

**LAKWOOD PLANNING BOARD
MINUTES
PLAN REVIEW MEETING
JULY 1, 2008**

I. CERTIFICATION OF COMPLIANCE

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

“The time, date and location of this meeting was published in the Asbury Park Press 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 Asbury Park Press, and 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. Franklin, Mr. Banas, Mrs. Koutsouris, Mr. Fink, Mr. Schmuckler

3. SWEARING IN OF PROFESSIONALS

Mr. Peters and Mr. Slachetka were sworn in.

4. PLAN REVIEW ITEMS

1. SD # 1531B (VARIANCE REQUESTED)

APPLICANT: ASTRID JANE DECICCO

Location: Cross Street, west of Massachusetts Avenue
Block 468 Lots 7, 8, 9

Extension of previously approved Minor Subdivision to create two conforming lots

Mr. Peters stated the above project was previously approved by the Planning Board; the Resolution of Approval was adopted on November 27, 2007. The applicant is seeking an extension of the previous approval. The Minor Subdivision Plan has not yet been revised in conformance with the resolution. The applicant is requesting an extension to obtain outside agency approvals. The Planning Board should determine whether an extension should be granted, and for what period of time.

Mr. Carpenter appeared on behalf of the applicant and said the extension they are requesting is based on getting the county approval which they just received last month. Mr. Banas asked if they had received any prior extensions and Mr. Carpenter said they had not and this is their first extension and he asked for a one year extension.

Motion was made by Mr. Franklin, seconded by Mrs. Koutsouris, to approve the extension for one year

ROLL CALL: Mr. Franklin; yes, Mr. Neiman; yes, Mr. Banas; yes, Mrs. Koutsouris; yes, Mr. Fink; yes, Mr. Schmuckler; yes, Mr. Percal; yes

2. SD # 1629 (VARIANCE REQUESTED)

APPLICANT: SHIMSHON BANDMAN

Location: Ridge Avenue between Manetta Avenue and Somerset Avenue
Block 189.01 Lots 6, 7, 8, 11 & 13

Preliminary and Final Major Subdivision – 25 lots 21 single family and 4 duplexes

Mr. Peters stated the applicant is seeking a Preliminary and Final Major Subdivision Approval to subdivide five lots, known as lots 6, 7, 8, 11 and 13 into twenty five (25) new Lots. A single family dwelling is located on each existing lot. Two family/duplex units are proposed on Lots 5, 6, 7, and 8 of Block 189.02 and single family dwellings are proposed on the remaining lots. In addition to proposed dwellings, the applicant has proposed to constructions of a roadway, Vintage Circle, driveways, underground stormwater recharge system and other residential development related construction. The property has frontage along Ridge Avenue. The site is situated within the R-10 zoning district. The applicant is requesting the following variances: Minimum lot area for all new lots except Lots 5 through 8 of Block 189 where duplex units are proposed; 10,000 SF is required, where Lot 2 and Lot 3 have the least proposed lot areas of 7,500sf. Minimum lot width for all new lots except Lots 8.17, 8.01, and 1 through 8; 75 FT is required, where Lot 8.08 has the least proposed lot width of 45 FT. Minimum side yard setbacks one side for all new lots; 10 FT is required, where 7 FT are provided for all lots except for Lot 5 where 8 FT are proposed. Minimum side yard setbacks both sides for all Lots except for Lots 4, 5, 8, 8.01, and 8.17. The applicant shall revise zoning schedule to show the required and provided zoning criteria for each new lot. In addition, the revised zoning schedule shall be added to the Final Map. The project requires approvals from Ocean County Planning Board and Ocean County Soil Conservation District. NJDEP permit for Treatment Works Approval and Water Main Extension are also required. Evidence of approvals shall be made a condition of final subdivision approval. The applicant indicates in the zoning schedule three (3) off-street parking spaces will be provided for each proposed dwelling. From the dimensions of the proposed driveway measured from the plans, they are sufficient to accommodate three (3) cars per dwelling. The NJRSIS parking regulations for single and two family dwellings top out at three (3) spaces per unit. The Board should determine if the parking spaces provided will be sufficient. The applicant shows on the plans existing curb along the Ridge Avenue at the property frontage will be replaced with new cub. Curbs and sidewalks are proposed along the all property frontages. 6 FT utility and shade tree easements along the property frontages and sight triangles at the entrances of the proposed Vintage Circle are proposed to be dedicated to the Township. In addition, 8.5 FT roadway widen easement along Ridge Avenue at the property frontage is proposed to be dedicated to the Ocean County. The section of Ridge Avenue which fronts the property is 33 FT wide, two lane road. Cars are usually found parking along side of the road. We have concerns regarding additional daily traffic that will be created by the major subdivision. The applicant shows

