ORDINANCE 2026-13

AMENDING § 222-41 SPEED LIMITS TO LOWER SPEED LIMIT ON MONTROSE ROAD

WHEREAS, the area of road in Colts Neck Township known as Montrose Road has been a source of residential complaints regarding speeding in recent months; and

WHEREAS, for purposes of speed limit considerations, Montrose Road is divided into two zones within the section of the Township Code of Colts Neck Township addressing speed limits (see § 222-41 "Speed limits"); and

WHEREAS, a traffic study conducted on Montrose Road showed data indicating reduction of the speed limit in both zones of the road by 5 miles an hour would be beneficial to the vehicle and pedestrian safety of the Township in that area.

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of Colts Neck Township, in the County of Monmouth and State of New Jersey, as follows (additions to text indicated by ***bold italicized underline***; deletions to text indicated by ~~***bold italicized strikeout***~~):

SECTION 1. Chapter 222, Section 41 "Speed Limits" of the Code of Colts Neck Township is hereby amended as follows:

§ 222-41 Speed limits.

Speed limits shall be designated as follows:

A. The speed limits for both directions of traffic along Clover Hill Lane in the Township of Colts Neck shall be established at 30 miles per hour.

B. The speed limits for both directions of traffic along Laird Road in the Township of Colts Neck shall be established at 45 miles per hour.

C. The speed limits for both directions of traffic along New Street in the Township of Colts Neck shall be established at 30 miles per hour.

D. The speed limits for both directions of traffic along Richdale Road in the Township of Colts Neck shall be established at 30 miles per hour.

E. The speed limits for both directions of traffic along Tulip Lane between Clover Hill Road and Mulberry Lane shall be established at 30 miles per hour.

F. The speed limits for both directions of traffic along Village Lane in the Township of Colts Neck shall be established at 30 miles per hour.

G. The speed limit for both directions of traffic along Woodhollow Road in the Township of Colts Neck shall be established at 30 miles per hour.

H. Conover Road.

(1) The speed limits for both directions of traffic along the after-described portion of Conover Road shall be 40 miles per hour.

(2) The section of Conover Road so regulated commences at the south leg of the intersection of Conover Road with State Highway 34 and runs to the commencement of County Route 4, which county road commences at the bridge which traverses a stream, which stream or brook is a tributary to Big Brook within the Township of Colts Neck and is located immediately to the north of Heyers Mill Road.

I. Hockhockson Road.

(1) The speed limits for both directions of traffic along Hockhockson Road commencing at the boundary line between the Borough of Tinton Falls and the Township of Colts Neck and running thence to Water Street in the Township of Colts Neck shall be 40 miles per hour.

(2) The speed limits for both directions of traffic along Hockhockson Road commencing from Water Street in the Township of Colts Neck and running thence to the bridge over Hockhockson Brook in the Township of Colts Neck (which bridge is located approximately 1,300 feet north of Obre Road) shall be 35 miles per hour.

(3) The speed limits for both directions of traffic along Hockhockson Road commencing from the bridge over Hockhockson Brook in the Township of Colts Neck and running thence to Route 537 in the Township of Colts Neck shall be 45 miles per hour.

J. The speed limits for both directions of traffic along Water Street in the Township of Colts Neck shall be 35 miles per hour.

K. The speed limit for both directions of traffic along Brookview Drive for its entire length is established at 25 miles per hour.

L. The speed limit for both directions of traffic on Salem Drive is established at 25 miles per hour for its entire length.

M. The speed limit for both directions of traffic on Hominy Hill Road starting from its intersection with Route 537 and extending to its terminus at Route 18 is established at 40 miles per hour.

N. Cedar Drive.

(1) Except where posted as a school zone, the speed limits for both directions of traffic along Cedar Drive commencing from Dutch Lane Road in the Township of Colts Neck and running thence to a point approximately 800 feet east of Pond View Drive in the Township of Colts Neck shall be 40 miles per hour.

(2) Except where posted as a school zone, the speed limits for both directions of traffic along Cedar Drive commencing at a point approximately 800 feet east of Pond View Drive in the Township of Colts Neck and running thence to Heyers Mill Road in the Township of Colts Neck shall be 35 miles per hour.

O. The speed limit for both directions of traffic on Heyers Mill Road starting from its intersection with Route 537 and extending to its terminus at County Route 4 is hereby established at 35 miles per hour.

P. Boundary Road.

(1) The speed limits for both directions of traffic along Boundary Road commencing from Dutch Lane Road in the Township of Colts Neck and running thence to Vandeveer Road - Crine Road in the Township of Colts Neck shall be 45 miles per hour.

(2) The speed limits for both directions of traffic along Boundary Road commencing from Vandeveer - Crine Road in the Township of Colts Neck and running thence to Silver Colt Road in the Township of Colts Neck shall be 40 miles per hour.

(3) The speed limits for both directions of traffic along Boundary Road commencing from Silver Colt Road in the Township of Colts Neck and running thence to Newman Springs Road in the Township of Colts Neck shall be 35 miles per hour.

Q. The speed limit for both directions of traffic on Heulitt Road between Cedar Drive and Dutch Lane is hereby established at 40 miles per hour.

R. The speed limit for both directions of traffic on Montrose Road shall be as follows:

(1) Zone 1: between County road 537 and 500 feet south of Carriage Hill Road, ~~45~~***40*** miles per hour.

(2) Zone 2: between 500 feet south of Carriage Hill Road and Cedar Drive, ~~40~~***35*** miles per hour.

S. The speed limit for both directions of traffic along Five Points Road between the Colts Neck Township - Howell Township line and Colts Neck Road (CR 537) shall be established at 35 miles per hour.

