

**LAKWOOD PLANNING BOARD
MINUTES
DECEMBER 18, 2007**

I. CERTIFICATION OF COMPLIANCE

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

“The time, date and location of this meeting was published in the Ocean County Observer and 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. Herzl, Committeeman Miller, Mr. Banas, Mr. Akerman, Mr. Fink

3. SWEARING IN OF PROFESSIONALS

Mr. Peters and Mr. Slachetka were sworn in.

4. NEW BUSINESS

1. SD # 1603 (VARIANCE REQUESTED)

APPLICANT: JOSEPH ROSENBAUM

Location: River Avenue, between James Street & Edgemont Court
Block 415 Lots 10, 11, 12

Preliminary & Final Major Subdivision for 7 duplex buildings

Mr. Peters stated the Applicant is seeking Preliminary and Final Major Subdivision Approval to subdivide three (3) existing lots into seven (7) new lots. Two existing dwellings and garages located on old Lots 10 and 11 are to be removed. A two family duplex dwelling is proposed on each of the new lots. The property is located along River Avenue (state highway route 9). The eastern portion of the property is in the HD-6 zoning district and the western portion of the property is in the R-10 zoning district. Variances are required for the following: Side Yard Setback: Lots 10.01, 10.02, 10.06, and 10.07 propose 10 foot side yards where 12 feet is required. Lot Width: Lot 10.04 proposes a width of 70 feet where 75 feet is required. NJDEP L.O.I, Ocean County Soil Conservation District Certificate, and Ocean County Planning Board approval have been provided.

Evidence of approval from NJODT, NJDEP permit for TWA, and NJDEP stamped plan shown wetland locations shall be provided prior to signature of the Final Plat. The applicant shall propose a name for the new road and submit the road name to the Lakewood Township Zoning Secretary for approval. Evidence of approval shall be provided prior to signature of the final plat. Proposed duplex units and their driveways shall be called out on the plans. The grading of the cul-de-sac shall be revised such that the low points are located along the curb lines. The applicant has revised the size of the cul-de-sac to have a 55 ft radius to accommodate school bus turn around. The curve table calls out the radius as 50 ft, but the dimension scales to 55 ft. This discrepancy shall be resolved. The applicant shows on the plans underground recharge trenches. Drainage utility easements either to be dedicated to the Township or a Homeowner Association shall be shown on the plans. If a Homeowner Association is to be formed, documents of the Homeowner Association shall be submitted to the Planning Board Solicitor and Engineer for review. The HOA documents shall address the ownership of the Stormwater management facilities and any other public portions of the development. The proposed development will be served by public sewer and water lines. The applicant shall provide testimony on whether the existing dwellings are served by public utilities or individual septic fields and wells. Any existing wells and septic shall be removed in accordance with NJDEP standards and stated as such on the plans. The applicant shows on the plans a wetland buffer line within the 20 ft rear yard setback for Lot 10.03, 10.04, and 10.05. As a result, the usable rear yard depths for the lots are less than 20 ft. The Planning Board should determine if the reduced useable rear yards are acceptable. Curb and sidewalk are existing along the River Avenue frontage of the property. The applicant shows on the plans proposed curb and sidewalk along proposed Road "A". The remaining comments are technical and deal with the stormwater management and the map filing law.

Mr. Slachetka read from a letter dated November 21, 2007. The applicant is seeking preliminary and final major subdivision approval to create seven building lots at the above-referenced location. The applicant proposes to construct seven duplex structures; each structure will contain two dwelling units each, for a total of fourteen (14) residences. The applicant also proposes to construct a cul-de-sac intersecting with River Road to provide road access to the new lots. The site is located on the west side of River Avenue (Route 9) between Edgewood Court and James Street. The tract is 3.21 acres in area and contains two single-family dwellings. Both existing residences will be removed as part of this project. This application was reviewed at the October 9, 2007 Plan Review meeting. The subdivision plans have been revised to address the comments of the Planning Board and its professionals. One of the plan changes is the increase of the radius of the cul-de-sac to 55 feet of pavement. The subject property is located in the HD-6 and R-10 Residential Zone Districts. Duplexes are a permitted use in the R-10 Zone, provided the lot size is at least 12,000 square feet. Duplexes are a conditional use in the HD-6 Zone. The following variances are requested: The lot width of Lot 10.04 is 70 feet; the minimum lot width is 75 feet. The side yard setback of Lots 10.01, 10.02, 10.06, and 10.07 is ten feet; a minimum of 12 feet is required. The positive and negative criteria of the requested variances must be addressed. The road name must be identified on all the drawings and submitted to Lakewood Township for review to avoid street name duplication. The architectural drawings indicate that the duplexes will have basements and five (5) bedrooms each. There are three (3) models proposed in the drawings provided to our office. We note that the proposed dwellings on Lots 10.03, 10.04, and 10.05 will be

located very close to the boundary of the transition area of a freshwater wetlands area. The transition area is intended to be an undisturbed area. Therefore, the effective rear yard of the proposed residences is limited to a range of 5 to 20 feet. Applicant notes the basement or site design may need modification. The "desired typical section" (DTS) per the NJDOT for this segment of Route 9 has been identified on the Site Development Plan, Sheet 3 of 12. All site improvements must be in compliance with NJ RSIS, and the plan should indicate same. Dimension all driveway areas. The applicant indicates typical dimensions on selected driveways. Each lot has two driveways. Lot 4 will have two driveways that need to show specific dimensions for widths and lengths. On Lots 3 and 5, one of the two driveways is 9 feet wide and 54.5 feet long. This indicates that shifting vehicles on site will be inconvenient. Also, the fence line actually reduces those driveways to less than 54 feet which, under RSIS, would reduce the parking to less than 3.0 spaces for those residences. Compliance with Section 18-821 (Building Uniformity in Residential Developments) of the UDO is required. The applicant should address the Tree Protection provisions of Section 18-803.H of the UDO. The permit number of the freshwater wetlands LOI should be identified on all drawings. The remaining comments are technical in nature.

