



The zoning schedule should be revised as some of the requirements are listed incorrectly.

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.

The applicant should address the Board regarding the visual impact that the dwelling will have on the surrounding properties.

3. The applicant is requesting a waiver for providing architectural plans. The applicant should be prepared to discuss the type of dwelling that will be proposed.

4. The applicant should discuss how access to the dwelling will be provided.

5. The applicant should discuss how the dwelling will be serviced by utilities. No utilities are shown within Spruce Street.

**From: Ed Mack, Zoning Officer**

I have no objection to this application.

Elliot Zaks, Forest Park Circle, affirmed. Requesting a single family home in an R-40 zone an undersized lot. Block is now 830 Lot 7. It has about 28,000 square feet. Requesting variances for lot width, frontage and sides. The current frontage on Spruce Street is 25 feet wide. They will set the house back with a driveway where the lot widens enough for the single family home. Do not have architectural plans yet. They will meet the proposed requirements. Lot is a triangle, with the tip on Spruce Street. Surrounding this lot on three sides is Township owned land. There is electric on the site. They will need septic and well and propane. House will face Spruce Street. It is approximately 150 – 200 feet from the entrance to the cemetery.

Open to Public.

Gerri Ballwanz, Governors Road, sworn. Objected to Mr. Zaks representing himself since he is a member of the Zoning Board.

Abraham Penzer – owns a lot in the area and in favor of this proposal. Wants to see the area developed.

Closed to Public.

**Motion to approve – Mr. Naftali**

Second – Mr. Gelley

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

**APPEAL # 3672 – COUNTY APPLE**

614-622 East County Line Road, Block 171 Lots 3-6, R-7.5 zone. Use variance for office/retail

Secretary read reports.

**From: Jim Priolo, Engineer/Planner – April 4, 2008**

1. The subject property is located on the East County Line Road between Park Place and Apple Street and is within the R-7.5 (Single-Family Residential) Zone. The site contains three 2-story dwellings, one 3-story dwelling, a garage, two sheds and concrete pads. The applicant is proposing to construct a 21,600 s.f. 3-story retail and office building with associated parking facilities and site amenities. All existing structures will be removed.

2. A special reasons variance is required for this project because the applicant is:

a. **Requesting a use not permitted in this zone.** In accordance with Section 902 G. of the ordinance, retail and office uses are not permitted in the R-7.5 Zone, and therefore a use variance is required for the proposed retail and office building. The applicant must demonstrate 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. The applicant should address the Board regarding the visual impacts the proposed office building will have on the surrounding residential properties.

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 (retail and office use)**. In order to achieve this, the applicant should explain why the retail and office use is a better planning and zoning alternative than the traditional single-family residential use or other uses permitted in the zone.

3. Should the use variance be approved additional variances will be required as follows:

a. In accordance with Section 803 E., a minimum 50-foot wide buffer is required along the south, east and west property lines, whereas no buffers have been provided.

4. A 10 ft. right-of-way easement or roadway dedication will be required during the site plan phase along Apple Street. This, along with some conceptual circulation issues and a lack of buffers, may require a reduction in the building size during the site plan phase. The building size should not be approved as part of any use variance approval.

5. Buffering to the adjacent residential uses should be discussed and carried over to the site plan phase.

6. The applicant should discuss the proposed retail and office use, occupancy and hours of operation.

7. The applicant should discuss how stormwater management will be addressed during site plan review.
8. Any use variance approval shall be subject to Preliminary and Final Major Site Plan approval.

**From: Ed Mack, Zoning Officer**

It is apparent that this area is becoming less desirable for residential use. The County improvements due to traffic volume and the increased commercial impact are very obvious. I do feel however that a building that had less visual impact would be better. I think that something smaller with the parking toward the rear or a design with a more residential "feel" would make a softer impact on the area.

Abraham Penzer represented applicant.

Brian Flannery, Lakewood, NJ sworn. Asking for use only. This area is developing in a non-residential manner. Heavy traffic on County Line Road is detrimental to residential use. Property is over 50,000 square feet. Five duplexes for a total of 10 units would be permitted in the zone. Commercial/retail on the first floor and offices on the second floor and this will provide a good transition. Reviewed Mr. Priolo's report. They will come back with site plan to address all site plan issues from Mr. Priolo's report. Positive criteria far outweigh any detrimental impact. Have met with the neighbor and they will move the driveway further from the neighbors property. They will do an underground recharge.

