

**LAKWOOD PLANNING BOARD
MINUTES
REGULAR MEETING
MEETING OF: JUNE 13, 2006**

I. CERTIFICATION OF COMPLIANCE

Chairman Banas called the meeting to order at 6:00 p.m. with the Pledge of Allegiance and Mr. Kielt read the Certification of Compliance with the NJ Open Public Meetings Act:

“The time, date and location of this meeting was published in the Ocean County Observer and posted on the bulletin board in the office of the Township of Lakewood. Advance written Notice has been filed with the Township Clerk for purpose of public inspection and, a copy of this Agenda has been mailed, faxed or delivered to the following newspapers: The Ocean County Observer, or The Tri-Town News at least 48 hours in advance. This meeting meets all the criteria of the Open Public Meetings Act.”

2. ROLL CALL

Mr. Herzl, Mr. Franklin, Mr. Banas, Mrs. Wise, Mr. Dolobowsky, Mr. Klein, Mr. Gatton

3. SWEARING IN OF PROFESSIONALS

Mr. Peters and Mr. Slachetka were sworn in.

Mr. Kielt stated item #12 SD 1464 Aaron Peker is tabled until June 20, 2006 No further notice given.

A motion was made by Mr. Herzl, seconded by Mr. Dolobowsky, to table to June 20, 2006

ROLL CALL: Mr. Herzl; yes, Mr. Franklin; yes, Mr. Banas; yes, Mrs. Wise; yes, Mr. Dolobowsky; yes, Mr. Klein; yes, Mr. Gatton; yes

Mr. Shea stated that items #14 SD 1539 Reuven Kanarek & #15 SP 1841 Commerce Bank NA be carried to June 20, 2006. He granted any time extension needed on those 2 applications

A motion was made by Mr. Wise, seconded by Mr. Franklin, to table to June 20, 2006

ROLL CALL: Mr. Herzl; yes, Mr. Franklin; yes, Mr. Banas; yes, Mrs. Wise; yes, Mr. Klein; yes, Mr. Gatton; yes

4. NEW BUSINESS

1. SD # 1527 (NO VARIANCE REQUESTED)

APPLICANT: GWEI LLC

Location: Squankum Road, north of Whispering Pines Lane
Block 172 Lot 18

Preliminary & Final Major Subdivision - 29 townhouses

Mr. Peters stated the applicant is requesting a subdivision for 28 lots for 26 townhouse units on 3.3 acres. The property is currently vacant and wooded, and is located in the B-4 zone. The applicant will be required to obtain all outside agency approvals. The applicant has provided curb, sidewalk and a shade tree easement along the proposed roadway. RSIS requires 78 off street parking spaces and the applicant has provided 79 parking spaces, or over 3 parking spaces per unit. The applicant should provide the wording for a homeowners association agreement for review by the planning board attorney and engineer and should include the ownership and maintenance of the stormwater basin. An easement will be required for the storm pipes in the rear yard of the units. The applicant should provide testimony as to how garbage collection will be handled and whether it will be private or public and where containers will be stored. The plan states that no specimen trees or trees of 10 inches in diameter or greater exist on the site. The survey plan shows trees of 10 inches and greater some as large as 24 inches in diameter. The applicant should state whether the road is private or public, and should indicate where the children will be picked up by school buses.

Mr. Slachetka read from a letter dated May 12, 2006. Section 808 provisions for park and recreation areas requires that not less than 5% of land area of every residential major subdivision consisting of 25 or more units shall be preserved as common open space or shall be dedicated to active recreational or community facilities. This would require an area of at least 7,187 sf dedicated to common space and should be reserved for open space and recreation. A traffic impact analysis has been prepared and testimony from the traffic engineer concerning the findings should be provided at the public hearing. The township engineer should review street lighting for compliance. Details of the trash enclosures should be submitted for review, and illustrate the enclosure will be compatible with the architectural style of the proposed buildings and as required by chapter 181010B6 the size of the trash enclosures must be approved by DPW. Architectural plans have been submitted and floor plans indicate that each unit will have 4 bedrooms plus a children's study, and the children's study could easily be converted to another bedroom and should be noted for parking requirements. Architecturals of the side and rear elevations were requested in our April 3rd review letter but have not been submitted, and they should be dimensioned to identify compliance with the maximum height of 35 ft. All HVAC units should be located in rear or side yard and buffered from adjoining properties. The remaining comments are technical in nature.

Mr. Shea appeared on behalf of the applicant. Ray Carpenter is the engineer for the applicant. Mr. Shea asked for exhibits to be marked; the first is a color rendering of lot 18 marked A-1, the second is front elevation of a typical 4 unit town home marked A-2, and the third is page 3 of 10 marked A-3 and behind it is page 4 of 10 marked A-3a. Mr.

