

**LAKWOOD ZONING BOARD OF ADJUSTMENT
MINUTES
MEETING OF: JANUARY 8, 2007**

Meeting was called to order at 7:10 P.M.
Meeting properly advertised according to the NJ State Sunshine Law.

ROLL CALL:

Attending: Mr. Gelley, Mr. Gonzalez, Ms. Goralski, Mr. Naftali, Mr. Zaks,
Mr. Lankry, Mr. Halberstam, Mr. Sernotti
Absent: Mr. Berrios
Also present: Glenn Harrison, Attorney
Jim Priolo, Engineer/Planner
Jackie Wahler, Court Stenographer
Fran Siegel, Secretary

Salute to the flag.

Chairman welcomed new member Moshe Lankry as Alternate 2.
Jose Berrios will now be Alternate 1.

Motion to nominate Mike Sernotti for Chairman – Mr. Zaks

Second – Mr. Gonzalez

Roll call vote: affirmative: Mr. Gelley, Mr. Gonzalez, Ms. Goralski, Mr. Naftali,
Mr. Zaks, Mr. Lankry, Mr. Halberstam

Motion to nominate Abe Halberstam for Vice Chairman – Ms. Goralski

Second – Mr. Zaks

Roll call vote: affirmative: Mr. Gelley, Mr. Gonzalez, Ms. Goralski, Mr. Naftali,
Mr. Zaks, Mr. Lankry, Mr. Sernotti

Motion to nominate Ed Mack as Zoning Officer – Mr. Gonzalez

Second – Mr. Halberstam

Roll call vote: affirmative: Mr. Gelley, Mr. Gonzalez, Ms. Goralski, Mr. Naftali,
Mr. Zaks, Mr. Lankry, Mr. Halberstam, Mr. Sernotti

Motion to nominate Fran Siegel as Secretary – Mr. Gelley

Second – Mr. Zaks

Roll call vote: affirmative: Mr. Gelley, Mr. Gonzalez, Ms. Goralski, Mr. Naftali,
Mr. Zaks, Mr. Lankry, Mr. Halberstam, Mr. Sernotti

Motion to nominate Jackie Wahler as Court Stenographer – Mr. Halberstam

Second – Ms. Goralski

Roll call vote: affirmative: Mr. Gelley, Mr. Gonzalez, Ms. Goralski, Mr. Naftali,
Mr. Zaks, Mr. Lankry, Mr. Halberstam, Mr. Sernotti

Advertising for bids for the position of Zoning Board Engineer/Planner and Attorney. The bids should be in by the February meeting so that they could review it and make a decision by the March meeting.

Motion to approve minutes of December 4, 2006 – Ms. Goralski

Second – Mr. Halberstam

Roll call vote: affirmative: Ms. Goralski, Mr. Naftali, Mr. Halberstam, Mr. Sernotti

Motion to approve annual report – Ms. Goralski

Second – Mr. Gonzalez

Roll call vote: affirmative: Mr. Gelley, Mr. Gonzalez, Ms. Goralski, Mr. Naftali,
Mr. Zaks, Mr. Halberstam, Mr. Sernotti

Motion to approve Calendar for 2007 – Mr. Halberstam

Second – Mr. Naftali

Roll call vote: affirmative: Mr. Gelley, Mr. Gonzalez, Ms. Goralski, Mr. Naftali,
Mr. Zaks, Mr. Halberstam, Mr. Sernotti

Motion to award contract to John Russo for litigation of Appeal # 3587 Omni Point – Mr. Zaks

Second – Mr. Naftali

Roll call vote: affirmative: Mr. Gelley, Mr. Gonzalez, Ms. Goralski, Mr. Naftali,
Mr. Zaks, Mr. Halberstam, Mr. Sernotti

Chairman recused himself from Appeal # 3618 – Tuxedo Property Partners.

Mr. Zaks announced that he read through the transcript for Appeal # 3618 and will be able to vote.

Mr. Halberstam – there will be six members voting.

Mark Williams, attorney for Appeal # 3619 requested an adjournment until February 5th, their public notice was not published.

Motion to adjourn until February 5, 2007 – Mr. Gelley

Second – Mr. Zaks

Roll call vote: affirmative: Mr. Gelley, Mr. Gonzalez, Ms. Goralski, Mr. Naftali,
Mr. Zaks, Mr. Lankry, Mr. Halberstam

No further notice and a waiver of time.