T. The speed limits for both directions of traffic along New Street for its entire length is established at 25 miles per hour.

U. The speed limit for both directions of traffic on Colts Neck Boulevard for its entire length is established at 25 miles per hour.

V. The speed limit for both directions of traffic along Maple Drive between Clover Hill Road and Meadowview Drive shall be established at 30 miles per hour.

W. The speed limit for both directions of traffic on all access roads and parking areas in all Township parks, including but not limited to Town Hall Park, Bucks Mill Park, Five Points Park, Laird Road Park and Obre Road Preserve, shall be established at 15 miles per hour.

SECTION 2. INCONSISTENT ORDINANCES

All other Ordinances or parts thereof inconsistent with the provisions of this Ordinance are hereby repealed as to such inconsistency.

SECTION 3. SEVERABILITY

If any section, paragraph, subdivision, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provision so adjudged and the remainder of this Ordinance shall be deemed valid and effective.

SECTION 4. EFFECTIVE DATE

This Ordinance shall take effect upon its passage and publication according to law.

The foregoing Ordinance was introduced and passed on the first reading at the meeting of the Township Committee of Colts Neck Township on the July 8, 2026 and will be considered for final passage and adoption on August 26, 2026, 6:30 p.m. Town Hall, 1 Veterans Way at which time and place a public hearing will be held for all persons desiring to be heard thereon will be given full opportunity.

Kathleen Capristo

Kathleen Capristo, Municipal Clerk

RECORD OF VOTE										
	First Reading					Second Reading				
	July 8, 2026					August 26, 2026				
	M	S	Yes	No	NV	Ab	M	S	Yes	No	NV	Ab
Mayor Viola			X									
Deputy Mayor Buzzetta			X									
Rizzuto		S	X									
Torchia Buss		M	X									
Tobia			X									

M - Moved S - Seconded X - indicates vote NV - Not Voting Ab - Absent

ORDINANCE 2026-16

AN ORDINANCE OF COLTS NECK TOWNSHIP IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY, AMENDING SALARY AND WAGE ORDINANCE 2026-05

WHEREAS, Colts Neck Township (the "Township") regulates salaries pursuant to Salary and Wage Ordinance No. 2026-05; and

WHEREAS, the Township Committee wishes to amend Salary and Wage Ordinance No. 2026-05 to further define the job title and raise the salary range of the Municipal Clerk, and also to eliminate the positions of Secretary to Administrator and Website Coordinator; and

WHEREAS, the Township Committee finds it to be in the best interest of the citizens of the Township to amend Salary Ordinance No. 2026-05.

NOW, THEREFORE BE IT ORDAINED by the Township Committee of Colts Neck Township, in the County of Monmouth, State of New Jersey that the Township's Salary and Wage Ordinance No. 2026-05 is hereby amended as follows (additions to text indicated by ***bold italicized underline***; deletions to text indicated by ~~***bold italicized strikeout***~~):

Title	Department	Minimum	Maximum
Municipal Clerk/***Public Information Officer***	Administration	~~***$50,000***~~ ***$85,000***	~~***$95,000***~~ ***$150,000***
~~***Secretary to Administrator***~~	~~***Administration***~~	~~***$8,500***~~	~~***$12,000***~~
~~***Website Coordinator***~~	~~***Administration***~~	~~***$2,300***~~	~~***$3,000***~~
Registrar of Vital Statistics	Administration	$1,700	$2,300
Deputy Registrar of Vital Statistics	Administration	$1,100	$1,500
Clerical – Administration – Part-time	Administration	$13/Hour	$20/Hour
Code Enforcement ~~***Manager***~~ ***Officer***	Code Enforcement	$65,000	$90,000
Code Enforcement Officer – Part-time	***Code Enforcement***	***$25/Hour***	***$40/Hour***
Construction Official	Construction	$25,000	$55,000
Technical Assistant to Construction Official - Part-time	Construction	$25,000	$55,000
Technical Assistant to Construction Official – Assistant ~~**- Part-time**~~	Construction	$20,000	$50,000
Electric Inspector/Sub-Code Official	Construction	$23,500	$40,000
Building Inspector	Construction	$23,500	$40,000
Plumbing Inspector/Sub-Code Official	Construction	$30,700	$50,000
Plumbing Inspector	Construction	$12,000	$25,000
Building Inspector/Sub-Code Official/Fire Inspector	Construction	$35,000	$75,000

Title	Department	Minimum	Maximum
UCC Building Inspector	Construction	$15,000	$25,000
Director of Public Works	Department of Public Works	$78,000	$175,000
Foreman	Department of Public Works	$68,500	$150,000
Heavy Equipment Operator	Department of Public Works	$60,000	$90,000
Facility Maintenance Worker	Department of Public Works	$50,000	$85,000
Laborer	Department of Public Works	$40,000	$75,000
Mechanic	Department of Public Works	$45,000	$90,000
Mechanic — Part-time	Department of Public Works	$18/Hour	$35/Hour
Secretary to Director of Public Works	Department of Public Works	$40,000	$75,000
Convenience Center Attendant — Part-time	Department of Public Works	$15/Hour	$25/Hour
Seasonal Laborer — Part-time	Department of Public Works	$15/Hour	$25/Hour
Temporary Laborer	Department of Public Works	$25/Hour	$250/Hour
Finance Officer/Treasurer	Finance	$65,000	$140,000
Tax Collector/Tax Search Officer	Finance	$24,700	***$55,000***
Purchasing Agent	Finance	$3,000	***$10,000***
Deputy Treasurer/Deputy Tax Collector	Finance	$40,000	$75,000
Tax Clerk/Bookkeeper	Finance	$40,000	$75,000
Finance Clerk/Administrative Assistant — Clerk's Office	Finance	$40,000	$60,000
Shared Services Pay — Finance/Tax	Finance	$3,000	$25,000
Tax Assessor	Tax Assessment	$28,000	$55,000
Health Officer	Health Department	$85,000	$150,000
Well Inspector	Health Department	$1,500	$3,500
Municipal Court Judge	Municipal Court	$20,000	$45,000
Court Administrator	Municipal Court	$45,000	$90,000