Carpenter stated the road will be public. The railroad borders to the south. They shifted the site per the technical meeting to provide additional buffer to the existing residential community to the west. The trash receptacles are located in the front by the stairway and will match the architectural design of the building. These are proposed 4 bedroom units and the HVAC units are located in the rear yard or side yard for end units and will be buffered by landscaping between the properties. The board did not see the buffering on their plans, because they have revised the plans. The buffer on the west will be a double row of evergreens of mixed variety (Norway spruce, white pine and Leland cypress) which will provide ample screening. Mr. Slachetka said they needed the plans to approve, and Mr. Peters said there were two pipes in the area where the buffer would be and they would have to take some measures to make sure the infiltration and collection pipes will not be impacted by the root system. Mr. Carpenter agreed to both comments. To the east Mr. Carpenter said there is sufficient buffer with mature trees to buffer them from JCP&L, and Mr. Carpenter said they could continue the small growth from the playground through to Squankum Road as an additional buffer (lower to the ground). Mr. Slachetka said what would be preferable would be the same type of landscaping they are proposing on the west side. Mr. Carpenter agreed with Mr. Slachetka. Mr. Carpenter said he would address all the technical issues in Mr. Peters' letter. In Mr. Slachetka's letter, they believe they met the requirements of the playground area and agree with Mr. Slachetka's comments. Mr. Carpenter stipulated that there is around 10,000 sf for the playground (45ft. wide by 180' long, plus the area that wraps around either side). Mr. Slachetka asked if he was talking about the easement on either side and Mr. Carpenter said yes. Mr. Slachetka said the area by the basin would not be considered part of the area.

Mr. Franklin said he had a problem with it being a public street, as he has no way of getting trucks in and turned around without driving through the private parking lot, the drainage system is covered with a lot of yard drains going into the catch basin, DPW would not be responsible for the detention basin. It wouldn't work as far as public works is concerned. Mr. Carpenter said he would have to make the road a private road, but will have to work out a possible K turn for the turnaround of trucks. Mr. Franklin suggested they put their garbage pails right in the driveway.

Mr. Dolobowsky asked where the community building was and was told by Mr. Shea that there was none. Mr. Shea said according to the applicant, Marshall Weisman, the neighbors can utilize community buildings in the surrounding developments. Mr. Dolobowsky questioned where they would have to go, safety issues, walking, etc. and Mr. Banas agreed. Mr. Dolobowsky said without knowing where they were walking, they could not ensure sidewalks were in place and the convenience to the nearest community building if they do not know where it is. Mr. Weisman was reached by phone and said that if the board feels strongly (he doesn't agree) he can designate one of the basements of one of the proposed units as a community area and would be restricted for that use.

Mr. Rhea, the traffic engineer was not present to testify about the traffic. Mr. Shea said the report was complete. Mr. Peters was asked about his comments on the report, but he had no comments written down. Mr. Shea testified that the level of traffic never goes below level C.

Mr. Truscott did a calculation and confirmed the sf for the playground meets the requirement (just barely 7,200 sf). Mr. Dolobowsky asked if they could shift it a little to the south and make it a little bigger and Mr. Slachetka said it could be done and added they should also put some benches.

Mr. Banas opened the microphone up to the public.

Zev Feldberger, 73 Whispering Pines Lane was sworn in. He said Mr. Carpenter said he shifted the property over since the last meeting, but he doesn't see it on the plans. Mr. Carpenter said an agreement was made with the adjacent property owner but he did not have sufficient time to revise the plans for the board, but he represents that the offsets from Whispering Pines to the buildings will be 30 ft, not 25 ft, as shown on the plans, with at least a double row of evergreens between the 2 sites. Mr. Feldberger said originally it was supposed to be a 10 ft. shift making it 35 ft. not 30 ft. Mr. Carpenter said it was originally 20 ft. moved 10 ft. to 30 ft. Mr. Feldberger disagreed. Mr. Shea stipulated that it is the clear recollection and understanding that they were supposed to increase the distance on the residential side by an additional 10 ft. to bring it to 35 ft. and reduce the easterly side from 30 ft. to 20 ft. and Mr. Feldberger agreed with Mr. Shea. Mr. Feldberger said they had this discussion 4 weeks ago, and it is not on the plans.

Mr. Banas said if it was 4 weeks ago, his opinion is they put this aside so the plans could be drawn up accordingly and move on to the next case. He sees no reason to continue. Mr. Slachetka is concerned as well, being they are looking at the playground from the old plans, and can't see it fitting in with the shift Mr. Carpenter is talking about. It would seem to reduce the footage of the playground.

Mr. Shea agreed to carry this application until Mr. Carpenter can revise the plans for review. Mr. Kielt said depending on when the plans are revised and returned, so a date can not be given. Mr. Shea requested they be put on last on the July 18th meeting, to salvage the notice and Mr. Banas agreed.

Mr. Feldberger would like to sit down with the developer to discuss the concerns and Mr. Shea said they have met in the past, but cannot say if the applicant accepts it.