Mr. Penzer, Esq. appeared on behalf of the applicant with Charles Boyles as the engineer for the applicant. Mr. Penzer entered into evident A-1 which is the old plan, A-2 which is a colored rendering of the new cul de sac and A-3 which is a colored rendering of the architectural. Mr. Penzer stated the main concern was the cul de sac and the board wanted a full cul de sac, which the applicant has provided based on the technical meeting comments. Mr. Penzer stated the applicant agreed the all comments in Mr. Peter's report with the exception that the TWA permit be a condition of the building permit. He also stated the cul de sac is 55 ft and the comment in item #7 is a drafting error and will be corrected. Mr. Penzer also stated everything is water and sewer. Mr. Penzer said they meet the ordinance for the wetland buffers and have an LOI and understand that area will be limited as useable rear yard. In regards to the planners report, there is a draftsman mistake where the fence cuts into the driveway and they will redraw it on Lot 10.03 and 10.05. They will revise the grading and fencing to address that and comply with the RSIS requirements. They agree with the remainder of the comments. Mr. Banas was concerned about the driveway that is 9 ft. wide and 55 ft. long and asked how they were going to move the cars along. Mr. Penzer said they would have to back out. Mr. Banas said that is not acceptable to him and Mr. Penzer said because they made the cul de sac bigger they had no other option. Mr. Banas said he would not want to drive that distance, backing up 55 ft., and with 5 bedrooms, there should be at least 4 parking spaces. Mr. Penzer said what he thinks will happen is the car will park in the street and they are providing 3 off street parking spaces. Mr. Banas wanted 4 spaces, and Mr. Penzer stated RSIS says 3 and Mr. Banas stated the board has been asking for 4 spaces for 5 bedrooms. Mr. Penzer said here they cannot do that and make the cul de sac bigger. Mr. Boyles suggested they could provide an area for a turn around on the property and the architect (Mr. Monteforte) also suggested an easement across the other property. Mr. Banas did not like easements but Mr. Boyles said they are creating a HOA to manage the stormwater system so adding some common parking as the responsibility of the HOA is an option and they could probably fit another 8-10 cars in that location. Mr. Banas asked if they were providing monuments in the LOI area and Mr. Boyles said the DEP does not require it but if the board would like it the applicant agrees.

Mr. Peters stated if they moved the lot lines so lots 10.02 and 10.06, which are undersized anyway, north and south of the cul de sac you would lose a little land there, give it to the neighboring lots and you could have a wider driveway, but that still leaves you with the issue of only have 3 parking spaces per lot. The applicant agreed with this also. Mr. Banas stated the board has been after 4 off street parking spaces but Mr. Penzer stated they can not accommodate that.

Mr. Fink said at the technical meeting they also discussed possibly eliminating one home in the back and instead of 3 making it only 2 homes which would enable the driveways to be situated properly. Mr. Penzer said they can not economically afford to do that.

Mr. Banas opened the microphone to the public

Mr. Hobday, 30 Schoolhouse Lane was sworn in. He stated some of the houses are located within 20 ft of the wetland area and they have basements. How will you keep that basement dry and he asked if there were exterior entrances to the basements. He was told there were no outside entrances, only inside. He thinks these homes are too close with basements to a wetland area and even though the cul de sac has been increased, if cars are parked there, it becomes a deterrent for public works vehicles, emergency services and school buses. He believes there are flaws in this application and the board not permit it. Mr. Boyles stated proper construction technique and design dictates that these basements have proper distance to the seasonal high water table and they are raised up.

Seeing no one else, this portion was closed to the public

Motion was made by Mr. Miller, seconded by Mr. Herzl, to approve this application with the stipulation to shift it over moderately. He did ask if the streets were private or public and was told public. The HOA was for drainage utility easement and stormwater management only.

ROLL CALL: Mr. Herzl; yes, Committeeman Miller; yes, Mr. Banas; no, Mr. Akerman; yes, Mr. Fink; yes

2. SD # 1606 (VARIANCE REQUESTED)
APPLICANT: A. ROTTENBERG/KEDMA INC.
Location: 366 Ridge Avenue, west of Manetta Avenue
Block 236 Lot 49
Minor Subdivision to create 2 lots

Mr. Peters stated the Applicant is seeking Minor Subdivision Approval to subdivide one (1) existing lot into two (2) new lots. The existing dwelling on the old Lot 49 is to be demolished. No new construction is proposed at this time. The property is situated along Ridge Avenue, within the R-10 Zoning District. The applicant is requesting the following variance: Minimum lot area: for Lot 49.02; 10,000 sf is required, where 7,574.1 sf is provided. Minimum lot width: for Lots 49.01 and 49.02; 75 ft is required, where 52 ft and 50 ft are provided. Minimum side yard setbacks: for Lot 49.01 and 49.02; 25 aggregated side yard

setbacks are required where 20 are provided. The side yard variances have been added since the technical review meeting. In addition to the above variances, the applicant is requesting a waiver for providing 33 ft street R.O.W on Ridge Avenue, where a 50 ft R.O.W is required. The applicant has proposed a road widening easement to yield a 25' half width equivalent. A note has been added to the plan stating a minimum of three (3) off-street parking will be provided when dwellings are proposed on the new lots. Ocean County Planning Board approval will be required. Evidence of approval shall be made a condition of final subdivision approval. The existing dwelling shall be removed prior to signature of the final plat or a bond posted to ensure its prompt removal after the subdivision is completed. Curb and sidewalk are existing along the Ridge Avenue frontage of the property. A 6' shade tree and utility easement and an 8.5 ft wide road widening easement are proposed to be dedicated to the Township along Ridge Avenue. The remaining comments are technical in nature.

Mr. Slachetka read from a letter dated November 19, 2007. The applicant is seeking minor subdivision approval to subdivide Lot 49 into two (2) non-conforming building lots. The property is 24,115 square feet (0.55 acres) and situated in the R-10 Residential Zone. The subject property is located on the south side of Ridge Avenue approximately 102 feet west of Manetta Avenue, in the northern part of the Township. The tract contains one existing dwelling, which will be removed. The subject property is located in the R-10 Zone and single-family dwellings are a permitted use. The following variances are requested: Lot Area: Proposed Lot 49.02 is 7,574 square feet in area; a minimum of 10,000 square feet is required. Lot Width: The lot width of proposed Lot 49.02 is 52 feet and it is 50 feet for proposed Lot 49.01; a minimum of 75 feet is required. The applicant should address the positive and negative criteria for the requested variances. The applicant should provide testimony and an exhibit of the lot area and lot width of lots in the surrounding area to address the requested variances. Consistency of the proposed dwelling with the neighborhood should also be addressed. The applicant has submitted a tax map exhibit addressing the variances. Testimony should be provided. Since lots area and lot width variances are requested for proposed Lot 49.02, information concerning the proposed residence on the lot should be submitted. Street trees are not proposed along the frontage of the subject lots. The remaining comments are technical in nature.

