memorialization of a Resolution granting an extension of time to March 21, 2024.

   OFFER: Taeschler
   SECOND: Ruzzuto
   AFFIRMATIVE: Tobia, Lukowitz, Rizzuto, Bader, Corsi, and Taeschler
   NEGATIVE: None

ADMINISTRATIVE ITEMS:

None

OLD BUSINESS:

None

NEW BUSINESS:

Mr. Tobia recused himself from discussions regarding application PB743. Vice-Chairman Lukowitz assumed leadership of the meeting.

1. **PB743 – Colts Neck Manor – Block 22 Lot 18 – 302 Route 537**
   Application for a Deviation to the Preliminary and Final Major Site Plan Approval granted on December 14, 2021. The applicant is seeking to modify access to the property, including the relocation and redesign of the eastern driveway in accordance with Monmouth County Planning Board approval. The applicant will also construct a new signal at the Five Points intersection. Time to December 15, 2023

   Mr. Steib informed the Board that this application is requesting a modification from a condition of approval from the original Preliminary and Final Major Site Plan Approval granted on December 14, 2021. This request is based on the requirements set in place by the Monmouth County Planning Board (MCPB) after its review of the proposed project. The MCPB requires the applicant to make changes to the ingress and egress driveways. The easterly driveway is to be extended east to Five Points Road with the addition of a traffic light at the intersection. The westerly ingress/egress will be a right turn only lane.

   Ten items were marked as exhibited -
   1. Development Application
   2. Amendment to the Preliminary and Final Site Plan, dated 10.20.23
   3. Report from Township Planner Tim Anfuso, P.P., dated 11.09.23
   4. Report from Township Engineer Glegg Gerken, P.E., dated 11.13.23
   5. Roadway Improvements Plan, dated 10.19.23
   6. Stormwater Management Report, dated 10.20.23
   7. Stormwater Maintenance Plan, dated 10.20.23
   8. Traffic Study Addendum, 08.20.23
   9. Monmouth County Development Review Committee Conditional Approval, dated 10.04.23
   10. Report from the Fire Council, dated 11.10.23

   John Sarto, Esq. appeared on behalf of the applicant. Christian Roche, P.E., project engineer; Glenn Gerken, P.E., Township Engineer; and Tim Anfuso, P.P., Township Planner - sworn.

   Mr. Roche submitted two additional exhibits.
   11. Colts Neck Manor Plan Rendering, dated 07.20.21
   12. Colts Neck Manor Roadway Improvement Plan Rendering, dated 11.20.23

   Mr. Roche reminded the Board of some specifics of the December 2021 approval for Colts Neck Manor. The eastern access point to Route 537 was going to be limited to a right in/right out access

point, and there was full movement the western access point. Route 537 would be widened to 4 lanes across the frontage of the property. The County required the applicant to modify the access points to provide a direct connection to the Route 537 and Five Points Road intersection. They also required the applicant to convert the western access point to right in/right out only. Additionally, they also have to increase the widening right of way along the frontage of Route 537. Stormwater management requirements include the construction of 3 detention basins. They are designed to exceed the State of NJ's stormwater management regulations. The two design waivers requested in the application are to allow detention basins in the landscape buffer and to allow sidewalks in the landscape buffer.

Mr. Gerken asked for an explanation of the widening of Route 537 along Five Points Park. Mr. Roche explained that all changes being made for the new turning lane will be made in the current roadway, which includes the existing County right of way.

The meeting was opened up to questions from the Board.

Mr. Penczak asked for confirmation that the land used to extend the Five Points Road and Route 537 intersection was purchased by the County. Mr. Roche confirmed.

It was noted that the applicant is paying for the road widening and intersection improvements.

It was also noted that there would be striping rather than raised curbing at the westerly egress to keep drivers from turning left.

Ms. Visci asked if there was any fencing proposed along Route 537 to keep pedestrians from crossing the roadway outside of a crosswalk. Mr. Roche advised that there is not, as the County considers that a structural hazard.

Mr. Lukowitz asked if construction of the 3 detention basins was under the DEP. Mr. Roche stated that the applicant along with the County will be going to the DEP to get a Flood Hazard Permit for the proposed eastern access drive.

