



**DEPARTMENT OF THE NAVY**  
NAVAL WEAPONS STATION EARLE  
201 HIGHWAY 34  
COLTS NECK NJ 07722-5001

IN REPLY REFER TO

11011

Ser 00/186

6 Oct 25

Ms. Tara Torchia Buss  
Mayor  
Colts Neck Township Committee  
1 Veterans Way  
Colts Neck, NJ 07722

Dear Mayor Buss:

**SUBJECT: PRELIMINARY REVIEW OF ACTIVE ACQUISITIONS, LLC PROPOSED  
RESIDENTIAL DEVELOPMENT AT WELLSRING FARM, 318-22 ROUTE 537,  
LOCATED ON BLOCK 48, LOTS 25.01, 26 AND 27, IN COLTS NECK, NEW JERSEY**

Active Acquisitions, LLC (Applicant) is the contract purchaser of property located within the Township of Colts Neck at address 318-22 Route 537, also known as WellSpring Farm on Block 48 Lots 25.01, 26 and 27. The applicant has filed a Civil Action in the Superior Court of New Jersey in a challenge to the Township of Colts Neck's Fourth Round Housing Element and Fair Share Plan (HEFSP), referenced as Docket No. MON-L-422-25. This challenge appears, in short, to force the municipality to accept the applicant's proposal to develop the property, bypassing municipal zoning regulations and the land use approval process. Per the filing details, the Applicant proposes to construct 500 units on the premises, up to 249 units of which may be set-aside as affordable housing. A site plan application has not yet been submitted to or assigned an application number by the Township, however an Age-Restricted Concept Plan labeled "Exhibit 2" was included with the court filing. Per enclosure (1), Colts Neck requested a preliminary review of the concept plan by Naval Weapons Station (NWS) Earle, as the project is proposed on private property located within the 3,000-foot development review zone established around the installation.

A Joint Land Use Study (JLUS) was developed in 2017 by Monmouth County in partnership with NWS Earle and local communities, with a goal to protect the installation's mission against encroachment and to help mitigate potential risks to nearby civilian populations. JLUS I and the follow-on JLUS II in 2022 recommended changes to local zoning that could be implemented by participating communities, including the establishment of a 3,000-foot development review zone, as well as assigning compatibility ratings for potential land uses located near the installation. While notification of the installation is required by state law, the JLUS allows for dialogue with prospective developers and the installation but does not establish NWS Earle as a regulatory agency.

The project site is located at 318-22 Monmouth County Route (CR) 537 and is identified as Block 48, Lots 25.01, 26 and 27 in the Township of Colts Neck, Monmouth County, New Jersey. The 160-acre tract is currently owned by WellSpring Stables Florida, LLC and is approximately 1.4-miles east of the intersection of New Jersey State Highway Route 34 and County Route 537. Per Enclosure 1, the Applicant proposes to construct 500 age-restricted residential units on the premises; 100 units of which are proposed in five high-rise buildings near Route 537, with an additional 400 attached 2-story townhomes proposed on the remainder of the property. Per the concept plan provided, it is unknown how the developer intends to provide the bulk share of the township's affordable housing obligation (249 units) as stated in the filing, as only 20 units located within the high-rise buildings are explicitly labeled

as affordable. It is assumed that the applicant would also construct paved off-street parking areas, recreational amenities, stormwater management features, and a potential septic treatment area on the premises as would be typically required for a development of this magnitude. The existing parcel is currently zoned "AG" for Agricultural and Single-Family Residential uses, with a 10-acre minimum lot area. As presented, without a favorable court determination, the development would require rezoning and/or approval of several land-use or bulk variances to permit the proposed multi-family housing use, housing unit density, and lot coverage, as well as any other variances deemed necessary by the land-use review board. There may potentially be environmentally sensitive areas on-site, with approximately 60 acres of freshwater wetlands, riparian zones, and/or flood hazard area(s) attributed with a tributary of the Hockhockson Brook located at the rear of the property. It is anticipated that the applicant will need to apply to local, county, and state agencies for approval of any proposed improvements.

The subject property falls on the border between Military Overlay Zone 1 (within 3,000 feet of the installation) and Military Overlay Zone 2 (between 3,000 feet and 2 miles of the installation). Per the recommendations for Military Overlay Zone 1 in the JLUS, low-density single-family homes and agricultural uses typical for the AG Zone are deemed "More Compatible". However, multi-family and/or mixed high-density housing uses typical of the A-4 Mixed Housing Zone and of a unit-density such as the proposed development are deemed "Less Compatible" within the same overlay zone. Higher density housing is broadly classified as such, due to the higher likelihood of exposing socially or economically vulnerable populations, and/or large congregations of people for a long period of time to the potential safety issues associated with the types of munitions operations that occur at NWS Earle. For all developments proposed within the Military Overlay Zone, the installation is tasked with assessing potential risks to public health and safety, impacts to the installation's mission, and whether the proposed development will substantially degrade our ability to service the fleet.