on the plans an 8.5 FT roadway widen easement along Ridge Avenue to be dedicated to the Ocean County. The applicant shall provide testimony on if and when the Ridge Avenue will be widened. The applicant shall provide testimony on how solid waste will be collected from the site. The applicant shall provide architectural plans to the Planning Board professional for review. The applicant shows on the Final Plat two 10 FT wide drainage easements between Lot 8.08 and 8.09, and on Lot 5 to be dedicated to a Homeowner Association (H.O.A.). Description of the easements and documentation of the H.O.A shall be submitted to the Township Engineer and Solicitor for review. Lots 1, 4, 8.01, and 8.17 are corner lots and shall be deeded to have restricted access to Vintage Circle only. A note stated such shall be added to the plans. All the existing dwellings and their associated structures shall be removed prior to signature of the final plat or a bond posted to ensure the prompt removal of these structures. The applicant shall provide testimony on if any septic fields exist on site. If there are existing septic fields, locations of these fields shall be shown on the plans. All proposed constructions, such as dwellings, curb, sidewalk, and etc., shall be called out on the Residential site Plan. In addition, dimensions of driveways shall be shown on the plans. Handicap ramps shall be provided at the proposed entrances to Vintage Circle. The applicant shall revise the Grading and Drainage Plan to label size and length of the proposed stormwater pipe between Lot 8.09 and Lot 8.10 and to provide information regarding the proposed outlet structure at the southern end of the pipe. The applicant shall revise the Grading and Drainage Plan to shown floor elevation of all proposed dwellings. In addition spot elevations at corners of the proposed dwellings shall be added to the plan. The applicant shall revise the Grading and Drainage Plan to label all the proposed contours. In addition, spot elevations between proposed contours which have same elevation shall be provided on the plan and existing contours along Ridge Avenue shall be provided to show smooth transitions from Vintage Circle to the Ridge Avenue. A utilities profile plan shall be provide to the Planning Board Engineer for review. The plan should demonstrate sufficient separation between the proposed stormwater system and sanitary system and adequate cover depths on the pipes have been provided. The applicant shall revise the Plans to show edges of the existing and proposed tree lines. We notice that proposed stormwater system, inlet protection measurements, and silt fences are missing from the Soil Erosion and Sediment Control Plan; however, we will defer this issue to the Ocean County Soil Conservation District. The applicant shows in the stormwater report soil boring tests were performed on site. The applicant shall revise the grading plan to show locations where the tests were conducted. If basements are proposed for proposed dwellings, the basement floor elevations shall be labeled on the plan to demonstrate that the floor elevations are at minimum two (2) inches above the seasonal high groundwater table elevation. The applicant shall provide stormwater pipe sizing calculations to demonstrate the proposed RCP pipes will sufficiently conduit stormwater runoff to the underground recharge system. The applicant shall revise the Post Development Drainage Area Plan to show proposed contours instead of existing contours. The applicant shows in the Hydrograph Report five drainage areas. These areas are sub1, Trench 1, Predevelopment Offsite, Post development Offsite South, and Post development Offsite Ridge. With the sub 1 being the proposed drainage area goes into the proposed underground recharge system, the total post development area is calculated to be 5.83 acres; and the total predevelopment area is 5.84 acres. The drainage area maps show 6.32 acres of total drainage area. The applicant shall address this issue. The applicant shall provide pervious and impervious areas for the predevelopment and post development conditions to backup the 75 and 77

curve numbers used for the existing condition and proposed condition respectively. Some of the invert elevations for the proposed inlets shown on the grading plan are overlaid by the proposed contours. The applicant shall revise the plan to reposition the invert information to where they can be read. The applicant shows on the grading plan the proposed inlet #14 has an outlet pipe invert of 51.27 and its downstream inlet, inlet #13, has an inlet pipe invert of 52.37 and outlet pipe invert of 51.27. With zero percent slope on the pipe between the two inlets, the inlet pipe invert shall be revised to 51.27 for inlet #13; consequently, the outlet pipe invert of inlet #13 and pipe inverts of its downstream inlet, inlet 11, shall be revised accordingly. The culvert/orifice structure described in the Pond Report section of the Stormwater Management Report shall be shown on the grading plan. All stormwater runoff from pavement areas shall be pre-treated prior to be collected by the underground recharge system in accordance with the New Jersey BMP manual. The applicant indicates on the Construction Detail Plan curb inlet inceptor will be provided to pre-treat the runoff. The applicant shall call out on the grading plan which inlet will be equipped with the device. Inverts of the proposed underground recharge trenches shall be at a minimum two (2) FT above the seasonal high groundwater table (S.H.G.T) elevation in accordance with the NJ BMP manual. Although the location of soil boring test SB-1 was briefly mentioned in the soil conditions section of the Stormwater Management Report, the applicant shall revise the grading plan to show precise locations of the boring tests SB-1 and SB-2; then, separation between the S.H.G.T. elevation and inverts of the trenches can be accurately determined. A lighting fixture detail shall be added to the Lighting and Landscaping Plan. An 'N' Eco curb piece should be included in the type B inlet detail. The stop sign detail shall be revised to include a red retro-reflective sheeting on the sign post and prismatic sheeting on the face of the sign. A handicap ramp detail shall be added to the Construction Detail Plan. The detail shall show detectable warning surface are proposed and a truncated domes detail shall be included. An underground recharge trench detail shall be added to the Construction Detail Plan. The detail shall reflect the dimensions described in the Pond Report section of the Stormwater Management Report. An outlet control structure detail shall be added to the Construction Detail Plan. The detail shall show the invert elevation, diameter, and length of the proposed orifice and weir. Curb, roadway pavement, and driveway pavement details shall be added to the Construction Detail Sheet. A Curb Inlet Inceptor Detail was meant to be shown on the Construction Detail Plan, as the title is shown on the plan. The applicant shall revise the plan to shown the detail. Comments regarding to Map Filing Law will be provided during the public meeting. The applicant shall revise the Final Map to provide complete curve data for the roadway widening easements at the proposed entrances to Vintage Circle. The applicant shall revise the Final Map to provide complete curve data for the drainage easement lines located in front of Lots 8.08 and 8.09. In addition, the two non radius drainage easement lines located in the lots shall be labeled on the map as non radius lines. The remaining comments are technical in nature.