Title	Department	Minimum	Maximum
Deputy Court Administrator	Municipal Court	$40,000	$75,000
Violations Clerk	Municipal Court	$35,000	$60,000
Township Planner	Planning & Zoning	$85,000	$150,000
Secretary to Planning Board and Board of Adjustment	Planning & Zoning	$35,000	$56,000
Police Chief	Police	$125,000	$225,000
Secretary to Police Chief	Police	$40,000	$70,000
Police Lieutenant	Police	$110,000	$200,000
SLEO III	Police	825/I-Iour	$40/Hour
SLEO II Part-time	Police	$18/Hour	$25/Hour
Police Records Clerk	Police	$35,000	$55,000
Police Clerk — Part-time	Police	$14/Hour	$25/Hour
Director of Recreation and Parks	Recreation	$68,000	$110,000
Secretary Recreation and Parks	Recreation	$40,000	$65,000
Summer Camp Supervisor	Recreation	$20/1-lour	$35/Hour
Summer Camp Assistant Supervisor	Recreation	$17/Hour	$25/Hour
Summer Camp Arts & Crafts Supervisor	Recreation	$14/Hour	$25/Hour
Summer Camp Outside Coordinator	Recreation	$12/Hour	$20/Hour
Summer Camp Trip Coordinator	Recreation	$12/Hour	$20/Hour
Summer Camp Counselor	Recreation	$11.90/Hour	$18/Hour
Summer Camp Counselor in Training	Recreation	$6/Hour	$15/Hour
Seasonal --- Part-time	Recreation	815/Hour	$25/Hour
Fire Official	Fire Prevention	820,000	$30,000
Fire Inspector -- Part-time	Fire Prevention	$8,000	$25,000
Smoke Certification Inspector	Fire Prevention	82,000	$5,000

Title	Department	Minimum	Maximum
Fire Prevention Secretary - Part-time	Fire Prevention	$1,500	$3,500
Township Administrator	Administration	$110,000	$220,000
Mayor, Deputy Mayor and Committee Members	Elected Officials	$1,500	$3,500

SECTION ONE: Secretaries for the Farmland and Open Space Committee, Environmental Commission, and Historic Preservation Committee shall be paid at a rate of $10 per hour for clerical support and $50 per meeting attended.

SECTION TWO: The Township Committee shall establish those officials and employees of Colts Neck Township who are entitled to mileage compensation for the use of their personal vehicles. Such compensation is hereby fixed at the federal mileage reimbursement rate as determined by the Internal Revenue Service.

SECTION THREE: The Township Committee reserves the right to pay annual bonus payments not to exceed $5,000 to non-union personnel.

SECTION FOUR: All ordinances or parts of ordinances in conflict with this ordinance or any part thereof are hereby repealed.

SECTION FIVE: This ordinance shall take effect upon final passage and publication according to law.

The foregoing Ordinance was introduced and passed on the first reading at the meeting of the Township Committee of Colts Neck Township on August 26, 2026 and duly adopted by the Township Committee of Colts Neck Township after public hearing on September 9, 2026.

_____
Kathleen Capristo, Municipal Clerk

RECORD OF VOTE					
	M	S	Yes	No	NV	Ab
Mayor Viola						
Deputy Mayor Buzzetta						
Rizzuto						
Torchia Buss						
Tobia						
M - Moved S - Seconded X - indicates vote NV - Not Voting Ab - Absent						

ORDINANCE 2026-17

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 102, "DEVELOPMENT REGULATIONS" OF THE CODE OF THE TOWNSHIP OF COLTS NECK, ARTICLE VIII, "ZONING REQUIREMENTS," "PART 4. ZONING AND DESIGN REQUIREMENTS FOR RESIDENTIAL DISTRICTS," SECTION 102-85.4, "A-9 OVERLAY RESIDENTIAL DISTRICT" UNDER PROTEST

WHEREAS, on March 20, 2024, Governor Murphy signed P.L.2024, c.2. into law, establishing a new framework for determining and enforcing municipalities' affordable housing obligations under the New Jersey Supreme Court's Mount Laurel doctrine and the New Jersey Fair Housing Act (the " FHA") (N.J.S.A. 52:27D-301 et al.); and

WHEREAS, the Amended FHA requires the Department of Community Affairs ("DCA") to calculate the Fourth Round Present and Prospective Need Obligation of municipalities within the state and establishing the New Jersey Affordable Housing Dispute Resolution Program; and

WHEREAS, pursuant to the FHA, Administrative Directive No. 14-24, and Resolution No. 2025-43, the Township filed a Declaratory Judgment Action under Docket Number MON-L-422-25 seeking approval and confirmation by the Affordable Housing Alternative Dispute Resolution Program (the "Program") of its affordable housing obligations;

WHEREAS, on March 27, 2025, the Hon. Linda Grasso Jones J.S.C. issued an order finding in favor of the Township's identified affordable housing obligation and authorizing the Township to proceed with preparation and adoption of a Fourth Round Housing Element and Fair Share Plan by June 30, 2025;

