

**1. CERTIFICATION OF COMPLIANCE**

Chairman Neiman 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 Meeting 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 the 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 criteria of the Open Public Meetings Act."

**2. ROLL CALL**

Mr. Carl Fink sat in as the Acting Chairman for this meeting.

Mr. Herzl, Mrs. Koutsouris, Mr. Fink, Mr. Banas, Mr. Follman.

**3. SWEARING IN OF PROFESSIONALS**

Mr. Dave Magno was sworn in.

**4. PLAN REVIEW ITEMS**

**#5 SP # 1753 (Variance Required)**

**Applicant: Regency Development**

**Location: Corner of 4<sup>th</sup> Street, Monmouth Ave & Steckler St.  
Block 160 Lots 1, 3, 5, 6, 13, 14 & 15**

**Minor Subdivision to realign lot lines**

**Application carried to August 13, 2010 in this meeting room at 6:00pm. No additional notice required.**

**#5 SP # 1929 (Variance Required)**

**Applicant: Bais Rivka Rochel**

**Location: Corner of 4<sup>th</sup> Street, Monmouth Ave & Steckler St.  
Block 160 Lots 1, 3, 5, 6, 13, 14 & 15**

**Preliminary & Final Site Plan for 2 story retail and office.**

**Application carried to August 13, 2010 in this meeting room at 6:00pm. No additional notice required.**

**#1. SP # 1944 (No Variance Requested)**

**Applicant: Yeshiva of Brick c/o Simcha Gellerman**

**Location: Route 88 (Ocean Ave) between Holly and Linden Streets  
Block 189.02 Lot 159**

**Site Plan for proposed dormitory**

**Project Description**

The applicant is seeking Site Plan approval for the construction of a two-story dormitory, which includes an improved basement, within an approximately four thousand four hundred square foot (4,400 SF) footprint. The site plan proposes to construct the dormitory on Lot 159 for a building to be renovated into a school on Lot 168. The one-story school building will contain four (4) classrooms and two (2) offices. An interior parking area on Lot 168 for the school building and dormitory will consist of eleven (11) parking spaces, one (1) being handicapped accessible. The school requires six (6) spaces while the dormitory requires no on-site parking. Site improvements are also proposed within the properties. Students will not be permitted personal vehicles and no bus traffic is proposed. Access to the site is provided from Ocean Avenue (Route 88), a State Highway. An existing one-story dwelling at 513 Ocean Avenue is proposed to be removed and replaced with a two-story dormitory, which includes an improved basement. The architectural plans indicate the proposed structure would be designed for occupancy by seventy-five (75) students. Dormitory rooms are proposed for the first floor and second floor areas. The basement floor would contain a lecture room, cafeteria, kitchen, laundry, restrooms, storage, and utility rooms. An elevator is proposed on the rear of the structure. It appears all floors will be handicap accessible because of the elevator and exterior access to the elevator will be from an at grade doorway. The site is located in the north central portion of the Township on the north side of Ocean Avenue (Route 88), east of the intersection with Holly Avenue. The tract consists of a rectangular 131.95' X 150', 19,792.5 square foot lot that totals 0.454 acres in area. Existing Lot 159 contains an existing one-story dwelling which will be replaced with a dormitory. Existing Lot 168 to the west contains an existing building which will be renovated into a school that the proposed dormitory will serve. Existing Lot 168 has an existing parking lot which will serve both properties. An existing shed on Lot 168 is shown to be removed. Residential lands border the project. (I) **Zoning** (1) The parcels are located in the R-10 Residential District. Private Schools are a permitted use in the zone, subject to the requirements of Section 18-906 of the UDO. (2) Per review of the Site Plan and the zone requirements, the following variances are required for proposed project: (a) In accordance with Section 18-906A.2., of the UDO, a twenty foot (20') buffer is required from a residential use or district. No buffer is proposed, and only a fifteen foot (15') buffer may be provided from the proposed dormitory. (b) In accordance with Section 18-906A.3., of the UDO, landscaping shall be provided for the required buffer. No landscaping is proposed for the buffer area. (3) The applicant must address the positive and negative criteria in support of the required variances. (II) **Review Comments** (A) **Site Plan/Circulation/Parking** (1) Consideration should be given to adding Lot 168 to the Site Plan Application and possibly consolidating Lots 159 and 168. The proposed dormitory on Lot 159 is for the school on Lot 168. As currently proposed a cross access

easement is required between the lots for pedestrian and vehicular access, as well as site improvements. (2) The General Notes indicate the Boundary and Topographic information has been taken from a Survey by Mager and Associates, dated 6/4/10. A copy of this survey must be provided. Boundary and Topographic information should also be provided for Lot 168 because of the overlapping of site improvements. (3) As indicated previously, an eleven (11) space parking lot with one (1) handicapped space is being provided for the school on Lot 168. Since a total of six (6) classrooms and offices are proposed, six (6) off-street parking spaces are required. No parking requirements are associated with the dormitory. (4) No bus drop off area is associated with the school. The parking area associated with the school will also serve the proposed dormitory. Although it appears that adequate turning movements will be provided for the proposed refuse collection and deliveries, a vehicle circulation plan should be provided as confirmation. Also, the existing driveways and parking lot should be dimensioned. The existing driveways only appear wide enough to allow for one-way circulation. (5) Per our 7/22/10 site inspection, we note that new sidewalk, driveway aprons, and curbing have been recently installed by NJDOT in front of the site and adjacent lots. We also noted the existing improvements shown on Lots 159 and 168 are not accurately depicted on the site plan. An existing overhead electric service to the school building which passes over the parking lot must be shown and relocated. (6) A proposed refuse enclosure is depicted on Lot 159 which will be accessed from the parking area on Lot 168. General Note #11 indicates solid waste and recycling to be collected by the Township. Approval from the DPW Director is necessary. (7) The General Notes require some minor corrections which we can review with the applicant's engineer. (8) The limits of proposed interior sidewalk are not clear. There is an access point on the east side of the proposed dormitory with no connecting sidewalk. (9) Sight triangle easements should be provided for the exit driveway. (10) An existing 8.5' Sidewalk Easement is shown along Route 88. Information on the dedicated party must be added. (11) The plans require clarity with respect to existing and proposed improvements. (B) **Architectural** (1) Floor plans and elevations have been provided for the proposed dormitory. Review of the architectural plans indicates that the site plans and architectural plan do not match and require coordination. The proposed average building height is thirty-one feet (31') which is less than the thirty-five foot (35') permitted height. (2) As noted on the architectural plans, dorm rooms are proposed on the first floor and second floor levels. It appears the entire structure will be handicapped accessible. Confirming testimony is required from the architect. (3) Testimony should be provided as to whether the proposed dormitory will include a sprinkler system. (4) It is not clear whether the location of proposed air conditioning equipment is behind the proposed dormitory adjacent the proposed elevator. Said equipment will be adequately screened. (5) We recommend that color renderings of the dormitory be provided for the Board's use at the forthcoming public hearing for the application. (C) **Grading** (1) Grading information provided on the current design plans is incomplete. Additional existing elevations are required to evaluate the grading. (2) Per review of the existing site conditions during our 7/22/10 site inspection, on-site grades generally slope to the south towards Ocean Avenue (Route 88). (3) Two (2) soil boring locations are indicated on the drawings. Results of the soil boring information must be submitted. General Note #7 states that

