TOWNSHIP OF COLTS NECK
PLANNING BOARD
MEETING MINUTES
APRIL 7, 2026, AT 7:00 P.M.

Mr. Corsi 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:	Corsi, Viola, Buzzetta, Lutkewitte, Sullivan, Taeschler, Stivala, Caswell, Lesbirel, Taylor
ABSENT:	Montalvo
ALSO PRESENT:	Michael Steib, Esq.; Timothy Anfuso, PP; Beth McManus, P.P. of Kyle + McManus Associates

APPROVAL OF MINUTES:

Motion to approve the March 10, 2026, Meeting Minutes:

OFFER:	Stivala
SECOND:	Lesbirel
AFFIRMATIVE:	Corsi, Viola, Buzzetta, Sullivan, Taeschler, Stivala, Caswell, Lesbirel, Taylor
NEGATIVE:	None.

GENERAL PUBLIC COMMENT (Non-Agenda Items):

Mr. Kevin Obrien, The Enclosure resident, read from a prepared statement referring to the Open Public Meeting Act failures on the agenda not being available 48 hours prior to the meeting and requested the meeting to be adjourned and rescheduled. Mr. Obrien voiced concerns over Deputy Mayor Buzzetta's interactions on forums and within Township Committee meetings.

Chairman Corsi noted he was granted time for Affordable Housing history summary and requested the speaker visit that topic.

Mr. Obrien covered topics specific to his interactions with the Township Committee and Planning Board from June 2024 to January of this year with the overarching concern centering lack of transparency with affordable housing plans and respectful communication regarding affordable housing.

RESOLUTIONS

None.

ADMINISTRATIVE ITEMS

Ms. Beth McManus, Principal Planner at Kyle McManus + Associates, delivered a presentation relevant to the 2026 Amendment to the 2025 Fourth Round Housing Plan. Ms. McManus began with a brief history with mentions of the Mount Laurel I 1975 decision and other cases which have shaped New Jersey's constitutional requirements for affordable housing. All growing municipalities must participate in affordable housing with considerations to low and moderate incomes.

With successful participation in the affordable housing planning rounds, municipalities are protected from Builder's Remedy litigation, also referred to as exclusionary zoning litigation. Being unprotected from Builder's Remedy Litigation provides an avenue for developers to apply to the courts with the potential to propose developments that bypass the local zoning considerations.

The goal of municipalities participating in the process to have each round and housing plan submittal approved is the immunity to Builder's Remedy Litigation. With the review and mediation process, Round 4 Plan had three objectors. Within the mediation process, it was recommended that amendments be made to the Round 4 Plan to include specific sites with specific densities. If a township does not comply, this will result in immediate revocation of immunity.

Ms. McManus explained the most recent timeline: June of 2025 the Planning Board and Township Committee submitting their Round 4 Plan; August 2025 objections were received; September- December mediation began and on March 4th 2026 a ruling was noted that an amendment is required for compliance which includes the three objector specific properties and a schedule for amendments and ordinance adoption. Additionally, the court order specifies that the Township must endorse the new site's applications to NJDEP for wastewater within 30 days of request. Any failure to comply will result in immediate revocation of immunity. April 8th the amendment must be adopted; May 13th ordinances for each new site with rezoning at specified densities must be adopted.

The sites impacted are as follows:

- 68 Obre Road – Block 50, Lot 7; 35.7 acres with 14.2 acres free of constraints and the remaining acreage is impacted by one or more constraint from the environment or Military Influence area. The site has been ordered for approximately 204 units with 40 affordable units. The units are anticipated to be townhouses and stacked townhouses with a package treatment plant anticipated.

- Wellspring Farm – Block 48, Lots 25.01, 26, 27; 171.8 acres with approximately 25.2 acres free of constraints with the remaining acreage impacted by one or more constraint from the environment or Military Influence area. The site has been ordered for approximately 263 units with 53 affordable units. The units are anticipated to be single-family, townhouses, and stacked townhouses with a package treatment plant anticipated.

- 151 Dutch Lane Rd – Block 11, Lot 3.02; 38.9 acres with approximately 34.4 acres free of constraints with the remaining acreage impacted by one or more constraint from the environment and subdivision is prohibited as part of a 2001 lot averaging subdivision. The site has been ordered for 389 units of which 78 are to be affordable. The units are anticipated to be townhouses and stacked townhouses with a package treatment plant anticipated.