Mr. Penzer Esq. appeared on behalf of the applicant, Mr. Aharon Rottenberg. Mr. Penzer marked into evidence A-1 which is a colored tax map prepared by Harry Mager dated 10/09/07. The area of the lot in question is marked in pink and surrounding lots that are undersized are marked in orange. Mr. Penzer also stated the lots bordered by Amanda Lane and Shoshona Drive are also undersized as well. Mr. Rottenberg said he is the builder of the homes in that development and most of the 28 homes are 7500sf. To address the comments in the planner's report, the only issue is the lot sizes and the proposed size of the new house. Mr. Rottenberg stated the proposed home will be 30 ft wide by 45-50 ft deep. They agree with the remainder of the comments in the planners report. With the engineer's report, they are asking for a waiver of providing the 33 ft right of way on Ridge Avenue and only be allowed to provide a 25 ft right of way because the road is not wide enough in that area. The remainder of the engineers' comments can be complied with. Mr. Banas asked if it fit with the neighborhood and Mr. Penzer said it fit because there are no large houses in this area and all these houses are undersized and this will not negatively impact or harm the zoning plan. Mr. Banas felt the area is less

than 50% and Mr. Penzer thought it was more than 50% undersized. Mr. Peters and Mr. Slachetka both agreed with Mr. Banas. Mr. Slachetka said the applicant may be addressing this as site specific not for a re zoning. Mr. Rottenberg said the mother lot is more than 2 R-10 lots together, it is 24,000 sf. It is the way it is configured; they cannot split it evenly and have 2 12,000 sf lots.

Mr. Jackson said he did not know what the relevance of the lots in the surrounding area have to do with this application or with re zoning in general and he felt Mr. Rottenberg was touching on this when he was speaking about the configuration of the lot and the unique characteristics. M

Mr. Banas asked how many bedrooms would be in these homes and Mr. Rottenberg stated 5. Mr. Banas said there should be 4 parking spaces. The applicant agreed but said it wouldn't look that pretty.

Mr. Banas opened the microphone to the public

Mr. Hobday, 30 Schoolhouse Lane was sworn in. He said here we are with a conforming lot and he is asking the board to split it into a non conforming lot. The Master Plan did say to look at this area but the preponderance of the properties were in the R-10 range. If the board continues doing this, granting variances for undersized lots in an R-10 area, they will continue to gain that momentum and it is unfair to that neighborhood. Those neighbors bought their property in an R-10 area with sufficient land mass to accommodate that and every time the Planning Board allow those lots to be split, it is unfair to them.

Gerri Ballwanz, Governors Road was sworn in. She agreed with the comments by Mr. Hobday and asked which was greater good, having 12,000 sf in an R-10 zone or 7,500 sf in an R-10 zone. She feels the way to do it better is to have the lots bigger, what difference does it make to have 2,000 sf more space and one whole less house in an area that is very crowded and the cart way width of the road is only 25 ft. This is impacting the R-10 which should be R-10. Making this lot 7,500 sf will just give the argument in the future for any other lots that want to come to the board to subdivide for undersized at 7,500 sf.

Seeing no one else, this portion was closed to the public

Motion was made by Mr. Herzl, seconded by Mr. Fink, to approve

ROLL CALL: Mr. Herzl; yes, Committeeman Miller; yes, Mr. Banas; yes, Mr. Akerman; yes, Mr. Fink; yes

- 3. SD # 1609 (VARIANCE REQUESTED)**
APPLICANT: ALIZA JACOBVITZ & BARBARA ZELINGER
Location: 11th Street, west of Princeton Avenue
Block 150.06 Lots 17 & 18
Minor Subdivision to adjust lot line

Mr. Peters stated the Applicant is seeking Minor Subdivision Approval to reconfigure Lots 17 and 18 into two new Lots 17.01 and 17.02. The existing dwelling and its garage on old Lot 17 is to be removed. A two story dwelling is proposed on each of the new lots. The property is situated along Eleventh Street, within the R-10 Zoning District. The proposed site is located in the R-10 Zoning District. The applicant based their zoning schedule on the R-7.5 Zone. Based on the current zoning requirements for the R-10 zone, the following variances are required for Lots 17.01 and 17.02: Minimum lot area: 10,000 sf are required, where 6,138.6 are proposed. Minimum lot width: 75 ft are required, where 65 ft are proposed. Minimum front yard setback: 30 ft are required, where 25 ft are proposed. Minimum rear yard setback: 20 ft are required, where 15 ft are proposed. Minimum side yard setback: 10 ft one side and 25 ft aggregate are required, where 7 ft one side and 15 ft aggregate are proposed. Maximum building coverage: 25% maximum is permitted, where 29.3% is proposed. The applicant has revised the Improvement Plan to show driveways that can accommodate three (3) cars. The Planning Board should determine if 3 off-street parking spaces are adequate for this project. Ocean County Planning Board and Ocean County Soil Conservation District approvals will be required. Evidence of the approvals shall be made a condition of final subdivision approval. The proposed residence will be serviced with public sewer and water lines. A 6 ft wide shaded tree and utility easement is proposed to be dedicated to the Township along the Eleventh Street frontage of the property. The respective lot numbers shall be provided on the 200' radius adjacent owners table. The remaining comments are technical to the map filing law.

Mr. Slachetka read from a letter dated November 21, 2007. The applicant requests minor subdivision and variance approvals to create two (2) undersized lots at the above-referenced location. The subject site is 12,277 square feet (0.28 acres) in area and is situated on the north side of Eleventh Avenue approximately 70 feet west of Princeton Avenue. The property contains a single-family residence, which will be removed. The subject property is located in the R-10 Residential Zone District. The following variances are required: Lot Area: Lots 17.01 and 17.02 have a proposed lot area of 6,138.6 square feet; a minimum of 10,000 square feet is required. Lot Width: Both lots are 65 feet in width; a minimum of 75 feet is required. Front Yard: 28 feet initially provided; 30 feet required for both lots. Both were increased to 32 feet, so no variance required. Rear Yard: 15.44 feet initially provided, and 20 feet required (both lots). The proposed houses were rotated 90 degrees and set back from Eleventh Street, so the rear yard setback is met. This variance is no longer needed. Maximum Building Coverage: 29% proposed, and a maximum of 25% permitted (both lots). Side yard setbacks: 7 feet on one side and 15 feet for both sides, while the ordinance requires 10 feet one side minimum and 25 feet for both sides. The applicant may be able to provide an 8-foot side setback on the east side of Lot 17.01 to increase the distance between residences, as the existing structure on Lot 16 appears to be 21 feet from the property line. Alternatively, the overall dimensions of the houses may be reduced to eliminate or minimize the variance sought. The positive and negative criteria for the requested variances must be addressed. The applicant should present testimony concerning the surrounding properties addressing the land uses and prevailing lot sizes. A tax map exhibit and tabulation of lots should be presented. The Planning Board may wish the applicant to submit architectural drawings for the proposed residences to better evaluate the negative criteria. The subdivision plat indicates that the lots will be serviced by public water and sewer utilities. The map should indicate that off-street parking will be in compliance with the NJ RSIS. Although the plan indicates that

three (3) parking spaces will be provided, the plan does not identify sufficient area for three vehicles. The driveway widths appear to be 18 feet, while RSIS (N.J.S.A. 5:21-4.14(d)3) implies a 20-foot width is needed for two cars. The balance of the comments are technical in nature.