estimated seasonal high ground water elevation is at a depth of 8.75 feet as determined by Lines Engineering, LLC on May 10, 2010. (D) **Storm Water Management** (1) General Note #12 states that in accordance with UDO Section 18-815 no storm water management is required as total new impervious surface is less than a quarter acre. (2) A proposed recharge system for the roof leaders of the proposed dormitory building is recommended. (E) **Landscaping and Lighting** (1) A dedicated landscaping plan is provided with the submission; proposed landscaping is depicted on Sheet 2 of the plans. (2) The proposed planting list does not match the proposed landscaping plan. (3) A six foot (6') wide shade tree and utility easement is proposed across the frontage of Lot 159. The easement shall be dedicated to the Township of Lakewood and include bearings, distances, and an area. (4) Landscaping should be provided to the satisfaction of the Board. (5) Corrections are required to the Planting Details. Specifications are referenced, but not provided. (6) A dedicated lighting plan is provided with the submission; proposed lighting is depicted on Sheet 2 of the plans. (7) The Lighting Plan shows two (2) sixteen foot (16') high pole mounted lights and ten (10) wall mounted lights. The proposed pole mounted lights illuminate the eastern side of the school parking lot. Revisions are required to address the lighting on the west side of the parking lot and around the proposed dormitory, including details, photometric data, and a point to point diagram. (8) Lighting should be provided to the satisfaction of the Board. (F) **Utilities** (1) The plans indicate the existing public water and sewer laterals are to be reused. An existing sewer lateral and an existing water line to the proposed dormitory building from Route 88 are depicted on the plan. (2) The applicant must receive necessary approvals for the increased demands resulting from replacing the existing structure with the proposed dormitory building. (G) **Signage** (1) No signage information is provided on the Site Plan. The Architectural Elevations show a sign will be proposed at the main access of the dormitory. A full signage package for free-standing and building-mounted signs identified on the site plans (requiring relief by the Board) must be provided for review and approval as part of the site plan application. (2) All signage proposed that is not reviewed and approved as part of this site plan application, if any, shall comply with Township ordinance. (H) **Environmental** (1) No Environmental Impact Statement (EIS) was prepared for this project or was required. (2) To assess the site for environmental concerns, our office performed a limited natural resources search of the property and surroundings using NJ Department of Environmental Protection (NJDEP) Geographic Information Mapping (GIS) system data, including review of aerial photography and various environmental constraints data assembled and published by the NJDEP. The following data layers were reviewed to evaluate potential environmental issues associated with development of this property: (a) Known Contaminated sites (including deed notices of contaminated areas); (b) Wood Turtle and Urban Peregrine habitat areas; and (c) NJDEP Landscape Project areas, including known forested wetlands, emergent wetlands, forest, and grassland habitat areas. Testimony should be provided by the applicant's professionals as to whether there are any other known areas of environmental concern (i.e. fuel tanks, fuel spills, etc.) that exist within the property. (3) We recommend that all on-site materials from the proposed demolition and construction activities be removed and disposed in accordance with applicable local and state regulations. (I) **Construction Details**

(1) All proposed construction details must comply with applicable Township and/or applicable standards unless specific relief is requested in the current application (and justification for relief). Details shall be site specific, and use a minimum of Class B concrete @ 4,500 psi. A more detailed review of construction details will occur during compliance review; if/when this application is approved. (2) The concrete pad for the Trash Enclosure detail must be six inch (6") thick, reinforced concrete. (3) Handicapped ramp details must be provided to the current NJDOT standards. (4) Performance guarantees should be posted for any required improvements in accordance with Ordinance provisions. (III) **Regulatory Agency Approvals** Outside agency approvals for this project may include, but are not limited to the following: (a) Ocean County Planning Board; (b) Ocean County Soil Conservation District; (c) New Jersey American Water Company (water and sewer service); (d) New Jersey Department of Transportation (if required); and (e) All other required outside agency approvals. **We are available to meet with the applicant's professionals prior to resubmission if desired.**

Mr. Glenn D. Lines P.E. on behalf of the applicant, the purpose of this application is to build a dormitory at 513 Ocean ave. to support the school that will be moving into 511 Ocean Ave. There is an existing building at 511 Ocean ave which already has site plan approval. Our site will be separate from that, where the dormitory will be going. There is an existing single family house which will be taken down. We are not proposing any vehicle access, there are no driveways or parking on the property. We are proposing a six foot high board on board fence in lieu of the waiver for the buffer along the residential properties.

Mr. Fink inquired about the garbage pick up.

Mr. Lines stated that there will be a trash enclosure; this is dormitory school where they will serve food. There is a trash enclosure towards the back of the building that can be accessed from the school property.

Mr. Fink inquired if there will be enough space for trucks to access the property.

Mr. Lines answered that they can access the property from the school parking lot.

Mr. Fink inquired about the shrubbery in front of the building.

Mr. Lines stated that they have a landscaping proposal along the front of the building, running shade trees along Ocean Ave. and shrubbery

around the side entrance of the building. There will also be shrubbery around the fence of the trash enclosure.

Mr. Fink stated that there would not be trees around the fence of the property.

Mr. Lines answered that no they were not planning on putting trees up so that there will be more room for the students to play and utilize the space. The properties that are to the rear of the site are fairly far away and the house on the side of the site already have a chain link fence and we are supplementing that with the board on board fence.

Mr. Banas inquired why there were no parking spaces.

Mr. Lines explained that per the Township ordinance there were no parking spaces required for the dormitory site and that all the staff parking will be at the school.

Mr. Banas then suggested that the applicant consider more trees and foliage around the building. Mr. Fink asked Mr. Lions to discuss that with his client before the next meeting.

Mr. Lions stated that he thought we should discuss comment A1 in the engineers letter "consideration should be given to adding lot 168 to the Site Plan Application and possibly consolidating lots 159 & 168". He feels that his client really did not want to do this, he would like to keep these lots separate just in case in the future the school wishes to expand or move these lots would not be tied together. According to the ordinance the dormitory can be within 2,000 feet of the school. Also the lot on which the school is planned is already an approved site plan.

A motion to advance this application to the August 17<sup>th</sup> meeting was made by Mr. Banas and seconded by Mrs. Koutsouris.

Roll Call Mr. Herzl, yes, Mrs. Koutsouris, yes, Mr. Fink, yes, Mr. Banas, yes, Mr. Follman, yes.

Mr. Jackson advised that this application is advanced to the 8/17/10 meeting, no further notice is required. Mr. Kielt asked for revised plans by 8/10 by 3:00 pm.

