

RESOLUTION 2024-51

**A RESOLUTION AUTHORIZING THE MAYOR TO SIGN
THE DEED OF TEMPORARY GRADING EASEMENT –
FIVE POINTS PARK – BLOCK 41, LOT 31**

WHEREAS, the Colts Neck Township (“Township”) Planning Board (“Planning Board”) granted Preliminary and Final Major Site Plan Approval to Colts Neck Building Associates, LLC (“CNBA”) by adoption of a resolution on November 9, 2004, permitting construction of residential townhomes (the “Prior Approval”) at property identified as Block 22, Lot 18 (f/k/a Lots 11, 12, 13, 14) on the Township Tax Map (“Property”); and

WHEREAS, the Planning Board subsequently granted CNBA Preliminary and Final Major Site Plan Approval With Variances and Design Standard Waivers by adoption of a resolution dated December 14, 2021 permitting construction of an inclusionary residential development at the Property, and by resolution dated December 12, 2023 (“Current Approval”), which supersedes the Prior Approval; and

WHEREAS, the Project is the subject of a Monmouth County Preliminary and Final Major Site Plan application as a result of the County’s jurisdiction over County Route 537, designated as Monmouth County Planning Board File Number CNSP10160, which received Conditional Approval by the Monmouth County Planning Development Review Committee on June 12, 2023 (“County Site Plan Approval”); and

WHEREAS, the Developer agrees to comply with the terms of County Site Plan Conditional Approval, which includes certain road improvements as depicted on the roadway improvement plans prepared by Developer’s civil engineer, Langan Engineering, including the construction of a new traffic signal at the intersection of County Route 537 and Five Points Road (the “Intersection”) and the reconfiguration and relocation of the eastern access driveway to the Project (“Eastern Driveway”) to connect to the Intersection, as depicted on “Roadway Improvements to Colts Neck Road (C.R. 537), Colts Neck Township Monmouth County, New Jersey, August 2023, prepared by Christian M. Roche, P.E., of Langan Engineering and Environmental Services Inc., dated February 17, 2023 and last revised through August 25, 2023 and consisting of sheets 1 through 60 (the “Developer’s Improvements”); and

WHEREAS, said Route 537 road improvements require a 15-foot temporary grading easement on Block 41, Lot 31, commonly known as a portion of Five Points Park; and

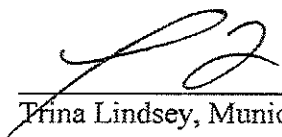
WHEREAS, the regrading will lower the existing grade by 3 to 4 feet, remove no existing vegetation, and all disturbance to the grass area along the Route 537 shoulder will be restored to equivalent or better than existing conditions; and

WHEREAS, Five Points Park (Block 41, Lot 31) is listed on the New Jersey Green Acres Recreation Open Space Inventory (ROSI) and was purchased with Green Acres funding; and

WHEREAS, Ms. Jessica Patterson, Office of Transaction and Public Land Administration of the NJDEP has reviewed and approved the Temporary Grading Easement as to form and content involving Green Acres ROSI lands;

NOW, THEREFORE, BE IT RESOLVED by the Colts Neck Township Committee, in the County of Monmouth, and the State of New Jersey that it hereby approves and authorizes the mayor to sign the Deed of Temporary Grading Easement for Block 41, Lot 31.

I, Trina Lindsey, do hereby certify the foregoing to be a true and accurate copy of a Resolution passed by the Township Committee of Colts Neck Township during the Reorganization meeting held on the 14th day of February 2024


Trina Lindsey, Municipal Clerk

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