A motion was made by Mr. Herzl, seconded by Mrs. Wise, to table to July 18, 2006

ROLL CALL: Mr. Herzl; yes, Mr. Franklin; yes, Mr. Banas; yes, Mrs. Wise; yes, Mr. Dolobowsky; yes, Mr. Klein; yes, Mr. Gatton; yes

2. SD # 1531 (NO VARIANCE REQUESTED)
APPLICANT: ASTRID JANE DE CICCIO
Location: Cross Street, west of Massachusetts Avenue
Block 468 Lots 7, 8, & 9
Minor Subdivision to create 3 conforming lots

Mr. Peters stated the applicant has requested to consolidate a number of lots and create 3 new residential lots, proposed lot 7.03 is a flag lot. No new structures are proposed at this time and the property is in the R-20 zoning district. The applicant will be required to

obtain all outside agency approvals. The applicant has provided curb, sidewalk and a shade tree easement along the property frontage. Should the board grant approval, the existing residences shall be demolished prior to signature of the final map or a bond posted to ensure prompt removal. The applicant shall demonstrate that the normal subdivision techniques are not practical. Due to the existence of 3 paper streets surrounding the subject parcel we question the need to create the flag lot. The plans should be revised to show the location of the proposed well and septic disposal fields and the separation distances shall conform to the requirements of NJAC 7:9A-4.3. The remainder of the comments are about the map filing law.

Mr. Slachetka read from a letter dated May 10, 2006. The proposed plan does not comply with the following requirements for flag lots: architectural plans for the proposed dwelling have not be submitted as required; the side setback shown on the plot is incorrect, the requirements are 20 ft. setback for the west side of the flag lots. The above items must be addressed or a design waiver is requested. He concurs with Mr. Peters' comment questioning the need for the flag lot with 3 surrounding paper streets. 7 shade trees are required and only 5 are provided, and the applicant should provide 2 additional trees or request a waiver. Lakewood Fire District has requested additional information regarding adequate access. The remaining comments are technical in nature.

Mr. Shea appeared on behalf of the applicant. Mr. Carpenter is the engineer for the applicant. Mr. Shea said the request for a flag lot is to avoid having to improve either of Rachel Avenue or Lewin Avenue because of the cost. They are providing full improvements to Cross Street. Mr. Carpenter commented on the flag lot and the alternative and he testifies that the paper streets will probably be vacated and if not, the setbacks will conform to the improved streets. The positive to not improving Rachel Avenue is economic and the township would not have to maintain the newly improved street. The wells and septic cannot be drawn until they know what will be going on the site but they will stipulate on the plans that they meet the codes of NJ (chapter 199). In regards to Mr. Slachetka's comments, he will correct the side yard setback, and architectural plans were not provided because the applicant is not proposing to build on them, just subdivide and sell them. They did represent the outline of where the buildings will be built. They will comply with the shade tree and he spoke with the fire commission about the access to the flag lot, and they were told the driveway will be 12 ft. and he will get another letter to confirm.

Mr. Banas said he is not convinced that a flag lot is necessary in this case. A paper street can be used in lieu of a flag lot. Mr. Franklin said if you are going to be a developer, you will have to build roads. Mr. Dolobowsky said they need to improve the street, it doesn't have to be Rachel it could be Lewin, and he thinks 2 of the lots could face the newly improved street instead of on a busy street such as Cross Street.

Mr. Shea said this is not a developer just a citizen who owns 3 lots. Mr. Slachetka pointed out that in his March 30, 2006 review letter for the tech meeting, he mentioned the point that the applicant has to point out this was a better plan than a regular subdivision, so it was addressed.

Mr. Shea asked the board to look at the applicant, look at the plans and the rest is up to them.

Mr. Banas opened the microphone to the public.

Seeing no one step forward, he closed it to the public.

A motion was made by Mr. Franklin, seconded by Mr. Dolobowsky, to deny this plan as presented application.

Mr. Dolobowsky said he was not at the tech meeting but does not see why a flag lot is necessary here.

ROLL CALL: Mr. Herzl; yes, Mr. Franklin; yes, Mr. Banas; yes, Mrs. Wise; yes, Mr. Dolobowsky; yes, Mr. Klein; yes, Mr. Gatton; yes

3. SD # 1532 (NO VARIANCE REQUESTED)

APPLICANT: DAVID HERZOG

Location: Endor Lane, west of Canterbury Lane
Block 25 Lot 68

Minor Subdivision to create 2 lots

Mr. Peters stated the applicant has proposed 2 new lots, lot 68.02 will be a flag lot. The property is located in the R-12 zone, and primarily wooded with access from Endor Lane. Lot 68.02 will require a variance because there is no frontage on a public road, and access to this lot is proposed to be an access easement. 2 ½ parking spaces are required and have been provided. The driveway on Lot 68.02 will provide adequate room for 3 off street parking spaces. No parking is shown for Lot 68.01 and the plans should be revised to show parking. The applicant will be required to obtain all outside agency approvals. The applicant has provided a cul de sac to provide street frontage to access Lot 68.02. Due to the off street improvements, this application should be considered a major subdivision and the applicant should revised the plans to comply with the requirements of a major subdivision based on the UDO and RSIS. It appears the sanitary sewer lateral to Lot 68.02 will not have adequate fall to function by gravity flow. Additional details are required to determine if the sewer will function properly. An alternate layout may be required. The applicant must provide a plan and profile of the proposed cul de sac and sewer main as well as details for concrete curb, sidewalk, paving, sewer piping, sewer manhole, landscape planting and other details as may be required. The plans should be revised to show the building location on Lot 68.01 and the applicant must demonstrate adequate screening of adjacent properties be provided and should show existing vegetation to remain and proposed landscape buffers. Landscape buffers are required along the property line separating the flag lot from the front lot and along the flag pole portion of the lot. Additional landscaping should be provided to ensure adequate screening between proposed lots and existing lots. The remainder of the comments deal with the Map Filing Law.