**#2 SD# 1750 (No Variance Requested)**  
**Applicant: Picardy LLC**  
**Location: Chestnut Street, between Caldwell & Rockaway Ave**

**Block 189.02      Lots 1-5, 7**  
**Minor Subdivision to create 2 lots**

**Project Description**

The applicant seeks minor subdivision approval to subdivide existing Block 1097, containing Lots 1-5, and 7 into two (2) new residential lots, designated as proposed Lots 2.01 and 2.02 on the subdivision plan. The initial 240' X 420' property totals 100,800 square feet (2.31 acres) in area. The site contains an existing two-story frame dwelling which will remain on proposed Lot 2.01. An existing wood shed and a gravel driveway will be removed since they would be located on proposed Lot 2.02. Public water and sewer is not available. Therefore, the existing dwelling is serviced by a private individual septic disposal system and a potable well. Any future dwelling proposed on new Lot 2.02 will also require a private individual septic disposal system and a potable well. No construction is proposed under this application. The site is situated in the southern portion of the Township. The tract consists of an entire Block which is located on the north side of Chestnut Street, the east side of Caldwell Avenue, the south side of Fulton Avenue, and the west side of Rockaway Avenue. Chestnut Street is an improved County Road. Caldwell Avenue is a dirt road and access to the existing dwelling is afforded from Caldwell Avenue. Both Fulton Avenue and Rockaway Avenue are unimproved right-of-ways. Freshwater Wetlands and a pond exist on the land. An existing stream from the east feeds the pond via an existing pipe which passes beneath the gravel driveway to be removed. A fifty foot (50') buffer is mapped for most of the Freshwater Wetlands. The subdivision proposes to create two (2) conforming lots. Proposed Lot 2.01 will contain the existing dwelling which is located in the northwest corner of the Block. A 140' X 143' rectangular lot is proposed on the southeast corner of Caldwell Avenue and Fulton Avenue with a proposed area of 20,020 square feet (0.46 acres). Proposed Lot 2.02 will consist of the remainder of the Block and have an area of 80,780 square feet (1.85 acres). Curb and sidewalk does not exist along any of the street frontages. The proposed lots are situated within the R-20, Single Family Residential Zone. The site is surrounded by mostly undeveloped lands. We have the following comments and recommendations: (I) **Zoning** (1) The parcels are located in the R-20 Single Family Residential Zone. Single family detached housing is a permitted use in the zone. (2) A waiver from constructing curb and sidewalk along the property frontages is necessary (if approved by the Board). (3) The applicant must address the positive and negative criteria in support of the requested waiver. **At the discretion of the Planning Board, supporting documents will be required at the time of Public Hearing, including but not limited to aerials and/or tax maps of the project area and surroundings to identify the existing character of the area.** (II) **Review Comments**

(1) The General Notes indicate that Boundary and Wetlands information have been taken from a map prepared by Acre Surveying. A copy of the map must be submitted. (2) The General Notes indicate that Topographic information has been taken from a map prepared by Professional Design Surveying. A signed and sealed

copy of this map must be submitted. (3) The General Notes indicate that the Freshwater Wetlands have been verified by the NJDEP under File # 1514-06-0005.1, Activity # FWW060001. Copies of the Letter of Interpretation/Line Verification and approved map must be submitted. (4) The General Notes state the existing house is serviced by well and septic. However, the locations of the well and septic are unknown at this time. Until the locations of the well and septic are located it is impossible to evaluate the legitimacy of the proposed subdivision line. (5) The existing property has substantial relief and generally slopes towards the existing pond. Since no unit is depicted at this time for proposed Lot 2.02, testimony is required to address proposed grading and drainage. Furthermore, we recommend that a resubmission of the plan be made prior to the Public Hearing using a conforming building box to delineate proposed layout, grading, and drainage schemes. (6) No individual trees are shown on the Minor Subdivision and outside of the cleared areas. We observed that the site is heavily wooded during our site investigation. (7) No site improvements are proposed along the frontages of the project. Chestnut Street is an improved County Road with a sixty-six foot (66') wide right-of-way. County approval of the project is required. Caldwell Avenue is a dirt road which affords access to the existing dwelling on proposed Lot 2.01. The only portion of proposed Lot 2.02 with enough potential upland building area is adjacent Fulton Avenue. Fulton Avenue is a wooded unimproved right-of-way. Future access to proposed Lot 2.02 needs to be addressed. (8) Because of the multiple frontages for proposed Lot 2.02, there will be no aggregate side yard setback. The Schedule of Bulk Requirements shall be corrected accordingly. (9) No construction or new dwelling unit is proposed at this time. The plans do not address off-street parking. Parking shall be provided to the satisfaction of the Board. (10) A basement was observed for the existing dwelling on proposed Lot 2.01. Testimony should be provided as to whether a basement will be proposed for the future dwelling on new Lot 2.02. Seasonal high water table information will be required should a basement be proposed. (11) Survey information must be added to the wetlands transition area line. (12) A Transition Area Reduction call out is shown on the Minor Subdivision Plan. However, no transition area reduction or transition area averaging is shown. (13) A Flood Hazard Area Limit Line has been indicated at elevation 93.3. The source of this Flood Hazard Line should be reference on the plan. (14) The proposed lot numbers must be assigned by the Tax Assessor and the plat signed by the Tax Assessor. (15) A Legend is required for the Minor Subdivision Plan. A corner monument is shown to be set in the pond. The exterior monuments to be set should be in place prior to the Map being filed (i.e., as a condition of Board approval if/when forthcoming). (16) Shade tree and utility easements, as well as sight triangle easements are not depicted on the plan along the property frontages. (17) No shade trees are proposed for the project. Landscaping should be provided to the satisfaction of the Board. (18) The Plan does not indicate any existing trees on the site. Testimony should be provided regarding whether there are any specimen trees located on the property. Compensatory plantings should be provided in accordance with the Township Code (if applicable). Additionally, protective measures around mature trees to remain (e.g., snow fencing or tree wells at drip lines) should be provided. If this subdivision is approved, the final plot plan for proposed Lot 2.02 submitted for Township review should include tree protection measures to save



mature vegetation where practicable. (19) Due to no construction at this time, the Board may wish to require the cost of the improvements to be bonded or placed in escrow to avoid replacing them in the future. (20) Unless the Board waives the construction of curb and sidewalk, construction details are required for improvements required by the Board. (21) Public sewer and water are not available at this time. The existing dwelling is serviced by an individual septic system and a potable well. The future dwelling will be serviced by an individual septic system and a potable well. Ocean County Board of Health approval will be required for the Minor Subdivision. (22) Testimony should be provided on existing utilities. Utility extensions will be required for the Minor Subdivision. (23) Two (2) Surveyor's Certifications are shown on the Minor Subdivision Plan. Certifications shall be in accordance with Section 18-604B.1., Minor Subdivisions of the UDO. (24) Compliance with the Map Filing Law is required. (III) **Regulatory Agency Approvals** Outside agency approvals for this project may include, but are not limited to the following: (a) Ocean County Planning Board; (b) Ocean County Soil Conservation District (if necessary); (c) Ocean County Board of Health (well & septic); (d) NJDEP (Freshwater Wetlands, Stream Encroachment); and (e) All other required outside agency approvals. **A revised submission should be provided addressing the above-referenced comments, including a point-by-point summary letter of revisions.**