Mr. Penzer – They met with the neighbor and agreed to move the driveway from her line to approximately 60 feet, move the refuse area from the back to the front, have a reputable commercial management company, no light pollution, 8 foot buffer along all sides, all existing mature healthy trees will remain, dead trees will be professionally removed, in the absence of any trees there will be 10 foot evergreens, where there are no trees they will erect 10 foot trees and an 8 foot vinyl fence, there will be no idling signs. Office hours will be 6:00 and retail hours until 9:00 P.M.

Mr. Halberstam asked if they had any tenants yet?

Mr. Penzer – No. There will be general offices, no specifics.

Mr. Mack – the buffering is very important. Would like to see a building more desirable in a residential neighborhood.

Mr. Zaks – not voting on size of the building. Voting on use of office and retail only.

Mr. Gonzalez – will all these lots be consolidated?

Mr. Flannery – as a condition of approval they will be combined.

Open to Public.

Ellsworth Moore, Jr. 606 East County Line Road, sworn. – objected, concerned about traffic.

Gerri Ballwanz, Governors Road – concerned about buffering.

**Motion to approve use of office and retail only – Mr. Zaks**

Second – Mr. Gelley

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

**APPEAL #3667 – ABRAHAM GROSSMAN**

Block 150.03 Lots 11 & 22, R-10 zone. Three lot subdivision, 2 lots at 7,500 square feet and one lot at 10,050 square feet.

Mr. Halberstam stepped down.

Secretary read reports.

**From: Jim Priolo, Engineer/Planner – April 4, 2008**

1. The property in question is located on the corner of Monmouth Avenue and Carey Street and is within the R-10 (Single-Family Residential) Zone. The site contains two existing split-level dwellings, both with frontage on Monmouth Avenue. The applicant proposes to subdivide existing Lots 11 & 22 into three new lots consisting of 7,500 s.f. (Lots 11.01 & 11.02) and 10,050 s.f. (Lot 11.03) and construct a 2-½ story single-family structure on Lot 11.02. The proposed subdivision will create two undersized lots which will require bulk variances. All existing structures will remain.

2. In accordance with Section 902 F. of the Ordinance, variances are requested as follows:

	Required	Proposed	Proposed	Proposed
		Lot 11.01	Lot 11.02	Lot 11.03
Minimum Lot Area	10,000 s.f.	7,500 s.f.	7,500 s.f.	—
Minimum Lot Width	75 ft.	—	—	67 ft.
Minimum Front Setback	30 ft.	24.9 ft. (Carey St.)	—	—
Minimum Side Setback (One)	10 ft.	7.3 ft.	—	4.6 ft.
Minimum Side Setback (Combined)	25 ft.	—	—	16.5 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.

The applicant should revise the plan to show the required R-10 Zone setback requirements for Lot 11.02.

3. The minimum lot size required in this zone is 10,000 s.f. The applicant should discuss how the purposes of the zone plan and zoning ordinance will be advanced by taking two existing conforming lots and creating three (3) non-conforming lots.

4. Any approval should include a condition that curb and sidewalk will be replaced as directed by the Township Engineer.

5. A sight triangle easement should be shown on Lot 11.01.

**From: Ed Mack, Zoning Officer**

Since these lots are similar to others in the area I have no objection to this application.

Abraham Penzer represented applicant. The Lakewood Township tax records the zone is R-7.5. On the zoning map it says R-10. There is a discrepancy.

Ray Carpenter, Manasquan, NJ. Engineer, sworn.

A-1 tax map

A-2

Mr. Carpenter described A-1 showing the undersized lots in the area. There are 55 lots in the area and 23 are under 10,000 square feet and 26 lots are 7,500 square feet or less. There are 6 conforming in a 200 foot of the subject property. The two existing structures will remain. There will be only one new house facing Carey Street.

Mr. Mack – this is an area that is confusing.

Mr. Zaks – he bought this lot as an R-7.5 lot.