Mr. Slachetka read from a letter dated May 10, revised May 11, 2006. The proposed plan does not comply with the requirements for a flag lot in section 805G of the UDO. The solid waste area approximate to the street is required and none is proposed. Architectural plans for the proposed dwellings have not been submitted as required. Shade tree easements should be shown on the plans. The remainder of the comments are technical in nature.

Mr. Shea appeared on behalf of the applicant, along with Brian Flannery as engineer. Mr. Shea said normal subdivision techniques were not available making it necessary for a flag lot. Mr. Flannery said the application added a cul de sac since the technical meeting. Now Mr. Peters report states it is a major subdivision, and he disagrees. This is just a road improvement, and hopefully the board will agree.

Mr. Jackson asked Mr. Peters about the minor subdivision vs. a major subdivision and Mr. Peters stated it is a road improvement and can be treated as a minor subdivision.

Mr. Flannery agreed with the comments of Mr. Peters report with the exception to the need for a variance because it is a flag lot, and Mr. Peters said the section that deals with the exception is in a different section and Mr. Jackson said it was a distinction in language. As long as it is a deed strip it would need that variance because it is access over an easement. Mr. Slachetka said he agrees with Mr. Peters and the board should address that issue. Mr. Shea agreed that it should be treated as a waiver. He would supply Mr. Peters with the information on the sewer line to make sure it functions. He agreed with the comments of Mr. Slachetka and has architectural plans that will be provided.

Mr. Slachetka asked how they were going to comply with the buffer on the driveway with the sewer line. Mr. Flannery said the sewer line will be under the driveway and the driveway width will be 4 ft on each side of the driveway and the buffer would go in that 4 ft border. Mr. Peters said in other applications, they made a TWA permit a condition of building permit as opposed to signing the plans. He has no way on knowing what NJAWCO feels about an ejector pump if the gravity flow does not work. Mr. Flannery said they ejector pump will be in the dwelling, and there are many houses in Lakewood that use them, and NJAWCO is used to them.

Mr. Dolobowsky said the plans he has in front of him do not match what is being discussed. Mr. Flannery apologized and said the initial report that came out suggested the previous plans did not provide adequate turn arounds and they updated. Mr. Dolobowsky wanted it on record that when the house is built on Lot 68.01 there is something in the resolution that the driveway will be to the far side of the property away from the flag stem and sidewalk from the new driveway out to Canterbury. Mr. Flannery agreed. Mr. Dolobowsky said easements make bad neighbors, and isn't there a way to make it a part of the back lot. Mr. Flannery said it would create a variance for Lot 68.01 with width. Mr. Banas agreed that he does not like easements. Mr. Gatton asked if there was any other easement except Lot 68.01 and was told yes. The variance would be for 11 feet. Mr. Franklin asked about the elevations, and Mr. Flannery said they would do a design plan and provide underground recharge to Canterbury.

Mr. Peters said if the variance is granted and the stem becomes part of lot 68.02 you are left with 80 feet of width, and the combined side yard was 25 leaving you with a 55 ft. building envelope, and he believes they don't even need a variance.

Mr. Banas opened the microphone to the public.

Bill Hobday, 30 Schoolhouse Road, was sworn in. He said this is a stretch at best. It is a flag lot and everything that is being recommended here causes other problems. By putting the driveway in, it's going to take away property from the house on lot 68.01, and it will make it too close to it. With so many suggestions to fix this, it is the perfect case for the board to say no.

Seeing no one else come forward, Mr. Banas closed this portion to the public.

Mr. Shea said they redesigned this subdivision based on the recommendations of the board and agreed tonight to further revise it and have reached a satisfactory result. Mr. Jackson wanted to mark the exhibits A-1 and A-2 and they are both colored renderings of the minor subdivision, one with and without the cul de sac

A motion was made by Mr. Dolobowsky, seconded by Mrs. Wise, to approve this application with the following revisions: the flag pole portion is now part of Lot 68.02, making 68.01 smaller and narrower, bring the width to 79 ft. and to grant a variance for that width. The applicant requested the set backs be 10 ft. on each side. The landscape buffer will come up both sides of the driveway and go around the flag. This application includes the cul de sac on Endor Lane and when the house is built on Lot 68.01 the driveway be put to the far side of the current lot so the 2 driveways are separated and sidewalk be installed from the driveway on Lot 68.01 past the driveway on Lot 68.02 and end on Endor Lane, and the waiver. Also the stipulation of the TWA approval being given before permits are issued. Also grades and elevations on the stormwater management approved by the planning board engineer as part of resolution compliance.