WHEREAS, the Township's Planning Board adopted the Fourth Round Housing Element and Fair Share Plan ("Fourth Round HEFSP") on June 9, 2025, which was endorsed by the Township Committee on June 11, 2025; and

WHEREAS, the Township submitted the Fourth Round HEFSP to the Program in accordance with the FHA and Directive #14-24; and

WHEREAS, on August 28, 2025 and September 2, 2025, Fair Share Housing Center, Active Acquisitions, LLC and 68 Obre Owner LLC filed challenges to the Fourth Round HEFSP; and

WHEREAS, on March 4, 2026, the Program issued its Decision Recommendation Housing Element and Fair Share Plan: Denial of Certification of Compliance Pending Action by Township ("Program Decision Recommendation") whereby it found that the Fourth Round HEFSP does not comply with the FHA and the Mount Laurel Doctrine and ordered that to maintain immunity and receive a Certification of Compliance the Township must adopt an Amended HEFSP designating the properties located at 68 Obre Road (Block 50, Lot 7), 318-22 Route 537 (Block 48, Lots 25.01, 26 & 27), and 151 Dutch Lane (Block 11, Lot 3.02) for inclusionary zoning by April 8, 2026 and adopt enabling zoning ordinances to permit development of the three (3) projects proposed by 68 Obre Owner LLC and Active Acquisitions, LLC by May 13, 2026; and

WHEREAS, on March 9, 2026, the Hon. Linda Grasso Jones, J.S.C. entered an Order accepting the Program Decision Recommendation and ordering the Township to adopt an Amended HEFSP by April 8, 2026 and the enabling zoning ordinances by May 13, 2026 ("March 9 Order"); and

WHEREAS, in accordance with the March 9 Order, Colts Neck Township Planning Board, under protest, adopted on April 7, 2026 an Amendment to the Fourth Round HEFSP in compliance with the March 9 Order and as meeting the requirements of N.J.S.A. 40:55D-28 and N.J.S.A. 52:27D-310, which was endorsed, under protest, by the Township Council on April 8, 2026; and

WHEREAS, on June 23, 2026, the Hon. Linda Grasso Jones, J.S.C. entered an order (the "June 23 Order") providing as follows in relevant part:

> It is anticipated that issues involving the 68 Obre Owner, LLC site will be resolved prior to the August 12, 2026 Township Committee

meeting, and resolution of issue(s) involving development by 68 Obre Owner will be addressed with adoption of a resolution by the governing body at that meeting.

The Township and Active Acquisitions, LLC will continue their discussions regarding the potential for development by Active Acquisitions within Colts Neck.

Immunity from Round IV builder's remedies suits continues to be extended to Colts Neck through September 17, 2026

; and

WHEREAS, in light of the foregoing, and to comply with the March 9 Order consistent with the terms of the June 23 Order, the Township Committee seeks to rezone the property located at 318-322 C.R. 537 (Block 48, Lots 25.01, 26 and 27) to permit the development of the inclusionary project proposed by Active Acquisitions, LLC, which includes townhouses and stacked townhouses; and

WHEREAS, the Township Committee agrees to comply with the Program Decision Recommendation and the March 9 Order, albeit under protest, with the intent to appeal the Program Decision Recommendation and the March 9 Order once the matter is deemed final for appellate purposes and it reserves all rights and positions in connection with any appeal; and

WHEREAS, the Township, under protest, is rezoning 318-322 C.R. 537 (Block 48, Lots 25.01, 26 and 27) as directed by the March 9 Order and with the intent to appeal the Program Decision Recommendation and the March 9 Order once the matter is deemed final for appellate purposes and it reserves all rights and positions in connection with any appeal, and based upon the same, any applicant intending to pursue land use approvals in conjunction with this rezoning shall be on notice that the submission of such an application or the granting of any land use approvals prior to a final non-appealable adjudication of an appeal of the Program Decision Recommendation and the March 9 Order shall not convey any vested rights;

NOW, THEREFORE, BE IT ORDAINED, by the Township Committee of Colts Neck Township, Monmouth County, New Jersey, that the Code of the Township of Colts Neck is hereby amended, under protest, as follows:

SECTION 1. Chapter 102, "Development Regulations," Article VIII, "Zoning Requirements," Section 102-85.__, titled "A-9 Overlay Residential District," is hereby established as follows:

A. Under protest, the Township adopts this re-zoning ordinance for 318-322 C.R. 537 (Block 48, Lots 25.01, 26 and 27) as directed by the March 9 Order, with the intent to appeal the Program Decision Recommendation and the March 9 Order once the matter is deemed final for appellate purposes. It reserves all rights and positions in connection with any appeal, and based upon the same, any applicant intending to pursue land use approvals in conjunction with this rezoning shall be on notice that the submission of such an application or the granting of any land use approvals prior to a final non-appealable adjudication of an appeal of the Program Decision Recommendation and the March 9 Order shall not convey any vested rights.

B. Principal permitted uses on land and in buildings. The following shall be permitted as principal uses:

(1) Townhouses.

(2) Stacked townhouses containing not more than 2 dwellings each.

(3) Single-family detached dwellings.

(4) Agricultural uses.

(5) Conservation areas and open space.

C. Accessory uses. The following shall be permitted as accessory uses (subject to §§ 102-48 and 102-87):

(1) Off-street parking facilities and parking lots.

(2) Mailboxes, lampposts, flagpoles, driveways, paths, sidewalks.

(3) Common facilities and amenities including: tot lots, clubhouse with a fitness center and reception facilities, swimming pools, hot tubs, grilling stations and other on-site recreational areas and facilities, common walkways, gazebos, sitting areas, picnic areas and gardens, and other similar uses.