Mr. Penzer - Lot 11 is an R10 and the adjacent lot 22 is an R-7.5. This is a subdivision. The two houses will remain and the third lot will be new construction at a later date.

Mr. Carpenter - The new lot line will be 4.6 feet of the existing structure on lot 22.

Mr. Penzer – if the board wants they will knock down the carport.

Open to Public.

Jack Weintraub, 1112 Monmouth Avenue, affirmed. No objections. In favor of application.

Gerri Ballwanz, Governors Road, sworn. Concerned about the inconsistency of the maps.

Sam Safren, 71 Carey Street, affirmed. Lives on the adjacent property. All the trees will be destroyed.

Peggy Saffren, 71 Carey Street, affirmed. Lives on the adjacent property. I am the only person that this affects. How can this be justified? They will be taking down all the trees and it will change the whole neighborhood.

Closed to Public.

Mr. Penzer – the applicant also owns lot 23. There is no hardship. The law is that he has the right that if the majority of the lots are undersized then they have the right to ask for an undersized lot. His client owns lot 11, lot 22 & lot 23. He lives on Lot 23. He bought the lot because his brother and parents want to live in the same neighborhood.

Mr. Naftali asked for a buffer.

Mr. Penzer – if a tree is knocked down they will replace it. They agreed to a 10 foot buffer of trees.

Mr. Gonzalez- not in favor of reducing lot sizes for houses. Would not be in favor of this application.

Mr. Gelley –this piece of property was bought on the thought that it was an R-7.5 zone and would be in favor of this application.

**Motion to approve with a 10 foot buffer of trees for the neighbor – Mr. Gelley**

Second – Mr. Naftali

<b>Roll call vote:</b>	affirmative:	Mr. Gelley, Mr. Lazzaro, Mr. Naftali, Mr. Zaks, Mr. Lankry, Ms. Goralski – not in favor of the location of the homes and the set up according to the tax maps she has to vote yes. Ms. Goralski
	Nayes:	Mr. Gonzalez

**RECESS.**

Mr. Halberstam returned.

**APPEAL # 3481A- YEHUDA DACHS**

West County Line Road, Block 2.05 Lots 6 & 18, R-12 zone. Site plan approval for a two-story office building. Variances for required parking and building height are also requested.

Secretary read reports.

From: Jim Priolo, Engineer/Planner – May 30, 2008

1. The subject property is located along West County Line Road and is within the R-12 (Single-Family Residential) Zone. The existing site contains a 1-story single-family dwelling, frame garage and wooded area. The applicant proposes to construct a 3-story 25,740 s.f. office building with associated parking facilities and site amenities. All existing structures will be removed.

2. The applicant was granted use variance approval for a smaller office building (23,468 s.f.) on Lot 18 under Appeal No. 3481 (4/19/04). The applicant is back before the Board for Use Variance and Site Plan approval to expand the originally approved office use to Lots 6 & 18.

**A special reasons variance** will be required as follows:

a. To permit a use in a district restricted against such use. In accordance with Section 902 E. of the Ordinance, expanding the proposed office use onto Lot 6 is not a permitted use within the R-12 Zone. Therefore a use variance is required for an office use on Lot 6.

b. To permit a height of a principal structure which exceeds by 10% the maximum height permitted in the zone. The proposed height is 42 feet which exceeds the required height of 35 feet by more than 10%.

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 (office use) and a height exceeding 10% of the required height**. In order to achieve this, the applicant should explain why the office use is a better planning and zoning alternative than the permitted uses.

3. Variances are required as follows:

a. In accordance with Section 803 E., a 50-foot buffer is required along the east, west and south property lines, whereas 0 ft. is provided on the east and the west and 40 ft. on the south.

b. In accordance with Section 807 B., a minimum of 86 parking spaces is required for the office use, whereas 61 spaces are provided. The applicant should revise their parking calculations to reflect the correct (1/300 s.f.) requirement.

4. The following comments should be addressed with regards to the architectural plans:

a. The proposed building shown on the perspective view of the architectural plans will be an enhancement to the community. The design and appearance of this building should be maintained through the site plan.

b. The architectural plans show a recreation/landscaped area on an open 3rd floor level. The applicant should be prepared to discuss this use and design in more detail.