ROLL CALL: Mr. Franklin; yes, Mr. Banas; yes, Mrs. Wise; yes, Mr. Dolobowsky; yes, Mr. Klein; yes, Mr. Gatton; yes

4. SD # 1533 (VARIANCE REQUESTED)
APPLICANT: HARVARD STREET DEVELOPMENT
Location: Harvard Street, between Apple Street & Park Place
Block 171 Lots 11,19 & 21 Preliminary & Final Major Subdivision -
9 lots

Mr. Penzer asked to have this application along with item #8 SD 1529 carried until the meeting of June 20, 2006

A motion was made by Mr. Klein, seconded by Mr. Herzl, to table to June 20, 2006

ROLL CALL: Mr. Herzl; yes, Mr. Franklin; yes, Mr. Banas; yes, Mrs. Wise; yes, Mr. Dolobowsky; yes, Mr. Klein; yes, Mr. Gatton; yes

5. SD # 1537 (VARIANCE REQUESTED)

APPLICANT: NJ HAND

Location: corner of Spruce Street & Sherman Avenue (south of Pine Street)
Block 834 Lot 1

Minor Subdivision

Mr. Peters stated the application lies in the location of Spruce Street which is an improved street and Sherman and Funston are unimproved paper streets. The property lies in the R-40/20 cluster zone. Proposed lot 3 will require a variance for lot area; 30,489 sf are proposed, 40,000 sf is required. A variance for lot width is required for Lot 3; 100 ft. width is proposed where 150 ft. is required. The subdivision is subject to review by the OCPB.

Mr. Slachetka read from a letter dated May 19, 2006. The review comments are technical in nature.

Abe Penzer appeared on behalf of the applicant. This is a technical error that was made, The township accidentally gave land that has been combined that does not belong to NJHand.

Mr. Banas opened the microphone to the public. Seeing no one else come forward, Mr. Banas closed this portion to the public.

A motion was made by Mr. Dolobowsky, seconded by Mr. Herzl, to approve

ROLL CALL: Mr. Herzl; yes, Mr. Franklin; yes, Mr. Banas; yes, Mrs. Wise; yes, Mr. Dolobowsky; yes, Mr. Klein; yes, Mr. Gatton; abstain

6. SD # 1538 (VARIANCE REQUESTED)

APPLICANT: NJ HAND

Location: corner of Read Street & Funston Avenue (south of Pine Street)
Block 833 Lot 2

Minor Subdivision

Mr. Peters stated the application lies in the R-40/20 cluster zone. Variance will be required for the following for Lot 3: Lot area; 10,000 sf is proposed, 40,000 sf is required. Lot width; 100 ft. is proposed, 150 ft. is required. The applicant will be required to obtain approval from the OCPB.

Mr. Slachetka read from a letter dated May 19, 2006. The review comments are technical in nature.

Abe Penzer appeared on behalf of the applicant. This is a technical error that was made, The township accidentally gave land that has been combined that does not belong to NJHand.

Mr. Banas opened the microphone to the public. Seeing no one else come forward, Mr. Banas closed this portion to the public.

A motion was made by Mr. Herzl, seconded by Mr. Klein, to approve

ROLL CALL: Mr. Herzl; yes, Mr. Franklin; yes, Mr. Banas; yes, Mrs. Wise; yes, Mr. Dolobowsky; yes, Mr. Klein; yes, Mr. Gatton; abstain

7. SP # 1838 (NO VARIANCE REQUESTED)
APPLICANT: NJ HAND "LAKEWOOD COMMONS"
Location: Towers Street & Vine Street
Blocks 807-809, 813-815,817-820 Lots all
Block 816 Lot 1
Block 831 Lots 3, 5
Block 832 Lot 3
Block 833 Lot 2
Block 834 Lot 1
Block 835 Lot 3
Block 836 Lot 3
Block 837 Lot 3

Preliminary & Final Site Plan – Phase 1 – 72 units and 1 community center

Mr. Peters stated the applicant is seeking approval for 446 affordable housing units, consisting of 50.5 acres. Phase 1 contains approximately 8 acres which will contain 72 units. The proposed development will provide new roads, parking areas, stormwater management facilities, and community center, and is located in the R-40/20 cluster zone. No variances will be required. The applicant will be required to obtain all outside agency approvals. It should be noted that a 200 ft. wide tree save area has been provided along the east side of the property along Vine Street and a buffer will be provided along the north tract line. Phase 1 portion will include 72 units, on site parking, stormwater, and a recreation building. The applicant also includes to construct 883 feet of Towers Street from Brian Street east. The stormwater management system does not provide for the required reduction for the 2 year storm event. We believe these reductions may not be possible for Phase 1 of this development based on the site grading and layout. The subsequent phases should be designed to provide for the required reductions of off site flow that were not met in phase 1, specifically, the reduction in the discharge of 0.388 cfs to the 2 year storm event beyond the reduction normally required. This should be made a condition of approval. For the unsignalized intersection of Route 9 and Oak Street, the applicant recommends the installation of a traffic signal control to mitigate the level of service F condition. The applicant will need to show that the MUTCD traffic signal warrants are met. The applicant should eliminate parking spaces that are at or near intersections where conflicts between vehicles backing out of spaces and vehicles turning at the intersection would occur. In front of units 1-4, vehicles backing out of the parking spaces may conflict with vehicles passing by or turning on to the street. At the intersection vehicles cued along the side streets may block those vehicles parked at the end spaces. This could affect the parking counts for the project. The rest of the comments are technical in nature.

