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**TO:** Timothy Anfuso, P.P., Township Planner

**FROM:** Laura Strang  
Christian M. Roche, P.E., LEED-AP

**DATE:** 27 August 2021

**RE: Colts Neck Manor  
Block 22, Lot 18  
Colts Neck Township, Monmouth County, New Jersey  
Langan Project No.: 130164001  
Township File No.: PB743**

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This memorandum has been prepared in response to comments listed in your review letter dated 6 August 2021 regarding the Colts Neck Manor project located on Block 22, Lot 18 in Colts Neck Township, Monmouth County, New Jersey. Your review comments are identified in italics, and our responses are identified in bold.

## REVIEW COMMENTS

### Project Description:

- This is an application for Preliminary and Final Major Site Plan approval with variances. The applicant, Colts Neck Building Associates, LLC proposes a 360 unit apartment complex on a 39.6 acre site. The project will contain 180 one bedroom units, 166 two bedroom units and 14 three bedroom units. Twenty percent or 72 units will be dedicated as very low, low or moderate income units to partially satisfy the Township's Round Three Affordable Housing obligation. The affordable unit bedroom mix consists of 14 one bedroom units, 44 two bedroom units and 14 three bedroom units.*

*The development proposes 15 apartment buildings. Each building will be three stories in height and contain 24 units. Twelve of the fifteen buildings will line a loop road serviced from County Route 537. Accessory uses proposed include a clubhouse with a pool, maintenance building, wastewater treatment facility, bicycle racks and four pocket parks. The site is zoned A-6 Residential District and the project is a permitted use.*

**Response: Informational comment. No response required.**

### Variances and Design Standard Waivers:

- This application involves two variances and two design standard waivers. A complete listing is attached. [The listing is provided below for reference].*

# MEMO

## Variances

102-85.2E      *Building 13 setback from a parking area of 7' where 10' is required.*

**Response:**      **A single parking stall was within less than 10' of Building 13. This parking stall has been shifted to eliminate the need for a variance.**

102-85.2F8      *Planting shade trees a minimum of 10' from the curb line.*

**Response:**      **A design waiver is requested. In the 4 August 2021 T&M review letter, it is noted that the board professionals support a waiver for this requirement (Zoning Conformance section of T&M letter, comment 6c).**

## Design Standard Waiver

102-71D      *Not landscaping the detention basins.*

**Response:**      **A design waiver is requested. The basins will be cleaned out as part of the new construction.**

102-73D      *Proposed 7'2" compactor fence where 6' is the maximum height permitted.*

**Response:**      **A design waiver is requested. The proposed fence height was selected based on the compactor height.**

## Planning Department Comments and Recommendations

1. *On March 19, 2020 the Township entered into a Settlement Agreement with Colts Neck Building Associates to provide 72 affordable units to partially satisfy the Township's Third Round Affordable Housing obligation of 306 units. The layout of this project generally follows the Concept Plan prepared by Minno & Wasko Architects dated June 27, 2018 revised July 6, 2018 attached to the Settlement Agreement as Exhibit A. However, some building and parking locations have changed. Section 3.1 of the Settlement Agreement requires this application to be consistent with the Concept Plan attached as Exhibit A. The applicant should review the changes to the plan and demonstrate why the proposed layout is a consistent and a superior design.*

**Response:**      **The plan attached to the settlement agreement was a concept and was not fully engineered. The concept was modified slightly along the eastern and western site areas to allow for on-site water systems and stormwater management measures. The proposed "loop road", site access, and central site features generally remain the same. The plan is consistent.**

2. *This application is proposing an on-site potable water supply system. Section 4.9 of the Settlement Agreement obligates the Township to cooperate with the Developer to obtain public water from Freehold Township. If the Township does not amend the Settlement Agreement to include public water from Gordon's Corner, either on-site potable water or public water from Freehold Township will be required. Unless plans for a public water supply system is submitted for the Board's review as part of this application, the applicant will be required to reappear before this Board and file an application for a Deviation to Major Site Plan Approval if public water is proposed at a later date.*

**Response: The application proposes either an onsite water supply system or a connection to a public system as noted on the submitted plans. Testimony was provided during the August 2021 planning board hearing. In addition, supplemental utility plans have been provided with this resubmission package to show the off-site option.**

3. *Building No 13 requires a variance to permit a building setback from a parking area of seven feet where ten feet is required. Testimony should be provided to justify this variance.*

**Response: A single parking stall is within less than 10' of Building 13. This parking stall has been shifted to eliminate the need for a variance.**

4. *A waiver is required to permit a trash compactor fence of 7'2" where 6' is the maximum height permitted. Testimony should be provided to justify this waiver. I have no planning objections to granting of same.*

**Response: A design waiver is requested. The proposed fence height was selected based on the compactor height.**

5. *A design waiver is required for not landscaping the detention basins in accordance with Section 102-71D. Since the basins are located at the rear of the site and completely screened from the public realm, I have no planning objections to granting of same.*

**Response: A design waiver is requested. The basins will be cleaned out as part of the new construction.**

6. *A Condition of Approval should require compliance with Beth McManus's July 11, 2021 memorandum which includes but not limited to the following:*

- a. *Compliance with all applicable regulations of the New Jersey Council on Affordable Housing, including the Uniform Housing Affordability Controls N.J.A.A. 5:80-26.1 et seq.*

**Response: The unit mix has been revised to include 15 three-bedroom units as required. The distribution of very low, low, and**