5. The following comments should be addressed with regards to the Site Plan:

a. A concrete island should be added to the driveway to force right turn in and right turn out movements.

b. A “no left turn” sign should be added at the driveway.

c. The applicant should discuss the on-site circulation and truck circulation throughout the site.



- d. A note should be added to the plan that all curb and sidewalk shall be replaced as directed by the Township Engineer.
  - e. The proposed fence on the western property line should be removed from the 30 ft. front yard setback area and end at the dumpster location.
6. The following comments should be addressed with regards to the Grading and Drainage Plan and stormwater management:
- a. Additional spot elevations should be provided in the area of the handicap accessible parking spaces to ensure compliance with the ADA standards.
  - b. The drainage easement should not be dedicated to Lakewood Township. The owner of the site should be responsible for the maintenance of the drainage system. A stormwater maintenance manual should be provided.
  - c. The dimensions for the dual 24" recharge trench do not match the detail provided.
  - d. It is suggested that a minimum of 6" of gravel be provided above the recharge pipe.
  - e. A minimum 2 ft. of separation should be provided between the seasonal high water table (SHWT) and bottom of the recharge trench, whereas 0 ft. has been provided. SB-3 indicates the SHWT at elevation 91 and the bottom of the trench is at elevation 91.
  - f. The sidewall recharge calculations should only account for one-third of the sidewall area as opposed to the one-half provided.
  - g. Water quality control must be addressed prior to infiltration.
7. The following comments should be addressed with regards to the Utility Plan:
- a. The applicant shall obtain the appropriate permits and approvals for the construction of the sewer line extension in West County Line Road.
  - b. Trench restoration should be shown in the of the sewer line extension.
8. The following comments should be addressed with regards to the Landscape and Lighting Plan:
- a. The three lights in the rear of the property should be equipped with house shields.
  - b. Additional landscaping should be provided along the eastern property line in the area of the drive aisle.
9. The following comments should be addressed with regards to the Profiles:
- a. The existing storm drainage should be shown on the profile for the sanitary sewer.
10. The following comments should be addressed with regards to the Construction Details:
- a. A "No Left Turn" sign detail should be provided.
  - b. A stop bar detail should be provided.

- c. The trash enclosure detail dimensions do not match the site plan dimensions.
- d. A "Type B-1 Inlet" detail for 24" pipes should be provided.
- e. A detail for the 8' board on board fence should be provided.

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.

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 have no zoning comments about this application.

Abraham Penzer represented applicant.

Brian Flannery, engineer, sworn.

Mr. Flannery reviewed Mr. Priolo's report. This will be a 25,000 square foot office building, no medical offices. They met with neighbors and agreed to a double row of arborvitae 8-10 feet and an 8 foot fence. This will be a two story office building. There will not be a roof top recreation area. The architecture will be the same. If the roof top area is not being used they may not need the variance. Basement will be for utilities and storage only. To the east is the jug handle. Their parking is 1 per 400 square feet of office space or 61. They are requesting a variance for parking. All the details were submitted for Site Plan. They need a new use variance because they enlarged the area by adding a 1ot. It is really an amendment to the original plan. The original application was for lot 18 only. They have now added lot 6.

Mr. Priolo – the basement seems to be set up office space. They should stipulate no use of the basement. The resolution should stipulate the square footage of retail office space.

Mr. Halberstam – he would like 61 parking spaces.

Mr. Penzer agreed to the 61 parking spaces.

Mr. Flannery – Buffer on the westerly side there is an 8 foot vinyl fence. Would agree to adding more landscaping in that area. The buffer will be 34 feet from the property line there will be decorative 8 foot fence. On the neighbors side there will be 8 to 10 feet arborvitaes. Watering will provided. There is 59 feet to the right-of-way and then another 15 feet. They agreed to residential field lights on the building. They are expecting only Fed X and UPS trucks. There will be a private carter for garbage. There will be no backing out onto County Line Road.

Ms. Goralski asked that the garbage trucks come during the day not at 7 a.m. in the morning.

Mr. Priolo – moving the driveway and putting the dumpster by the handicapped spot will work.

Mr. Zaks asked for shielding around the dumpster.

Mr. Flannery – they show landscaping and fencing around the dumpster.

Open to Public.