Mr. Slachetka read from a letter dated May 19, 2006. They have extensive comments that either they could read for the record or the applicant can address them on a point by point basis.

Mr. Penzer appeared on behalf of the applicant, and agreed to address Mr. Slachetka's comments on a point by point basis. The applicant went well below the standards set forth in the zone. They gave more than what was allowed in the zone. As far as the points raised, instead of waiting for CAFRA, they were proceeding with the 1st stage, for 72 units. All of Stan's comments deal with future development not what is here now. They meet the parking requirements and there is an engineer and traffic engineer to discuss the issues. As far as Max's comments, 8 out of 9 are already done, and they did a traffic impact study was done on the entire site, so his comments on the 72 units will be addressed tonight. The landscaping expert is here and plans are re-drawn so the walkways connect. The irrigation system is still a question because this is low income housing and depending what money they get from the state, they can't say what kind of system it will be. The extensive lighting has been addressed. The architectural plans are here. They are working on a pumping station so there will be water for the entire area. They expect to start the project within 2 months, and the phasing should be a minimum of 1 year to 1 ½ years from start to finish. They have supplied the environmental impact statement and a tree protection management and the lots will be consolidated. The committee does not want to vacate the streets yet until after the approval. There will be a homeowners association.

Ralph Petrillo, Van Note Harvey the engineer was sworn in. Tom Stearns, licensed landscape architect was sworn in. Mr. Petrillo addressed the parking issue, the requirement is 179 parking spaces, they have provided 175 parking spaces within the parking areas adjacent to all the buildings. They have also provided an additional 6 parallel spaces along Coles Way which is a private road, not reviewed as off street parking. That is not including the parallel parking spaces along Tower Street. There are no basements on these flats. They identified a sheet L-1.0 which a rendering of the development and entered it as exhibit A-1, and Mr. Petrillo pointed to the spaces they have allocated. Bus stop locations were shown to be on Site Exhibit Plan EXH-1 and was entered as exhibit A-2, and a shelter is being proposed just north of the entrance route to the recreation building, and that is only for Phase 1. Mr. Stearns testified on the plans for Phase 1. He looked at exhibit A-1 and said they are providing landscaping along the loop road, along Towers Ave. and foundation plantings are provided for each building and planting in the parking lots and buffer planting along Towers. They are using native trees and shrubs which would not require much irrigation, but if irrigation was supplied it would be around the loop road in front of the units. Mr. Slachetka wanted to applicant to confirm the minimum 5% of the tract area for recreation purposes, and the applicant had noted 44%. Mr. Stearns said they did add in a pocket park behind the recreation building and 2 separate playgrounds, the lower playground for children 2 through 5, and the other playground for ages 6 through 12 and walkways and seating areas around those areas, and that it more than 5% that is required.

Mr. Penzer addressed the comments in Mr. Peter's report, he asked that the TWA permit be a condition of the building permit and Mr. Peters said it was acceptable. They have an application to Ocean County Soils. The streets will be vacated. Sidewalks were also

added between the buildings. Mr. Petrillo will contact the fire commission to make sure they are in compliance. The stormwater management system was discussed by Mr. Petrillo, and he said that basin 2 or basin 3 and make sure they further reduce the flow to address the deficiency for basin 1. Mr. Peters said that was acceptable. The rest of the comments they agreed to revise.

Scott Kennell, McDunna and Rhea Assoc. was sworn in. His office was in touch with Max Peters' office today and he said they would not affect the traffic in any way further than what it is now, and the report was based on the entire development, and including Cedar Bridge Corporate Park and factors added to developments for the next ten years. He referred to exhibit A-1 and said the concern was the building and backing out, and he said that was a low activity area, so there should be no problem because it is residential. Mr. Banas was concerned if the last person in line were backing out, if there was another vehicle coming in it would be dangerous. He then looked at exhibit A-2 and walked over to Max to show him on his plans.

Mr. Gatton wanted to clarify the impact of the development on the traffic. Mr. Kennell said the combination of this development along with all the rest of the development in the area created a need for a traffic light. They were advised to create a table of the level of service, which will be created and given to the professionals. Mr. Banas questioned the name Vine Avenue, and the name should be Vine Street, and they said they would correct.

Mr. Peters questioned the maintenance of the common areas and stormwater basin, and was told a homeowners association, and the documents will be submitted before the building permits are issued, not resolution compliance.