Mr. Ian Gordon P.E. for the applicant. The project is a 2 lot sub division on Chestnut Street. The property is over two acres and is in the R20 zone. What we have on this property is an existing house and all we are seeking to do is sub divide out that lot, the remaining 1.8 acres we are not proposing to develop at this time. I know that that was a key item in the review letter, it encompassed many items. We would like to address all those items simply by stating that we are not proposing any improvements, there will be hopefully a subsequent subdivision of that remaining parcel and that will be addressed under a separate application. The reason for that is that the center of the wet lands on it and a flood hazard area and being a small property it is a pretty complicated deal and we are working with the DEP on that to determine what our build able limits are and what our abilities are. Until we straighten that out and understand that better and actually obtain some permits we really don't have anything we can offer with any confidence so we are proposing to simply sub divide out that existing lot, we will make notations to the plans that there is no building or proposed construction on the other lots. Another key item is that the existing house has is serviced by an existing well and septic that are not shown on the plans. We have determined that they on the lot and it will be shown in the plans.

Miriam Weinstein Esq. , the reason for this application is so the applicant could potentially sell off the existing house on that lot separately and distinctly from the remaining portion with the environmental constraints.

Mr. Fink inquired if they will have aerial maps for the next meeting. Mr. Gordon replied, yes.

Mr. Banas inquired about curbs and sidewalks. Mrs. Weinstein explained that there is no construction with this application it is just a subdivision of lots and the existing house fronts on a dirt road. She will tell her client that the Board is requesting curbs and sidewalks on Chestnut Street.

A motion to advance this application to the September 14, 2010 public hearing was made by Mr. Herzel and seconded by Mrs. Koutsouris.

A motion to move was made by Mr. Follman and seconded by Mr. Fink.

Roll Call Mr. Herzl, yes, Mrs. Koutsouris, yes, Mr. Fink, yes, Mr. Banas, yes, Mr. Follman, yes.

Mr. Jackson advised that this application is advanced to the 9/14/10 meeting, no further notice is required. Mr. Kielt asked for revised plans by 8/19 by 3:00 pm.

**#3 SP# 1932 (No Variance Requested)**

**Applicant: Georgian Court University**

**Location: Lakewood Avenue & 9<sup>th</sup> Street**

**Block 44 Lots 1, 25 & 25**

**Block 45 Lots 1, 4**

**Block 46 Lot 1**

**Block 47 Lot 1**

**Block 48 Lot 1**

**General Development Plan – 156.3 Acres**

**Project Description**

The applicant is Georgian Court University and is seeking approval of a General Development Plan. As part of its campus facilities master plan, the University has prepared a General Development Plan in accordance with NJSA 40:55D-45.2 and Section 18-606 of the UDO. Georgian Court University occupies a total of approximately 156.3 acres, which includes the main campus (149.4 acres) and other parcels along the easterly side of Lakewood Avenue and the westerly side of Cedarview Drive. The campus is generally bounded by residential uses along Fourteenth Street to the north, residential uses along Forest Avenue to the east, by Ninth Street, Lakewood Avenue, and North Lake Drive to the south, and Case Road to the west. Over the next twenty (20) years, Georgian Court University intends to construct new academic buildings, dormitories, athletic facilities, parking, and other miscellaneous improvements on its campus. The proposed non-residential floor area would increase from 6.66% to 15.6%. The proposed building lot coverage would increase from 4.6% to 9.7%. The proposed number of parking spaces would increase by one thousand twenty-two (1,022) from seven hundred ninety-seven (797) to one thousand eight hundred nineteen (1,819). (I) **Waivers** (1) Georgian

Court University is not submitting a Housing Plan with the application as the University is exempt from COAH under NJSA 40:55D-8.4(b). The Board should grant a waiver from Section 18-606.B of the UDO which requires a Housing Plan. Testimony should be provided from the applicant. (II) **Zoning** (1) The site is located in the R-12 Single-Family Residential Zone. Places of worship and private schools are permitted uses in the R-12 Zone. (2) The application qualifies for a General Development Plan submission since the project comprises over one hundred (100) acres and more than one hundred fifty thousand square feet (150,000 SF) of non-residential building area. No variances are being requested at this time. (III) **Review Comments** (A) **General Land Use Plan** (1) The General Land Use Plan lists the existing land uses as follows: (a) Worship Place 0.2 acres (b) Private School 7.1 acres (c) Recreation 21.2 acres (d) Parking 7.4 acres (e) Open Space 120.4 acres

Total 156.3 acres (2) The General Land Use Plan lists the proposed land uses as follows:

(a) Worship Place	0.2 acres	(b) Private School	14.5 acres	(c)
Recreation	27.1 acres			
(d) Parking	17.9 acres	(e) Open Space	96.6 acres	
Total	156.3 acres			

(3) The existing number of parking spaces is being increased from seven hundred ninety-seven (797) to one thousand eight hundred nineteen (1,819). Testimony should be provided as to how the proposed number of total spaces was calculated. (4) A Table has been provided listing the proposed buildings, types of buildings, building areas, and total floor areas. A summary total of the building areas and total floor areas should be added to the Table. (5) The Library Addition should be listed as Building "P" on the site plan. (6) The square footages on Academic Buildings "L-O" should be corrected to fifty-one thousand square feet (51,000 SF). (7) The square footages of the existing buildings have not been addressed. (8) Proposed dormitories have been indicated, but no account of the proposed number of dormitory rooms provided. (B) **Open Space Plan** (1) Most of the proposed site is comprised of undesignated open space. The Legend and Plan delineates the following five (5) specific recreation and open space uses: (a) Proposed Active Recreation. (b) Existing Active Recreation. (c) Proposed Passive Recreation. (d) Existing Passive Recreation. (e) Conservation Area. (2) We recommend a more detailed breakdown and description of the types of recreation and open space areas be supplied, such as the number of courts and fields. (3) Acreage should accompany the types of recreation and open space areas. (C) **Utility Plan** (1) The site is located within the New Jersey American Water franchise area. We recommend that "will serve letters" be obtained from New Jersey American Water to insure future water and sewer capacity is available for the proposed project. (2) Additional sanitary sewer lines are proposed to service the new buildings. A pump station is proposed in the northwest section of the site to collect sanitary sewerage which cannot be conveyed by gravity to existing facilities. The force main from the pump station is being routed to the existing system at the end of Case Road. (3) No sanitary sewer

