

GREEN TOWNSHIP LAND USE BOARD MINUTES

Regular Meeting, February 12, 2026

CALL TO ORDER: The February 12, 2026 regular meeting of the Land Use Board was called to order by the Land Use Board Chairman, Mr. Scott Holzhauser, at 7:01 pm. He then led everyone in the Pledge of Allegiance.

Recitation of the *new* Public Notice Statement by Mr. Scott Holzhauser which was read for the first read for the first time.

Adequate notice of this meeting as required by the Open Public Meetings Act (N.J.S.A. 10:4-6 et seq) has been provided by publication in the NJ Herald on January 14, 2026, by posting in the Municipal Building at the place where public announcements are posted and by the publication on the Official Internet Website of Green Township. I direct that this statement shall be included in the minutes of this meeting.

OATH OF OFFICE: Given to newly appointed/reappointed members of the Board. The following members read the oath: Mr. Michael Rose – Class III Board Member and Mr. Rick Wilson Vice Chairman of the Land Use Board. Kim explained that Mr. Miller had read and signed his oath earlier.

ROLL CALL: Present: Mr. Robert Cahill, Mr. Joseph Cercone, Mr. Sam Diaz, Mrs. Jenny Kobilinski, Mr. Jason Miller
Mrs. Sharon Mullen, Mr. Michael Rose, Mr. Timothy Smith, Mr. Rick Wilson and Mr. Scott Holzhauser
Also present: Mr. David Brady, Board Attorney, Mr. Nick Meurer (in for Ms. Jessica Caldwell), Board Planner, Mr. Cory Stoner, Board Engineer and Ms. Kim Mantz, Board Secretary
Members Absent: Ms. Kate Douglass, Mr. John Lynch and Mrs. Margaret Phillips

Mrs. Mullen made a motion to excuse the absent members and it was seconded by Mr. Wilson.
No Discussion. All Ayes. Abstentions: None

MOTION TO APPROVE MINUTES:

Land Use Board Reorganization Meeting Minutes of January 8, 2026
A motion was made to accept the minutes by Mr. Cercone and seconded by Mr. Diaz.
No Discussion. All Ayes. Abstentions: None

RESOLUTIONS: None

OLD BUSINESS: None

NEW BUSINESS:

Application: LU#2601
Owner/Applicant: Danielle Scerbo
Block 77 Lot 15 – 8 Michael Court, Newton, NJ 07860
Action: Completeness and Public Hearing
Eligible to vote: All members present and alternates as needed.

Mr. Stoner explained that after receiving and reviewing the most recent survey he feels the application can be deemed complete.

A motion was made by Mr. Cercone to deem the application (LU#2601) complete and was seconded by Mr. Wilson. Roll Call Vote: Mr. Cahill, Mr. Cercone, Mr. Diaz, Mrs. Kobilinski, Mr. Miller, Mrs. Mullen, Mr. Rose, Mr. Wilson and Mr. Holzauer. No Discussion. All Ayes. Motion Carried. Abstentions: none

Mr. Brady stated all was in order with the public notice.

Ms. Danielle Scerbo was sworn in by Mr. Brady.

Ms. Scerbo read a prepared statement explaining her reason for requesting a C variance and how this addition would be beneficial not only for her family but also for the neighborhood.

She stated the following:

There are steep slope constraints on the property.

She believes the enhancements to the property will positively impact the area.

This addition would make her house comparable in size and appearance to the rest of the houses in the neighborhood.

The total coverage would only be 4%, which is well below the 20% limit.

Ms. Scerbo presented 8 pictures of her property and they were submitted as Exhibit A-101. The photos were passed around for each Board Member to review.

Mr. Meurer began with the findings in Ms. Caldwell's Planning Report. He said the Applicant was seeking approval for a front porch which would change the front yard setback from 40.4 feet to 35.5 feet, requiring a C variance. A rear yard addition is proposed which changes the rear yard setback from 53 feet to 36 feet also requiring a C variance. This lot is pre-existing non-conforming.

Mr. Stoner began by explaining that the lot shape should be considered a hardship. He had Ms. Scerbo clarify there would be no regrading in the back of the property where the addition is planned, the only grading will be related to the foundation.

He is concerned about the excavation and construction equipment in the neighbor's yard and explained it had to remain on her property.

