

1. CERTIFICATION OF COMPLIANCE

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

“The time, date and location of this meeting was published in the *Asbury Park Press* and posted on the bulletin board in the office of the Township of Lakewood. Advance written Notice has been filed with the Township Clerk for purpose of public inspection and, a copy of this Agenda has been mailed, faxed or delivered to the following newspapers: *The Asbury Park Press*, and *The Tri-Town News* at least 48 hours in advance. This meeting meets all the criteria of the Open Public Meetings Act.”

2. ROLL CALL

Mr. Franklin, Mr. Banas, Mr. Sussman, Mr. Neiman, Mr. Schmuckler, Mr. Follman, Mr. Rennert

3. SWEARING IN OF PROFESSIONALS

Mr. Vogt was sworn in.

4. PLAN REVIEW ITEMS

- SD 1946** (Variance Requested)
Applicant: H & H, LLC
Location: New Hampshire Avenue & Kenyon Drive
Block 1603 Lot 2.02
Preliminary & Final Major Subdivision to create 42 duplex units, 4 single-family, and one clubhouse

Project Description

The applicant is seeking a Preliminary and Final Major Subdivision approval. The applicant proposes to subdivide one (1) vacant lot into forty-six (46) residential lots, one (1) clubhouse lot, and one (1) open space lot. The proposed forty-six (46) residential lots would consist of four (4) single family lots, with twenty-one (21) duplex buildings on forty-two (42) zero lot line properties. The proposed clubhouse lot would have a parking lot, playground, and storm water management facilities. The proposed open space lot would be dedicated to a Homeowners Association for storm water management. The existing irregular property totaling 382,667 square feet, or 8.785 acres in area is known as Lot 2.02 in Block 1603. The large vacant tract is mostly wooded and located on the east side of New Hampshire Avenue and south of the Kenyon Drive cul-de-sac. New Hampshire Avenue is an improved four (4) lane County Highway with a one hundred foot (100') right-of-way. Kenyon Drive is a municipal road in the industrial park with a sixty foot (60') right-of-way and a forty foot (40') pavement width. All utilities will be available to the site. Access to the proposed development will be provided by the extension of Kenyon Drive. Kenyon Drive intersects Swarthmore Avenue at a "T" intersection about a few hundred feet east of the New Hampshire Avenue traffic signal. Curb and sidewalk is being proposed along where the development abuts New Hampshire Avenue. Both curb and sidewalk are proposed within the residential development. Proposed storm water management facilities