Mrs. Weinstein Esq. appeared on behalf of the applicant with Walter Hopkin as the engineer for the applicants. She gave a background on the application in which she stated the property was bought as 2 separate tax lots and were then merged into one. They were told numerous times by the Lakewood Zoning Officer that it was located in the R-7.5 zone. The engineer, attorney and applicants were all told this (4 times total). In reality, the correct zone is R-10 and had the applicant's known this, they would not have purchased the lots. Mrs. Weinstein handed the members a tax map rendering, exhibit A-1, which shows a colored rendering of surrounding lots that are also undersized. Mr. Hopkin said when he took this application, everyone was under the impression that this was R-7.5 zone and they were moving the lot line and they were not merged yet but they were going to be merged. Mr. Hopkin stated the exhibit A-1 shows the orange colored lots are non-conforming to the R-10 zone in both lot width and lot area. The lots in blue are the proposed lots. The adjacent lots are only 50 ft. wide and he feels this subdivision fits in with the characteristics of the neighborhoods and the houses will fit on the new lots. There will be adequate parking and will provide for appropriate population density and settings to provide housing for this area. With the engineers report, Mr. Hopkin said he is prepared to comply with the comments and conditions in both professional's reports. He stated they are proposing a 1,800 sf footprint that will be 50 ft. wide. Mr. Banas asked how many bedrooms would there be and Mr. Hopkins said he believed there would be a 4 bedroom home but did not have an architectural footprint but was just given the dimensions, and Mrs. Weinstein said it was either going to be 4 bedrooms or 5 bedrooms, but the applicants do not have an architect yet, just the building envelope. The applicants intend to live there. Mr. Banas stated the board would request 4 parking spaces rather than 3. The applicant agreed to comply with 4 spaces.

Mr. Banas opened the microphone to the public

Mrs. Ballwanz, Governors Road, was sworn in. She said the people who made the mistake at the Zoning Office or the Tax Office should be here and need to testify in person. This board should not be making any decisions unless it is thoroughly clarified. She is annoyed and amazed when a similar situation happened on 5th Street at which time she was not here and she did the research and could not believe the board approved it because the zoning map showed it in the other zone than what the attorney was saying it was in. She sees this being another example of going through the motions without really knowing what the facts are. That has to be clarified before any decision is made by this board.

Seeing no one else, this portion was closed to the public

Motion was made by Mr. Akerman, seconded by Mr. Fink, to approve

ROLL CALL: Mr. Herzl; yes, Committeeman Miller; yes, Mr. Banas; yes, Mr. Akerman; yes, Mr. Fink; yes

4. SD # 1405A (NO VARIANCE REQUESTED)
APPLICANT: GUDZ ROAD LLC
Location: Gudz Road, south of Miller Road
Block 11.01 Lots 1 & 13
Preliminary & Final Major Subdivision for 8 lots

Mr. Peters stated the Applicant is seeking Preliminary and Final Major Subdivision Approval to subdivide two (2) existing lots into nine (9) new lots. The site currently contains two single family dwellings. The existing dwelling at the front of the property is to remain and the dwelling at rear of the lot is to be removed. Seven (7) new single family homes are proposed. A proposed stormwater basin is to be located on new Lot 13.04. The project is located along Gudz Road, within the R-12 zoning district. No variances have been requested by the applicant. The outside agency approvals are required from the 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 proposed street name "Ilan Court" shall be approved by the Lakewood Zoning Secretary and evidence of approval provided. Lots 13.01 and 13.09 shall be deed restricted to prohibit access on Gudz Road and a note shall be added to the Final Plat stating such. The applicant shall state in the zoning schedule one (1) stormwater basin lot is proposed in addition to the eight (8) proposed building lots. The dimensions of the basin lot and required variances shall be noted. The proposed dwellings will be served by public sewer and water. The existing dwelling on Lot 13.01 will be served by public water and an existing septic field. The proposed water and sewer connections for the proposed dwelling on Lot 13.05 do not tie into the proposed water and sewer main. The applicant shall revise the plans to show the connections. The applicant shows in the zoning schedule 3 off-street parking spaces are provided for each dwelling. The Planning Board should determine if the 3 off-street parking spaces are adequate for this application. A 20 ft wide utility easement is proposed through neighboring Lot 4.04. Easement agreement documents shall be submitted to Planning Board Solicitor for review, and the legal description submitted to the Planning Board Engineer for review. The easement agreement shall be finalized prior to signature of the final plat. The applicant shows on the Final Map a 6' wide shade tree and utility easement is proposed to be dedicated to the Township along Ilan Court and Gudz Road frontage of the property. In addition, the applicant shows on the plans, sight triangles at entrance of the development to be dedicated to the Township. Concrete curb is existing along Gudz Road and is proposed along Ilan Court. Sidewalks are proposed along all frontages of the property as well. Proposed drainage maps for existing and proposed conditions shall be provided for review. The applicant shall provide tested permeability rates in the stormwater report to backup the infiltration rates used in the stormwater recharge calculations. The applicant shall be aware that a safety factor of 2 should be applied when infiltration calculations are performed. The remaining comments are technical in nature.

