

GREEN TOWNSHIP LAND USE BOARD MINUTES
Regular Meeting, March 12, 2026

CALL TO ORDER: The March 12, 2026 regular meeting of the Land Use Board was called to order by the Land Use Board Chairman, Mr. Scott Holzhauser, at 7:02 pm. He then led everyone in the Pledge of Allegiance.

Recitation of the *new* Public Notice Statement was read into the record by Mr. Scott Holzhauser.

ROLL CALL: Present: Mrs. Jenny Kobilinski, Mrs. Sharon Mullen, Mrs. Margaret Phillips, Mr. Timothy Smith, Mr. Rick Wilson and Mr. Scott Holzhauser

Also present: Mr. David Brady, Board Attorney, Ms. Jessica Caldwell, Board Planner, Mr. Cory Stoner, Board Engineer and Ms. Kim Mantz, Board Secretary.

Members Absent: Mr. Robert Cahill, Mr. Joseph Cercone, Mr. Sam Diaz, Ms. Kate Douglass, Mr. John Lynch, Mr. Jason Miller and Mr. Michael Rose.

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

MOTION TO APPROVE MINUTES:

Land Use Board Regular Meeting Minutes of February 12, 2026

A motion was made to accept the minutes by Mr. Wilson and seconded by Mrs. Mullen
No Discussion. All Ayes. Abstentions: None

RESOLUTIONS:

Ordinances 2026-02 - Development Fee Ordinance and 2026-03 - Affordable Housing Ordinance

A motion was made by Mr. Wilson to memorialize the recommendations to the Township Committee for Ordinances 2026-02 and 2026-03 and was seconded by Mr. Mullen.

Roll Call Vote: Mrs. Kobilinski, Mrs. Mullen, Mr. Smith, Mr. Wilson and Mr. Holzhauser

No Discussion. All Ayes. Abstentions: None

Application: LU#2601

Owner/Applicant: Danielle Scerbo

Block 77 Lot 15 – 8 Michael Court, Newton, NJ 07860

A motion was made by Mr. Wilson to memorialize the approval of Application LU#2601 and was seconded by Mrs. Mullen.

Roll Call Vote: Mrs. Kobilinski, Mrs. Mullen, Mr. Smith, Mr. Wilson and Mr. Holzhauser

There was a brief discussion regarding typos

All Ayes. Abstentions: None

OLD BUSINESS: None

Mr. Brady recused himself due to a conflict with the Applicant and Mr. John Mills stepped in to represent the Land Use Board for Application LU#2604.

NEW BUSINESS:

Application: LU#2604 – Minor Subdivision
Owner/Applicant: Andrew H. Billing
Block 7 Lot 13.01 – 90 Wintermute Road, Newton, NJ 07860
Action: Completeness and Public Hearing

Mr. Dan Bankendorf from Askin & Hooker, LLC in Sparta, the Attorney for the Applicant, began by introducing those present for the application.

Mr. Mills swore in Mr. Chase Billing and Mr. Allen Campbell.

Mr. Campbell was accepted as the Applicant's Engineer by the Board.

Mr. Bankendorf gave a brief description of the minor subdivision application.

Mr. Campbell started by submitting 3 exhibits:

A-101 dated December 2025 is sheet one of three of the subdivision plan for Grass Pond Perpetual Trust which has no revisions other than a red highlight of (difficult to hear on the recording)

A-102 dated December 2025 is sheet two of three of the subdivision plan for Grass Pond Perpetual Trust which demonstrates the proposed lot.

A-103 dated November 2025 (should be revised to December 2025) is sheet three of three of the subdivision plan for Grass Pond Perpetual Trust is colored for the proposed development.

Referring to A-101, Mr. Campbell explained lot 13.01 is 153.7 acres known as the Grass Pond Farm.

Looking at the full property, there is a single-family residence, which was built in 1999 and there is a barn in the front yard that was built in 2002. That barn has variance approval because it is an accessory structure in the front yard, but it is almost 1200 feet from the road.

Those two buildings are the main portion of the property along with farm activities and other farm infrastructure.

Numerous farm roads traverse the property that are not surveyed which access other properties through the farm, other properties of family, other properties in the trust, and various other locations for farm use. They are strictly interior roadways.

There is an existing driveway, about 2000 feet long, that crosses the property to the residence, which has existed since at least the 1960's. In the 1990's, subdivision approval created 3 lots that all used this driveway, including lot 14. When Mr. Billing purchased this property in the late 90's, he built his home and consolidated all the properties back into one lot. The initial subdivision identified an easement for the roadway that services multiple properties and was intended to service multiple properties of that private subdivision. The driveway was approved when the house was built and all utilities are in place.