We have reviewed the Age-Restricted Concept Plan dated August 28, 2025, provided by the applicant. The installation recommends that the town, applicant, and court consider the following potential impacts to the military installation. The proposed development is located on a tract immediately adjacent to NWS Earle's Normandy Road Special Area and Mainside entry-control-point located on Block 57 Lot 1 in Colts Neck Township. In addition, the NWS Earle Mainside administrative and ordnance operational areas are located immediately south of NJ State Highway Route 18 on Block 56 Lot 1, less than 500 feet away from the tract. According to navy enterprise mapping systems, approximately 140-acres of the 160-acre tract are located within Military Overlay Zone 1, with the remaining 20-acres of the tract closest to CR 537 located within Military Overlay Zone 2. While we acknowledge that the high-rise buildings and approximately 50 townhomes are located inside Zone 2, the applicant currently proposes over 350 residential units within Zone 1. Buildings of a height exceeding that of neighboring tree lines with direct visibility of the installation should be avoided. It should also be noted that the site is located within 2-miles of the installation's explosive ordnance disposal range and less than 500 feet from the Normandy Road ammunition rail corridor. Prospective residents will be subjected to intermittent noise and/or vibration generated by these operations and should be notified of these necessary military functions to preempt potential complaints against the installation. While the US Navy makes safety a priority during the daily completion of their explosive ordnance operations at NWS Earle, the chance of a catastrophic mishap cannot be fully eliminated. The land-use restrictions applied to Zone 1 are recommended to reduce potential risks to human life and safety in the event of such a mishap. Regardless of any mitigation measures taken by the developer, a housing project of this density and proximity to NWS Earle is a concern to executing our mission.

Furthermore, it is noted that the proposed development straddles the headwaters of the Hockhockson Brook which flows to the east through the Dorbrook Park Recreation Area and under Normandy Road before proceeding north-east towards Hockhockson Road. This stream corridor and surrounding preserved open space provides a critical wildlife corridor and contiguous habitat with high potential for

the presence of Threatened or Endangered Species, and the Hockhockson Brook is listed by the NJ State Department of Environmental Protection as a "trout-maintenance" class waterway. Historically, the water quality of the Hockhockson Brook west of Normandy Road has been heavily impacted by upstream construction and/or agricultural activities, with noticeable suspended silt and sediment discoloring the stream. In addition, the Hockhockson Road bridge has a history of flooding and overtopping the embankment downstream along this same channel. It is anticipated that the additional impervious surfaces, stormwater management, and sanitary treatment systems associated with the proposed development will further impact this sensitive corridor and potentially cause downstream flooding on Normandy Road.

This property is identified on Monmouth County's Comprehensive Farmland Plan – Target Farms List and is a parcel of high interest to the installation for potential conservation under the Readiness and Environmental Protection Integration (REPI) program. Annual funding granted by REPI allows the Navy to work with local community partners and willing landowners to assess conservation values and purchase property or transfer development rights to help protect NWS Earle against encroachment by incompatible development. Proximity to the installation, recreation areas at Dorbrook Park, the Obre Road Preserve, and the recently preserved 235-acre Overbrook Farm in Colts Neck make this parcel attractive for preservation under REPI. While we would prefer to work with the owner to preserve the tract against further development, participation or preservation of land under the REPI program must be voluntary.

Based on the information provided by the applicant at this time and the analysis provided above, the residential development proposed by Active Acquisitions is not compatible with NWS Earle's primary mission. The applicants' challenge to Colts Neck's Fourth Round HEFSP at the New Jersey Superior Court to force development in this location, advertently or inadvertently, circumvents NWS Earle's efforts to inform and participate in the local land-use process to encourage smart compatible growth and to mitigate risks to local resident health and safety around the installation. Should this application proceed we request that the installation be engaged directly to help mitigate any further anticipated impacts to our core mission.

If you have any questions, please reach out to my Community Planning Liaison Officer, Mr. Nicholas Ginther. He can be reached at (732) 861-3451 or [nicholas.a.ginther2.civ@us.navy.mil](mailto:nicholas.a.ginther2.civ@us.navy.mil).

Sincerely,



K. D. SMITH  
Captain, U.S. Navy  
Commanding Officer

Enclosures: 1. Age-Restricted Concept Plan by Independence Engineering, LLC

Copy to: Colts Neck Township Planning Board  
Monmouth County Planning Board  
Superior Court of New Jersey Law Division: Monmouth County Docket No. MON-L-422-25