Mr. Roche reiterated that all of the changes have been driven by the Monmouth County Planning Board's requirements.

Mr. Anfuso believes the new ingress/egress designs are even safer than the previously approved plan. He also made some clarifications concerning the design waivers. One, the sidewalk will only push into the landscape buffer where it wraps in front of one of the buildings. Other than that, it is behind the 75' easement. Two, the three stormwater management basins within the 75' landscape easement are not a public improvement, they are a private improvement since the applicant will retain ownership and will maintain the basins.

They will need another freshwater wetland permit and flood hazard permit for the improvements. Also, for any area within the 300 foot riparian buffer that is not developed, they will have to expand the conservation easement. They will have to vacate the existing 75' landscape easement from the original project and rededicate a new 75' landscape easement.

The Stormwater Management Maintenance Manual will have to be recorded in the County Clerk's office.

The Planning Department will also need recorded copies of county easements as well as the temporary construction easements.

Mr. Anfuso asked who will be paying then annual electric bill for the streetlights in the newly expanded intersection. Mr. Roche did not have a definitive answer but he said he will be having a conversation with the County about that.

The applicant will either have to amend their Freehold Conservation District Approval or submit a separate application for the realignment of the access drives.

Mr. Anfuso reminded the Board that the Township Fire Official asked that all fire hydrants within the complex have a 5" Storz connection.

Mr. Anfuso reminded all present that conditions that were included in the original approval by the Planning Board that are unaffected by these proposed improvements to the plan will remain in place.

Mr. Gerken noted that because of the taking of 0.12 acres as well as a couple of permanent easements, they will need to submit metes and bounds descriptions to update the tax maps to reflect the changes. It was also noted that the 0.12 acres that are being acquired for the driveway will become County property, not the applicant's property.

Mr. Gerken requested documentation of which drainage inlets would be the applicant's and which will be the Township's or the County's.

Mr. Penczak commented that the sidewalk along Route 537 is solely for the convenience of the residents of Colts Neck Manor, as there are no other sidewalks in the Township. Mr. Lukowitz reminded the Board that the sidewalk was added at the directive of the Monmouth County Planning Board for safety concerns.

Mr. Lukowitz opened the meeting up to the public, reminding all that comments need to be pertinent to the current application.

Roseanne Scotty of Colts Neck – sworn. Ms. Scotty stated that she, and her associates, have been following this progress of this project. She claimed that the Flood Hazard Permit for the project was from 2006. They asked the Development Review Committee to consider the state's new stormwater management rules as they relate to the project, due to the flooding on Route 537. They believed the project drainage was insufficient and that the project is not in compliance with regulations. Mr. Anfuso corrected Ms. Scotty. The Flood Hazard Permit on record was issued in July 2021 and is good through June 2026. Mr. Roche also noted the State of NJ, County of Monmouth and the Township engineer all approved the stormwater management design. The stormwater management design is not the overall stormwater management design, it's a new design strictly for the roadway widening.

Kevin O'Brien, 18 The Enclosure, asked Mr. Roche for his traffic safety credentials. Mr. Roche shared the basis of his expertise and also stated there was a traffic safety expert present to offer testimony if needed. Mr. O'Brien also asked about the drainage permits. Mr. Roche satisfactorily answered his question.

Maryanne Cooper, of Colts Neck, implied that the renewal in 2021 of the Flood Hazard Permit was based on the original 48 units, not the current 360 unit project. She confirmed that with the DEP. Per Mr. Gerken, the development had one permit from the DEP for flood hazard and drainage. Another permit from the DEP will be required for the three new basins which is totally different. Ms. Cooper also wanted to know who is responsible for liability insurance should something happen on the newly purchased property. She was advised that it is County property so the County's liability insurance would cover it.

Liz Dritsas asked about the need for a sidewalk. She doesn't think it is appropriate and should be removed. She feels it will encourage pedestrians to cross at places other than the crosswalk.

Andrew Rider of Colts Neck – sworn – asked if the sidewalk was a County recommendation or a requirement. He was advised that the sidewalk was required.

Elaine Mann of Colts Neck asked if the previous proposal to construct a pedestrian bridge for residents at the traffic light will be installed.