lines are provided to the proposed small athletic building and maintenance building on the east side of the site. Potable water extends to the maintenance building and the water passes close enough to the small athletic building for a connection. (4) The plan notes Georgian Court University will maintain the sanitary sewer and proposed pumping station facilities. (5) Additional potable water lines are proposed to service the new buildings. Consideration should be given to main sizing, hydrant location, and irrigation. Irrigation should be provided to the sports fields unless synthetic turf is proposed. (6) The plan notes Georgian Court University will maintain the potable water service system. (7) The plan notes solid waste and recyclables are collected by the Georgian Court University Facilities Staff and brought to the existing storage area on Lakewood Avenue. This area is located on the east side of Lakewood Avenue between Seventh and Eighth Streets. The Township collects the solid waste and recyclables from the storage area. (8) An additional on-site recyclable and solid waste storage area is proposed in the maintenance yard on the east side of the project. (D) **Storm Water Management Plan** (1) The Storm Water Management Plan designates seven (7) future locations for storm water management basins, plus an underground infiltration basin. (2) Summary drainage calculations should be provided to determine whether the sizes of the designated storm water management locations are reasonable. The applicant's designer should contact our office for further guidance. (3) The amount of proposed storm sewer schematically shown will be inadequate. cursory review indicates additional structures and piping will be necessary. (E) **Environmental Inventory Plan** (1) The Environmental Inventory Plan depicts topography and soil classifications. (2) The General Notes on the Cover Sheet indicate that the topographic information was taken from a plan entitled "Georgian Court Aerial Survey, P/O Lot 1, Block 44, Lakewood Township, Ocean County, New Jersey". The date of this plan should be provided. (3) A legend and descriptions should be provided for the soil classifications listed on the plan. (F) **Community Facility Plan** (1) The Community Facility Plan notes support for the University Campus will include staffed and gated entry points, two (2) campus maintenance facilities, two (2) chapel buildings, and a library. The existing University Chapel is highlighted on the plan, but no other chapel building is highlighted. Clarification is necessary. (2) Four (4) gated entry points are shown. Proposed gated entries are located at Case Road opposite Magnolia Drive, the extension of Cedarview Drive, and at Ninth Street opposite Private Way. A gate house is shown at an existing access point along Lakewood Avenue across from Seventh Street. The status of the existing access at the intersection of Lakewood Avenue and Ninth Street is unclear. (3) The existing library is proposed to receive an eighteen thousand square foot (18,000 SF) addition consisting of two-stories and a basement level. (4) An on-site maintenance building and yard is proposed to supplement the existing maintenance garage facility on Lakewood Avenue between Seventh and Eighth Streets. (5) A proposed eight thousand square foot (8,000 SF) student center consisting of one-story and a basement level is also a highlight of the Community Facility Plan. (G) **Local Service Plan** (1) The Local Service Plan states local services to be provided will include telephone, natural gas, electric, and cable television. (2) The plans should add the providers of the various local services. (3) The plans note that all future services will be installed underground. (4) We notice that in some instances natural gas is not being provided to new buildings, thereby

eliminating natural gas as a potential source for heating. (H) **Circulation Plan** (1) The Circulation Plan considers routes for emergency access throughout the site. (2) Testimony should confirm whether all circulation is through private pedestrian paths and individual vehicles. No public transportation is indicated. (I) **Phasing Plan** (1) The Phasing Plan contains a proposed implementation schedule for the Facilities Master Plan, which encompasses the next twenty (20) years. (2) Construction of the Ninth Street entrance across from Private Way and Parking Lot "O" is imminent. A previous site plan approval was granted for this work. (3) Excepting the imminent construction project, the next phase of work is not slated until 2013. The construction of Parking Lots "L" and "Q" are projected to start in May of 2013. (4) The next building to be constructed "Academic Building K" will not be undertaken until 2014. Since its location is within an existing park lot, it is imperative that Parking Lot "Q" be completed first. (J) **Traffic** (1) A Traffic and Circulation Master Plan has been submitted for review, assessing impacts of this project on the adjacent community. (2) The Report recommends the University implement strategies to minimize future vehicular traffic generated to and from campus, including public and mass transit. Construction of future on-site housing is proposed, but public or mass transit has not been addressed. (3) The Report recommends additional access points for vehicular traffic. The two (2) locations discussed, access to Fourteenth Street via Cedarview Drive and access to Case Road opposite Magnolia Drive, are both proposed on the GDP, consistent with the Report. (4) Future traffic signal warrants will need to be conducted at various intersections as future traffic volumes increase. Some surrounding intersections are already operating at poor levels of service. These studies may be performed in support of future plan applications. (5) The Report gives an endorsement to the GDP for the on-site circulation of vehicles and pedestrians, as well as the future additional parking facilities in areas proximate to points of interest within the campus. (K) **Fiscal Report** (1) A Fiscal Report describing the anticipated demand on municipal services to be generated by the project and any other financial impacts to be faced by the municipality should be submitted in accordance with Section 18-606B.10 of the UDO. **We have no objection to the GDP as proposed, contingent upon board recommendations and recommendations contained herein.**

Grace Bertone for the applicant. This is a continuation of a technical review meeting from two months ago, we feel the application is complete and should be moved on to a hearing. We have satisfied all the issues in the review letter and have met with the people in the area to hear their concerns. Unfortunately there were no resolutions but everyone's concerns were aired.

Mr. Banas inquired if these were the same exact plans as last meeting.

Ms. Bertone stated that they were but Mr. McKenna, the University's Civil Engineer can address some changes that will be made.

Mr. Mike McKenna for the applicant. We have discussed with a number of different groups and they all seem to have different issues, we could not accommodate all the issues but there were a number we felt we could help with. There was an issue in the North East corner about the proximity of the ball fields near a residential border. We

had proposed a fifty foot setback and we could move that to 100 to 150 foot setback. Also the maintenance building for the fields could be moved closer to the yard area away from the residential border.

Ms. Bertone stated that during the last meeting it was discussed if the GDP was applicable to the University. On July 6<sup>th</sup>, Mr. Jackson for the Board stated that it is applicable.

Mr. Fink opened the discussion to the public.

Mr. Ron Gadzarowski for Richard Roberts. I have filed with the zoning board a request for an interpretation pursuant to the Municipal Land Use Law. The nature of my request for the interpretation is to see weather of not under the existing ordinance of Lakewood as well as the Municipal Land Use Law that in fact a planned development is permitted use in this particular zone and weather or not this Board has jurisdiction to hear this case. That application has not been heard as of this time by the zoning board of adjustments. It is in my experience that a board will wait to make a determination until an appeal is heard. It is up to this board and the applicant if they would like to proceed but they do so at their own risk that if the zoning board finds that a GDP is not appropriate and any decision this board has made will be vacated.

Mr. Jackson inquired how does the board of adjustments have jurisdiction over what the Planning Board can and can not do, which is essentially what you are asking them to do.

Mr. Gadzarowski stated that clearly pursuant to the Municipal Land Use Law the Zoning Board of Adjustments is the only board that has jurisdiction to hear particular cases for example, a use variance, only the board of adjustments can hear an appeal for the decision of a zoning officer or a construction official. Only the board of adjustments can hear a case about the interpretation of your zoning ordinance. In this particular instance the applicant is seeking to have your zoning ordinance apply to a GDP. In is my position that only your ordinance and under the Municipal Land Use Law a planned development is not in fact a permitted use in this zone.