With the proposed affordable units from these projects and the affordable extensions with The Grande for-sale and rental residents, the Durational Adjustment of the Third-Round plan would be eliminated by the court order, and the Fourth Round Plan has a reduced 13-unit Durational Adjustment from 101.

Ms. McManus noted the next steps for the Fourth Round are submitting the Amended Fourth Round Housing Plan, obtaining Compliance Certification which provides the immunity from builder's remedy litigation, and continue moving through the appeals processes seeking a more favored result for the Township.

Ms. McManus concluded her presentation and Chairman Corsi opened the floor to the public for questions.

Mr. Obrien, The Enclosure resident, asked about traffic lights for Dutch Lane and how Marlboro Township feels. Ms. McManus noted a traffic light would be part of site plan review and that she cannot opine how another Township feels about the projected plans. Mr. Obrien asked what the timeline was, Ms. McManus noted she was unsure if a developer may act prior to the litigation is completed. Mr. Obrien asked about the $40,000 funding for The Grande residents to extend their affordable controls, Ms. McManus noted there is no impact. Mr. Obrien asked about the judge's requirement for a two-million-dollar water and sewage treatment facility broken up between the three projects and Ms. McManus noted that ruling predates the amendment and those specific projects. Lastly, Mr. Obrien asked about proposed conversion of the parks and recreation building, to which Ms. McManus noted it was not included in the plan.

Mr. Shaktu, Mockingbird Drive resident, was sworn and spoke to objecting to the proposals and that the character of Colts Neck and the farmland protection was why his family chose their home location and that those easements and restrictions on the land cannot be ignored. An

independent engineer noted that this land cannot support the proposed plan and requested that the Planning Board not vote in favor of the amendment.

Mr. Battista, Belle Air Court resident, was sworn and asked for clarification on the deed restriction for further subdivision to which Mr. Anfuso confirmed it is restricted. Mr. Battista asked why the restriction was not filed with the state, Mr. Steib noted these restrictions are filed at the county level and not at the state level.

Mr. Walsh, Lindy Lane resident, was sworn and noted quality of life concerns and noted his objection and requested the Planning Board vote no tonight.

Mr. Shargordodsky, Mockingbird Drive resident, was sworn and noted his opposition to the planned project at 151 Dutch Lane. He believed the property would never be developed beyond a farm and that is why they purchased their property. He further opined to specific concerns over traffic and changes to the character of Colts Neck and requested the Planning Board vote no.

Ms. Cucci, Parker Pass resident, was sworn and asked about the stall between phases of the affordable housing plan phases and taking the $40,000 provisions from the extension of affordability controls to use those funds to fight against what she feels is over development. Ms. McManus noted that there were no stalls, each round for planning is announced with a timeline and that is what the townships work toward when available. Ms. McManus also noted that the Township is in the appeal process for both Third and Fourth Round Plans and that there are other legal representatives for the Township Committee through that appeal process.

Ms. Sharma, Mockingbird Resident, was sworn and spoke to concerns over Colts Neck character changing when developments of this size are allowed, especially on land with deed restrictions. Her family would not have bought their lot without the deed restriction limiting the property to one home. Requested the Board to maintain the deed restriction.

Mr. Pizone, Boundary Road Resident, sworn and advocated for additional remedies and the Township to mediate a middle ground.

Mr. Sharma, Mockingbird Resident, sworn and echoed Mr. Shaktu's objections. Mr. Sharma asked if the Board and Township would be offering alternative land within Colts. Mr. Steib spoke for the Board and noted that they are unaware of specific alternatives or lands, and that this is beyond the Board's scope.

Mr. Gabriel, Lexington Court Resident, was sworn and noted appreciation for the Board and their time. The reason his family bought in Colts Neck was due to the aesthetic of the town and specifically the Dutch Lane property being limited to one home, with awareness that something like this potential project could be possible they would not have decided on Colts Neck. Why would future generations choose Colts Neck if it were as developed and dense as other towns? There must be a better location for projects of this type and he encouraged the Board to object and appeal.

Mr. Michael Kalisz, Ann Street Resident, sworn and spoke to being disheartened while echoing the concerns of Mockingbird Drive residents and the other noted impacts. Why was there such a discrepancy between density with the different projects? Ms. McManus noted this is directed by the court and believes it could be due to environmental constraints and potentially due to the two sites having the same owner allowing a load share of the site with less constraints. What about town infrastructure- police, fire, school? What is the long-term plan for these concerns? Constituents want a plan from the Township on addressing these concerns.

