

Minutes of a Regular Meeting of the
MONMOUTH COUNTY
AREAWIDE WATER QUALITY MANAGEMENT PLAN
AMENDMENT REVIEW COMMITTEE

Wednesday, March 1, 11:00 AM
Planning Board Conference Room &
Virtual Meeting via Webex

1. CALL TO ORDER:

Chair Pro-tem Casagrande called the meeting to order at 11:06 A.M.

2. COMPLIANCE STATEMENT: Open Public Meetings Act

Attorney Aikins read the compliance statement. He further noted that supplemental notice of remote participation in the meeting via Webex internet conference and telephonic conference was given in accordance with the guidelines established by the New Jersey Department of Community Affairs.

3. FLAG SALUTE- MOMENT OF SILENCE FOR KAITLYN PETERSON

4. ROLL CALL – ATTENDANCE:

- Members Present: Barris, Casagrande, Ettore, Schatzle
- Members Absent: None
- Alternates Present: Davidson, Schmetterer
- Alternates Absent: Bragg, McMullen
- Staff Present: Honigfeld, Mallm, Furmanec
- Counsel: Aikins
- Public: Brian Brach, Christian Roche, Bryan Silva, Michael Sommer
Eric Virostec

- 5. STAFF ACTIVITY REPORT –** Ms. Mallm shared the Active Projects spreadsheet. The ARC will be reviewing the Colts Neck Manor project. She said staff drafted resolutions to approve the Novad Court and Burnt Tavern Road projects in Millstone Township. The resolutions are set to be placed on the March 16, 2023 Board of County Commissioners meeting agenda. She said recently staff participated in a pre-application meeting for a project in Howell.

5. MEETING MINUTES:

Minutes of August 3, 2022

Mr. Schatzle made a motion to approve the August 2022 minutes and Mr. Barris seconded the motion, Mr. Ettore abstained. The minutes were approved by voice vote.

Minutes of October 6, 2022

Mr. Schatzle made a motion to approve the October 6, 2022 minutes and Mr. Schmetterer seconded the motion. Mr. Barris and Mr. Ettore abstained. The minutes were approved by voice vote.

6. OLD BUSINESS

None

7. NEW BUSINESS

A. Colts Neck Manor Site Specific Amendment- Ms. Honigfeld provided a presentation on the Colts Neck Building Associates proposal otherwise known as Colts Neck Manor. Ms. Honigfeld said a previous amendment for this site was adopted in 2006. The previous discharge to groundwater approval for this site was for an affordable housing agreement with a lower volume of discharge to groundwater. The present application accounts for the current proposal, details below. NJDEP required the applicant to reduce the sewer service area to exclude mapped boundaries of Environmentally Sensitive Areas. Today the ARC will consider the increase in the number of residential units, the increase in discharge to groundwater, and revised sewer service area shapefile. Mr. Honigfeld also brought attention to a small existing polygon of the sewer service area that will remain on an adjacent landowner's lot which could not be removed through the current site-specific amendment; however, once the County embarks on a county-wide Wastewater Management Plan map amendment it can be focused on then.

Ms. Honigfeld said the subject lot is B 22 L 18, which is a consolidation of lots 11-14. The property is approximately 39.1 +/- acres within the Colts Neck A-6 Residential Zoning District. Adjacent properties consist of preserved farmland, the Colts Neck High School, and a municipal recreation area across the street. The project proposes 360 total residential units with 72 affordable units. Of the 360 total units the proposal includes 180 one-bedroom units, 165 two-bedroom units, 15 three-bedroom units, and one clubhouse to accommodate 35 members. The project includes an on-site individual subsurface disposal system discharging approximately 71,250 gallons per day. Ms. Honigfeld showed a map demonstrating the property line, existing Sewer Service Area, and the proposed Sewer Service Area.

Ms. Honigfeld explained that as part of the County review process, staff reviewed how the project is consistent with county and municipal planning. The project supports Monmouth County Master Plan Objective 3.1 D: "Encourage a range of housing options including types, sizes, styles, and accommodations to meet the needs associated with various lifestyles, life-stages, abilities, and occupations of residents while supporting economic sustainability within the region." In staff opinion, the project is consistent with municipal master plan and zoning ordinance as the project meets the requirements of the Colts Neck Building Associates settlement agreement and affordable housing is addressed Colts Neck's January 14, 2020 Master Plan Re-examination Report and its Addendum No. 1 of August 11. Municipal Zoning Ordinance 2020-17 and Article VIII Section 102-85.2 of the municipal code permit multifamily residential buildings with market rate and multifamily rental affordable housing units in the A-6 zone where the project is located. Ms. Honigfeld then showed a map of the A-6 zone.

Ms. Honigfeld also reported consistency with the New Jersey State Plan. Most of the lot is in Planning Area 4-B, the rural/environmentally sensitive planning area, some of existing sewer service area is designated Planning Area 5, Environmentally Sensitive Area, however most would be removed during this iteration of the project. Ms. Honigfeld then showed a map of the State Planning Area. However, the State Development and Redevelopment Plan acknowledges a moral and legal obligation to provide citizens with an opportunity to meet their housing needs at prices they can afford.

Ms. Honigfeld stated that the County received Affirming Documentation as required by the review process. The Affirming Documentation consists of the settlement

agreement, dated March 19, 2022 which requires the development of 72 units of affordable multifamily housing, and Colts Neck ordinance 2020-17 which designates the project area as the A-6 zone.

Ms. Honigfeld acknowledged that the Monmouth County Development Review Committee (DRC) has received a site plan; however, the project has not yet received site plan approval from the DRC.