Mr. Slachetka read from a letter dated June 27, 2008. The applicant requests preliminary and final major subdivision approval and associated variances to create 25 residential lots and construct the required right-of-way improvements. The project is proposed to contain 21 single-family lots and four duplex lots for a total of 29 residential units. The tract contains five single-family dwellings and several accessory structures. All of the existing structures will be removed. The balance of the tract is wooded. The parcel, which is 5.7 acres in area, is located on the south side of Ridge Avenue between Linden Avenue and Manetta Avenue. The tract is situated in the R-10 Zone and single-family residences are a

permitted use in the zone district. Two-family/duplex structures are permitted in the R-10 Zone on lots of a minimum of 12,000 square feet. The following variances are requested: Lot area. A minimum of 10,000 square feet is required and all lots are undersized with the exception of Lots 5, 6, 7 and 8 of Block 189.02. The undersized lots range in area from 7,500 square feet to 8,000 square feet. Lot width. All lots are non-conforming with the exception of Lots 1 through 8, Block 189.02. Front yard setback. A minimum of 30 feet is required and 25 feet is proposed for Lots 1 and 4 of Block 189.02. and Lots 8.01 and 8.17 of Block 189.01. Side yards setback. A minimum setback on one side of 10 feet and a combined side setback of 25 feet are required. The applicant proposes a setback of 7 feet on one side and a combined side setback of 15 feet. The applicant should address the positive and negative criteria for the proposed variances. The testimony should address comments in Item C.1. of this letter. Review Comments. This tract was within an area that was the subject of a review during the Master Plan Reexamination Report. This R-10 Zone District was labeled as Area #4. The proposed re-zoning and the Board's recommendation was the following: "4. Rezone both R-10 Zones (Single-Family Residential) east of the downtown area to be R-7.5 Zones (Single-Family Residential) to provide additional housing opportunities compatible with the redevelopment of the area. Approved, provided that the Township Engineer determines that at least 70% of the lots in the subject area comply with the minimum lot area for the R-7.5 Zone." However, the Township Committee has not implemented the Planning Board's recommendation. Therefore, the Planning Board should require testimony addressing the positive and negative criteria for the extensive variance request. The engineering drawings should include a demolition plan identifying all existing structures and improvements, above and below ground, to be removed. The Bulk Chart on the Final Plat should be revised to identify the block number associated with the lots. The Final Plat should be revised to indicate the lot number for Lot 8.01 of Block 189.01. The engineering drawing should be revised to address the following minor revisions: Identify the block number of 189.02 on the plan. Several of the existing structures are outlined on the Residential Site Plan and should be deleted. The setback lines should be labeled. Handicap ramps should be provided at the intersections. The Topsoil Stockpile Area shown on the Soil Erosion Plan conflicts with the undisturbed area of Block 189.02. The undisturbed area around the perimeter of the tract on the Tree Protection Management Plan conflicts with the Grading Plan. Please reconcile the plans. The Tree Protection Management Plan notes reference at # 10 a "Tree Legend." A Tree Legend was not submitted. The Tree Protection Management Plan should be reviewed by the Environmental and Shade Tree Commissions. The plat and engineering drawings require the Municipal Clerk's certification block. The minimum caliper of the street trees should be specified on the Planting List on Sheet 5. Landscaping notes should be added to the Landscaping Plan (Sheet 5). The requirements for two family/duplex lots should be listed on the plat. We note that the Lakewood Unified Development Ordinance contains provisions which allow for lot area reduction requirements for recreational purposes. The applicant does not propose any recreational area in this proposal. The project lots will be served by public water and sewer by the NJ American Water Company. The proposed lot numbers were assigned by the Township Tax Assessor on February 25, 2008 according to a note of the Final Map. Performance guarantees and inspection fees should be posted for required improvements. The proposed street name must be approved by the Township to avoid any duplicate road names. Building Uniformity in Residential Developments (Section 18-821). The residences in the subject development must comply with the building uniformity requirements. A minimum of eight basic designs are required. The Planning

Board may require an affidavit or performance to insure that this requirement is addressed. The engineering drawings should contain a note that all site improvements shall comply with NJ RSIS. Recreation: Section 18-808 of the Unified Development Ordinance requires that not less than 5% of the land area of a major subdivision containing twenty-five or more units shall preserve a common open space. The application proposes the creation of 21 single-family lots and four two-family/duplex lots (or 8 units) for a total of 29 residences. The total land area of the tract is 251,895 square feet (5.78 acres). The required 5 % land area equals 12, 595 square feet. An open space/recreation parcel is not shown on the plat or the engineering drawings. The plans shall be revised or a waiver will be required. Sidewalks are proposed along all street frontages. The balance of the comments are technical in nature.

Mr. Alfieri Esq. appeared on behalf of the applicant with Glenn Lines as the engineer. Mr. Alfieri stated the applicant will address all the technical comments raised by both the planner and engineer. Mr. Banas said he heard the comments from the professionals and he felt that this is not even in the beginning stages of a plan that should be brought forth. There are so many things that need to be done that it is not fair to the professionals to even look at this and he suggested they move along and come back to another technical review meeting. Mr. Franklin agreed. Mr. Alfieri asked when the next meeting was and Mr. Kielt said August 5th and the plans would be due back 2 weeks prior to that at least. Mr. Percal said since this is going to come back to another tech meeting he hopes the applicant is aware that this board approved by the master plan that any development 12 units or more has to have a playground and 25 units or larger has to have a community center and he did not see that here. Mr. Franklin said it is so far from even being here that they would have to design it here, and he just looked at the drainage really quick and saw the yard drains and once you put them in you loose the streets, the township will not accept the street with yard drains and that is a big cost.

Motion was made by Mr. Franklin, seconded by Mr. Neiman, to table this application until the applicant revise the plan and have them in a position to be reviewed by this board at another plan review meeting

Mr. Alfieri wanted a date so he would not have to re notice and Mr. Kielt said the August 5th meeting.