Mr. Sooka, Marlboro Resident Castle Hill Drive, sworn and asked if the court trumps all town issues and zoning/deed restrictions? Mr. Steib noted that there are appeals and that ultimately the appealing process can go as high as the State Supreme Court and that the Township is appealing across the avenues available.

Ms. Tinarose Yuli, Parker Pass Resident, sworn and asked if the Township Committee was familiar with what Mr. Steib mentioned with the Supreme Court, Mr. Steib noted yes and that the judge from this order was aware as well and still made the ruling for the amendment.

Ms. Denise Horneck, Orchard Lane Resident, was sworn and asked why the Township would not just plan to build the minimum required and not incentivize builders to have larger projects.

Ms. McManus noted that this would be known as a municipality sponsored construction and that the Township is reviewing and in consideration of projects like his, however this order regarding the amendment stands.

Mayor Viola noted that the main challenge is the land being available and under Township control is not developable and most parcels in the Township have restrictions due to greenway/ conservation, easements, or restricted by the Navy buffer or deed development.

Mr. Gabriel asked what about purchasing land as the Township or approaching neighbors to buy the land as it becomes available so that this does not happen?

Deputy Mayor Buzzetta noted that the Township would have seen the deed and environmental restrictions and trusted that those would be upheld and not been able to be developed. The Township will fight beyond this judge's order and appeals are in the process.

Mr. Lesbirel noted that the cost for the properties is astronomical for a parcel that is heavily restricted by wetland. This is a legal order from the judge and if the vote is no, the developers are then able to pursue any parcel and open it up to any type of development they please. There are no site plans, there is nothing that has been provided for review.

Mr. Gabriel, has the appeal been filed? Mr. Buzzetta noted that the appeal is in process however that does not change the timeline for accepting these amendments and noted that if voting no tonight meant no development- all the votes would be "no". This is not the case, if "no" votes were to be cast we immediately fall into losing builder's remedy and then no control is given to the town. No town has won a builder's remedy lawsuit.

Public Comment was closed.

Mr. Sullivan would love the town to identify land to develop specifically to meet the requirements for Affordable Housing.

Mr. Stivala asked what would happen to the densities noted if immunity is lost, Ms. McManus noted that the immunity loss could likely result in something over 10 per acre.

Mr. Taylor noted that there is an overdevelopment group on Facebook which follows towns across New Jersey and speaks about what losing immunity can cost as Toms River has recently lost and now has a proposed tower planned downtown.

Mr. Lesbirel noted that this is the start of negotiations and planning, these projects are not in an approved state.

Mr. Steib noted that the Board would be voting to approve the amendment under protest, not to approve the court order but comply under protest and amend the master plan as ordered. The Governing Body is appealing against the court order, in addition to present ordinances to implement the properties which are then subject to appeal. The considerations here with restricted covenant and DEP approval are extensive, there are a lot of elements in motion.

Chairman Corsi read a prepared statement from the attorneys. A "yes" vote tonight is not rolling over, he understands and supports the thoughts of the public and that all involved are fighting at every step possible. He further noted he would host an informational session at each Planning Board meeting for any and all updates Affordable Housing updates.

Mayor Viola echoed the timeline from Ms. McManus and spoke to the developer adding the Dutch Lane property after the timeline had closed for objections and the judge allowed it to be considered. He opined this vote is made under protest with consideration that recommendations and the court order will both be appealed and that the fight continues even if the amendment is accepted.

Motion to approve the 2026 Amendment to the 2025 Fourth Round Housing Element and Fair Share Plan Element of the Master Plan and memorialize the resolution:

OFFER:	Stivala
SECOND:	Caswell
AFFIRMATIVE:	Corsi, Viola, Buzzetta, Lutkewitte, Stivala, Caswell
NEGATIVE:	Sullivan, Taeschler
ABSTAIN:	Taylor

NEW BUSINESS

None.

OLD BUSINESS

None.

MOTION TO ADJOURN

A motion to adjourn was made at 9:40 pm and unanimously carried.

I hereby certify that the above is a true and exact copy of the meeting minutes for the meeting conducted on April 7, 2026, adopted by the Planning Board of Colts Neck Township at its meeting held on May 12, 2026.

Krista A. Hill-Kane, Secretary
Planning Board of
Colts Neck Township