Mr. Halberstam announced that they will be placed on the agenda for February but may not get heard until the March meeting.

APPEAL # 3618 – TUXEDO PROPERTY PARTNERS

Forest Drive, Block 12 Lot 206, R-12 zone, Single family home on an undersized lot.

Secretary read reports.

From: Jim Priolo, Engineer/Planner – Second Review - January 3, 2007

1. The subject property is located on Forest Drive and is within the R-12 (Single-Family Residential) Zone. The existing lot is vacant. The applicant proposes to construct a new 2-1/2-story single-family dwelling on the existing undersized lot.
2. In accordance with Section 902 E. of the Ordinance, bulk variances will be required for the construction of the proposed single-family dwelling as follows:

	Required	Proposed
Minimum Lot Area	12,000 s.f.	8,124.7 s.f.
Minimum Lot Width	90 ft.	50 ft.
Minimum Side Setback (One)	10 ft.	8 ft. (overhang) 10 ft. (building line)
Minimum Side Setback (Both)	25 ft.	22 ft.

The applicant must demonstrate to the Board that the requested variances can be granted without substantial detriment to the public good and will not substantially impair the intent and the purpose of the zone plan and the zoning ordinance.

3. The applicant should provide testimony on the proposed use of the basement and attic levels. The drawings indicate a separate outside entrance to the basement level.
4. Any approval should include a condition that curb and sidewalk be required along the entire frontage. Curb and sidewalk should be shown on the site plan and grading plan and the curb should be set 15 feet from the roadway centerline.
5. It appears the applicant is proposing a sanitary sewer line extension. The applicant should provide a sewer extension plan.
6. The following should be addressed with regards to the grading plan:
 - a. Any trees to remain should be located and shown.
 - b. A drainage system should be proposed and adjacent downstream improvements should be shown to eliminate the potential for any adverse impacts.
 - c. Roof runoff collection should be addressed.
 - d. The driveway should extend to the garage.

From: Ed Mack, Zoning Officer

This house has been redesigned to better fit this narrow lot. I do feel however, that lowering the roof height by dropping the roof pitch and eliminating the attic dormer as well as keeping the sill height as close to grade as is practical, the house would look less imposing on this lot.

Brian Flannery, engineer for applicant, sworn. Revised plans were shown – reduced width 2 feet. Square footage was reduced from 3,754.3 to 3020.6, width was reduced from 30 feet to 28 feet and they eliminated the habitable space in the attic. Reviewed Mr. Priolo's report. The basement will be for utilities and storage and the kids to play. Agreed to eliminate dormer and adjust roof pitch. It would be well under the 35 foot height. There is a significant slope from front to back and have a walk-out basement. They will meet the side setbacks of 10 feet, still need combined setback variance of 25 feet. They will leave a vegetative area between the properties. The leaders of the house will be directly tied into an underground infiltration system. They will have a roof collection system going to the recharge system.

Mr. Priolo – concerned about storm water runoff asked for more information. They have to provide a drainage system that works. If approved needs to be subject to the approval of a sewer extension permit from the DEP.

Roberta Burcz, represented objectors. The board did address some of their concerns. Request that the front window and the dormer be removed on the half story and the pitch be lowered.

Mr. Flannery - The garage will not be for a car only for storage and aesthetics.

Motion to approve – Mr. Zaks

Subject to: total height not to exceed 30 feet, drainage system, runoff, applicant to provide sanitary sewer, 28 feet wide with 2 foot overhang.

Second – Mr. Naftali

Roll call vote: affirmative: Mr. Gelley, Mr. Gonzalez, Ms. Goralski, Mr. Naftali,
Mr. Zaks, Mr. Halberstam

Chairman Sernotti returned to the dais.

APPEAL # 3622 - PARK AVENUE LAND DEVELOPMENT, INC.

160 & 164 East 4th Street,
Block 248 Lots 20 & 21, B-2 zone. To construct 5 townhouses with 5 basement units and parking area.

Secretary read reports.

From: Jim Priolo, Engineer/Planner - September 1, 2006

1. The subject property is located on East Fourth Street and is within the B-2 (Central Business) Zone. The existing site contains two 2-story two-family dwellings. The applicant is proposing a multi-family project that will subdivide the existing property into six (6) individual lots (5-residential lots, 1-Homeowners Assoc. lot). Each residential lot will contain a two-family unit for a total of 10 units (5 3-story units, 5 basement units). All units are attached in one structure.