ROLL CALL: Mr. Franklin; yes, Mr. Neiman; yes, Mr. Banas; yes, Mrs. Koutsouris; yes, Mr. Fink; yes, Mr. Schmuckler; yes, Mr. Percal; yes

3. SP # 1885 (VARIANCE REQUESTED)
APPLICANT: OMNIPOINT COMMUNICATIONS INC.
Location: New Hampshire Avenue & Cedar Bridge Avenue
Block 563 Lot 1 Block 564 Lot 1
Preliminary & Final Site Plan to construct cell tower on MUA water tank

Mr. Peters stated the Applicant is seeking Preliminary and Final Site Plan Approval for Block 563, Lot 1 and Block 564, Lot 1. The applicant has proposed to construct a gravel access driveway within the Right of Way of Chile Avenue, and a wireless communications facility consisting of three pad mounted equipment cabinets, and six antennae mounted

on an existing Lakewood MUA water tank. The site is located on New Hampshire Avenue with additional frontage on the unimproved Rights of Way of Chile Avenue, Drexel Avenue and Hughes Avenue. The project is located within the M1 zoning district. The applicant is requesting variances for the following: Minimum lot size: 2.57 acres is proposed where 3 acres is required. This is an existing non-conformance. Minimum lot width: 240 feet is proposed where 300 feet is required, this is an existing non-conformance. Front yard setback to Drexel Avenue: 1.9 feet is proposed where 50 feet is required. Front yard setback to Chile Avenue: 16 feet is proposed, where 50 feet is required. Maximum building height: 150 feet is proposed, where 65 feet is permitted, this is an existing non-conformance. Maximum fence height: Seven feet is proposed where six feet is permitted, this is an expansion of an existing condition. The applicant has listed in the zoning table a variance is required for minimum side yard setback, this variance is not needed and shall be removed from the table. Outside agency approval is required from Ocean County Soil Conservation District. Evidence of the approval shall be made a condition of the Planning Board approval. The applicant shall revise the 200 FT property owners list to include owners of Lot 1 of Block 549.01, Lot 1 of Block 554, and Lot 1 of Block 555. In accordance with section 18-1012 D.1.c. of the Lakewood UDO, the applicant shall provide to the Township, as part of the application, and inventory of its existing towers, antennas, or sites approved for towers or antennas, that are either within the jurisdiction of Lakewood Township or within one (1) mile of the border thereof, including specific information about the location, height, and design of each tower. The proposed concrete driveway apron detail does not reflect the existing curbs shown on the plans. The applicant shall address this issue. Mr. Peters added that this afternoon he received a call from the applicant's engineer and they emailed him a plan with a slight revision and he asks the applicant's engineer review that revision with the board but feels it is minor in nature pertaining to the moving around of an access point and some fencing.

Mr. Slachetka read from a letter dated June 2, 2008. The applicant requests site plan and variance approvals to place transmitting/receiving antenna at an approximate height of 110 feet on an existing 115-foot MUA water tank. The applicant also proposes to place equipment cabinets within a 10 by 20 foot leased fence area at the base of the tank. A gravel driveway from America Avenue through Drexel Avenue will be constructed to provide access to the communication's facility. This is a different access drive from the prior site plan. The subject site is occupied by the MUA water tanks pumping facilities and other buildings. The tract is 2.57 acres in area and is partially developed. The property is located in the M-1 Zone. Telecommunication facilities are a principal permitted use in the M-1 Zone. The following variances are requested: Front Yard setback. A minimum of 50 feet is required. The applicant proposes 1.9 feet on Drexel Avenue, a paper street, and 16 feet to Chile Avenue, a paper street, for the equipment. The height of the antennas, accessory structures, is +/-110 feet. The maximum height permitted in the M-1 Zone is 65 feet. The standards in the UDO are silent on the permitted height for antennas on a water tank or building. However, the maximum height for a telecommunications tower, per Section 18-1012.n(1) for a single use is ninety (90) feet. Based on the above, it is our recommendation that the applicant request a "c" variance from Section 18-903.M.7.g. for the height of the antennas. This height variance of an accessory structure is within the ancillary power of the Planning Board pursuant to NJSA 40.55D-60. A variance is necessary for a 7-foot high fence where a maximum height of 6 feet is permitted per Section 18-1012.t. Additionally, the Board should review the use of barbed wire on the fencing.

The applicant should address the positive and negative criteria for the requested variances. Review Comments. We have reviewed the site for compliance with the requirements of Section 18-1012 of the UDO. Our findings are as follows: Since the proposed antennas are a co-location rather than a new telecommunications tower, many of the requirements of Section 18-1012 of the UDO are not applicable. The co-location of the antennas on the water tower will minimize the need for a new telecommunications tower. Inventory of existing sites. The applicant should address the following: "Each applicant for an antenna and/or tower shall provide to the Township as part of the application and inventory of its existing towers, antennas, or sites approved for towers or antennas, that are either within the jurisdiction of Lakewood Township or within one (1) mile of the border thereof, including specific information about the location, height, and design of each tower." Aesthetics. The applicant should indicate the color of the proposed antenna and cables on the water tank walls and whether it is identical to or closely compatible with the color of the water tank. (18-1012.D.1.i.) Franchises. A copy of the Omnipoint Communications franchise information should be filed with the Township Clerk as per 18-1012. D.1.i. Confirm that no lighting is proposed. The proposed facilities must meet the standards and regulations of FCC and the State of New Jersey. Due to the location of the equipment area, landscaping does not appear to be necessary and can be waived by the Board. The equipment cabinets at the base of the water tower are within a 250 square foot area and the cabinets are 5' 3" in height. The floor area and height comply with the UDO. Construction plans for the proposed gravel access driveway should be submitted for review of the Board Engineer. Evidence of the lease with the MUA should be submitted to the Board Attorney. Performance guarantees should be posted for all improvements in accordance with ordinance provisions. Indicate the location of proposed electric and telephone lines from the communication's facility to the existing utility network. Outside agency approvals which will be required include: Ocean County Planning Board Soil Conservation District; All other required outside agency approvals.

Mr. Learn Esq. appeared on behalf of the applicant and said all the comments from the planner and engineer are acceptable and they will make any other submissions that are necessary. Their original plan was to get access off of Chile Avenue but that would have caused approximately 300 ft. of gravel driveway in addition to a significant amount of clearing of existing trees.

The other changes are at the request of the LTMUA so we do not interfere with their expansion of their pumping station. Mr. Banas asked what sheet that was on and Mr. Learn said that was sheet A01 of the plans and Mr. Tardy is the engineer for French & Parelo and he showed the members on the plans where the water tower was located and where the cabinets were to be constructed. They shifted the access drive about 20 ft. to allow for future work by the LTMUA.