Ami Zeiger, 19 Genesse Place, affirmed. Just wanted to confirm that there will be an 8 foot vinyl decorative fence, 8 to 10 foot trees every 6 feet, 2 rows of them staggered, and that the trees and fence and everything is bonded. There will be a faucet for running water on this side of the fence to water the trees.

Closed to Public.

Mr. Penzer agreed to the faucet installation.

Mr. Zeiger - All they need is a soak hose – the hose is attached to the faucet.

**Motion to approve subject to all stipulations agreed by the applicant 17,024 square foot office building, basement will be used for storage and utilities – Larry Lazzaro**

Second – Mr. Zaks

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

**APPEAL # 3673 – CONGREGATION ETZ HAYIM**

Pine Street & Warren Avenue, Block 768

Lots 43.04, 43.05, 44, 45 & 83.01, R-10 zone. To subdivide existing lots into 11 new lots (9 residential, 1 tot lot and 1 lot for a synagogue)  
Bulk variances requested.

Secretary read reports

**From: Jim Priolo, Engineer/Planner - April 28, 2008**

1. The subject property is located on the corner of Pine Street and Warren Avenue and is within the R-10 (Single-Family Residential) Zone. The site contains an existing single-family dwelling, synagogue and two foundations for single-family dwellings. The applicant is proposing to subdivide the lot into eleven (11) new lots, nine (9) single-family lots, one (1) recreation/tot lot and one (1) lot for a synagogue. The existing dwelling and synagogue will be removed.

A **Special reasons variance** will be required as follows:

- a. To allow an increase in permitted maximum gross density. The maximum gross density in the R-10 Zone based on single-family detached use and minimum lot area is approximately 4.4 units/acres. The applicant is proposing 9 dwelling units and a density of 7.6 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 an **increase in permitted density**. In order to achieve this, the applicant should explain why the requested increase in density is a better planning and zoning alternative than the allowable density.

3. Additional variances are required as follows:

- a. In addition to the special reasons variance, the applicant is seeking bulk variances in accordance with Section 902 F., for dimensional relief for the subdivision as follows:

	<b>Required R-10</b>	<b>Proposed Lot 45.01</b>	<b>Proposed Lot 45.02</b>	<b>Proposed Lot 45.03</b>	<b>Proposed Lot 45.04</b>	<b>Proposed Lot 45.05</b>
Minimum Lot Area	10,000 s.f.	7,804 s.f.	3,700 s.f.	3,700 s.f.	3,700 s.f.	3,700 s.f.
Minimum Lot Width	75 ft.	—	37 ft.	37 ft.	37 ft.	42 ft.
Minimum Front Setback	30 ft.	24 ft.	24 ft.	24 ft.	24 ft.	24 ft.
Minimum Rear Setback	20 ft.	12 ft.	12 ft.	12 ft.	12 ft.	12 ft.
Side Setback (One)	10 ft.	8 ft.	0 ft.	0 ft.	0 ft.	0 ft.
Side Setback (Combined)	25 ft.	—	7 ft.	7 ft.	7 ft.	7 ft.
Maximum Building Coverage	25 %	—	45%	45%	45%	45%

	<b>Required R-10</b>	<b>Proposed Lot 45.01</b>	<b>Proposed Lot 45.02</b>	<b>Proposed Lot 45.03</b>	<b>Proposed Lot 45.04</b>	<b>Proposed Lot 45.05</b>
Minimum Lot Area	10,000 s.f.	4,931 s.f.	5,461 s.f.	—	7,500 s.f.	7,500 s.f.
Minimum Lot Width	75 ft.	38 ft.	41 ft.	—	50 ft.	50 ft.
Minimum Front Setback	30 ft.	18 ft.	18 ft.	20.5 ft.	—	—
Minimum Rear Setback	20 ft.	8.7 ft.	8.5 ft.	10 ft. 5 ft. (stairs)	—	—
Side Setback (One)	10 ft.	—	5 ft.	—	7.4 ft.	7.4 ft.
Side Setback (Combined)	25 ft.	20 ft.	20 ft.	—	14.9 ft.	15 ft.
Maximum Building Coverage	25%	33.8%	30.5%	—	—	—

It should be noted that setbacks and coverage should include the rear decks.