A discussion ensued between Mr. Gadzarowski and Mr. Jackson pertaining to the GDP and weather a University is allowed to have one, and which board might have the jurisdiction over this case.

Mr. Jackson stated that he felt that the board could continue with this application and if at a later date the Superior Court decides otherwise so be it.

Ms. Bertone stated that the University is aware of the risk and is willing to take it. She feels that the GDP is the best use of the Township ordinance and the Municipal Land Use Law at this time.

Mr. David Himmelman for Joseph Rosenbaum. Under the Municipal Land Use Law under 45:55D-45 the ordinance that was developed by the governing body was suppose contain the basis for moving forward with this type of preceding and it states specifically that the applicant is required to meet certain findings of fact which the planning board should seek from the applicant. I do not see that happening here do from this vantage point I do not think this entire process thus far is right.

Mr. Jackson stated that this is a review meeting and the findings of fact should be made available at the public hearing.

Ms. Bertone stated that at the hearing everything that is needed will be made available.

Mrs Koutsouris also agreed that the board is not Okaying this application at this time, this is a review meeting.

Mr. Gadzarowski stated that there is no common open space that is required by the Mun. Land Use Law 45:55D-45.

Mr. Jackson stated that GCU it would behove them to come to the public hearing with all the information required.

Mr. Bertone stated that she understood and they will provide the information needed.

A motion was made to advance this application to October 19, 2010 meeting and seconded by Mr. Banas.

Roll Call Mr. Herzl, yes, Mrs. Koutsouris, yes, Mr. Fink, yes, Mr. Banas, yes, Mr. Follman, yes.

Mr. Jackson advised that this application is advanced to the 10/19/10 meeting, no further notice is required.

**#4 SP# 1717 (No Variance Requested)**  
**Applicant: Nissam Sankary**  
**Location: Whitesville Road, opposite Gudz Road**  
**Block 252 Lots 3, 8**  
**Preliminary & Final Major Subdivision – 4 lots**

### **Project Description**

The owner/applicant is Nissim Sankary, 398 Dr. Martin Luther King Drive, Lakewood, New Jersey 08701. The applicant is seeking Preliminary and Final Major Subdivision approval. The applicant proposes to subdivide the existing two (2) lots into four (4) proposed lots. The existing two (2) lots known as Lots 3 and 8 in Block 252 are proposed to be subdivided into four (4) lots shown as proposed Lots 3.01-3.03 and 8.01 on the Major Subdivision Plan. Existing Lot 3 has frontage on Lafayette Boulevard, an unimproved right-of-way. Existing Lot 8 has frontage on Whitesville

Road, with a variable width right-of-way. A subdivision is being proposed by requesting a road vacation of Lafayette Boulevard in front of existing Lot 3 and using the area along with a sliver of land from existing Lot 8 to create three (3) new properties Lots 3.01-3.03, with a remainder tract Lot 8.01. A proposed right-of-way easement connecting to Third Avenue near its intersection with Whitesville Road would provide access to the three (3) new lots which used to front Lafayette Boulevard. The remainder of existing Lot 8 would become new Lot 8.01 and still front Whitesville Road. **Therefore, this application is contingent upon Lakewood Township vacating a portion of Lafayette Boulevard and providing an access easement.** Public sewer and water is not available for the major subdivision. The approximate locations of existing and proposed septic systems and potable wells are shown on the plans. No improvements are proposed for new Lot 8.01 which contains an existing dwelling. No improvements to new Lots 3.01-3.03 are shown at this time. The proposed access to the lots would be from a twenty foot (20') wide paved rural road within a twenty-five foot (25') wide right-of-way owned by the Township. The rural road is proposed to terminate at a hammerhead turnaround in the right-of-way of Second Avenue just past proposed Lot 3.03, the last lot in the sequence. Shade trees are proposed across the frontage of proposed Lots 3.01-3.03. Otherwise, no other improvements are proposed such as curb and sidewalk. A Freshwater Wetlands/Waters Boundary Line with NJDEP File No. 1514-09-0012.1 is indicated off-site to the east. The fifty foot (50') buffer associated with this line is shown to cross the northeast corner of proposed Lot 3.03. ***We have the following comments and recommendations per testimony provided at the 6/1/10 Planning Board Workshop Meeting, and comments from our most recent review letter dated April 28, 2010:*** (I) **Waivers (A) The following waivers have been requested from the Land Development Checklist:** (1) C14 - Tree Protection Management Plan (2) C16- Soil Erosion and Sediment Control Plan. (3) C17 - Design calculations showing proposed drainage facilities to be in accordance with the appropriate drainage runoff requirements. ***The Board denied the above referenced waiver requests at the June 1, 2010 Workshop. A Soil Erosion and Sediment Control Plan has been provided. Submission of a Tree Management Plan and storm water design calculations are required.*** (II) **Zoning** (1) The site is situated within the R-12, Single-Family Residential Zone District. Single-Family residences are permitted in the R-12 Zone. **Statements of fact.** (2) No bulk variances are being requested for the proposed lots in the subdivision. ***A front yard setback variance for proposed Lot 8.01 will be required with the proper right-of-way dedication along Whitesville Road.*** (3) The plans note that the access roadway for proposed Lots 3.01-3.03 is to be an eighteen foot (18') wide Rural Lane with no on-street parking, no sidewalk, and no curbing in accordance with RSIS 5:21-4.2(c) and Table 4.3. It should be noted that the roadway being proposed by the applicant is gravel. It should also be noted that Table 4.2 in RSIS describes a Rural Lane as a street that serves dwellings on lots that are two (2) acres or greater. The subdivision being proposed consists of twelve thousand square foot (12,000 SF) lots. Lot to street access should also be designed so vehicles do not have to back out of lots onto the street. ***The plans have been revised to provide a twenty foot (20') wide Rural Street with no curb, sidewalk, or on-street parking. A de minimus exception is requested to allow three (3) twelve thousand square foot (12,000***