This application falls under the definition of a multi-family development, the correct zoning schedule should be provided.

It should be noted that the plans are entitled, "Subdivision/Preliminary & Final Site Plan". The plans should be titled, "Preliminary & Final Major Subdivision". All plans should show the proposed subdivision lines.

2. The proposed lots do not conform to the current zone requirements. In accordance with Section 903.B.5. of the ordinance, bulk variances are required for the proposed subdivision and multi-family dwellings as follows:

	Required	Provided	Provided	Provided	Provided	Provided
		Lot 20.02	Lot 20.03	Lot 20.04	Lot 20.05	Lot 20.06
Min. Lot Area	12,500 s.f.	1,585 s.f.	1,586 s.f.	1,715 s.f.	1,589 s.f.	1,590 s.f.
Min. Lot Width	100 ft.	25 ft.	25 ft.	27 ft.	25 ft.	25 ft.
Min. Front Setback	20 ft.	0 ft.	0 ft.	2 ft.	0 ft.	0 ft.
Min. Rear Setback	20 ft.	5 ft.	5 ft.	5 ft.	5 ft.	5 ft.
Min. Side Setback (One)	20 ft.	0 ft.	0 ft.	0 ft.	0 ft.	0 ft.
Min. Side Setback (Combined)	40 ft.	0 ft.	0 ft.	0 ft.	0 ft.	0 ft.
Max. Bldg Coverage	40%	86.4%	86.3%	85%	86.2%	86.1%

It appears that the rear setbacks were not measured to the deck. Also, the front landing and steps are located outside of the individual lots.

3. The following variances will be required:
 - a. In accordance with Section 818 A.5., states that all other steps, excluding the landing or the stoop, may project into any front or rear yard setback, whereas the front landing is located partly (Lot 20.04) entirely (Lots 20.02, 20.03, 20.05, 20.06) within the common Homeowners Lot (Lot 20.01).
 - b. In accordance with Section 807 A, and R.S.I.S., 23 off-street parking spaces are required, whereas 17 spaces are provided. In addition, handicap accessible spaces and ramps should be provided in accordance with all applicable codes.
4. The following comments should be addressed with regards to the architectural plans provided:
 - a. The site plan shows the middle unit as 27-feet wide, while there is no floor plan to reflect this.
 - b. The proposed units do not provide any storage areas for such things as gardening/yard equipment, bicycles and children's outdoor toys.
 - c. The front stair arrangements should match the site plan.
 - d. There appears to be no provisions for garbage can storage, with the layout shown.

5. The following comments should be addressed with regards to the Improvement Plan and stormwater management:
 - a. The rainfall amount of 7.5 inches used for the 100-year storm event has been updated to 9.2 inches. The calculations should be revised.
 - b. The plan indicated a playground area in the rear of the lot. The applicant should discuss the type of playground equipment that will be installed.
 - c. The applicant should discuss the method of garbage collection. There appears to be no provisions for garbage can storage.
 - d. A manhole should be shown at the new connection into the existing sanitary sewer line within East Fourth Street. Additionally, cleanouts should not be proposed within the sidewalk area.
 - e. The applicant should discuss circulation throughout the site for emergency vehicles. The fire hydrant is proposed at the rear end of the parking lot, making access to it difficult when the lot is full.
 - f. There appears to be no provisions for turning around if the lot is full.
 - g. The subdivision lines should be shown on the improvement plan.
 - h. Easements should be provided for the water and sanitary sewer lines. It appears the footings for the decks are proposed over the sanitary sewer main.
 - i. The yard inlet located in the playground area should be relocated or placed outside the fence.
 - j. The applicant should discuss how the drainage swale located under the decks in the rear yards will be maintained. An easement dedicated to the Homeowner's Association should be provided.
 - k. The note indicating "20 L.F. – 36" HDPEPP @ 0.0%" by the driveway should be eliminated as it doesn't refer to anything.
 - l. The length of pipe used in the storage and recharge calculations is shown as 294 ft., whereas 309 ft. of recharge pipe is provided.
 - m. The existing dwellings located on adjacent Lots 19 and 22 should be shown on the improvement plan. The lot to the east of Lot 21 should be shown as Lot 22.
 - n. The East Fourth Street right-of-way width should be shown on the improvement plan.
 - o. The western curb return for the driveway extends past the side property line.
 - p. If the drainage system were to fail, water would back up out of the yard inlet located in the southeastern corner of the site. The applicant should discuss the effects this would have on the property and adjacent properties.
 - q. East Fourth Street was recently paved with NJDOT TTF money and a five-year moratorium was issued for the road. The applicant shall appear before the Township Committee for approval to construct the proposed utilities within East Fourth Street if construction commences within 5 years.
6. The following comments should be addressed with regards to the Landscaping & Lighting Plan:
 - a. Additional landscaping and lighting should be provided within the playground area.
7. The following comments should be addressed with regards to the Construction Details:
 - a. A detail for the proposed retaining walls should be provided.
 - b. A detail for the vinyl decorative fence should be provided.