The proposed subdivision would create a lot on the southwesterly side of the property that goes almost straight back off the right-hand side of the driveway.

Referring to Exhibit A-102, Mr. Campbell stated the lot depth is over 2500 feet and the width is 210 feet which conforms with the Town's ordinance. The total lot size will be 21.6 acres and a portion of the driveway will be the shared existing driveway. Mr. Campbell stated any encroachment issues from the existing driveway regarding lot 15.01 will be addressed.

Referring to A-103 Mr. Campbell explained the location of the new lot's driveway. He showed the wetlands and the wetland transition areas and that the driveway would avoid all of those areas. The grade of the driveway is about 12.5%. He stated the driveway easement will be

updated and reconfigured if necessary. Although the new lot will be for a family member, the easement will be set up so that if the properties ever sell, all lots will be covered.

Mr. Stoner said there were certain items that could be waived for completeness, including the LOI, the plat scale, impervious coverage calculations, topography within 200 feet, EIS and the lot numbering. There was a brief discussion regarding the lot number and potential confusion from the prior lot number for the initial subdivision. Mr. Holzhauser suggested 13.04 but said it was up to the Tax Assessor.

A motion was made by Mr. Wilson to deem the Application LU#2604 complete and waive items listed and was seconded by Mrs. Kobilinski.
Roll Call Vote: Mrs. Kobilinski, Mrs. Mullen, Mrs. Phillips, Mr. Smith, Mr. Wilson and Mr. Holzhauser
No Discussion. All Ayes. Motion Carried. Abstentions: none

Mr. Stoner suggested the proper front yard designation and Ms. Caldwell agreed.

There was a brief discussion regarding the driveway easement and Mr. Stoner stated that the redefining of the easement is very important. Mr. Stoner confirmed the old easement would be vacated with the creation of the new one and Mr. Campbell agreed. Mr. Campbell would like the new easement to refer to the old one so both can be reviewed if necessary.

Ms. Caldwell said that Mr. Campbell addressed the flag lot shape but that she does not feel it is a flag lot.

Mr. Mills asked about the Green Township Ordinance for the driveway grade and if an additional waiver is needed to comply. Mr. Campbell said that the ordinance states a 15% slope.

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

Mrs. Phillips made a motion to approve the minor subdivision and it was seconded by Mr. Wilson.
Roll Call Vote: Mrs. Kobilinski, Mrs. Mullen, Mrs. Phillips, Mr. Smith, Mr. Wilson and Mr. Holzhauser
No Discussion. All Ayes. Motion Carried. Abstentions: none

Mr. Holzhauser asked about the timeline for the easement and the construction of the house. Mr. Campbell said that it will hopefully move along as soon as possible.

Ordinance 2026-04 – Data Centers

Mrs. Phillips gave a brief background on how and why she brought this ordinance to the Township Committee. Mr. Holzhauser suggested that, instead of eliminating data centers completely, maybe there should be a square footage limit on the size of the building. This would allow businesses that could have a small data center component to still be permitted. Mr. Holzhauser said 20,000 square feet would be a good place to start. He explained that, after talking with Mr. Brady before the meeting, that if an applicant came to the Board with a 25,000 square foot data center and the limit was 20,000 square feet, it would be easier to grant the use variance than if it were prohibited altogether.

Ms. Caldwell agreed with the limited size and stated that a prohibited use is a fairly large hurdle to clear.

A discussion ensued.

Mr. Stoner suggested that other sections of the ordinances need to be reviewed to make sure they are consistent across all ordinances. He pointed out that section 30-50.1, permitted uses in the AI-10 zone, allows data processing facilities so the definitions should be reviewed.

Mr. Brady will send a letter that states the Board recommends the ordinance be adopted, but with changes that he and Ms. Caldwell are going to discuss regarding the specific language.

Ms. Caldwell explained that data center and data processing facility either need to be distinguished as two different uses or be incorporated into one use and limited. Mr. Holzhauser feels that incorporating them as one use and limiting the size is easier.

A Motion was made by Mrs. Kobilinski to recommend the adoption of the ordinance to regulate data centers, but that it be permitted in the AI-10 Zone if it is 20,000 square feet or less and the definition be modified and was seconded by Mrs. Mullen.

Roll Call Vote: Mrs. Kobilinski, Mrs. Mullen, Mrs. Phillips, Mr. Smith, Mr. Wilson and Mr. Holzhauser

Discussion. All Ayes. Abstentions: None

A motion was made to adjourn the meeting at 8:18 pm by Mr. Smith and seconded by Mrs. Phillips.

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

Respectfully Submitted:

Kimberlee Mantz

Kimberlee Mantz, Land Use Board Secretary

Date approved: 4.9.26