Mr. Banas opened the microphone to the public.

Gerry Ballwanz, 208 Governors Road was sworn in. She had 3 questions: 1st question is the sidewalks that go to each entranceway to the unit, is it a separate sidewalk or a shared. Mr. Petrillo said each unit had a separate sidewalk. 2nd question, if you could have the irrigation included, which would be really important to keep the grass green. Mr. Penzer said her point is well taken, and hopefully it would be included in the funding. The homeowners association will be taking care of the landscaping. Her 3rd question was how big are the units and was told the 6 unit building size is 4 bedroom 2 ½ baths, 2,200 – 2,300 sf. The 10 unit buildings are 4 bedroom 2 ½ baths, 2,200 – 2,400 sf. The 7 unit buildings are townhouses, 3 bedrooms 2 ½ baths, 1,600 – 1,700 sf. She asked if the front doors open to the parking lots and was told most did. She asked what size the rear yards were and were told they were a common area, with some patios, with a separator fence, but most were shared. They are ownership buildings, not rentals.

Bill Hobday currently sworn in. He said there are only 2 playgrounds, but what about the children that are 12 and older and Mr. Penzer said John Patrick recreation complex was down the street. Mr. Hobday said there will be a need for irrigation, don't use NJAWCO because they are very expensive.

Seeing no one else come forward, Mr. Banas closed this portion to the public.

Mr. Banas questioned the common area, with fencing and is it the same as his will no fencing. Is he providing an area for a cookout but they do have a community building, but they have decks.

Mr. Penzer gave a closing statement on how proud he is to be a part of this project.

Mrs. Wise said there will be affordable housing for sale as well as renting from the Lakewood Housing Authority. She corrected Mr. Penzer's statement.

A motion was made by Mr. Klein, seconded by Mr. Gatton, to approve this application.

ROLL CALL: Mr. Herzl; yes, Mr. Franklin; yes, Mr. Banas; yes, Mrs. Wise; yes, Mr. Dolobowsky; yes, Mr. Klein; yes, Mr. Gatton; yes

8. SD # 1529 (NO VARIANCE REQUESTED)
APPLICANT: MATHIAS DEUTSCH
Location: East Harvard Street, east of Park Place
Block 170 Lots 7, 8 & 9
Minor Subdivision to create 2 duplex buildings (4 lots total)

Mr. Penzer asked to have this application along with item #4 SD 1533 be carried until the meeting of June 20, 2006

A motion was made by Mr. Klein, seconded by Mr. Herzl, to table to June 20, 2006

ROLL CALL: Mr. Herzl; yes, Mr. Franklin; yes, Mr. Banas; yes, Mrs. Wise; yes, Mr. Dolobowsky; yes, Mr. Klein; yes, Mr. Gatton; yes

An announcement was made to table the remainder of the applications due to the time.

9. SD # 1530 (VARIANCE REQUESTED)
APPLICANT: JONATHAN RUBIN & MOSHE FEINROTH
Location: New Central Avenue, east of Hillside Boulevard
Block 11.29 Lots 3&75 Preliminary & Final Major Subdivision - 6 lots

A motion was made by Mr. Herzl, seconded by Mrs. Wise, to table to June 20, 2006

ROLL CALL: Mr. Herzl; yes, Mr. Franklin; yes, Mr. Banas; yes, Mrs. Wise; yes, Mr. Dolobowsky; yes, Mr. Klein; yes, Mr. Gatton; yes

10.SP # 1837 (VARIANCE REQUESTED)
APPLICANT: CONGREGATION NER YISROEL
Location: Ridge Avenue at corner of East Seventh Street
Block 223.01 Lot 71.04
Minor Site Plan – Change of Use Site Plan from 2 family home to synagogue

A motion was made by Mr. Herzl, seconded by Mrs. Wise, to table to June 20, 2006

ROLL CALL: Mr. Herzl; yes, Mr. Franklin; yes, Mr. Banas; yes, Mrs. Wise; yes,
Mr. Dolobowsky; yes, Mr. Klein; yes, Mr. Gatton; yes

11.SD # 1534 (VARIANCE REQUESTED)
APPLICANT: MTR VENTURES
Location: Ridge Ave, E.7th St & Highgrove Crescent, east of New York Ave.
Block 223 Lots 4, 9.04, 84 & 85
Minor Subdivision from 4 lots to 3

A motion was made by Mr. Herzl, seconded by Mrs. Wise, to table to June 20, 2006

ROLL CALL: Mr. Herzl; yes, Mr. Franklin; yes, Mr. Banas; yes, Mrs. Wise; yes,
Mr. Dolobowsky; yes, Mr. Klein; yes, Mr. Gatton; yes

12.SD # 1464 (VARIANCE REQUESTED)
APPLICANT: AARON PEKER
Location: Ridge Avenue, east of Brook Road
Block 189 Lot 24
Minor Subdivision to create 2 lots

Tabled until June 20, 2006

13.SD # 1536 (NO VARIANCE REQUESTED)
APPLICANT: CHARLES CLARK
Location: East County Line Road, across from Ann Court
Block 186.05 Lot 31
Minor Subdivision to create 2 lots