Mr. Banas asked Mr. Peters if he has any problems with that and Mr. Peters stated he did not. Mr. Banas asked where the proposed fence was located and Mr. Tardy said they wanted to be sure that if a technician comes into to provide routine maintenance to the T-Mobile facility they will not have access to the MUA property and the water tank itself, so they are creating a fenced in area of 25 x 10 which fences in the equipment (sheet A02) Mr. Fink asked if the fence was a chain link and was told it was a 6ft. high with 1ft barbed wire to match the existing. Mr. Learn said that was a request from the LTMUA. Mr. Neiman asked if it was for T-Mobile service and was told it was.

Motion was made by Mr. Neiman, seconded by Mr. Fink, to advance to the meeting of August 19, 2009

ROLL CALL: Mr. Franklin; yes, Mr. Neiman; yes, Mr. Banas; yes, Mrs. Koutsouris; yes, Mr. Fink; yes, Mr. Schmuckler; yes, Mr. Percal; yes

Mr. Banas read an announcement from the Township Committee that they have filed a request with the NJ Dept. of Environmental Protection Green Acres Program pursuing to divert 3.0 acres of the Little League field at Clifton Avenue between 9th & 10th Street in connection with the proposed surface parking lot. As compensation for the proposed diversion of Block 113 Lot 1, portion of Lot 2, portion of Lot 3 and 5, the Township of Lakewood proposes to offer 6.0 acres of replacement land to be dedicated as park land. Furthermore, the Township of Lakewood has filed a request with the NJDEP Green Acres Program to compensate for the past diversion of 3.6 acres of park land at America Avenue to construct an existing Department of Public Works facility as compensation for the past diversion Block 549.02 Lot 1 portion, the Township of Lakewood proposes to offer 18 acres of replacement land to be dedicated as parkland. This is all pursuant to NJ Administrative Code 7:36-26.6C NJ Administrative Code 7:3-26.8A or NJ Administrative Code 7:36-26.11E. A hearing to obtain public comment on this request will be held at the Lakewood Municipal Building Auditorium on Wednesday, July 30, 2008 at 7pm. Written comments on the diversion request may be directed to Township Manager, Frank Edwards. Public comment on this diversion request will be accepted during the public hearing or until August 13th 2008.

4. SD# 1632 (VARIANCE REQUESTED)

APPLICANT: AARON BAUMAN

Location: 119 Pawnee Road, west of Seminole Drive
Block 2 Lot 55

Minor Subdivision to create 2 lots

Mr. Peters stated the applicant is seeking a Minor Subdivision Approval to subdivide Block 2, Lot 55 into two new Lots. An existing single family dwelling is located on the site and will be removed. Two single family dwellings are proposed on the two lots. The property has frontage along Pawnee Road and is located within the R-12 zoning district. The applicant is requesting a lot width variance for both Lots; seventy five (75) FT are proposed, where 90 FT is required. Outside agency approvals from Ocean County Planning Board and Ocean County Soil Conservation District are required. Evidence of the approvals shall be provided prior to signature of the Final Plat. The applicant shows on the plan a driveway that can accommodate five (5) cars for each proposed dwelling. Two and one half (2.5) off-street parking spaces are required for single family dwellings with an unknown number of bedrooms in accordance with the NJ RSIS. The Board should determine if the number of the proposed parking spaces will be sufficient. The applicant shows on the plan existing curb and proposed sidewalk along the property frontage. A 6' utility and shade tree easement along Pawnee Road at the property frontage is proposed to be dedicated to the Township. The applicant shows on the plan the proposed dwellings on Lots 55.01 and 55.02 will be served by public water and individual septic systems. The

applicant shall show on the plan approximate location of the existing septic field and a note shall be added to the plan stating that the septic field shall be removed in accordance with NJDEP standards and requirements. Note number 9 states the dwellings will be served by septic and well. The note shall be revised to state public water will be provided. The plans show a sanitary sewer manhole in Pawnee Road. The applicant shall provide testimony on the distance from the project to the sanitary sewer. The applicant will be required to connect to the sewer, if feasible. The existing dwelling and its associated structures shall be removed prior to signature of the final plat or a bond posted to ensure the promote removal of the structures. The remaining comments are technical in nature.

Mr. Slachetka read from a letter dated June 24, 2008. The application requests minor subdivision approval to create two lots oversized in area but nonconforming in terms of lot width. Each of the new lots is proposed for construction of a future single-family residence. The parcel, which is 1.09 acres in area, contains a single-family dwelling which will be removed. The lots will be served by an individual septic system. The surrounding land use is single-family residential. The tract is located in the northwestern area of the Township. The parcel is situated in the R-12 Residential Zone, and single-family residences are a permitted use in the zone. Lot width variances are requested for each lot; a minimum of 90 feet is required and 75 feet is proposed for each lot. The positive and negative criteria should be addressed at the public hearing. Concrete sidewalk, four-feet wide, is proposed along the frontage of the subject parcel. The applicant should provide testimony as to the location of the nearest sanitary sewer lines. The applicant should provide testimony that the state regulations regarding adequate land area requirements for the septic systems can be satisfied at the subject locations. The plat indicates that a minimum of three (3) off-street parking spaces will be provided on each lot in compliance with NJ RSIS requirements. New lot numbers, assigned by the Township Tax Assessor, will be required prior to signature of the plat by the Planning Board. The plat indicates at Note #9 that the lots will be served by private well; however, water services are shown on the plan. Please clarify. Shade trees for each lot and a 7-foot wide shade tree/utility easement are proposed. The balance of the comments are technical in nature.