8. The applicant must submit a copy of the Homeowners Association documents to the Board Attorney for review, which shall include the following:
 - a. It should be noted that the responsibility of maintaining the stormwater system should be the Homeowners Association and not the Township of Lakewood. A maintenance plan should be submitted for review.
 - b. A stipulation that the rear yard swale of Lots 20.02-20.06 should not be altered.
9. The following comments should be addressed with regards to the Subdivision Plan and Map Filing Law:
 - a. A note must be added to the plan indicating that the lot, block, and street addresses have been assigned by the Lakewood Township Tax Assessor's office.
 - b. A point of beginning should be provided.
 - c. The error of closure should be shown on the plan.
 - d. A key map should be provided.
 - e. The right-of-way width for East Fourth Street should be shown on the plan.
 - f. The Certification for the Record Holder should indicate the printed name beneath the signature line.
 - g. The Applicant's notarized signature must appear on the plan. Additionally, all corporate owners or partnerships representing more than 10% shall be listed on the plat.
 - h. A certified list of real property owners within 200 feet of the subject property should be provided on the plat.
 - i. The plan should indicate a Zoning Board Secretary certification stating that, "THIS PLAT MUST BE FILED IN THE OFFICE OF THE CLERK OF OCEAN COUNTY ON OR BEFORE _____, WHICH DATE IS NINETY FIVE (95) DAYS AFTER THE DATE UPON WHICH THIS PLAT WAS SIGNED BY THE LAKEWOOD TOWNSHIP PLANNING BOARD."
 - j. The title block references Block 284, while it should reference Block 248.
 - k. An 8.5 ft. right-of-way dedication or road widening easement to the Township of Lakewood should be provided to meet the desired right-of-way width of 50 ft. This should be shown on the preliminary plans.
10. Ocean County Planning Board approval should be shown on the plans.
11. Any approval should include a condition that the applicant shall submit plans to the Township Public Safety Office and the NJDOT to allow for Title 39 enforcement.
12. The applicant should apply to, and appear before, all other Local, State and Federal agencies having jurisdiction over this project.
13. Prior to commencement of construction, the applicant shall post a performance guarantee and inspection fund in accordance with the provisions of the Township's Land Use Ordinance and the Municipal Land Use Law.

From: Ed Mack, Zoning Officer

I see no advantage to allowing the fifth unit to be added to this project.

Steven Pfeffer, attorney for applicant. To the rear of the property is Cottage Manor apartments.

Charles Surmonte, project engineer, 1500 Allaire Avenue, Ocean Township, sworn. Proposing 5 individual properties with 2 units on each property, lower would be a single unit and the two upper floors will be a townhouse unit. They will be individually owned. Mr. Surmonte described the neighborhood and reviewed Mr. Priolo's report. Plan will be revised to enlarge lots to include front and rear steps. 23 parking spaces are required – proposed 17 parking spaces.

A-1 blow-up sheet 4 of the improvement plan

Mr. Surmonte – The area is older and poorly maintained residential neighborhood. Proposing a parking field to the west. Each upper unit will have a rear yard deck. Proposing an underground infiltration system. Seeking a variance for parking and density.

A-2 proposed architectural.

Mr. Surmonte – Proposing a 1600 square foot play area in the rear. Playground area is about 1,600 square feet. There will be 2 slides, 2 see-saws and 4 or 5 swings. Will relocate the fire hydrants to be more accessible. Not providing for a turn-around on site.

Mr. Sernotti – the engineer's report is 6 pages and the details should have been worked out.

Mr. Zaks – this is preliminary and final site plan.

Mr. Sernotti – I have a lot of concerns.