Mr. Slachetka read from a letter dated November 21, 2007. The applicant proposes to create seven new single-family residential lots and one lot for a stormwater management basin. The applicant proposes to construct a cul-de-sac street for access to the subject lots and a stormwater management basin. The basin will be owned and maintained by a

Homeowners Association. The 3.5-acre parcel is located on the south side of Gudz Road. The property contains two existing dwellings. The existing residence located near the front of the site will remain, and the other residence will be removed. The property is located in the R-12 Residential Zone and single-family dwellings are a permitted use. No variances are requested. In accordance with the discussion at the Plan Review meeting, the access restriction to Lots 13.01 and 13.09 will be a deed restriction. A copy of an Environmental Impact Statement (EIS) has been submitted. We have two comments on the EIS: The Environmental Impact Statement (EIS) at 2.0 Project Description states “the applicant proposes to raze all existing structures...” A clarification of this report is needed, since the existing residence near the front of the site is identified as to remain. Also, under 4.2 Water Quality and 6.0 Summary and Conditions, the EIS mentions “the creation of the office building...” and “the proposed retail/office building...” The engineer needs to correct the EIS, since there is no proposed office building. The applicant must address Section 18-803.H (Tree Protection). The revised submission does not comply with the requirements relating to protection of specimen trees, if applicable. The Landscape Plan should be revised to provide a mix of landscaping around the basin, including shrubs and trees. The applicant should address compliance with Chapter 18-1010.9., which requires that commonly-owned areas be owned and maintained by a non-profit homeowners association. The Township UDO identifies specific requirements as well as requiring that the applicant adhere to the New Jersey Department of Community Affairs (NJDCA) requirements. The document must be filed with the NJDCA. Off-street parking for all proposed lots must comply with NJ RSIS standards. The plans indicate the existing structures are to be removed. All structures must be removed or a bond posted for such removal prior to the signature of the plat by the Planning Board. This still needs clarification due to the conflict between the preliminary major subdivision plan and the EIS. In either case, at least one structure is to come down. The applicant indicates the septic field or connections for that one structure has been removed. The proposed residence on Lot 13.03 does not have a garage. The applicant will need to specifically address parking on this site without the garage to meet the RSIS. Because the RSIS is based on type of residence and number of bedrooms, the applicant will need to provide that information for all lots. The remaining comments are technical in nature.

Mr. Penzer Esq. appeared on behalf of the applicant with Mr. Carpenter as the engineer. Mr. Penzer stated they appeared before the board about 4 years ago and it took a long time to get here. This application is the same, the problem was getting the sewer. Mr. Zucker, who is here was gracious enough to grant us an easement and he has some comments and complaints which he will discuss later. There is also another objector here with an attorney, Mr. Minzer who is here with his attorney, Mr. Michael Field from the law firm Galvin law firm. They have agreed to provide to Mr. Minzer a sewer easement from the applicant's property to his property, for the sum of \$5,500.00 and in addition, to re-grade the property to make sure that none of the water from the applicant's property goes across to his property. Mr. Penzer wanted to put it on the record. Mr. Field identified himself for the record and mentioned that the regarding will be subject to the approval of Mr. Minzer's engineer, D.W. Smith and Mr. Penzer agreed. Mr. Miller congratulated the applicant for coming with an application with no variances and for working with the objectors. Mr. Penzer said not all the problems are worked out yet. He said they can meet everything in the planners report and everything in Mr. Peter's report. Mr. Banas said he has a problem with Mr. Slachetka's letter and the EIS report and his comments. Mr. Carpenter

responded that the report referring to all existing structures being razed on the site, they overlooked that the existing structure on the northwest corner of the site. Lot 13.01, the 2 story structure and the existing disposal field are to remain at this time. The EIS will be corrected to indicate that. The comment about the proposed retail and office building is a typographical error, there are no retail or office buildings proposed for this site. This would also negate the need for the posting of a bond, since no structure will be razed. There are no specimen trees on the site and they will clarify that on the EIS report. Mr. Banas asked how many bedrooms were on these buildings, and was told between 5 & 6 bedrooms. Mr. Banas asked how many parking spaces were being provided and Mr. Carpenter said the plans show 3, but they could provide 4. Mr. Miller asked if there was a sidewalk around the perimeter of the subdivision and was told there was.

Mr. Banas opened the microphone to the public

Noreen Gill, 192 Coventry Drive, was sworn in. She wanted clarification on the residences that were being razed or demolished and if there was any retail and was told no.

Benjamin Sherer, 6 Primrose Drive, was sworn in. He is the homeowner directly behind the property. He would like to see this get approved but has a serious concern. He was told by his engineer, Chuck Boyles, the drainage easement and overflow ends up on his property. He pointed to where his property was located on the map, lot 4.03 (old lot 15). He is concerned about the drainage ending up on his property. Mr. Banas asked Mr. Carpenter to address the issue. Mr. Carpenter stated if you look at the existing topography, sheet 3 of 8, the dotted lines show the contours and 80% of the existing site drains to that point of the subdivision and based on the new stormwater management regulations, they have to reduce the pre development runoff to 50% of the 2 year storm 70% of the 10 year storm and 80% of the 100 year storm. While that might be the final destination of the water, the water that is flowing to that point will ultimately reduced by this subdivision, not increased. The drainage calculations will back that up. Mr. Peters said he had some questions in the calculations that Mr. Carpenter provided and he has agreed he would revise those calculations to satisfy that. If the calculations prove out, it would be a reduction of 20% of the amount of water coming to that point during the 100 year storm. That is something that Mr. Peters will confirm before anything will be approved. The overflow beyond the 100 year storm does discharge out of a spillway along that property line. Mr. Peters did speak with Mr. Zucker prior to the meeting and they discussed the possibility of either a piped overflow of a swale along that property line. That is not property that is owned by the applicant, so there would have to be some sort of negotiation with the neighboring owner. Mr. Penzer asked which neighbor and Mr. Peters said it was Lot 4.04 where the sewer easement goes, but he is not aware what stage of construction that new home is. If those homes are completed it would be an inconvenience to go onto those completed lots to put in a swale, but that is the overflow during events larger than the 100 year storm. Mr. Penzer said the applicant does not have any problem meeting Mr. Peters requirements that he investigate that there is no flow on the property they will go along with his suggestions. They do not want to flow on Mr. Zucker's property in excess and cause any damage and do not want to hurt Mr. Zucker. They will work with the board.

Mr. Boyles was sworn in and said he has spoken to Mr. Zucker also about the concerns

and what it comes down to is there is water that will be discharged to a point location onto Lots 4.03 and Lot 4.04. Lot 4.03 is currently occupied and Lot 4.04 is still owned by MAZ builders, and they have not had the opportunity to see how it affects those lots and the details. Mr. Peters just got the details this evening, so he cannot tell his client that it will not affect them. Mr. Banas said that it will be in the resolution that the drainage issue will meet with the satisfaction of the board engineer. Mr. Boyles stated for the record that he will be looking at those calculations as well and submitting any comments they have in writing to Mr. Peters and Mr. Penzer. Mr. Banas and Mr. Peters agreed.