**SF) lots access by the street, where Table 4.2 defines a Rural Street as accessing lots of one (1) acre or more. (4) A deminimus exception is requested for a right-of-way width of twenty-five feet (25'), where forty feet (40') is recommended by RSIS Table 4.3 for Rural Streets. Testimony justifying this request is necessary.** (5) The applicant must address the positive and negative criteria in support of the required variances and requested deminimus exceptions. **At the discretion of the Planning Board, supporting documents will be required at the time of Public Hearing, including but not limited to aerials and/or tax maps of the project area and surroundings to identify the existing character of the area. (III) Review Comments (A) General/Layout/Parking (1) The subdivision references a Topographic and Outbound Survey, dated 5/20/09, prepared by Anthony T. Romeo, PLS, NJ License #12674 of Clearpoint Services, LLC. A copy of this survey must be submitted. A copy of the Survey has been submitted. Additional off-site topography is required for the off-site improvements proposed.** (2) On the adjoining properties immediately to the west of proposed Lot 8.01, the half right-of-way width of Whitesville Road scales twenty-five feet (25'). The Planning Board should require a dedication from proposed Lot 8.01 to provide a half right-of-way width of twenty-five feet (25'), consistent with the neighboring lands to the west. **A right-of-way easement is being proposed to circumvent a front yard setback variance and from the existing septic field from being too close to the right-of-way. The Subdivision should be conditioned upon the Board granting a front yard setback variance and approval by the Ocean County Board of Health, even if existing septic system and potable well facilities have to be relocated for conformance with the current requirements.** (3) Off-street parking: The NJ R.S.I.S. requires 2.5 off-street parking spaces for a single-family dwelling when the number of bedrooms is not specified. No specific parking data for the proposed lots is provided. Therefore, the zoning table rounds up to three (3) off-street parking spaces being required. The location of an existing dwelling is shown on proposed Lot 8.01, but no driveway, garage, basement, or number of bedrooms is indicated to confirm off-street parking compliance. No dwellings are proposed for new Lots 3.01-3.03 at this time. Testimony on the existing and proposed dwellings should be provided.

Parking shall be provided to the satisfaction of the Board. The applicant's engineer has indicated that adequate parking will be provided when the grading plans are provided for each lot. The applicant's engineer has also indicated that the existing dwelling on proposed Lot 8.01 has three (3) bedrooms and four (4) parking spaces. However, existing driveway dimensions are required to determine the number of available parking spaces and the area within the right-of-way dedication will not count. A slight lengthening of the driveway can satisfy the parking requirements. (4) Since a dwelling exists on proposed Lot 8.01, the actual zoning data shall be provided to insure no variances are being created. The existing building dimensions are required on the plans and survey for completeness. Zoning data has been provided for the existing house on proposed Lot 8.01. The proposed lot area must be corrected because of the required right-of-way dedication. The front yard setback dimension must be corrected because of the required right-of-way dedication and a variance will be necessary. A side yard setback dimension of 21.0' must be added

from the southwest house corner to the side property line. Accordingly, the proposed aggregate side yard setback must be corrected to 36.4'. The existing wood deck must be added to the existing house and the building coverage recalculated. The rear yard setback dimension should be calculated from the corner of the deck based on the deck elevation shown on the plan. (5) Testimony shall be provided by the applicant's professionals on disposal of trash and recyclables. Should the Township be responsible for collection, the proposed scheme must be reviewed and approved by the Department of Public Works. Street side collection by the Township is proposed. The hammerhead turnaround must be dimensioned and checked for adequacy of maneuverability for trucks and emergency vehicles. (6) The plans indicate a portion of Lafayette Boulevard was vacated by Ordinance 2008-34. However, the current configuration of the existing lots and right-of-ways is not correctly depicted. The correct configuration appears on the latest Tax Map. The lots and right-of-ways configuration has been corrected. A dimension for the small length of Lafayette Boulevard proposed to be vacated in front of existing Lot 4.01 must be added. (7) A line that appears to be an old centerline extension of Lafayette Boulevard is shown to intersect Whitesville Road. This line shall be eliminated from the drawing since old Lafayette Boulevard intersects with Third Avenue. The centerline of Lafayette Boulevard has been corrected to intersect with Third Avenue. (8) To create the proposed subdivision, the right-of-way of Lafayette Boulevard across the frontage of the site from Second Avenue to the previous vacation of Lafayette Boulevard needs to be vacated by the Township. The limits for the proposed vacation are not correctly shown. The proposed right-of-way vacation must include the area in front of existing Lot 4.01 to reach the limit of the prior vacation. (9) A Freshwater Wetlands/Waters Boundary Line with NJDEP File No. 1514-09-0012.1 is indicated off-site to the east. The fifty foot (50') buffer associated with this line is shown to cross the northeast corner of proposed Lot 3.03. A copy of the Letter of Interpretation along with the stamped plan shall be provided. The Letter of Interpretation – Line Verification must be resubmitted since it does not reference a plan prepared by a New Jersey Professional Land Surveyor. Furthermore, the location of the line with respect to this project cannot be determined since there are no survey tie distances. (10) Since vertical datum is assumed, a bench mark must be provided. A bench mark has been provided on the Grading & Drainage Plan. (B) Architectural (1) No architectural plans are provided. There is an existing dwelling on proposed Lot 8.01, but no units are shown for proposed Lots 3.01-3.03 at this time. The Zoning Schedule indicates the proposed dwellings will be conforming on the new lots. Statements of fact. (C) Grading (1) The only proposed grading shown on the Grading & Drainage Plan is the crowning of the gravel driveway to direct surface runoff from the proposed drive. In some instances the crown is reversed and directs runoff to the center of the drive. No drainage is provided. The proposed paved road has been graded with a crown. No drainage is proposed and runoff will collect at a low point being created on the south side of the road. Runoff from the proposed north side of the road will flow overland through existing and proposed lots. Proposed storm drainage must be addressed. A profile is required for the design of the proposed road. (2) No proposed grading is provided for the new lots. The applicant's engineer indicates that grading plans will be prepared for submission to the Township Engineer when construction is proposed. Since this project is a

major subdivision, grading plans are required at the approval stage to insure coordination of proposed grading among the multiple lots. (3) The applicant should indicate whether basements will be proposed; in which case minimum basement elevations must be added to the plans and soil borings provided to determine whether a two foot (2') separation from the seasonal high water table is maintained. The applicant's engineer indicates there are no proposed house plans prepared at this time. The applicant's engineer indicates that seasonal high water table will be determined for any basements proposed. (D) Storm Water Management (1) No proposed storm water management measures are proposed and a waiver has been requested. Testimony shall be provided on current and future storm water management matters. A waiver from providing storm water management measures was denied by the Board. The applicant's professionals indicate that testimony will be provided regarding storm water management measures. (E) Landscaping (1) Nine (9) October Glory Maples are proposed along the property frontages of proposed Lots 3.01-3.03. No shade trees are proposed along the property frontage of proposed Lot 8.01. Three (3) proposed shade trees have been added to the proposed Lot 8.01 frontage. (2) The five foot (5') radius should be removed from the tree protection detail. The tree protection detail has been corrected. (3) A six foot (6') wide shade tree and utility easement is proposed along all property frontages, except for Second Avenue which is unimproved. No sight triangle easements are proposed, however Second Avenue which intersects the remaining Lafayette Boulevard right-of-way is unimproved. Proposed areas for the shade tree and utility easements shall be provided on a per lot basis. (F) Lighting (1) Testimony shall be provided on street lighting. No street lighting has been provided for the twenty-five foot (25') right-of-way. The applicant's engineer has indicated that testimony will be provided. (G) Utilities (1) New structures are to be serviced by septic and well approved by the Ocean County Health Department. The approximate locations of the existing septic system and potable well for the dwelling on proposed Lot 8.01 is shown on the plans. Ocean County Health Department approval is required for the Subdivision. (2) Testimony should be provided regarding other proposed utilities. No information is provided for electric, gas, telephone, and cable television. The applicant's engineer has indicated that testimony will be provided on other proposed utilities. (H) Environmental (1) Site Description Per review of the subdivision plans, aerial photography, and a site inspection of the property, existing Lot 3 is undeveloped and wooded. Existing Lot 8 is residentially developed. Statements of fact. (2) Environmental Impact Statement An Environmental Impact Statement (EIS) report was not prepared and submitted for the project, nor does one appear necessary given the nature of the project. Our office performed a limited natural resources search of the property and surroundings using NJ Department of Environmental Protection (NJDEP) Geographic Information Mapping (GIS) system data, including review of aerial photography and various environmental constraints data assembled and published by the NJDEP. The following data layers were reviewed to evaluate potential environmental issues associated with development of this property: (a) Known Contaminated sites (including deed notices of contaminated areas) (b) Wood Turtle and Urban Peregrine habitat areas; and (c) NJDEP Landscape Project areas, including known forested wetlands, emergent wetlands, forest, and grassland habitat areas. A Freshwater Wetlands/Waters Boundary Line