(4) Patios, decks, terraces, and balconies.

(5) Fences and walls. See §102-57 and §102-73 for requirements.

(6) Satellite dishes and solar energy panels. Ground mounted solar energy panels shall be screened from view of public streets and neighboring properties by screening, planting, fencing or a combination of these techniques, in order to provide proper screening after 2 growing seasons. Roof mounted solar energy panels shall be mounted flush, or nearly flush, with building sides or roofs.

(7) Bike racks

(8) Signs.

(9) Emergency generators.

(10) Utility structures, including but not limited to, stormwater management basins and facilities, pump stations, junction boxes, and the like. Existing stormwater management basins and facilities may be utilized in new development.

(11) Temporary construction and sales trailers. See §102-80 for requirements.

(12) Other uses which are customarily incidental to a permitted principal use.

D. Housing types.

(1) Residences may be family housing and/or restricted as senior housing to those 55 years or older.

(2) Not more than 50% of the total dwellings may be stacked townhouses.

E. Affordable housing. Not less than 20% of the total units developed on the site shall be affordable housing units. All affordable units shall meet the requirements of the Township's affordable housing regulations (§102-97.1) and the Uniform Housing Affordability Control rules (N.J.A.C. 5:80-26.1 et seq.). As such, affordable units shall be integrated with the market-rate units (except as specifically identified in UHAC), provide a compliant bedroom distribution, provide a compliant income distribution, conduct affirmative marketing, and apply compliant affordability controls.

F. Bulk, area, and building requirements.

Requirements	**Standard**
Minimum tract area	170 acres
Minimum tract frontage	250 feet
Minimum tract depth	1,500 feet
Maximum gross density	1.2 du/ac
Maximum dwelling units	263
Minimum width of townhouse or stacked townhouse	22 feet
Lot requirements for single-family homes	
Minimum lot size	7000 s.f.
Minimum lot width	60 feet
Minimum setbacks	
Principal building	

Requirements	Standard
Setback from C.R. 537	150 feet
Setback from internal roads	20 feet
Setback from parking (excluding driveway spaces)	15 feet
Distance between the rear of a dwelling to any building	50 feet
Distance between the side of a dwelling to any building	20 feet
Side tract boundary	50 feet
Rear tract boundary	100 feet
Side yard lot line	0 feet or 10 feet
Rear yard lot line	20 feet
Accessory buildings	
Setback from C.R. 537	Prohibited
Setback from internal roads	20 feet
Setback from parking	10 feet
Front yard	Prohibited
Side yard lot line	10 feet
Rear yard lot line	20 feet
Side tract boundary	50 feet
Rear tract boundary	100 feet
Maximum dwellings per building	
Townhouses	8
Stacked townhouses	16
Maximum building height	
Single-family homes	2.5 stories / 35 feet
Townhouses	2.5 stories / 35 feet
Stacked townhouses	3 stories / 40 feet
Clubhouse	1 story / 30 feet
Accessory buildings, excluding clubhouse	1 story / 20 feet

Requirements	Standard
Maximum lot coverage (coverage of tract)	30%

G. Accessory buildings or structures as part of principal buildings. Any accessory buildings or structures attached to a principal building or structure shall, for purposes of determining yard requirements only, be considered part of the principal building, and the total structure shall adhere to the yard requirements for the principal building regardless of the technique of connecting the principal and accessory buildings or structures.

H. Lands within 3,000 feet of Naval Weapons Station Earle or Normandy Road shall not be developed with townhouse, stacked townhouse, except as may be unavoidably required to permit 1.52 units per gross acre to permit up to 263 units.

I. Site access, off-street parking, and loading requirements.

(1) A maximum of 2 site access points shall be permitted from C.R. 537. Driveways serving individual buildings, townhouses or stacked townhouses are prohibited from C.R. 537.

(2) Site driveways and new streets have a minimum setback of 50 feet from any side tract boundary.

(3) A minimum of 20 feet shall be provided for any private driveway, measured from the garage to the sidewalk or cartway, as may be applicable.

(4) The number of parking spaces shall be consistent with the requirements of N.J.A.C. 5:21-1.1 et seq., known as the Residential Site Improvements Standards.

(5) The number of parking spaces required for a club house or amenity space shall be 1 parking space per 500 square feet of gross floor area.

(6) No loading spaces are required.

(7) Parking spaces and drive aisles shall comply with the minimum principal building setbacks.

J. Landscape Requirements

(1) Landscaping and plantings shall be provided pursuant to §102-71. unless otherwise stated.

(2) To enhance privacy and screening, a row of evergreen trees shall be planted along the rear yard of any residential building, excluding those whose rear yard directly abuts a tract boundary. The trees shall be planted not more than 20 feet apart and shall be a minimum of 6 feet in height at planting.

(3) Landscape buffers.

(a) A 50 foot landscaped buffer shall be provided along the C.R. 537 frontage. A planted berm with curving, naturalistic forms and vertical and horizontal variation is encouraged within the landscape buffer.

(b) A 30 foot landscaped buffer shall be provided along the side and rear tract boundaries.

(c) The landscaped buffers shall meet the standards set forth in§102-90 except as superseded herein. No structures are permitted within the buffer with the exception of site entrances and permitted project identification signs.

K. Signs.

(1) Except as provided for herein, all signs shall be in accordance with the requirements of § 102-106.

(2) One monument or freestanding project identification sign at each site entrance is permitted in accordance with the following standards:

(a) Signs shall be non-illuminated or externally illuminated.

(b) Signs shall be landscaped and may identify the community project name, developer, and logo.