Moshe Zucker, 56 Steven Lane, was sworn in. He stated he would also like to see them get the approval but has a major concern on the basin. All of the overflow is going onto his property, and there is no recharge on their property whatsoever except for the detention basin. There is a baffle that is pushing the overflow right onto his property. We all know that these things are never maintained properly. Mr. Zucker is a builder and he always does recharge systems for that reason. His name is on the line, and he does not want to get sued when his home buyers get flooded. He wants to make sure that there is no water going onto his property, let's get that baffle to direct that water onto his property. The whole system concerns him.

Mr. Fink questioned why hasn't a recharge system been thought of since it is obviously seems to solve the problem. Mr. Penzer said the stormwater regulations are pretty severe and he is not that sure that a recharge system would work in this area. Mr. Penzer stated that Mr. Peters would not do resolution compliance until he is satisfied with the system. After he is satisfied, there will be a bond posted to make sure the stormwater is taken care of. After that bond is done, you are going to require a homeowners association to maintain that. Mr. Penzer believes the problem can be solved but he does not believe that a recharge system is the only system or that it is the right system.

Mr. Zucker said he spoke to Mr. Carpenter earlier and he said another thing he would do to reduce the run off would be to put dry wells behind the houses and tie in the roof drains and it will reduce a lot of the run off.

Mr. Zucker's big concern is the baffle. That structure that is guiding the water to his property that was never there before, that bothers him. When they don't maintain it, he wants a guarantee from the Township that I, as the builder, who invested in his drainage system, will not be sued and will retain his good name.

Mr. Jackson asked Mr. Zucker if he had any problem deferring to the engineer in as long as he is satisfied with the drainage that it is acceptable to him, or did he object regardless and Mr. Zucker said he did not object but asked that Mr. Peters had the guidelines and asks to board to direct him. Mr. Jackson said he will do that. Mr. Peters did state that there will be water going onto the property, that is what that overflow is there for. Mr. Zucker asked if they could face it toward their property and Mr. Peters said there was no place for the water to go, they are at the top of the hill, and Mr. Zucker is at the bottom. Mr. Peter said along the property line is the low point between the two houses, that is where the water drains, that is where the water goes now, and there should be 20% less with what they are proposing after this basin is built than in the current situation. Mr. Zucker said if he is protected, he is happy.

Mr. Hobday, 30 Schoolhouse Lane was sworn in. He said Mr. Zucker is being too kind. If he had a property and someone else was proposing property higher than me and he was dumping water on my property, I wouldn't stand for it. We haven't heard anything about storm drains, piping that water, it shouldn't be on anyone's property. If the area can't take a detention or retention pond, then it should be piped through storm drains the way our Township normally gets rid of water, it shouldn't be on Mr. Zucker's property, especially when the baffle is pointed onto his property at a lower level.

Noreen Gill, 392 Coventry Drive was sworn in. She asked Max about the dry well and said she is objecting to the dry well because she is the recipient of a neighbor who has a dry well that constantly overflows so it does not work. Mr. Peters said a dry well has a limited capacity, it will take some of the roof water and infiltrate into the ground and once it is filled you need to have an overflow, so there are usually swales behind the houses or an overflow pipe to take it out to a collection system.

Mr. Zucker just wanted to remind Mr. Peters because of the addition of all the houses and the roadway that will built that the dry well was an added measure Mr. Carpenter suggested.

Seeing no one else, this portion was closed to the public

Mr. Penzer said this is an application without any variances that was approved by this board years ago. He wants to allay Mr. Zucker's fears and Mr. Sherer's fears as much as he can and if Mr. Peters has any suggestions and recommendations, they will comply with them and be a good neighbor.

Motion was made by Committeeman Miller, seconded by Mr. Herzl, to approve this application with all the stipulations the board made.

ROLL CALL: Mr. Herzl; yes, Committeeman Miller; yes, Mr. Banas; yes, Mr. Akerman; yes, Mr. Fink; yes

5. SD # 1612 (NO VARIANCE REQUESTED)
APPLICANT: CONGREGATION ZICHRON SCHNEUR INC.
Location: Oak Knoll Road between Case Road & Arbutus Road
Block 24.01 Lots 19 & 62
Minor Subdivision to create 2 lots

Mr. Peters stated the Applicant is seeking Minor Subdivision Approval to re-configure Block 24.01, Lots 19 and 62 into two new lots. A synagogue and a two story dwelling exist on Lot 19 and 62 respectively. No new construction is proposed under this application. The property is situated on Oak Knoll Road, within the R-20 Zoning District. No variances are requested by the applicant. The applicant shall revise the plan to show the existing parking spaces on Lot 19.01, to confirm 20 spaces are existing. In the zoning schedule, the applicant shows 1 parking space is required per every 100 sf of sanctuary for the synagogue parking calculations. Per section 18-905 of the UDO the 1 parking per

100 sf rule is only valid for synagogue with main sanctuary space between 800 and 1999 square feet. The applicant shall provide documentation on the square footage of the secondary sanctuary space in the synagogue. Prior to paving for additional parking spaces, the applicant will be required to submit the plan to the zoning officer for review. The zoning officer will determine if a site plan approval will be required for the proposed parking lot. Ocean County Planning Board approval will be required. Evidence of this approval shall be made a condition of final subdivision approval. A 6 ft shade tree and utility easement is proposed to be dedicated to the Lakewood Township along Oak Knoll Road frontage of the property. Curbs are existing along the Oak Knoll Road frontage of the property, new concrete sidewalk is proposed. The applicant shows on the plan proposed chain link fence around area that is proposed to be acquired from Lot 62 for Lot 19.01. Since the area will be used for a parking lot for the synagogue, we recommend stockade or other privacy fence be provide instead of the chain link fence. The remaining comments are technical in nature.