Ms. Scerbo stated she would like more livable space for her family and no additional bedrooms are proposed. Mr. Stoner requested that a condition of approval would be confirmation from the Sussex County Health Department that they have no objection to this addition.

Mrs. Scerbo stated she would like the porch because she feels it will make the house look more appealing in the neighborhood.

Mr. Holzauer asked about lighting at the back of the house and Ms. Scerbo stated she had no plans for additional lighting.

Mr. Wilson asked if the front porch would be closer to the street than the other houses in the neighborhood. The Applicant stated that the porch will not protrude beyond her existing walkway.

Mr. Holzauer opened the public comment portion of the application.

Ms. Amy Munoz was sworn in by Mr. Brady.

Ms. Munoz is the backyard neighbor of Ms. Scerbo. She explained where the properties join and what is between them. She said the tree buffer that is currently there is thinning due to the storms and the dead ash trees and she is concerned about the proposed rear setback encroachment and potential drainage issues. She is not opposed to the improvements of the house but would like to see the addition be placed somewhere other than the rear yard. She requested the Board review the backyard setback or require a redesign. She asked for a drainage report and then possibly to add landscaping to make up for the loss of privacy.

Mrs. Kobilinski asked Ms. Munoz if the trees were on her property or Ms. Scerbo's and she said the majority were hers.

Mrs. Mullen asked how many feet of trees there are between the properties and how far away Ms. Munoz's house was from the property line. Mr. Stoner clarified that, according to the aerial photo, it appeared to show the back of Ms. Scerbo's house, then the tree buffer, then a garage, then Ms. Munoz's house on the other side of the garage. Ms. Munoz stated she currently can see the corner of the house, but is concerned that with this addition, she will now see the entire back of the house.

Mr. Diaz asked if Ms. Munoz could see the house with the leaves on the trees and she said yes.

Mr. Holzhauser stated that the Applicant had considered a 2nd floor addition but chose not to for aesthetic reasons and asked Ms. Munoz if that would be better for them. She said the view would be higher, but it wouldn't be closer to her house.

Mr. Stoner stated that none of the houses in that development met the 75 rear yard setback because it was constructed before the current zoning in that area. He said if the Board would like to request a row of trees or shrubs to buffer the area between the two properties, they could do so. As far as drainage, the Applicant could add a seepage pit in the backyard to help keep stormwater runoff from running onto the neighboring property.

Mr. Wilson asked if the Applicant's property sloped down toward the neighbor's driveway and Ms. Munoz said that although it isn't steep, it does slope down and she is concerned about drainage. Ms. Munoz explained the bend in her driveway is always wet as is most of her property.

Ms. Scerbo stated she is willing to add more trees as a buffer in the back yard. She does not believe the neighbor's drainage issues have anything to do with her, although she is willing to work with the Board because she doesn't want them to have drainage issues.

Mr. Stoner explained the best area on her property for a stone/seepage pit to address the run off from the addition.

Mr. Brady suggested the tree buffer and the seepage pit, which would be subject to a design approved by Mr. Stoner, as a condition of approval.

Mr. Diaz asked if any trees would be removed for this addition and the Applicant stated she did not think she needed to remove any trees.

A letter from the County Health Department that there is no impact on the septic system is also a condition of approval.

Mr. Diaz made a motion to approve the variance with the conditions of approval and it was seconded by Mrs. Kobilinski.
Roll Call Vote: Mr. Cahill, Mr. Cercone, Mr. Diaz, Mrs. Kobilinski, Mr. Miller, Mrs. Mullen, Mr. Rose, Mr. Wilson and Mr. Holzauer.
No Discussion. All Ayes. Motion Carried. Abstentions: none

Mr. Meurer began a discussion on the following ordinances to be reviewed by the Land Use Board:

Ordinance 2026-02 – Development Fees and Ordinance 2026-03 – Affordable Housing. He stated both were consistent with the Housing Element and Fair Share Plan adopted on June 12, 2025. The Township entered into a consent order with the Fair Share Housing Center, where they accepted the Township’s plan and required the adoption of these ordinances and other compliance documents. Ordinance 2026-02 states the development fee shall be 1.5% of the equalized value for residential developments, providing no increased density is permitted.

Mr. Holzauer confirmed that Ordinance 2026-02 was for new construction only and not additions. Mr. Brady stated that it, in fact, did apply to additions. This number is based on the appraised value of the new construction or addition. Mr. Meurer explained that this was the standard throughout the state and that it could be amended, but there are time constraints. Mr. Holzauer gave a description of how the property values are calculated with an added assessment.