**moderate units has been revised to match the mix recommended by Fair Share Housing Center.**

b. *Providing one additional three bedroom unit for a total of 15.*

**Response: One additional three-bedroom unit has been provided for a total of 15.**

c. *Properly distributing very low income units across all bedroom unit types.*

**Response: The distribution of very low, low, and moderate units has been revised to match the mix recommended by Fair Share Housing Center.**

d. *Better integrating the affordable units throughout the different building floors, currently the majority of the affordable units are on the first floor.*

**Response: The plans have been revised such that affordable units are integrated on all building floors.**

e. *Contracting with an experienced third party Affordable Housing Administrative Agent, subject to approval by the Township Committee and paying for all costs for the administration of the affordable housing units for the 30 year control.*

**Response: The applicant will comply as outlined in the settlement agreement with the township.**

7. *The applicant should review the comments of the Township Fire Official. The main recommendation of the Fire Official is to eliminate the three 20,000 gallon underground tanks with fire apparatus connections and return to the pressurized fire hydrant system proposed in the original submission. In addition, the Fire Official has indicated that the buildings must have a sprinkler system.*

**Response: We have reviewed the comments from the Township Fire Official and have no objection to complying with his comments.**

8. *The applicant is proposing a 75' landscape buffer along Route 537 in accordance with the A-6, Residential District. In this buffer shade trees will be 3" in caliper, ornamental trees 8 to 10 feet in height and evergreen trees 6 to 8 feet in height at the time of planting. The buildings will be 49' 7.5" in height with six buildings very close to Route 537. I believe the buildings will be highly visible from Route 537. Consideration should be given to installing larger trees or a berm in this buffer to help screen the development from public view.*

**Response: The proposed landscape buffer meets township requirements. Where feasible, we have no objection to adding a berm.**

# MEMO

9. *The building footprint and door locations shown on the Architectural Plans and Site Plan do not match. Building footprint dimensions should be provided on the architectural plans and a typical footprint with dimensions should be on the site plans.*

**Response: Any minor discrepancies in the site and architectural plans will be coordinated. A typical footprint with dimensions will be added to the site plans.**

10. *On the Site Plan Building Type 1 should have four doors and sidewalks leading to the front of the building and two doors and sidewalks to the rear. Building Type 2 should have four doors and sidewalks leading to the front and rear. Building Type 3 should have six doors and sidewalks leading to the front and rear.*

**Response: The sidewalks will be reviewed and minor discrepancies will be coordinated with the architectural plans.**

11. *The Site Plan needs to show doors and sidewalks leading to the rear of Buildings 6 and 13.*

**Response: The site plan has been updated.**

12. *Although the County does not require site triangle easements along Route 537 Township sight triangle easements should be provided for public safety. The existing sight triangle easement on the westerly access point needs to be vacated by the Township Committee and a new easement should be dedicated. The existing sight triangle easement on the easterly access point should remain.*

**Response: Sight triangle easements will be provided based on AASHTO criteria.**

13. *The required road improvements and centerline turning lane required by the Monmouth County Planning Board along Route 537 should be added to the plans.*

**Response: Route 537 road improvements are being coordinated with Monmouth County.**

14. *The Phase I Environmental Assessment contained in the Environmental Impact Report indicated the potential presence of a gasoline tank and pump. The report recommended removal in accordance with State and local regulations with post removal soil sampling. Copies of these approvals and post excavation soil sampling should be provided.*

*The Phase I Environmental Assessment also recommended that any potable wells be sealed by a licensed well driller and septic system be closed in accordance with local regulations. Copies of these documents should also be submitted.*

**Response: Copies will be provided.**

# MEMO

15. *The sign detail on the Architectural Plans should specify that it will be externally illuminated.*

**Response: The architectural plans have been revised to specify that the sign will be externally illuminated.**

16. *Copies of all deed of easements (landscape buffer, conservation and sight triangle) must be submitted for approval and recorded in the Monmouth County Clerk's Office prior to release of signed plans.*

**Response: Copies of all deed easements will be submitted for approval.**

17. *Copies of the Affordable Housing Deed Restriction must be submitted for approval and recorded prior to the issuance of a certificate of occupancy for each affordable unit.*

**Response: Copies of the Affordable Housing Deed Restriction will be submitted for approval and recorded.**

18. *A condition of approval should require the applicant to post the Tax Map Update fees if the project is converted into a condominium form of ownership in the future.*

**Response: The applicant agrees to pay such fees as applicable and as required by the ordinance or law upon conversion of the development to condominiums.**

19. *Standard Condition No. 27 of the Flood Hazard Permit dated July 1, 2021 requires the Permit to be recorded in the Monmouth County Clerk's Office. This should be a condition of approval.*

**Response: The Flood Hazard Area Individual Permit will be recorded in the Monmouth County Clerk's Office as required.**

20. *The current NJPDES permit is for a 48 unit development generating 14,400 gpd of effluent. The current project contains 360 units generating 71,175 gpd of effluent. I believe a new or amended NJPDES permit will be required.*

**Response: A NJPDES permit will be submitted to the NJDEP.**

21. *The following is a listing of outside agencies approval required for this application:*

- a. *Freehold Soil Conservation District*
- b. *Monmouth county Planning Board*
- c. *NJPDES Permit*
- d. *Treatment Works Approval*
- e. *Safe Water Drinking Permit, if onsite water*
- f. *Water Use Registration Permit, if onsite water*

# MEMO

**Response: Outside agency permits will be obtained.**

*22. The applicant should review the comments received from the Environmental Commission, Board of Health, Shade Tree Commission and Architectural Review Committee.*

**Response: Comments were previously reviewed.**