Mr. Slachetka read from a letter dated November 21, 2007. The applicant is seeking minor subdivision approval to consolidate the rear portion of Lot 62 with Lot 19. No new building lots are being created by the proposed subdivision. The property is 39,495 square feet (0.907 acres) and situated in the R-12 Residential Zone. The subject property is located on the northwest side of Oak Knoll Road, approximately 120 feet south of the intersection with Case Road. A one-story synagogue is situated on existing Lot 19 and a two-story dwelling is located on Lot 62. Both structures will remain. The subject property is located in the R-12 Zone. Single-family dwellings and houses of worship are permitted uses. No variances are requested. The plat indicates that the lots are served by private well and septic systems. The attorney indicated at the Plan Review meeting that the lots are served by City water and sewer; however, the plan was not corrected. The area to the rear of Lot 62.01 on Lot 19.01 is to be used for future parking. There is no plan that shows how this area (90 feet by 45 feet) is to be used for parking. Depending on design and surface of the lot, issues concerning drainage, fire access, and limited vehicle spaces or circulation must be evaluated. The new subdivision plan indicates a shed and some chain-link fence is to be removed, and a fenced trash enclosure is to be placed on Lot 19.01. The remaining comments are technical in nature.

Mrs. Weinstein Esq. appeared on behalf of the applicant with Mr. Carpenter as the engineer. She stated this application is for a simple lot re alignment calling for the rear portion of Lot 62 to be subdivided off of that lot and re aligned with the synagogue's lot (Lot 19) Lot 62.01 will be left with a fully conforming lot and the balance will be aggregated to the synagogue lot. As far as parking, this application is only a subdivision application, not a site plan. If they decide to use this for parking, they will comply with any requirements the building department places upon them, if they do feel a site plan approval is necessary, they would have to come back to this board. When the house that presently sits on Lot 62 was sold, part of the deal was that this piece had to be aggregated to the synagogue. Mrs. Weinstein stated the sanctuary space is 1,900 sf. Mr. Carpenter stated along the westerly border of the property, between the trash enclosure and the street there is sufficient area for 20 parking spaces. There are no lines there now but the calculations show there is room for 20 spaces. The fence shown is chain link with slats, and the applicant did consult with the neighbors who preferred the chain link with slats to a wooden stockade fence, which does not hold up as well. Mr. Peters prefers privacy but

defers to the board. Mr. Carpenter said it was a maintenance issue and the aluminum fence is less maintenance than the stockade and it also has a longer life expectancy. Mr. Carpenter stated the remaining comments in both professionals' reports can be complied with.

Mr. Banas opened the microphone to the public

Seeing no one else, this portion was closed to the public

Motion was made by Mr. Herzl, seconded by Mr. Akerman, to approve the application

ROLL CALL: Mr. Herzl; yes, Committeeman Miller; yes, Mr. Banas; yes, Mr. Akerman; yes, Mr. Fink; yes

5. MEMORIALIZATION OF RESOLUTIONS

- 1. SD # 1366C (NO VARIANCE REQUESTED)**
APPLICANT: RALPH CLAYTON & SONS – JULE ESTATES
Location: Gudz Road and Lakewood New Egypt Road
Block 11.05 Lots 13-17, 19, 19.01, 84 & 85
Preliminary & Final Major Subdivision – 36 lots

Resolution was not mailed to members because it was not ready by the mailing deadline so Mr. Jackson explained the changes and corrections made to the 18 page resolution to the members without reading the entire resolution, but gave a summation of what the resolution said.

Motion was made by Mr. Akerman, seconded by Mr. Herzl, to approve

ROLL CALL: Mr. Herzl; yes, Committeeman Miller; abstain, Mr. Banas; yes, Mr. Akerman; yes, Mr. Fink; yes

- 2. SD # 1422A (NO VARIANCE REQUESTED)**
APPLICANT: S&C WANOUNO
Location: Ocean Avenue & E. 2nd Street, between S. Park Ave & the railroad
Block 248.01 Lot 63
Re-approval of previously approved Minor Subdivision for 2 lots

Motion was made by Mr. Akerman, seconded by Mr. Fink, to approve

ROLL CALL: Mr. Herzl; yes, Committeeman Miller; abstain, Mr. Banas; yes, Mr. Akerman; yes, Mr. Fink; yes

- 3. SD # 1598 (VARIANCE REQUESTED)**

APPLICANT: MARK PROPERTIES LLC
Location: Albert Avenue, north of Salem Street
Block 1159 Lot 66
Minor Subdivision to create 2 lots – 1 flag lot

Motion was made by Mr. Fink, seconded by Mr. Herzl, to approve

ROLL CALL: Mr. Herzl; yes, Committeeman Miller; abstain, Mr. Banas; yes, Mr. Akerman; yes, Mr. Fink; yes

4. SD # 1594 (VARIANCE REQUESTED)

APPLICANT: DOV GLUCK
Location: Albion Street, west of Hearth Court
Block 284.03 Lots 49 - 51 Block 284.04 Lot 48
Preliminary & Final Major Subdivision – 4 lots

Motion was made by Mr. Fink, seconded by Mr. Herzl, to approve

ROLL CALL: Mr. Herzl; yes, Committeeman Miller; yes, Mr. Banas; yes, Mr. Akerman; yes, Mr. Fink; yes

5. SD # 1601 (VARIANCE REQUESTED)

APPLICANT: NATHAN SCHLESSINGER
Location: Towers Street, east of Albert Avenue
Block 855.03 Lot 30
Minor Subdivision to create 3 lots

Motion was made by Mr. Herzl, seconded by Mr. Akerman, to approve

ROLL CALL: Mr. Herzl; yes, Committeeman Miller; yes, Mr. Banas; yes, Mr. Akerman; yes, Mr. Fink; yes

6. SD # 1604 (VARIANCE REQUESTED)

APPLICANT: YISRAEL SCHECTER
Location: Monterey Court & South Monterey Circle
Block 286 Lots 4 & 8
Minor Subdivision to create 3 lots

Motion was made by Mr. Herzl, seconded by Mr. Miller, to approve

ROLL CALL: Mr. Herzl; yes, Committeeman Miller; yes, Mr. Banas; yes, Mr. Akerman; yes, Mr. Fink; yes

7. SD # 1489A (VARIANCE REQUESTED)
APPLICANT: CEDARBRIDGE DEVELOPMENT LLC
Location: Pine Street- Boulevard of the Americas (Cedar Bridge Corp.Campus)
Block 961.01 Lots 2.01, 2.02 & 2.03
Amended Preliminary & Final Major Subdivision – 4 lots

Motion was made by Mr. Akerman, seconded by Mr. Herzl, to approve

ROLL CALL: Mr. Herzl; yes, Committeeman Miller; yes, Mr. Banas; yes,
Mr. Akerman; yes, Mr. Fink; yes

8. SD # 1605 (VARIANCE REQUESTED)
APPLICANT: HARVEY HIRSCH
Location: southeast corner of Cedar Row & W. County Line Road
Block 25 Lot 58
Minor Subdivision to create 2 lots