After a lengthy discussion regarding the Board’s objection to this fee applied to additions, it was suggested that the recommendation to the Township Committee would be to remove this line from the ordinance.

Mr. Brady suggested he could send a letter to the Township Committee recommending this ordinance with the change to remove the words “is expanded”.

There was a brief discussion regarding the percentage of the fee imposed and if it could be raised.

Mr. Wilson made a motion to recommend the ordinance be adopted, but with comments recommending that the words “is expanded” be removed and the typo corrected in section 8b and was seconded by Mr. Diaz.

Roll Call Vote: Mr. Cahill, Mr. Cercone, Mr. Diaz, Mrs. Kobilinski, Mr. Miller, Mrs. Mullen, Mr. Rose, Mr. Wilson and Mr. Holzauer.
No Discussion. All Ayes. Motion Carried. Abstentions: none

Ordinance 2026-03 Affordable Housing

Mr. Meurer gave a brief description of Ordinance 2026-03 on Affordable Housing.

Ordinance number 2026-03 revises the Green Township Code which deletes section 2-26 “Municipal Housing Liaison” and deletes Chapter 34 “Fair Share Plan”. It will be replaced with new Chapter 34 called “Affordable Housing Requirements”. This change will supersede what was previously listed and is up to date with the current Housing Element, First Year Plan and especially as it relates to definitions.

Mr. Wilson asked if the Township had to adopt an Affirmative Marketing Plan and Mr. Meurer said yes. Mr. Wilson then asked what was involved in that plan because he does not see Green Township trying to attract buyers and renters to come here and so he questioned why it is necessary. He also questioned if the Township had a designated Administrative Agent and a Municipal Housing Liaison. Kim stated that Gwen Santos is the Municipal Housing Liaison.

After a brief discussion regarding who would be the Administrative Agent and if it was necessary, Mr. Wilson asked why the Township would agree to something they may not comply with. Mr. Holzauer asked if Ms. Caldwell served as the Administrative Agent in some of the towns she represents. Mr. Meurer said there might be a few, but overall, most towns have their own dedicated Agent and then just request she review the information for the township. Mr. Wilson stated that someone should be designated if this ordinance is to be adopted.

A motion was made by Mrs. Mullen to recommend ordinance 2026-03 be adopted and was seconded by Mr. Cahill.

Roll Call Vote: Mr. Cahill, Mr. Cercone, Mr. Diaz, Mrs. Kobilinski, Mr. Miller, Mrs. Mullen, Mr. Rose and Mr. Holzauer.

Ayes: Mr. Cahill, Mrs. Kobilinski, Mr. Miller, Mrs. Mullen, Mr. Rose, and Mr. Holzauer.

Nays: Mr. Cercone, Mr. Diaz and Mr. Wilson

Motion Carried. Abstentions: none

Mr. Holzauer opened and closed the public portion of the meeting.

Mr. Holzauer explained that the Board would like to have Conflict Professionals as a back up in case they are needed. Paul Gleitz will remain as our Conflict Planner. Mr. Brady had suggested Mr. John Mills for Conflict Attorney and Mr. Stoner recommended Mr. Mike Vreeland for Conflict Engineer.

A motion was made to accept Mr. John Mills as Conflict Board Attorney, Mr. Mike Vreeland as Conflict Board Engineer and Mr. Paul Gleitz as Conflict Board Planner in the event one is needed by Mr. Wilson and was seconded by Mr. Diaz

Roll Call Vote: Mr. Cahill, Mr. Cercone, Mr. Diaz, Mrs. Kobilinski, Mr. Miller, Mrs. Mullen, Mr. Rose, Mr. Wilson and Mr. Holzauer.

No Discussion. All Ayes. Motion Carried. Abstentions: none

Mrs. Kobilinski brought the W9 issue to Kim's attention and she will double-check all the applications moving forward.

A Motion was made by Mr. Diaz to adjourn the meeting at 8:47pm and seconded by another member but was cut off on the recording.

All Ayes. No Discussion. Motion Carried. Abstentions: none

Respectfully Submitted:

Kim Mantz

Kimberlee Mantz, Land Use Board Secretary

Date approved: 3.12.26