and utilities are associated with this project. The proposed drainage system consists of a conventional storm sewer collection system that collects storm water and directs runoff to multiple onsite underground recharge systems. Proposed sanitary sewer would be extended to the site from an existing system in Kenyon Drive. Potable water for the subdivision will be extended from existing mains in New Hampshire Avenue and Kenyon Drive. The proposed lots are situated within the B-6 Corporate Campus/Stadium Support Zone. Except for the south side of the existing site where future development is proposed, the surrounding area is mostly developed. We have the following comments and recommendations: I. Waivers A. The following waivers have been requested from the Land Development Checklist: 1. C14 - Tree Protection Management Plan. We support the granting of the requested Tree Protection Management Plan waiver for completeness purposes only. If possible, a Tree Protection Management Plan can be incorporated into the Existing Conditions Plan or Landscape Plan. However, a Tree Protection Management Plan should be a condition of approval and required prior to any construction. II. Zoning 1. The site is situated within the B-6 Corporate Campus/Stadium Support Zone. In accordance with Ordinances 2013-16 and 2013-49, the following permitted use has been added. Residential uses and design standards permitted in the B-1 zoning district, except that no residential building of any type shall be permitted to front on Cedar Bridge Avenue or that portion of New Hampshire Avenue that is within three hundred fifty feet (350') from the intersection of New Hampshire Avenue and Cedar Bridge Avenue. The proposed project is more than three hundred fifty feet (350') from the intersection in question. 2. Variances are being requested from providing the Minimum Lot Area for the proposed single family lots. Proposed lot areas of 5,795, 5,483, 5,500, and 5,861 square feet are being provided for Lots 2.06, 2.11, 2.14, and 2.18, respectively. Whereas seven thousand five hundred square feet (7,500 SF) is required. 3. Variances are being requested from providing the Minimum Front Yard Setback for proposed corner lots. Front yard setbacks of twenty feet (20') are proposed for Lots 2.10, 2.13, 2.16, 2.47, and 2.48. A front yard setback of 23.5 feet is proposed for Lot 2.30. Whereas a front yard setback of twenty-five feet (25') is required. 4. Testimony should be provided as to whether any variances are required for the Clubhouse on proposed Lot 2.05. 5. Waivers are required for proposed lot lines which are not perpendicular or radial to the right-of-way. It should be noted that in all instances where this appears necessary the proposed lot lines are parallel to the southern property boundary. Therefore, we recommend approval of these waivers. 6. The applicant must address the positive and negative criteria in support of the required variances. At the discretion of the Planning Board, supporting documents will be required at the time of Public Hearing, including but not limited to aerials and/or tax maps of the project area and surroundings to identify the existing character of the area. III. Review Comments A. General 1. A Boundary & Topographic Survey for Lot 2.02 has been submitted. The following corrections shall be provided: a. Zone M-1 is shown on the wrong side of a Zone Boundary Line adjacent Lot 2.03. b. The existing fire hydrant and water valve shall be added to the Kenyon Drive cul-de-sac. c. The existing sanitary sewer manhole with pipe size and invert shall be added to the Kenyon Drive cul-de-sac. d. The existing drainage inlet with pipe size and invert shall be added to the Kenyon Drive cul-de-sac. e. The bench mark location shown on the southwest property corner shall reference NAVD 1988. f. A tie distance to the nearest intersection shall be added. 2. The plans do not indicate whether the proposed roads will be publically or privately owned and maintained. Should the roads be dedicated to the Township, we recommend the proposed stub in the southeast section of the project be connected to the road on the adjoining residential project to the south recently approved by the Board. 3. Off-street parking: According to the plans provided, the applicant is proposing four (4) off-street parking spaces per unit which is enough to be in compliance with the RSIS and Township standards. Up to six (6) bedrooms per unit with unfinished basements are permitted for this

project to be in compliance with parking ordinance 2010-62. The construction plans indicate that basements will be proposed. 4. Off-street parking along with handicap accessibility must be addressed for the proposed clubhouse on new Lot 2.05. 5. The applicant shall confirm that trash and recyclable collection is to be provided by the Township of Lakewood. Each unit shall have an area designated for the storage of trash and recycling containers. This matter shall also be addressed for the clubhouse. 6. New road names, London Avenue, Yechiel Way, and Yaakov Drive, have been proposed for the project. However, should Yaakov Drive be connected to the adjoining subdivision, a new road name will not be necessary. 7. The proposed lot numbers shall be approved by the Tax Assessor. The Final Plat shall be signed by the Lakewood Tax Assessor. 8. The requirements in 18-821 (Building Uniformity in Residential Developments) must be addressed. A minimum of eight (8) basic designs are required in every development consisting of more than twenty-five (25) houses. 9. All proposed storm water management has been designed within clubhouse and open space lots, drainage easements, and right-of-ways. The proposed clubhouse and open space lots, as well as the drainage easements will be owned and maintained by a Homeowners Association. It is not clear whether the proposed right-of-ways will be Township owned and maintained. Substantial sections of the proposed storm water management system will be located under roadways. Should the proposed right-of-ways be publically owned and maintained necessary design and agreements to transition between Township and Homeowners Association ownership will be required. 10. Per Subsection 18-911 F (2 (a-g)) of the zero lot line ordinance, a written agreement signed by the owner of the property is required, including provisions to address items associated with the use, maintenance, and repair of common areas and facilities associated with the overall property. Said agreement must be filed as part of this application to obtain the zero lot line subdivision approval from Lakewood Township.