Environmentally Sensitive Areas are considered as part of the review process. According to mapping there are no Threatened and Endangered Species areas, no Natural Heritage Priority Sites, no Coastal Planning Area, and no Environmentally Sensitive Areas subject to the 201 Facilities Plan Grant Conditions. While there are riparian zones of Category 1 waters on the property, no disturbance is proposed within the northern most 300' foot buffer on the parcel or within in the wetlands; however, a flood hazard area permit hardship waiver was approved by NJDEP for the disturbance within the 300' of an unnamed tributary to the Yellow Brook at the eastern portion of the property. Ms. Honigfeld then showed a map of the project site.

Ms. Honigfeld shared that the proposal would increase flow at the project site and would revise the sewer service area to match the currently proposed area of disturbance.

Chairman Casagrande asked committee members for questions and comments. Mr. Ettore brought attention to the area of the unnamed ditch that is part of a flood hazard area permit and near the intersection of County Route 537 and Five Points Road. Mr. Ettore asked why that area is proposed to be removed. Ms. Honigfeld said the NJDEP requested that revision. Mr. Roche stated that NJDEP asked for a reduction in the sewer service area to match the project's limit of disturbance. Mr. Ettore said there have been discussions about intersection improvements at the DRC. He wondered if the sewer service area modification in this area limits the access that the County has asked for, which is not the access that is currently being shown in this site plan. Mr. Barris said that the issue must be discussed at the, and this review is based on the merits of the site plan before the ARC. Mr. Ettore said he is trying to determine whether the change here has an impact on the options discussed at the DRC. Mr. Ettore asked Counsel Aikins if this could be taken into consideration or if they are two independent issues. Mr. Aikins replied that it appears to be two independent issues. Ms. Honigfeld said staff told NJDEP the recommendations by the DRC may result in a change to the site plan, and NJDEP said to move forward with this version of the site plan because the area of disturbance would likely not change.

Mr. Aikins asked Ms. Honigfeld to read into the record the date of the site plan submitted to ARC and the NJDEP. Ms. Honigfeld said it was dated May 16, 2022. Ms. Honigfeld said that if any site plan changes result in a change of the area of disturbance, the ARC would review the application again. Mr. Aikins said it is sheet CS-100 last revised revision 3 through May 16 2022. He agrees if the limit of disturbance changes it comes back to the ARC. If the limit of disturbance is based upon what was submitted with NJDEP, how they relate to the DRC review is a separate matter.

Mr. Ettore asked who created the shapefile. Mr. Roche said the applicant team created it based on the NJDEP's guidance. Mr. Barris said the applicant's shapefile is proposed based on NJDEP's requirements and input. Mr. Barris explained that the applicant submits to NJDEP in parallel with the ARC, when NJDEP receives the application and instructs the applicant how to modify the shapefile then that is shared with the ARC. Mr. Ettore asked the applicant how NJDEP asked them to modify the shapefile, Mr. Roche replied that it was based on the limit of disturbance. Mr. Ettore said he wants it to be on the record that the shapefile has a direct correlation to the limit of disturbance and if the site plan is modified and the limit of disturbance is modified then it

would come back to the ARC. Mr. Sommer said it matches the project design. Mr. Barris said it matches the project design as submitted to the ARC and NJDEP. Mr. Barris said that if there is a change and the area of disturbance is altered then it comes back to the ARC.

Mr. Barris asked the applicant to describe how the wastewater will be treated. Mr. Roche explained sewage leaves each of the 15 residential buildings and/or the club house and is transported to the wastewater treatment facility in the northeastern portion of the site via gravity sewer system. The treatment facility treats the sewage then, clean effluent that meets the discharge to ground water standards is pumped to approximately 12 disposal fields. He said it is organized so it is not pumped to the same disposal field but dispersed among the fields so to not overload one location, then it is infiltrated to the ground. He said it will ultimately be reviewed by NJDEP through the NJPDES process and Treatment Works Approval process. Mr. Barris said to be clear the treatment process is under the jurisdiction of the NJDEP, the Mr. Roche agreed.

Mr. Schatzle had two comments. He first stated NJDEP is still reviewing the wastewater component. Mr. Schatzle then spoke to Mr. Ettore's comments, he said he struggles with moving this forward today knowing that it may come back due to the DRC review. Mr. Aikins said the committee has the ability to review and make a determination today independent of the application proceeding with the DRC and condition upon NJDEP issuing the permit regarding the treatment facility. Ms. Honigfeld brought attention to a regulatory timeline for the County's determination. Ms. Mallm stated that is a 90-day deadline, and Ms. Honigfeld said the application was considered complete at the end of January. Mr. Ettore said to clarify the basis for his question was to understand the path forward, to know if that a further amendment would be needed if the area of disturbance changes and he understands they are only acting on what is before the committee today. Chairman Casagrande asked for any more comments and questions from the Committee.

Chairman Casagrande asked if there are any comments from the public. Brian Brach, Executive Director at Manasquan River Regional Sewerage Authority (MRRSA), said that he is not certain that the limit of disturbance and sewer service area are necessarily always related. He said it may be allowable to put a roadway over that area that is not the sewer service area as it is a non-sewer generating structure.

Mr. Casagrande asked for a motion for the Colts Neck Manor site specific amendment. Mr. Barris made a motion to approve, Mr. Casagrande seconded the motion. With a roll call vote, Mr. Shatzle abstained, the motion passed.

8. Comments from the Public

No additional comments.

9. Adjournment:

Mr. Schatzle motioned to adjourn and Mr. Barris seconded. Motion approved by voice vote to adjourn at 11:43 am.