Mr. Doyle Esq. appeared on behalf of the applicant. He said this is a deep lot between Pawnee Road and the Old Pine Park. There is enough land for 4 lots but they are seeking 2 and are seeking a width variance. They are providing sidewalks and curbs and sufficient parking. They are providing public water and shade tree and shade tree and utility easement. They acknowledge all the technical comments and will make the map changes needed. They will reserve the issue of the variance for the public hearing and said they can obtain OC Board of Health approval for the septic. Mr. Banas asked about water service and Mr. Doyle said it is public water and they will make the change. Mr. Franklin said the sidewalk is showing 4 ft. wide and it should show 5 ft. wide and Mr. Doyle said they would correct that also.

Motion was made by Mr. Schmuckler, seconded by Mrs. Koutsouris, to advance to the meeting of August 19, 2008

ROLL CALL: Mr. Franklin; yes, Mr. Neiman; yes, Mr. Banas; yes, Mrs. Koutsouris; yes, Mr. Fink; yes, Mr. Schmuckler; yes, Mr. Percal; yes

5. SP# 1896 (NO VARIANCE REQUESTED)
APPLICANT: LAKEWOOD TOWNSHIP MUNICIPAL UTILITIES AUTHORITY
Location: New Hampshire Avenue & Cedar Bridge Avenue
Block 562 Lots all
Block 563 Lot 1
Block 564 Lot 1
Block 565 Lots all

Courtesy Review of Preliminary & Final Site Plan to upgrade existing water treatment facility

Mr. Peters stated the Applicant is seeking Preliminary and Final Site Plan Approval to renovate and upgrades existing buildings and to construct a new operations building, standby well house and vehicle storage building. An office building and one story masonry water plant exist on the site and will remain. A two (2) million gallon water storage standpipe and backwash holding tank are located at west of the site and also will remain. The project has the frontage along the New Hampshire Avenue. The site is situated within the M-1 zoning district. No variances are requested by the applicant. The applicant should revise the plans to add zoning schedule to show required and provided zoning criteria. We recommend the applicant consolidate the existing lots under this application. The portions of Drexel Avenue and Hughes Avenue where construction is proposed should be vacated prior to approval of the site plan. The project requires approvals from Ocean County Planning Board and Ocean County Soil Conservation District. Evidence of approvals shall be made a condition of final site plan approval. A 6 FT shade tree and utility easement along New Hampshire Avenue at the property frontage are usually required to be dedicated to the Township. The board should determine if such easement will be required. The applicant shows on the plans sidewalk and curb are either existing or proposed along New Hampshire Avenue at frontage of Lot 1 of Block 564. Proposed curb and sidewalk are shown on the plan by the entrance along the New Hampshire Avenue at frontage of Lot 1 of Block 565; however, most portions of the frontage are shown without existing or proposed curb and sidewalk. The Board should determine if curb and sidewalk will be recommended along the entire length of the property frontage. The applicant should revise the plan to show names of all property owners within 200 FT radius of the project site. At a minimum a vicinity map with lot lines and zoning districts shown should be added to a plan. Handicap ramps shall be provided at the site entrance along New Hampshire Avenue. In addition, a handicap ramp shall be provided along the walkway in front of the office building. The ramp shall be located where is convenient to be accessed from the proposed handicap parking spaces. As shown on the plans, these buildings are not accessible to person with disability. The remaining comments are technical in nature.

Mr. Slachetka read from a letter dated June 23, 2008. The applicant requests courtesy review of an expansion and upgrade to the New Hampshire Avenue Water Treatment Plan, construction of a new operations building, standby well house, and vehicle storage building. The subject property is 7.7 acres in area and located on the west side of New Hampshire Avenue, just north of Cedar Bridge Avenue. The current use of the site is a water treatment plan and MUA Administration Building. The site is situated adjacent to the J. Franklin DPW Facility. Zoning. The tract is located in the M-1 Zone. A public utility use is a permitted use in the M-1 Zone.

Review Comments. Telecommunications antennas and ground level equipment are proposed for this site BY Omnipoint. Site Plan Application No. 1885 is scheduled for a Plan Review meeting on July 1st. The applicant should discuss the timing of the installation of the telecommunications facilities with the subject proposal. A portion of Drexel Avenue must be vacated prior to construction of the proposed facilities. Approval will be required from the Ocean County Soil Conservation District and the Ocean County Planning Board.

Mark Hubel from Hatch Mott Mac Donald appeared on behalf of the applicant. They acknowledge the comments from the professionals and will make the changes and he will be speaking with Mr. Peters for minor clarifications and they will have revised plans for the public hearing. Mr. Banas said they did not need to come back, this was a courtesy review given to various departments, and they do not have to come back. Mr. Kielt suggested once the revisions are done, they can submit a set to each professional to look at so they can discuss but there is no further action required by this board.

Mr. Banas asked about Omnipoint and Mr. Hubel said their main concern was their ground equipment be segregated from the main portion of the treatment plant site for security reasons and they have provided the proper location and the LTMUA is satisfied.

Mr. Schmuckler asked if the board was going to require them to construct sidewalks on New Hampshire Avenue and Mr. Banas said yes but Mr. Hubel said they are extending sidewalk from the front of the administration building to New Hampshire but they did not feel it should be extended beyond that area. Mr. Banas said they should think what is going to be put across on New Hampshire, it will be a large retail center and they will want to have adequate sidewalk for their people to walk there. Mr. Hubel said there will be sidewalk down to the intersection of Cedar Bridge Avenue and that is where he thinks the crossing should occur.

Motion was made by Mr. Schmuckler, seconded by Mrs. Koutsouris, to approve this project

ROLL CALL: Mr. Franklin; yes, Mr. Neiman; yes, Mr. Banas; yes, Mrs. Koutsouris; yes, Mr. Fink; yes, Mr. Schmuckler; yes, Mr. Percal; yes

6. SD # 1413A (NO VARIANCE REQUESTED)

APPLICANT: MARK ENGEL

Location: Brook Road between County Line Road and Ridge Avenue
Block 208.01 Lot 75

Extension of previously approved Preliminary and Final Major Subdivision – 3 lots

Mr. Peters stated the project was previously approved by the Planning Board; the Resolution of Approval was adopted on November 18, 2003. The applicant is seeking an extension of the previous approval. The Major Subdivision Plan has not yet been revised in conformance with the resolution. The applicant is requesting an extension to obtain outside agency approvals. The Planning Board should determine whether an extension should be granted, and for what amount of time.