James W. Higgins, professional planner, 901 West Park Avenue, Ocean, New Jersey, sworn.

Board accepted credentials.

Mr. Higgins – The site is 22,500 square feet in the B-2 zone. Townhouses are a conditional use. Density does not comply. Density permitted is 8 townhouse units per acre or 16 dwelling units, this application provides for 9.68 townhouse units per acre or 19.36 dwelling units per acre, which is more than allowed. This is a smaller townhouse development and is consistent with the surrounding developments. This is not a very good area except for the newer townhouses. This is a significant improvement over what is now on the site. There are 17 spaces on site and three on the street. This is townhouses on the upper floor and the basement apartment. There is no significant negative impact.

Mr. Priolo – decks are 2 feet 8 inches off the ground. The setbacks need to be measured to the decks.

Mr. Sernotti – each unit has 9 bedrooms, 2 bedrooms in the basement apartment and 7 bedrooms in the townhouse apartment. Parking is a huge problem.

Mr. Priolo – RSIS standards for parking are for 3 bedrooms.

Mr. Zaks – the plan does not work, the garbage and the parking. The streets are very narrow. They need to get rid of one unit which will help some of the parking. This part of town does need some updating.

Mr. Gonzalez – would prefer to see the units facing 4th Street. There are too many unanswered questions. Definitely have a problem with this application.

Open to Public.

Bill Hovday, 30 Schoolhouse Lane, Lakewood, sworn. This is an area in need of improvement. This does not fit and only exasperates the situation. Not in favor of proposal. Density too high.

Closed to Public.

Mr. Pfeffer requested to table until April 16th to revise plans.

Motion to table to April 16, 2007 – Mr. Gelley

Second – Mr. Gonzalez

Roll call vote: affirmative: Mr. Gelley, Mr. Gonzalez, Ms. Goralski, Mr. Naftali,
Mr. Zaks, Mr. Halberstam, Mr. Sernotti

No further notice and a waiver of time.

Recess.

APPEAL # 3632 – KURDEN VENTURES (DUNKIN DONUTS)

1650 Route 70, Block 1248 Lot 20, B-5 zone.

620 square foot addition to an existing service station for a proposed Dunkin Donuts with a drive through.

Secretary read reports.

From: Jim Priolo, Engineer/Planner - November 28, 2006

1. The subject property is located on the south side of NJSH Route 70 East and is within the B-5 (Highway Development) Zone. The site contains an existing gas station with a 1-story convenience store. The applicant proposes to construct a 620 s.f. addition to the building to be used as a drive-thru Dunkin Donuts, as well as parking facilities and other site improvements.
2. In accordance with Section 903 E. of the Ordinance, a special reasons variance will be required because the applicant is:
 - a. Proposing a non-permitted use (drive-thru restaurant) in a district restricted against such use.
 - b. Proposing a mixed use of restaurant and gas station within one site.

The applicant must provide testimony to the Board detailing the special reasons which would allow the Board to grant a variance to depart from the zoning regulations to permit a use in a district restricted against such use.

The applicant must demonstrate to the Board that the requested use variance can be granted without substantial detriment to the public good and will not substantially impair the intent and the purpose of the zone plan and the zoning ordinance.

3. In accordance with Section 903 E.3., bulk variances will be required as follows:

	Required	Existing	Proposed
Minimum Front Setback	100 ft.	66 ft.	66 ft.
Minimum Side Setback (One)	50 ft.	42 ft.	42 ft.

The applicant must demonstrate to the Board that the requested variances can be granted without substantial detriment to the public good and will not substantially impair the intent and the purpose of the zone plan and zoning ordinance.

4. In accordance with Section 812, only one (1) wall sign is permitted per frontage, whereas two (2) are proposed. A variance will be required.
5. The following comments should be addressed with regards to the Minor Site Plan:
 - a. The applicant should discuss if an identification sign will be proposed at the edge of the Route 70 pavement.
 - b. The proposed pre-fab freezer/cooler should be shown on the site plan. It should also be located on a reinforced concrete pad.
 - c. The JCP&L right-of-way does not dimension to the 240 feet shown on the plans.
 - d. The proposed improvements encroach into the JCP&L right-of-way. The applicant should provide documentation of approval from JCP&L.
 - e. Concrete bollards should be proposed along the building edge of the drive-thru.
 - f. Concrete curb stops should be proposed for the parking spaces.
 - g. The pavement section detail should include six inches of dense graded aggregate.
 - h. The applicant should discuss the method of trash/recycling disposal and collection. No trash enclosure is shown.
 - i. The proposed angled parking appears very close to the existing utility pole. The applicant should consider moving the parking north to provide separation between the pole and parking.
6. The following comments should be addressed with regards to the architectural plans:
 - a. The patron/sales area should indicate the square footage to ensure adequate parking is provided.
7. The north arrow is shown incorrectly on the site plan, grading & utilities plan, and soil erosion control plan.
8. Ocean County Planning Board approval should be indicated on the plan.
9. The applicant shall submit to, and appear before, other Local, State and Federal agencies having jurisdiction over this project.