A motion was made by Mrs. Wise, seconded by Mr. Herzl, to table to June 20, 2006

ROLL CALL: Mr. Herzl; yes, Mr. Franklin; yes, Mr. Banas; yes, Mrs. Wise; yes,
Mr. Dolobowsky; yes, Mr. Klein; yes, Mr. Gatton; yes

14.SD # 1539 (VARIANCE REQUESTED)
APPLICANT: REUVEN KANAREK
Location: East Eighth Street, between Park Avenue & Nowlan Place
Block 230 Lot 9
Minor Subdivision to create 2 lots

Tabled until June 20, 2006

15.SP # 1841 (VARIANCE REQUESTED)
APPLICANT: COMMERCE BANK NA
Location: Madison Avenue (Route 9) between Kennedy Boulevard and
County Line Road (former Crystal Diner)
Block 1051 Lot 29
Preliminary & Final Site Plan for proposed bank

Tabled until June 20, 2006

5. MEMORIALIZATION OF RESOLUTIONS

1. SD # 1505A (VARIANCE REQUESTED)
APPLICANT: 1368 RIVER SL LLC
Location: River Avenue, north of Locust Street
Block 534 Lots 7, 8 & 10
Preliminary & Final Major Subdivision and Preliminary & Final Site Plan - 28 single family townhouse

A motion was made by Mrs. Wise, seconded by Mr. Herzl, to approve

ROLL CALL: Mr. Herzl; yes, Mr. Franklin; yes, Mr. Banas; yes, Mrs. Wise; yes, Mr. Dolobowsky; yes, Mr. Klein; yes, Mr. Gatton; yes

2. SD # 1523 (NO VARIANCE REQUESTED)
APPLICANT: SYLVIA MANHEIM
Location: Albert Avenue, between Bellinger Street & Towers Street
Block 801 Lots 4, 6
Minor Subdivision to create 2 lots

A motion was made by Mrs. Wise, seconded by Mr. Herzl, to approve

ROLL CALL: Mr. Herzl; yes, Mr. Franklin; yes, Mr. Banas; yes, Mrs. Wise; yes, Mr. Dolobowsky; yes, Mr. Klein; yes, Mr. Gatton; yes

3. SD # 1526 (VARIANCE REQUESTED)
APPLICANT: ESTHER PHILLIP
Location: Harvard Street, east of Park Place
Block 170 Lot 1
Minor Subdivision to create two lots

A motion was made by Mr. Franklin, seconded by Mr. Klein, to approve

ROLL CALL: Mr. Herzl; yes, Mr. Franklin; yes, Mr. Banas; yes, Mrs. Wise; yes,
Mr. Dolobowsky; yes, Mr. Klein; yes, Mr. Gatton; yes

4. SP # 1845 (NO VARIANCE REQUESTED)
APPLICANT: LAKEWOOD FIRE COMMISSIONERS
Location: New Hampshire Avenue, north of Chestnut Street
Block 1159 Lot 88
Courtesy Review of Site Plan for proposed addition to Junior hose #3 firehouse

A motion was made by Mr. Klein, seconded by Mrs. Wise, to approve

ROLL CALL: Mr. Herzl; yes, Mr. Franklin; yes, Mr. Banas; yes, Mrs. Wise; yes,
Mr. Dolobowsky; abstain, Mr. Klein; yes, Mr. Gatton; yes

5. SD # 1492A (VARIANCE REQUESTED)
APPLICANT: WEINREB & BERGER
Location: corner of Leonard Street and East End Avenue
Blocks 228 Lots 7 & 8
Extension of Minor Subdivision approval

A motion was made by Mr. Franklin, seconded by Mrs. Wise, to approve

ROLL CALL: Mr. Herzl; yes, Mr. Franklin; yes, Mr. Banas; yes, Mrs. Wise; yes,
Mr. Dolobowsky; abstain, Mr. Klein; yes, Mr. Gatton; yes

6. CORRESPONDENCE
None at this time.

7. PUBLIC PORTION
None at this time.

8. APPROVAL OF BILLS

A motion was made by Mr. Gatton, seconded by Mr. Herzl, to approve

ROLL CALL: Mr. Herzl; yes, Mr. Franklin; yes, Mr. Banas; yes, Mrs. Wise; yes, Mr. Dolobowsky; yes, Mr. Klein; yes, Mr. Gatton; yes

9. APPROVAL OF MINUTES

Minutes from March, 21, 2006 Public Hearing (with corrections)

A motion was made by Mrs. Wise, seconded by Mr. , to approve

ROLL CALL: Mr. Herzl; yes, Mr. Franklin; yes, Mr. Banas; yes, Mrs. Wise; yes, Mr. Dolobowsky; yes, Mr. Klein; yes, Mr. Gatton; yes

10. ADJOURNMENT

The meeting was hereby adjourned. All were in favor.

Respectfully submitted
Chris Johnson
Planning Board Recording Secretary