Motion was made by Mr. Herzl, seconded by Mr. Fink, to approve

ROLL CALL: Mr. Herzl; yes, Committeeman Miller; abstain, Mr. Banas; yes,
Mr. Akerman; abstain, Mr. Fink; yes

9. SD # 1602 (VARIANCE REQUESTED)
APPLICANT: FAIRMONT INVESTMENTS LLC
Location: Central Avenue, east of Irene Court
Block 11 Lot 116.01
Dismissing without prejudice a Minor Subdivision to create 2 lots - 1 flag lot

Motion was made by Mr. Fink, seconded by Mr. Herzl, to approve

ROLL CALL: Mr. Herzl; yes, Committeeman Miller; yes, Mr. Banas; yes,
Mr. Akerman; abstain, Mr. Fink; yes

10. ADOPTION OF 2008 PLANNING BOARD SCHEDULE

Motion was made by Mr. Herzl, seconded by Mr. Akerman, to approve

ROLL CALL: Mr. Herzl; yes, Committeeman Miller; yes, Mr. Banas; yes,
Mr. Akerman; yes, Mr. Fink; yes

6. CORRESPONDENCE

Letter from John Jackson which the board discussed prior to the adoption of SD 1594

Mr. Jackson spoke to the board about the problem with the decision on the Plan Review Meeting and the issue of the quorum raised by Bill Hobday. It was his opinion that a quorum was not necessary because the board cannot take official action, the public cannot participate, it is a plan review to make sure the matter is complete. He believes the board could legally go forward without a quorum present. Nonetheless, with one of the larger applications involving Somerset Development there was an issue and he discussed this with Mr. Gross who confers with him that a quorum is not necessary, but at Mr. Jackson's request and since this is a potential area where there could be controversy or a basis for an appeal, he should do the matter over and bring it back to a plan review meeting when there is a quorum. Mr. Gross agreed to come back to another plan review meeting. As far as the other applicants, Mr. Jackson feels they are relatively innocent based on the advice that he gave which he stands by and he recommends that they go further without any need to do anything, and they haven't agreed to pull it either.

Mr. Banas said as far as the first item. Mr. Jackson should prepare a position paper or something so that it could be discussed at the opening meeting in the ensuing year and whatever method that they are going to act on and follow for the next year, it will be easy to follow. Coincidentally, we did for many years, act in that same fashion as you are suggesting, it is nothing new. There is a history and it has functioned for many years.

7. PUBLIC PORTION

Mr. Penzer appeared with an issue he wished to present to the board in reference to 431 Joe Parker Road. There is a girl's school that a rabbi wants to put 2 trailer on that property which he bought and the normal procedure according to the LDO is to get permits from the zoning officer. Mr. Mack gave the permission but was then attacked by the neighbors and there were calls made to the inspection department and he does not want to be criticized and he ordered Mr. Penzer to appear in front of the Planning Board. Mr. Penzer explained this is not a planning board jurisdiction since it is something that is permitted but Mr. Mack said he didn't care and said he wanted him to get permission from the board so when the neighbors attack him he can say it is not him who gave permission, but the planning board. It is clear on page 19-983 that it is permitted. The Township Committee also felt he has the permission to do it. Mr. Mack said in no uncertain terms he will not allow the trailers there, he feels it is an administrative act from the board to give permission to do this. His client is suffering a horrible hardship. Mr. Banas said he told Mr. Penzer to have Mr. Mack write a letter to the board requesting the board to hear the matter and Mr. Penzer said Mr. Mack did not want to do that either. All he said was for Mr. Penzer to go ahead and do it.

Mr. Banas said if they were to go and make any judgment on this we would be doing the wrong thing. He feels that if he would have given you a letter or us a letter, petitioning us to do this, than that would be a lot easier than it is to go and just take action on his say so.

He feels he would just turn back to him and say this is your job and that is it. It brings to mind very quickly, in the past year, he has asked the board to take on at least 2 or 3 items similar to this and he doesn't think the board should be involved. Mr. Mack is the one ultimately who makes the decision. He is the one who should be making that decision and that's it.

Mr. Jackson suggested writing a letter stating based on his review of these facts from Mr. Penzer, based on his letter, review of the ordinance with Mr. Peters and Mr. Slachetka, it would appear that the applicant has every right under the ordinance to proceed with these trailers. It is also the consensus of the board that there is no basis for denying this. Nonetheless it is the zoning officer's decision; the planning board fully supports this, it seems very plain in accordance with the ordinance that it is not our decision.

Motion was made by Mr. Miller, seconded by Mr. Fink to direct Mr. Jackson to draft a letter to send to Mr. Mack to that effect.

ROLL CALL: Mr. Herzl; yes, Committeeman Miller; yes, Mr. Banas; yes, Mr. Akerman; yes, Mr. Fink; yes

Mr. Hobday spoke and wanted to thank the board on their decision on the rules on a quorum. Based on the fact that a quorum was always necessary, including tonight, when it was almost cancelled. If there is a letter saying the changes are happening and it is posted then fine, but to change it mid stream is no good. He commended the board, he thought they were marvelous, only wished more would attend. Mr. Banas stated the public meetings needed a quorum always.

Mrs. Ballwanz said she had an opportunity to go to another township for a planning board meeting and was impressed with the way they set up their agenda, they had listing of who their attorney was, who their planner was, the engineers, they gave a lot of information, whether it was a continuation, who would be eligible to vote on that matter, so she would like to make a recommendation that more information be given on the agenda. Mr. Banas said it was available on the internet.

Mr. Miller wanted to thank the chairman and vice chairman for the wonderful job they did running the board this year. He also wanted to thank the public for attending.

Mr. Banas closed this portion to the public

8. APPROVAL OF MINUTES

- Minutes from November 27, 2007 Planning Board Meeting

Motion was made by Mr. Banas, who stepped off from the chairman seat, seconded by Mr. Herzl, to approve

ROLL CALL: Mr. Herzl; yes, Committeeman Miller; abstain, Mr. Banas; yes, Mr. Akerman; yes, Mr. Fink; yes

9. APPROVAL OF BILLS

Motion was made by Mr. Herzl, seconded by Mr. Fink, to approve

ROLL CALL: Mr. Herzl; yes, Committeeman Miller; yes, Mr. Banas; yes,
Mr. Akerman; yes, Mr. Fink; yes

10. ADJOURNMENT

The meeting was hereby adjourned. All were in favor.

Respectfully submitted
Chris Johnson
Planning Board Recording Secretary