(c) The maximum sign area containing text and logos shall not exceed 20 square feet for each side of the sign if two-sided.

(d) The maximum sign height, including the structure and sign area, shall not exceed 6 feet.

(e) The minimum sign setbacks shall be 10 feet from the public right-of-way and 75 feet from the side tract boundary.

(3) Ground mounted wayfinding signs shall be permitted to identify specific locations and/or buildings, areas, or recreational facilities. No sign shall exceed 4 square feet in area and 4.5 feet in height.

(4) Seasonal decorations are permitted in accordance with the requirements of § 102-106C.

SECTION 2. Repealer. All ordinances or parts of ordinances inconsistent or in conflict with this Ordinance are hereby repealed as to said inconsistencies and conflict.

SECTION 3. Remainder. Except as hereby provided, all other parts of Chapter 102 of the Code of the Township of Colts Neck shall remain in full force and effect.

SECTION 4. Referral to Planning Board. Upon introduction, this Ordinance shall be referred to the Planning Board of the Township of Colts Neck for its review and comment for consistency with the master plan in accordance with the Municipal Land Use Law.

SECTION 5. Severability. If any Section, part of any Section or clause or phrase of this Ordinance is for any reason held to be invalid or unconstitutional, such decision shall not affect the remaining provisions of this Ordinance. The Township Committee of the Township of Colts Neck declares that it would have passed the Ordinance and each Section thereof, irrespective of the fact that any one or more of the subsections, sentences, clauses or phrases may be declared unconstitutional or invalid.

SECTION 6. Effective Date. This Ordinance shall take effect immediately upon final passage and publication according to law.

The foregoing Ordinance was introduced and passed on the first reading at the meeting of the Township Committee of Colts Neck Township on August 26, 2026 and duly adopted by the Township Committee of Colts Neck Township after public hearing on September 9, 2026.

_____
Kathleen Capristo, Municipal Clerk

RECORD OF VOTE										
	First Reading					Second Reading				
	August 26, 2026					September 9, 2026				
	M	S	Yes	No	NV	Ab	M	S	Yes	No	NV	Ab
Mayor Viola												
Deputy Mayor Buzzetta												
Rizzuto												
Torchia Buss												
Tobia												

M - Moved S - Seconded X - indicates vote NV - Not Voting Ab - Absent

ORDINANCE 2026-18

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 102, "DEVELOPMENT REGULATIONS" OF THE CODE OF THE TOWNSHIP OF COLTS NECK, ARTICLE VIII, "ZONING REQUIREMENTS," "PART 4. ZONING AND DESIGN REQUIREMENTS FOR RESIDENTIAL DISTRICTS," SECTION 102-85.4, "A-10 OVERLAY RESIDENTIAL DISTRICT" UNDER PROTEST

WHEREAS, on March 20, 2024, Governor Murphy signed P.L.2024, c.2 into law, establishing a new framework for determining and enforcing municipalities' affordable housing obligations under the New Jersey Supreme Court's Mount Laurel doctrine and the New Jersey Fair Housing Act (the "FHA") (N.J.S.A. 52:27D-301 et al.); and

WHEREAS, the Amended FHA requires the Department of Community Affairs ("DCA") to calculate the Fourth Round Present and Prospective Need Obligation of municipalities within the state and establishing the New Jersey Affordable Housing Dispute Resolution Program; and

WHEREAS, pursuant to the FHA, Administrative Directive No. 14-24, and Resolution No. 2025-43, the Township filed a Declaratory Judgment Action under Docket Number MON-L-422-25 seeking approval and confirmation by the Affordable Housing Alternative Dispute Resolution Program (the "Program") of its affordable housing obligations;

WHEREAS, on March 27, 2025, the Hon. Linda Grasso Jones, J.S.C. issued an order finding in favor of the Township's identified affordable housing obligation and authorizing the Township to proceed with preparation and adoption of a Fourth Round Housing Element and Fair Share Plan by June 30, 2025;

WHEREAS, the Township's Planning Board adopted the Fourth Round Housing Element and Fair Share Plan ("Fourth Round HEFSP") on June 9, 2025, which was endorsed by the Township Committee on June 11, 2025; and

WHEREAS, the Township submitted the Fourth Round HEFSP to the Program in accordance with the FHA and Directive #14-24; and

WHEREAS, on August 28, 2025 and September 2, 2025, Fair Share Housing Center, Active Acquisitions, LLC and 68 Obre Owner LLC filed challenges to the Fourth Round HEFSP; and

WHEREAS, on March 4, 2026, the Program issued its Decision Recommendation Housing Element and Fair Share Plan: Denial of Certification of Compliance Pending Action by Township ("Program Decision Recommendation") whereby it found that the Fourth Round HEFSP does not comply with the FHA and the Mount Laurel Doctrine and ordered that to maintain immunity and receive a Certification of Compliance the Township must adopt an Amended HEFSP designating the properties located at 68 Obre Road (Block 50, Lot 7), 318-22 Route 537 (Block 48, Lots 25.01, 26 & 27), and 151 Dutch Lane (Block 11, Lot 3.02) for inclusionary zoning by April 8, 2026 and adopt enabling zoning ordinances to permit development of the three (3) projects proposed by 68 Obre Owner LLC and Active Acquisitions, LLC by May 13, 2026; and

WHEREAS, on March 9, 2026, the Hon. Linda Grasso Jones, J.S.C. entered an Order accepting the Program Decision Recommendation and ordering the Township to adopt an Amended HEFSP by April 8, 2026 and the enabling zoning ordinances by May 13, 2026 ("March 9 Order"); and

WHEREAS, in accordance with the March 9 Order, Colts Neck Township Planning Board, under protest, adopted on April 7, 2026 an Amendment to the Fourth Round HEFSP in compliance with the March 9 Order and as meeting the requirements of N.J.S.A. 40:55D-28 and N.J.S.A. 52:27D-310, which was endorsed, under protest, by the Township Council on April 8, 2026; and

WHEREAS, on June 23, 2026, the Hon. Linda Grasso Jones, J.S.C. entered an order (the "June 23 Order") providing as follows in relevant part:

> It is anticipated that issues involving the 68 Obre Owner, LLC site will be resolved prior to the August 12, 2026 Township Committee

meeting, and resolution of issue(s) involving development by 68 Obre Owner will be addressed with adoption of a resolution by the governing body at that meeting.