Ms. Bonacci of Millbrook Lane recently moved to Colts Neck. She lives on the corner and has seen many accidents there. Had she known of this proposal she never would have purchased her home in that location. She feels the area is dangerous as it is.

Another resident has a question about the storm basins. Mr. Anfuso explained that the storm drain inlets to the catch basins will be maintained by the County, the 22 inlets along Route 537 will discharge into a water quality basin that is interconnected to a ditch on the property, owned and maintained by the property owner. The resident expressed concern about the flooding that is already happening when it rains. She is concerned that the project will worsen the situation.

Ron Hilleran of Colts Neck asked about the configuration of crosswalks, and how will it impact the traffic on Route 537. The applicant's traffic engineer, Dan Disario, P.E., of Langen Engineering was sworn. He stated there will be 2 crosswalks that cross the minor approaches, and one crosswalk across Route 537. On the westerly side of the intersection there will be 1 crosswalk across Route 537. This is a common crosswalk design for county roads. The current configuration is inadequate in accommodating pedestrians. The new configuration will have pedestrian signals and pushbuttons that comply with the ADA and will be responsive to traffic in real time. Mr. Anfuso added that there are traffic studies in the Planning Office. Residents are welcome to review them.

Rick Works – sworn. He stated that he has been following the project development for 2 years. He has reviewed the traffic studies. He believes the study did not fully take into account all of the 700 vehicles that will exiting the development in the morning hours. He believes the number

of vehicles was drastically underestimated and therefore the study did not give an accurate assessment of what will happen in the mornings. He thinks there should be a new look at the morning traffic projections.

A resident was concerned about students crossing Route 537 and asked if there will be busing for the students in Colts Neck Manor. The Board was unable to answer definitively, as the subject was beyond their jurisdiction. The resident felt the Board should deny allowing sidewalks.

Kevin O'Brien was sworn. He noted there will be approximately 2,520 trips in and out of the development each day. He felt that was a lot of traffic at the intersection.

Malinda Martin of 52 Glenwood Rd, Colts Neck, suggested placing a pedestrian bridge over the intersection would alleviate the danger. She also suggested moving the crosswalk east of the intersection.

Mr. Scotty asked where the stormwater will go. Per Mr. Roche, the stormwater will drain north to Yellow Brook. He and Mr. Gerken advised the resident that the project will reduce the volume of runoff to below what it is today.

A resident was concerned stormwater runoff combining with the treatment plant effluent into the septic field would over saturate the ground.

Kevin O'Brien suggested the Board could approve the application with the contingency that the applicant goes back to the County to ask if the sidewalks could be eliminated from the plan. Mr. Steib advised the Board it could be possible for the County to reevaluate the need for sidewalks. However, their decision would be final. Mr. Anfuso noted that if the County removes the requirement for sidewalks there would not be a need for an additional vote from this Board.

Melinda Martin asked if the sidewalk could be moved to the other side of the easement, for primary use by Colts Neck Manor residents. This way they can transverse to the east to cross the road. She also reiterated the idea of a bridge across the road.

The general consensus of the Board was that they agree with many of the residents who were in favor of removing the sidewalks from the plans.

Mr. Rizzuto suggested that if the County denies altering the plan to remove the sidewalks, could they go back to the original plan? Mr. Steib advised that Route 537 is a county road and therefore the County will have ultimate jurisdiction over it.

A motion was made to accept the application with conditions as outlined by Mr. Anfuso, Mr. Gerken, and the fire official, as well as requiring the applicant to ask the County if they can remove the sidewalk from the plans.

OFFER:	Taeschler
SECOND:	Corsi
AFFIRMATIVE:	Lukowitz, Rizzuto, Bader, Corsi, Taeschler, Penczak, Visci, and Sullivan

NEGATIVE: None

DISCUSSION:

Board members were reminded to submit their Volunteer Handbook Acknowledgement Forms.

MOTION TO ADJOURN

A motion to adjourn at 9:12 p.m. was 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 November 14, 2023 adopted by the Planning Board of the Township of Colts Neck at its meeting held on December 12, 2023.

Joni VanNest

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