From: Ed Mack, Zoning Officer

From a zoning point of view I have no objections to this application.

John Doyle represented applicant. Property located on the south side of Route 70. There is an existing Liberty gas station.

A-1 color rendering of Sheet # 2

Robert F. Yuro – professional engineer, Wall Township, NJ, sworn.
Board accepted credentials.

Mr. Yuro – described area in which the site exists. The site is 2.3 acres. The property is uniquely shaped, shallow and wide. Approximately 200 feet back from Route 70. The existing building station is approximately 2,000 square foot. They will provide striping. The site is 2.23 acre. There is a JCP&L right of way which takes up about 2/3 of the property. The building will be 620 square feet and will be a satellite facility. There will be a single drive-thru lane. This is an accessory use to the gas station and a convenience for the public.

Mr. Yuro reviewed Mr. Priolo's report. There is an existing pylon sign and they will change out one of the face panels for identification. There will be no additional signs. They will comply with all conditions by JCP&L letter. They will clean up the site. They restaurant is a permitted use they are asking for a variance for the drive-thru. They will provide striping. There will be a 20 foot wide bi-pass lane.

Open to Public. Closed to Public.

Motion to approve – Mr. Halberstam

Second – Mr. Gonzalez

Roll call vote: affirmative: Mr. Gelley, Mr. Gonzalez, Ms. Goralski, Mr. Naftali,
Mr. Zaks, Mr. Halberstam, Mr. Sernotti

APPEAL #3597 – SMITH FARGO,

Ocean & Clover Street Block 538 Lots 1, 2, 17 & 18, Block 539 Lots 17 & 18, R-7.5 zone.
To construct townhomes in the R-7.5 zone on less than 5 acres.

Secretary read reports.

From: James Priolo, Engineer/Planner - July 17, 2006

1. The subject property is located on the corner of Ocean Road and Clover Street and is within the R-7.5 (Single-Family Residential) Zone. The applicant proposes to construct eighteen townhouses within four buildings. The property is currently vacant with the exception of Block 538, Lot 18 which was formerly a service station and Block 539, Lot 17 where a residential home exists.

2. In accordance with Section 902 G. of the Ordinance, townhouses are not a permitted use in the R-7.5 Zone. Additionally, the proposed development exceeds the permitted density in this zone. Therefore, special reasons variances will be required as follows:
 - a. To permit a use in a district restricted against such use. The proposed townhouse use is not a permitted use within the R-7.5 Zone. The only permitted residential use in this Zone is single-family detached.
 - b. To allow an increase in permitted maximum gross density. The maximum gross density in the R-7.5 Zone based on single-family detached use and minimum lot area is approximately 6 units/acres. It appears the site can yield 11 conforming single-family lots. The applicant is proposing 18 attached units in four buildings and a density of 9.5 units/acres. Therefore, a density variance is required.

The applicant must provide testimony to the Board detailing the special reasons which would allow the Board to grant a variance to depart from the zoning regulations to permit a use in a district restricted against such use (townhouse use) and an increase in permitted density. In order to achieve this, the applicant should explain why the townhouse use with the requested density is a better planning and zoning alternative than the traditional single-family residential concept.

3. If the special reasons variances are approved, the applicant will require variances from Subsection 900 H. (Townhouses). This section outlines the design criteria for townhouse projects. Those variances required from this section are as follows:

	Required	Provided Lot 1	Provided Lot 17
Tract Boundary (State Highway)	100 feet	25 feet	25 feet

The applicant must demonstrate to the Board that the requested variance can be granted without substantial detriment to the public good and will not substantially impair the intent and the purpose of the zone plan and the zoning ordinance.