- b. In accordance with Section 905 A., thirty-one (31) parking spaces are required for the proposed synagogue, whereas only twenty-eight (28) parking spaces are proposed.
- c. In accordance with Section 905 B., a minimum 20 ft. perimeter buffer is required, whereas no buffer is provided along the northern property line.

The applicant must demonstrate to the Board these 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.

- 4. The following comments should be addressed with regards to the Site Development Plan:
  - a. Driveways should be shown for Lots 43.04 & 43.05.
  - b. Sidewalks should be provided in front of Lots 43.04 & 43.05.
  - c. Fencing should be provided around the perimeter of the tot lot.
  - d. The zoning schedule should be updated, as the proposed setbacks shown are incorrect.
  - e. A note should be added to the plans indicating that all curb and sidewalk shall be replaced/installed as directed by the Township Engineer.
- 5. The following comments should be addressed with regards to the Grading & Drainage and Profiles and stormwater management:
  - a. Building corner elevations should be provided for the synagogue and single-family dwellings.
  - b. A pre-development drainage area map should be provided.
  - c. The post-development drainage does not include Lots 43.04 & 43.05. If these lots will connect into another system, the system should be shown.
  - d. Water quality must be addressed prior to infiltration.
  - e. Roof leader should be proposed and should be connected directly into the drainage system.
  - f. The length of the 18" pipe used in the storage calculations is incorrect.
  - g. The existing drainage easement on Lot 45.09 should be shown as to be vacated.
  - h. Stormwater runoff from Lot 45.06 will flow towards adjacent Lot 40. Additional topography for Lot 40 should be provided to see what impacts the proposed runoff will have on the offsite property.
  - i. A stormwater management maintenance plan should be provided.

- j. The tot lot should be regraded to provide a flatter playing area.
  - k. Additional drainage should run along the rears of Lots 45.01 – 45.05.
6. The following comments should be addressed with regards to the Utility Plan:
- a. Water and sewer laterals should be shown for Lots 43.04 & 43.05 as well as for the synagogue.
  - b. A roadway restoration detail should be provided for the sewer main extension in Pine Street.
7. The following comments should be addressed with regards to the Landscape & Lighting Plan:
- a. Additional landscaping should be provided on the northern side of the synagogue.
  - b. Details of the proposed tot lot should be provided.
8. The following comments should be addressed with regards to the Details:
- a. A stop bar detail should be provided.
  - b. A handicap accessible parking sign should be provided.
  - c. The eco curb piece for the Type 'B' inlets should be Type 'N'.
9. The following comments should be addressed with regards to the Site Plan (synagogue):
- a. The setbacks to the proposed synagogue building should be shown.
  - b. A handicap van accessible parking sign should be provided at the handicap parking spaces.
  - c. The parking calculations indicate that the main sanctuary is only 2,400 s.f., whereas the architectural plans indicate that it is 2,440 s.f., which results in 31 spaces being required. This should be revised.
10. The following comments should be addressed with regards to the final plat and Map Filing Law:
- a. The zoning schedule should be revised.
  - b. The building setbacks for the R-10 Zone should be provided.
  - c. A point of beginning should be provided.
  - d. The areas of the easements and to whom they are dedicated should be provided.
  - e. 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 ZONING Board."

11. Descriptions of all proposed drainage utility, access, and sight triangle easements must be submitted to the Board Attorney for review and subsequent filing in the office of the Ocean County Clerk.

12. Any approval should include a condition that a Homeowners Association in accordance with Section 1010B.9 of the ordinance be established for the maintenance of the drainage systems, recreation area and access areas. The applicant shall submit a copy of the Homeowners Association Agreement to the Board Attorney for review.

13. Ocean County Planning Board approval must be indicated on the plan.

14. The applicant shall submit to, and appear before, other Local, State and Federal agencies having jurisdiction over this project.

**From: Ed Mack, Zoning Officer**

Looking at the large amount of non conformity with the Zone, I do not see how this is a good idea. Although this is an odd shaped property I feel no effort was made to even attempt to come close to the requirements of the R-10 zone.

Abe Penzer represented applicant.