Mr. Tim Shea Esq. appeared on behalf of the applicant and said they received their resolution November 18, 2003 and part of that resolution required them to obtain OC Planning Board approval who asked them to acquire 3 easements from 3 adjoining property owners. We were only successful on one easement. Mr. Banas granted a year extension

Motion was made by Mr. Neiman, seconded by Mr. Fink, to approve the extension for one year

ROLL CALL: Mr. Franklin; yes, Mr. Neiman; yes, Mr. Banas; yes, Mrs. Koutsouris; yes, Mr. Fink; yes, Mr. Schmuckler; yes, Mr. Percal; yes

7. SD# 1536A (NO VARIANCE REQUESTED)

APPLICANT: ELI GROSS (FORMERLY CHARLES CLARK)

Location: East County Line Road, across from Ann Court
Block 186.05 Lots 5, 31.01 & 31.02

Amended Minor Subdivision for 2 lots

Mr. Peters stated the applicant is seeking a Minor Subdivision Approval to amend a subdivision of Lots that are known as Lots 5, 31.01, and 31.02. Existing single family dwellings exist on Lots 5 and 31.01. A single family dwelling is proposed on Lot 31.02 which is a flag lot. Flag lot 32.02 was previously approved to have access through the pole portion of the lot to County Line Road. The applicant has proposed to reconfigure Lots 5 and 31.02, so 417 SF front yard area will be shifted from the Lot 5 to Lot 31.02; and in exchange, the Lot 5 will gain 430 SF of rear yard area. As a result, lot 31.02 will be able to have access to Carmel Court instead of the County Line Road. The property has frontages along County Line Road and the Carmel Court. The project is situated within the R-15 zoning district. No variances are requested by the applicant. The applicant notes on the plan, flag Lot 31.02 will have restricted access to Carmel Court only and shows on the plan the pole portion of the Lot 31.02 will remain. We recommend the applicant eliminate the proposed flag lot configuration of Lot 31.02 by giving ownership of the pole area to the owner of Lot 31.01. The applicant shows on the plan the proposed dwelling on Lot 31.02 will be served by public water and sewer and the service connections will be made from Carmel Court. The applicant also shows on the plan an underground electric conduit is proposed for Lot 31.02 along frontage of the Lot 31.01 and going through the entire length of the pole area before connecting to the proposed dwelling on Lot 31.02. The applicant should consider have the electric service connection provided from the frontage of Lot 31.02 along the Carmel Court. The remaining comments are technical in nature.

Mr. Slachetka read from a letter dated June 23, 2008. The applicant seeks minor subdivision approval to eliminate the access drive and landscaping within the "pole" portion of Lot 31.02 and create access on Carmel Drive by realigning the property line between Lots 31.02 and 5. The subdivision will involve the transfer of approximately 417 square feet from Lot 5 to Lot 31.02, and the transfer of approximately 430 square feet of land from Lot 31.01 to Lot 5. This is an existing flag lot configuration. Both Lots 5 and 31.02 contain single-family residences. The total lot area of the two lots is 57, 348 square feet (1.32 acres). No new lot will be created by the proposed subdivision. The

surrounding land use is generally residential. Zoning and Variances. The subject lots are situated in the R-15 Residential Zone. Single-family residences are a permitted use in the R-15 Residential Zone. The existing lot width of Lot 31.02 on County Line is 27.3 feet and a minimum of 100 feet is required. This is an existing condition and will not be changed by the applicant. The proposed lot width on Carmel Court will be approximately 60 feet and a minimum of 100 feet is required. A variance is required. The positive and negative criteria for the lot width variance for Lot 31.02 should be addressed by the applicant. Review Comments. The exact lot width on Carmel Court at the setback line should be calculated by the surveyor and identified on the plat. The Zoning Schedule should be revised to indicate both frontages of Lot 31.02. The plat contains a note that "There will be no access to proposed Lot 31.02 Block 185.05 from County Line Road." The applicant should address maintenance of the pole portion of the lot. Plantings should be added to the frontage of proposed Lot 31.02 (the flag lot) to further restrict access from County Line Road. There is existing sidewalk along both street frontages. The applicant is creating a double frontage or "through" lot and shifting the access to the lower order street. Access to the lower order street, Carmel Court, is preferred by the Township Ordinance (Section 18-805F). Parking for all proposed lots must comply with NJ RSIS standards. Confirm that sufficient area is provided for three (3) vehicles for all proposed lots. The plat indicates that the existing buffer between Lots 31.01 and 31.02 will remain undisturbed. The balance of the comments are technical in nature.

Mr. Doyle Esq. appeared on behalf of the applicant, This application will shift the access to the lower order street and the house will not only front on Carmel Court but will have access on Carmel Court. They will put up the additional plantings that are requested, sidewalks and curbs are existing, the parking is sufficient. Mr. Banas had a letter from the Shade Tree Commission and Mr. Doyle said he agreed with most the items but the first one. He said the neighbors must be in good terms, that is why they are here, because of a land swap because of the owners of Block 186.05 Lot 31.02 and Block 186.05 Lot 5. They have their only access drive on the same side and the driveways will be parallel and the shade tree commission is asking them to put buffers between the two driveways but these 2 friendly neighbors who come together on this application are concerned that to a degree that children will play across that property line to not have the visibility to be able to see across the driveway would be a greater security risk and therefore they feel the buffer is not a public issue but between these two private property owners who feel their circumstances don't warrant it. Mr. Banas asked if he was going to submit to the board attorney that this property will never be sold to anyone and that will remain within these 2 families. Mr. Doyle said the request landscaping where your ordinance does not require it is just advisory. Mr. Schmuckler asked if anyone else on the cul de sac have any sort of buffering between the driveways and Mr. Doyle said they could review that for the public hearing. Mr. Doyle said they can comply with the planners' recommendation for additional buffering by the pole portion of the flag lot but the recommendation to do landscaping by the shade tree commission by the driveways is a suggestion.