The Township and Active Acquisitions, LLC will continue their discussions regarding the potential for development by Active Acquisitions within Colts Neck.

Immunity from Round IV builder's remedies suits continues to be extended to Colts Neck through September 17, 2026

; and

WHEREAS, in light of the foregoing, and to comply with the March 9 Order consistent with the terms of the June 23 Order, the Township Committee seeks to rezone the property located at Block 11, Lot 3.02 (151 Dutch Lane Road) to permit the development of the inclusionary project proposed by Active Acquisitions LLC; and

WHEREAS, the Township adopts this re-zoning ordinance for Block 11, Lot 3.02 (151 Dutch Lane Road) under protest as directed by the March 9 Order and with the intent to appeal the Program Decision Recommendation and the March 9 Order once the matter is deemed final for appellate purposes and it reserves all rights and positions in connection with any appeal, and based upon the same, any applicant intending to pursue land use approvals in conjunction with this rezoning shall be on notice that the submission of such an application or the granting of any land use approvals prior to a final non-appealable adjudication of an appeal of the Program Decision Recommendation and the March 9 Order shall not convey any vested rights;

NOW, THEREFORE, BE IT ORDAINED, by the Township Committee of Colts Neck Township, Monmouth County, New Jersey, that the Code of the Township of Colts Neck is hereby amended, under protest, as follows:

SECTION 1. Chapter 102, "Development Regulations," Article VIII, "Zoning Requirements," Section 102-85.__, titled "A-10 Overlay Residential District," is hereby established as follows:

A. Under protest, the Township adopts this re-zoning ordinance for Block 11, Lot 3.02 (151 Dutch Lane Road) as directed by the March 9 Order, with the intent to appeal the Program Decision Recommendation and the March 9 Order once the matter is deemed final for appellate purposes. It reserves all rights and positions in connection with any appeal, and based upon the same, any applicant intending to pursue land use approvals in conjunction with this rezoning shall be on notice that the submission of such an application or the granting of any land use approvals prior to a final non-appealable adjudication of an appeal of the Program Decision Recommendation and the March 9 Order shall not convey any vested rights.

B. Principal permitted uses on land and in buildings. The following shall be permitted as principal uses:

   (1) Townhouses.

   (2) Stacked townhouses containing not more than 2 dwellings each.

   (3) Single-family detached dwellings.

   (4) Agricultural uses.

   (5) Conservation areas and open space.

C. Accessory uses. The following shall be permitted as accessory uses (subject to §§ 102-48 and 102-87):

   (1) Off-street parking facilities and parking lots.

   (2) Mailboxes, lampposts, flagpoles, driveways, paths, sidewalks.

   (3) Common facilities and amenities including: tot lots, clubhouse with a fitness center and reception facilities, swimming pools, hot tubs, grilling stations and other on-

site recreational areas and facilities, common walkways, gazebos, sitting areas, picnic areas and gardens, and other similar uses.

(4) Patios, decks, terraces, and balconies.

(5) Fences and walls. See §102-57 and §102-73 for requirements.

(6) Satellite dishes and solar energy panels. Ground mounted solar energy panels shall be screened from view of public streets and neighboring properties by screening, planting, fencing or a combination of these techniques, in order to provide proper screening after 2 growing seasons. Roof mounted solar energy panels shall be mounted flush, or nearly flush, with building sides or roofs.

(7) Bike racks

(8) Signs.

(9) Emergency generators.

(10) Utility structures, including but not limited to, stormwater management basins and facilities, pump stations, junction boxes, and the like. Existing stormwater management basins and facilities may be utilized in new development.

(11) Temporary construction and sales trailers. See §102-80 for requirements.

(12) Other uses which are customarily incidental to a permitted principal use.

D. Housing types.

(1) Residences may be family housing and/or restricted as senior housing to those 55 years or older.

(2) Not more than 50% of the total dwellings may be stacked townhouses.

E. Affordable housing. Not less than 20% of the total units developed on the site shall be affordable housing units. All affordable units shall meet the requirements of the Township's affordable housing regulations (§102-97.1) and the Uniform Housing Affordability Control rules (N.J.A.C. 5:80-26.1 et seq.). As such, affordable units shall be integrated with the market-rate units (except as specifically identified in UHAC), provide a compliant bedroom distribution, provide a compliant income distribution, conduct affirmative marketing, and apply compliant affordability controls.