4. The following should be addressed with regards to the Preliminary and Final Site Plan:
 - a. Each unit shall have an area designated for storing trash and recycling containers. All trash containers shall be screened from view. The Department of Public Works should approve the size and location of the trash enclosure.
 - b. The Board should determine for aesthetic reason, if the front of the units along Route 88 should face Route 88. Architectural enhancements such as brick facades should also be considered.
 - c. The applicant should verify that trucks entering the complex from Clover Street have the capability to turn around. There appears to be no provisions for turning around.
 - d. The tot lot within Block 539 will not comply with playground design standards. Applicant should provide detail of the exact equipment that will be provided and its location.
 - e. The tot lot within Block 538 is located within a drainage easement.
 - f. A traffic light exists at the corner of Clover Street and Ocean Avenue. The applicant should provide traffic testimony that the proposed development will not have a negative impact on this intersection.

5. The following should be addressed with regards to the Grading and Drainage Plan:
 - a. All stormwater inlets should be revised to incorporate grates and curb openings designed in accordance with New Jersey Pollutant Discharge Elimination System Permit Application, specifically Type 'N' Eco curb pieces should be provided for 'B' inlets.
 - b. The grading along the SW corner of Clover Street and Ocean Avenue appears too flat. The minimum slope should be 2%.
 - c. It is recommended that CMH 24 be replaced with an 'A' inlet to reduce ponding.
 - d. The proposed trench and pipe should be shown as actual diameter and width.
 - e. Proposed Inlet #11 at the SW corner of Block 538 should be moved to the low point. The applicant should investigate and determine if the stormwater can be tied into the existing pipe located throughout Lot 20.
 - f. It is recommended that the inlet on the driveway entrance to Lot 17.01 be removed and two (2) Type 'B' inlets placed in the corner of the last stall prior to the exit onto Clover Street.
 - g. The plans call for the removal and replacement of concrete curb and sidewalk along the entire frontage of Clover Street and Ocean Avenue. The portion within NJDOT jurisdiction will require a permit from the State.
 - h. Swales should not be proposed in the rear yards along Route 88.

6. The following should be addressed with regards to the Utility Plan:
 - a. The applicant should show limits of full pavement restoration along Clover Street.
 - b. The water and sewer crossing may have conflicts, applicant should verify.

7. The following should be addressed with regards to the Landscape and Lighting Plan:
 - a. It appears that certain landscape items are being planted over the drainage pipe and stone trench.

8. The following should be addressed with regards to the Details:
 - a. Public curb ramps should be A.D.A. compliant. The construction details should be revised also.

9. The following comments should be addressed with regards to the Major Subdivision portion of this project including the Final Plat and Map Filing Law:
 - a. Should the Board approve the major subdivision portion of this project, the following bulk variances will be required in accordance with Section 900 H.6.:

	Required	Provided	Provided
		Lots 1.02–1.05, 1.06, 1.09, 17.02, 17.05, 17.06 & 17.11	Lots 1.03-1.04, 1.07-1.08, 17.03-17.04, 17.07-17.10
Minimum Front Setback	25 ft.	0 ft.	0 ft.
Minimum Side Setback (End Units)	12 ft.	0 ft.	—
Minimum Rear Setback	20 ft.	0 ft.	0 ft.

- b. Ocean Avenue should be labeled as Ocean Avenue (NJSH Rt. 88).
- c. No P.O.B. is shown on the plat.

- d. All easements should indicate the type, area in s.f. and to whom it is dedicated.
 - e. General Notes Item No. 13 should identify common elements by block and lot numbers.
 - f. The Development Regulations state that decks are a permanent structure. The plat should be revised to include the deck (as well as steps) as part of the homeowner property not the Association.
 - g. A note indicating that the new lot numbers and street addresses have been assigned by the Tax Assessor should be provided.
 - h. A minimum of three (3) corners distributed around the tract shall indicate the coordinate values.
 - i. A certification that design of the site improvements associated with this subdivision is in compliance with the New Jersey Residential Site Improvement Standards with the minimum exceptions listed should be submitted to the Board for their records.
 - j. A copy of the Homeowners Association in accordance with Section 900 H.14. agreement must be submitted to the Board Attorney for review and shall include the following:
 - i. A blanket easement should be created and dedicated to the respective utility companies for the installation and maintenance of sanitary, electric, phone, CATV and any other necessary utilities.
 - ii. It should be noted that the responsibility of maintaining the stormwater system should be the responsibility of the Homeowner's Association and not the Township of Lakewood.
10. The following comments should be addressed with regards to the Architectural Plans:
- a. The maximum elevation difference between finished floor and outside grade shall be 30 inches, whereas 36 inches is proposed.
 - b. A separate outside entrance is indicated for the basement level, the applicant should discuss the intended use of this level.
11. Ocean County Planning Board approval must be indicated on the plan.
12. The applicant shall submit to, and appear before, other Local, State and Federal agencies having jurisdiction over this project.