A-1 rendered version of site plan  
A-2 aerial of site and surrounding area

Mr. Harrison – letter from T&M – they determined that the Planning Board does not have jurisdiction on this application. If this is approved here they must withdraw their application to the Planning Board.

Mr. Penzer – the Zoning Board approval will supercede any approval from the Planning Board.

Brian Flannery – This application is for 7 new residential lots, 2 existing residential lots that they modified and a modified house of worship. The Planning Board determined that a use variance was required. They could have 6 duplex lots on 12,000 square foot lots. They are only asking for 9 dwelling units. The House of Worship is an inherently beneficial use. They are proposing 28 parking spaces for a 2,400 square foot sanctuary. The congregation is behind the application and the congregants live in the neighborhood. They are providing housing opportunity to the congregants. The ordinance provides for 7.26 dwelling units per acre. The Planning Board approved R-7.5 lots in the surrounding area. Forest Park is close to 10 units per acre on approximately 2,500 – 3,500 square foot lots. Described lots in the area. Reviewed Mr. Priolo's report. To the north there is a tot lot. The bulk variances requested would have no detriment to the zone plan or zone ordinance. Proposing fencing around the perimeter with some landscaping.

Mr. Halberstam - Is there enough parking for the houses? There are 5 bedrooms in a typical unit.

Mr. Priolo – they have provided double driveways for each house.

Mr. Flannery – These lots and house size are similar to the houses across the street at Pine River.

Ms. Goralski - How big is the tot lot?

Mr. Flannery – about 3,419 square feet.

Mr. Gonzalez – too dense – would prefer to see R-7.5 lots.

Mr. Penzer - They would rather have the small houses and be part of a community. They are all part of this synagogue.

Mr. Zaks – live in Forest Park. The older kids ride on their bikes to play in the nearby parks, the little kids use the tot lot.

Mr. Gonzalez – the houses in the area conform to the R-7.5 zone. Would rather see 4 or 5 nice houses.

Mr. Flannery – there will be no external entrance to the basement, basement entrances will be from inside. The plan will be revised, the stairs will be removed from any exterior walls.

Open to Public.

Eliyahu Tobal, 568 Warren Avenue, affirmed. Been active in starting this congregation and we need a home. The building market is bad and they had to take high interest loans. They need all these lots to regain some of the losses. These houses are a little smaller and will be in the \$450,000 range which is more affordable. The people that will be in the homes are here tonight. Each and every lot is important to us.

Mr. Penzer – the people in the audience are in support of this application.

Closed to Public.

Ms. Goralski – this is too dense.

Mr. Zaks – in favor of this project.

**Motion to approve subject to all stipulations of Mr. Priolo, no exterior entrance to the basement and the internal stairs will be moved to the middle of the house – Mr. Zaks**

Second – Mr. Lazzaro

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



## RESOLUTIONS

### **APPEAL # 3675 – REAL ACQUISITION**

Block 1081 Lots 12 & 13, R20/12 Cluster. Resolution to approve a use variance to allow townhouses.

#### **Motion to approve – Mr. Naftali**

Second – Mr. Zaks

**Roll call vote:** affirmative: Mr. Gelley, Mr. Lazzaro, Mr. Naftali,  
Mr. Zaks, Mr. Halberstam

### **APPEAL # 3671 – SOMERSET DEVELOPMENT**

Block 189 Lots 110, 111.01, 111.02, 112, 113, 114, R-20 zone. Ocean Avenue. Resolution to approve a use variance single family dwellings, commercial lots and community center.

#### **Motion to approve – Mr. Zaks**

Second – Mr. Gonzalez

**Roll call vote:** affirmative: Mr. Gelley, Mr. Gonzalez, Mr. Lazzaro, Mr. Naftali,  
Mr. Zaks

### **APPEAL # 3674 – HATZOLAH EMS, INC.**

Royal Court, Block 268 Lot 1, R-12 zone. Resolution to approve a use variance to construct a garage to house emergency medical vehicles.

#### **Motion to approve – Mr. Zaks**

Second – Mr. Goralski

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

## **MOTION TO PAY BILLS.**

All in favor.

## **MOTION TO ADJOURN.**

All in favor.

Meeting adjourned at 11:10 P.M.

Respectfully submitted,  
Fran Siegel, Secretary