Motion was made by Mr. Schmuckler, seconded by Mrs. Koutsouris, to advance to the meeting of August 19, 2008

ROLL CALL: Mr. Franklin; yes, Mr. Neiman; yes, Mr. Banas; yes, Mrs. Koutsouris; yes, Mr. Fink; yes, Mr. Schmuckler; yes, Mr. Percal; yes

5. MEMORIALIZATION OF RESOLUTIONS

1. REMORIALIZATION OF AMENDED RESOLUTIONS TO ELIMINATE CONDITION REGARDING PLAYGROUNDS

SP # 1886 Congregation Sanz of Lakewood
SD # 1409A Villa Marie LLC
SP # 1696B Augusta Boulevard Associates LLC
SD # 1621 Mark Bauman
SD # 1525A Sarah Bodek
SP # 1888 Congregation Chasidei Bobov of Lakewood

Motion was made by Mr. Neiman, seconded by Mr. Schmuckler, to approve

ROLL CALL: Mr. Neiman; yes, Mr. Fink; yes, Mr. Schmuckler; yes, Mr. Percal; yes

2. SD # 1620 (VARIANCE REQUESTED)

APPLICANT: NEAL & MARILYN GITTLEMAN

Location: northwest corner of Autumn Road & Magnolia Drive
Block 20 Lots 8 & 11

Minor Subdivision to create 3 lots

Revised resolution- see bold lettering for revisions

Motion was made by Mr. Neiman, seconded by Mr. Schmuckler, to approve

ROLL CALL: Mr. Neiman; yes, Mr. Schmuckler; yes, Mr. Percal; yes

3. SD # 1624 (VARIANCE REQUESTED)

APPLICANT: MORDECHAI EICHORN

Location: southwest corner of New Central Avenue & Gudz Road
Block 11.05 Lots 77, 80

Minor Subdivision – 4 lots

Board to discuss conditions for approval 2 resolutions typed-see J. Jackson's letter to A. Penzer

Mr. Jackson said the question was about the K turns and Mr. Penzer said they did not agree to K Turns but the minutes reflect them and Mr. Neiman said he remembers they agreed to the K turns so the board agreed to adopt the resolution with the K turn stipulation and the additional landscaping for pool buffering.

Nechama Morgan spoke and she said they agreed to keep the rear yard setback as preserved with whatever vegetation that is there and restricting that we will not take down any of those trees. She said she did not remember agreeing to any additional landscaping. Mr. Neiman said he spoke to Mr. Eichorn after the meeting and he said he

has no problem putting additional trees and landscaping as best as possible to work with the Mr. Peters and Mr. Slachetka. Mr. Banas said to increase the amount of trees between the back property line and the adjacent owner's pool.

Mr. Kielt said that will be a change to the resolution. Mr. Jackson said it can be voted on tonight, and he will have the changes made and a new resolution sent to Mr. Kielt tomorrow.

Motion was made by Mr. Neiman, seconded by Mr. Schmuckler, to approve with the amended language.

ROLL CALL: Mr. Neiman; yes, Mr. Schmuckler; yes, Mr. Percal; yes

6. PUBLIC PORTION

- No one at this time

7. CORRESPONDENCE

There was a letter from a resident from Faraday Estates. Michael Eisenstadt wrote about the detention basin and the Franklin Fence and asked if it could be replaced with a chain link fence.

Mr. Fink said this property should have a chain link fence. Mr. Franklin said his mowers get caught in the chain link fences and one concrete fence lasts a lifetime with no maintenance and costs a lot less over a lifetime to maintain it. If this homeowners group wants a chain link fence, let them maintain the catch basin and then he will have no problem with it, otherwise, he has a problem with it. There were questions who these people were and if they had an active homeowners association because how are you going to police it. If it is not maintained, who will do it.

Mr. Kielt also said if they changed this, they would have to remember there is an ordinance on the books requiring Franklin fences so that may have to be changed, or at least a recommendation would have to be made. Mr. Franklin said he would not want to see it be changed because of the cost to the taxpayers.

This application came in front of the Planning Board 10-12 years ago. Mr. Schmuckler said this application has been around for this long and they still have not put in a fence yet and Mr. Kielt said they have been after the builder for 2-3 years trying to get this fence put up and he has been skirting the issue. Mr. Banas asked Mr. Franklin who was maintaining the basin and he said he did not know. Mr. Banas suggested holding this until the next meeting and they can check the resolution to see who is responsible for maintaining the basin. There was also discussion on who maintained the roads and Mr. Franklin said he did not know. Mr. Fink said if the Township takes care of this he would agree that the Franklin fence should stay, but if it is a private community that takes care of their own basin, he would allow them to have a chain link fence. Mr. Banas said let's not make a decision right now. Mr. Percal asked if they are dealing with a legal entity at this time and no one knew right now.

8. APPROVAL OF MINUTES

- Minutes from June 17, 2008 Planning Board Meeting

Motion was made by Mrs. Koutsouris, seconded by Mr. Percal, to approve

ROLL CALL: Mr. Franklin; yes, Mr. Banas; yes, Mrs. Koutsouris; yes, Mr. Fink; yes, Mr. Schmuckler; yes, Mr. Percal; yes

9. APPROVAL OF BILLS

Motion was made by Mrs. Koutsouris, seconded by Mr. Percal, to approve

ROLL CALL: Mr. Franklin; yes, Mr. Banas; yes, Mrs. Koutsouris; yes, Mr. Fink; yes, Mr. Schmuckler; yes, Mr. Percal; yes

10. ADJOURNMENT

The meeting was hereby adjourned. All were in favor.

Respectfully submitted
Chris Johnson
Planning Board Recording Secretary