with NJDEP File No. 1514-09-0012.1 is indicated off-site to the east. The fifty foot (50') buffer associated with this line is shown to cross the northeast corner of proposed Lot 3.03. Confirmation of the Wetlands Boundary Line is required since there are no survey tie distances to the proposed subdivision project. (3) Tree Management A waiver has been requested from providing a Tree Protection Management Plan. The Board denied the waiver from providing a Tree Protection Management Plan. The submission of the plan is still outstanding. (I) Construction Details (1) Limited construction details are provided due to the lack of improvements proposed. Construction details have been provided for the improvements proposed. (2) All proposed construction details must be prepared to comply with applicable Township or NJDOT standards unless specific relief is requested in the current application (and justification for relief). Details shall be site specific. No relief is requested from the details that have been provided. (3) Performance guarantees should be posted for any required improvements in accordance with Ordinance provisions. Statement of fact. (J) Final Plat (Major Subdivision) (1) A legend is required. The legend provided requires corrections. (2) The Blocks and Lots indicated for the surrounding properties must be completed. The Blocks and Lots numbers of adjacent properties have been added. (3) Survey information and areas of the easements on the individual proposed lots must be indicated. Some additional survey information is still required for some of the proposed easements. (4) The location for the tie distance is not clear. The existing lots and right-of-ways configuration also needs to be corrected. The locations for the tie distances to the Whitesville Road and Third Avenue intersection have been clarified. The existing lots and right-of-ways configuration has been corrected. (5) Proposed lot numbers must be assigned by the Tax Assessor and the plat signed by the Tax Assessor. The plat must still be signed by the Tax Assessor. (6) Building setback lines must be added for proposed Lot 8.01. The front yard building setback line should be corrected because of the required right-of-way dedication. (7) The date must be corrected for the Notary Public signature block. The Notary Public date has been corrected. (8) Compliance with the Map Filing Law is required. The applicant's professionals have indicated that the Final Plat will comply with the Map Filing Law prior to filing at the Ocean County Clerk's Office. (IV) Regulatory Agency Approvals Outside agency approvals for this project may include, but are not limited to the following: (a) Township Committee (Street Vacation); (b) Ocean County Planning Board; (c) Ocean County Soil Conservation District; (d) Ocean County Board of Health (Well and Septic); (e) NJDEP (Freshwater Wetlands); an (f) All other required outside agency approvals. ***Evidence of all other outside agency approvals must be submitted when they are obtained. We recommend this project be rescheduled for a Technical Meeting after the following takes place: (1) The Planning Board receives interpretations from the New Jersey Department of Community Affairs on the deminimus exceptions being requested. (2) The documents for which the waiver requests denied by the Planning Board are submitted as part of the application. A revised submission should be provided addressing the above-referenced comments, including a point-by-point summary letter of revisions.***

Mr. Ron Gadzarowski for the applicant. The applicant owns a parcel of land on Lafayette Blvd., a paper street. In the past there was an application before you to create a sub division for two lots that have frontage on Whitesville Road but also had frontage on Lafayette Blvd. Lafayette Blvd was a fifty foot wide right of way half of the road was owned by the owner of the property and half was owned by the Township. Lafayette Blvd was vacated from 3<sup>rd</sup> Ave. and Whitesville Road back to the northernly lot line of the property that has been subdivided, when that occurred the property in the back became virtually land locked. There are two options one – reverse the vacation of Lafayette Blvd and open it up for his use or I could sue the town( which I did) for inverse condemnation saying that by depriving him access to his property you render it inutile which means the property no longer has value. The proposal that we have come up with is as follows the 25 feet that was vacated and transferred to the property owner of the two lots fronting on Whitesville Road and 25 feet vacated and ownership became that of the municipality that would then become a public right of way 25 feet in width, which is substantially less than the ordinance calls for. Mr. Secare said he had to check with the twp. Committee because the twp committee writes the ordinance establishing the width of streets and they would also have to un-vacate a portion of the property to make it available as a public access road. It is impossible to access the property from the east because of wetlands.

Mr. Banas inquired why they did not ask to vacate 2<sup>nd</sup> Ave.

Mr. Glenn Lines P.E. stated we could have asked for 2<sup>nd</sup> ave. to be vacated but once we had three 12,000 square feet lots we didn't feel we needed 2<sup>nd</sup> ave. vacated. Also the board requested a hammerhead at the end we would not have had the right of way to do so.

Mr. Fink inquired if there would be curbs or sidewalks. Mr. Gadzarowski stated that they would request that they do not need either.

Mr. Banas asked tht they put the curbs and sidewalks on the plan for the frontage of the three lots and Whitesville Road.

Mr. Jackson asked who paves the road. Mr. Gadzarowski stated that the developer paves the road but that then it becomes a public road.

Mr. Banas asked why they could not use the land to the south. Mr. Jackson answered that it was part of the Crystal Lake Preserve.

A motion to move the advance the meeting to September 14, 2010 was made by Mr. Follman and seconded by Mr. Banas.

Roll Call Mr. Herzl, yes, Mrs. Koutsouris, yes, Mr. Fink, yes, Mr. Banas, yes, Mr. Follman, yes.

Mr. Jackson advised that this application is advanced to the 9/14/10 meeting, no further notice is required. Mr. Kielt asked for revised plans by 8/19/10 by 3:00pm.

**6. PUBLIC PORTION**

**7. APPROVAL OF THE MINUTES**

-None at this time

**8. APPROVAL OF BILLS**

A motion was made by Mr. Herzel and seconded by Mr. Banas to approve the bills.

Roll Call Mr. Herzl, yes, Mrs. Koutsouris, yes, Mr. Fink, yes, Mr. Banas, yes, Mr. Follman, yes.

**9. ADJOURNMENT**

The meeting was hereby adjourned. All were in favor.

Respectfully submitted  
Margaret Stazko  
Planning Board Recording Secretary