F. Bulk, area, and building requirements.

Requirements	**Standard**
Minimum tract area	37 acres
Minimum tract frontage	1,100 feet
Maximum gross density	10 du/ac
Maximum dwelling units	389
Minimum width of townhouse or stacked townhouse	22 feet
Lot requirements for single-family homes	
Minimum lot size	7000 s.f.
Minimum lot width	60 feet
Minimum setbacks	
Principal building	
Setback from Dutch Lane Road	100 feet
Setback from other tract boundaries	75 feet
Setback from internal roads	20 feet

Requirements	Standard
Setback from parking (excluding driveway spaces)	15 feet
Side yard lot line	0 feet or 10 feet
Rear yard lot line	20 feet
Distance between the rear of a dwelling to any building	50 feet
Distance between the side of a dwelling to any building	20 feet
Accessory buildings	
Setback from Dutch Lane Road or Boundary Road	Prohibited
Setback from internal roads	20 feet
Setback from parking	10 feet
Front yard	Prohibited
Side yard lot line	10 feet
Rear yard lot line	20 feet
Side tract boundary	50 feet
Rear tract boundary	190 feet
Maximum dwellings per building	
Townhouses	5
Stacked townhouses	10
Maximum building height	
Single-family homes	2.5 stories / 35 feet
Townhouses	2.5 stories / 35 feet
Stacked townhouses	3 stories / 40 feet
Clubhouse	1 story / 30 feet
Accessory buildings, excluding clubhouse	1 story / 20 feet
Maximum lot coverage (coverage of tract)	35%

G. Accessory buildings or structures as part of principal buildings. Any accessory buildings or structures attached to a principal building or structure shall, for purposes of determining yard requirements only, be considered part of the principal building, and the total structure

shall adhere to the yard requirements for the principal building regardless of the technique of connecting the principal and accessory buildings or structures.

H. Site access, off-street parking, and loading requirements.

(1) A maximum of 1 site access points each shall be permitted from Dutch Lane Road and Boundary Road. Driveways serving individual buildings, townhouses or stacked townhouses are prohibited from Dutch Lane Road and Boundary Road.

(2) Site driveways and new streets have a minimum setback of 100 feet from any side tract boundary.

(3) A minimum of 20 feet shall be provided for any private driveway, measured from the garage to the sidewalk or cartway, as may be applicable.

(4) The number of parking spaces shall be consistent with the requirements of N.J.A.C. 5:21-1.1 et seq., known as the Residential Site Improvements Standards.

(5) The number of parking spaces required for a club house or amenity space shall be 1 parking space per 500 square feet of gross floor area.

(6) No loading spaces are required.

(7) Parking spaces and drive aisles shall comply with the minimum principal building setbacks.

I. Landscape Requirements

(1) Landscaping and plantings shall be provided pursuant to §102-71. unless otherwise stated.

(2) To enhance privacy and screening, a row of evergreen trees shall be planted along the rear yard of any residential building, excluding th`ose whose rear yard directly abuts a tract boundary. The trees shall be planted not less more than 20 feet apart and shall be a minimum of 6 feet in height at planting.

(3) Landscape buffers.

(a) A 50 foot landscaped buffer shall be provided along the Dutch Lane Road and Boundary Road frontages. and horizontal variation is encouraged within the landscape buffer.

(b) A 40 foot landscaped buffer shall be provided along the side and rear tract boundaries.

(c) The landscaped buffers shall meet the standards set forth in§102-90 except as superseded herein. No structures are permitted within the buffer with the exception of site entrances and permitted project identification signs.

J. Signs.

(1) Except as provided for herein, all signs shall be in accordance with the requirements of § 102-106.

(2) One monument or freestanding project identification sign at each site entrance is permitted in accordance with the following standards:

(a) Signs shall be non-illuminated or externally illuminated.

(b) Signs shall be landscaped and may identify the community project name, developer, and logo.

(c) The maximum sign area containing text and logos shall not exceed 20 square feet for each side of the sign if two-sided.

(d) The maximum sign height, including the structure and sign area, shall not exceed 6 feet.

(e) The minimum sign setbacks shall be 10 feet from the public right-of-way and 75 feet from the side tract boundary.

(3) Ground mounted wayfinding signs shall be permitted to identify specific locations and/or buildings, areas, or recreational facilities. No sign shall exceed 4 square feet in area and 4.5 feet in height.

(4) Seasonal decorations are permitted in accordance with the requirements of § 102-106C.

SECTION 2. Repealer. All ordinances or parts of ordinances inconsistent or in conflict with this Ordinance are hereby repealed as to said inconsistencies and conflict.

SECTION 3. Remainder. Except as hereby provided, all other parts of Chapter 102 of the Code of the Township of Colts Neck shall remain in full force and effect.

SECTION 4. Referral to Planning Board. Upon introduction, this Ordinance shall be referred to the Planning Board of the Township of Colts Neck for its review and comment for consistency with the master plan in accordance with the Municipal Land Use Law.

SECTION 5. Severability. If any Section, part of any Section or clause or phrase of this Ordinance is for any reason held to be invalid or unconstitutional, such decision shall not affect the remaining provisions of this Ordinance. The Township Committee of the Township of Colts Neck declares that it would have passed the Ordinance and each Section thereof, irrespective of the fact that any one or more of the subsections, sentences, clauses or phrases may be declared unconstitutional or invalid.

SECTION 6. Effective Date. This Ordinance shall take effect immediately upon final passage and publication according to law.

The foregoing Ordinance was introduced and passed on the first reading at the meeting of the Township Committee of Colts Neck Township on August 26, 2026 and duly adopted by the Township Committee of Colts Neck Township after public hearing on September 9, 2026.

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Kathleen Capristo, Municipal Clerk

RECORD OF VOTE										
	First Reading					Second Reading				
	August 26, 2026					September 9, 2026				
	M	S	Yes	No	NV	Ab	M	S	Yes	No	NV	Ab
Mayor Viola												
Deputy Mayor Buzzetta												
Rizzuto												
Torchia Buss												
Tobia												

M - Moved S - Seconded X - indicates vote NV - Not Voting Ab - Absent