From: Ed Mack, Zoning Officer

I think that the current R-7.5 zone which is designed to accommodate small single family and duplex houses would be a better use for this property rather than the high density of the proposed use.

Kenneth Pape, represented applicant. Request for 18 multi-family units. 6 duplex units and 3 single family.

Robert Burdick, Engineer/Planner, Point Pleasant, NJ sworn.
Board accepted credentials

A-1 sheet 1 of 6 of the plans.

Mr. Burdick – Proposing 18 townhouse units. Located on the southeast and southwest corners of intersection of the Route 88 & Clover Street in the R-7.5 zone. This is the old Fargo station, most of the cars on the site have been removed.

Mr. Burdick reviewed Mr. Priolo's report.

Mr. Burdick - currently there is 1 single family home and the old Fargo station. The station has been a junkyard for the past 40 years.

A-2 single family home alternatives

Mr. Burdick – the plans show conforming layouts for the site.

Mr. Halberstam asked why this is one application since there is a road separating the two lots, one has nothing to do with the other.

Mr. Pape – there is no restriction on the number of lots – they have a common scheme of development and would be under one association.

Mr. Harrison – there is no prohibition because of the right-of-way.

Mr. Sernotti - concerned that Mr. Priolo had not seen the proposals

Mr. Burdick – the proposed entrances are about 100 feet from the intersection. The proposed development will front on common courtyards. This development will provide a significant aesthetic improvement for the lots in the neighborhood. The proposed variances can be granted without any detriment to the zoning ordinance, master plan or public good.

Mr. Pape – They are asking for use, preliminary site plan, bulk variances and final site plan.

Mr. Sernotti – does not feel comfortable without our professional staff reviewing the conforming designs that are being shown.

Mr. Burdick – they exceed parking by 1 space. There is an exterior access to the basement. They do meet the parking requirements.

Mr. Zaks – the proposal is for single family townhouses.

Mr. Sernotti - Is any rough plumbing proposed for the basement.

Mr. Pape - That could be a condition of approval. Asked to carry and will review plan.

Mr. Sernotti – Concerned about the size of the tot lots and 7 bedrooms with parking.

Jonathon Rubin, 122 5th Street, affirmed. The new revised plans will take out the bathroom and the rooms in the attic. There are no plans to put in plumbing or finish the basement now or any time in the future.

Mr. Pape – asking for a use variance and density variance.

Mr. Halberstam – we will vote for a use variance only and no density and they will come back for site plan.

Open to Public.

William Hovday, 30 Schoolhouse Lane, Lakewood, sworn. Not in favor of application, townhouses are not permitted.

Yisroel Feifer, Holly Street & Route 88, affirmed. In favor of application. That area is a slum. The area should be redeveloped.

Don Van Arsdale, 414 Laurel Avenue, sworn. The proposed use will be a monstrosity with parking problems, etc.

Rubin Brody, 316 Ocean Avenue, affirmed. In favor of this application. Would like to see the neighborhood built up with nicer houses.

Naftaly Eisen, 147 East 4th Street, affirmed – in favor of application. Strongly urge the board to approve this land – this area needs revitalization.

Closed to Public.

Mr. Pape – this parcel of land is an area of the community that has not been revitalized. Asked the board to consider this request favorably.

Motion to approve townhouses without a count of how many – Mr. Gelley

Second – Mr. Halberstam

Roll call vote:	affirmative:	Mr. Gelley, Mr. Halberstam
	nayes:	Mr. Gonzalez, Ms. Goralski, Mr. Naftali, Mr. Zaks, Mr. Sernotti

Motion denied.

MOTION TO PAY BILLS.

All in favor.

MOTION TO ADJOURN.

All in favor.

Meeting adjourned at 11:02 p.m.

Respectfully submitted,
Fran Siegel, Secretary