B. Plan Review

1. A Vegetative Buffer Easement exists along the project's New Hampshire Avenue frontage. Improvements are proposed within this Vegetative Buffer Easement. However, vacation of this easement has not been proposed. It should be noted the Vegetated Buffer Easement on the adjoining tract to the south has been vacated.
2. Curb and sidewalk is proposed throughout the residential portion of the development. Proposed sidewalk shall be five feet (5') wide, unless pedestrian bypass areas are designed. The limits of existing and proposed curb and sidewalk along the County Highway needs to be clarified. Curb and sidewalk locations along the County Highway will be dictated by Ocean County. The limit of proposed sidewalk along the County Highway appears to terminate short of the northern property line extension.
3. Datum and bench mark information should be clarified.
4. The Schedule of Bulk Requirements should note the proposed lots requiring front yard setback variances would be corner properties.
5. A small Sight Triangle Easement is proposed on Lot 2.41. Sight Triangle Easements to the Township of Lakewood should be proposed throughout the interior of the development.
6. Ten foot (10') wide Shade Tree and Utility Easements are proposed along the road frontages. Existing offsite Shade Tree and Utility Easements to the south of this project should be erased from the plans since they have yet to be created.
7. The Site Development Plan should have typical dimensions for the location of proposed sidewalk within the right-of-way. The Site Development Plan depicts all proposed roads to be thirty-two feet (32') in width, with road stationing shown. The proposed stationing around the cul-de-sac bulbs have been transitioned from centerline to top of curb.
8. Typical dimensions should be provided for all the various proposed building boxes. No proposed building coverage variances are being requested.
9. No turnaround has been proposed at the terminus of London Avenue or Yaakov Drive. However, Yaakov Drive lines up with Newwood Hills Avenue, an approved road in the adjoining subdivision to the south.

C. Grading

1. Grading is provided on a Grading and Drainage Plan which is Sheet 4 of 18. The design attempts to minimize the amount of retaining walls needed to tie proposed grading to neighboring

properties. Walls are proposed which approach a maximum height of six feet (6'). Accordingly, fencing has be provided on top of the walls. The design needs to be coordinated with the future project by others located to the south. 2. Basements are proposed for all the units throughout the development. Soil boring locations are shown on the Existing Conditions Plan as well as the Grading and Drainage Plan. The soil boring logs are provided in Appendix E of the Storm Water Management Report. The proposed boring logs will have to be checked to verify that the proposed basement floors will be two feet (2') above seasonal high water table. 3. Profiles have been provided for all proposed roads. 4. Off road profiles are required for the proposed storm drainage easements. 5. A detailed review of the grading can be completed during compliance submission; if/when this subdivision is approved. D. Storm Water Management 1. A proposed storm sewer collection system has been designed to collect and convey storm water runoff. The storm water from the development will be directed to eleven (11) onsite underground recharge systems, a rain garden, and individual recharge systems designed for the roof runoff from the proposed duplex units along the eastern property line. It appears an emergency outlet for the eleven (11) underground recharge systems has been designed to outlet from a proposed bubbler inlet located along in the northeast corner of the property. 2. If approval is granted, a meeting with the Department of Public Works will be necessary during compliance to review proposed ownership and maintenance responsibilities. 3. Our review of the project indicates it will be classified as Major Development since more than a quarter acre of impervious surface will be added and over an acre of disturbance will take place. As a result, the project must meet water quality and water quantity reduction rate requirements. The Storm Water Management Report indicates the proposed inlets onsite shall be fitted with storm water filters to address the quality of water being recharged and released from the site. 4. Soils information and permeability testing has been completed within the proposed project to confirm the seasonal high water table and permeability rate used in the routing calculations. The Storm Water Management Design and Report should be revised to provide a factor of safety of two (2) for the rate of recharge. Furthermore, our site investigation indicates runoff curve numbers for existing woods shall be classified as "fair". 5. Predevelopment and Post Development Drainage Area Maps have been provided for review. 6. The Storm Water Management Report and Design also includes hydrographs, pipe calculations, and roof recharge trench calculations. The Report and Design will be reviewed in detail after revisions to the project are made. 7. Storm Water Management Operation & Maintenance Manuals have been submitted per the NJ Storm Water Rule (NJAC 7:8) and Township Code. The Manuals are for the recharge trenches and for the New Hampshire Heights subdivision as a whole. The Manuals will be reviewed in detail after the storm water management design is found to be acceptable. E. Traffic 1. A Traffic Impact Analysis has not been submitted for review, assessing impacts from forty-six (46) proposed residences. However, it is our understanding the report will be submitted prior to scheduling of the Public Hearing. 2. The Analysis should examine future traffic from the development anticipated to be constructed and fully tenanted by 2017. 3. The highlights for the findings of the analysis will be impacted on whether this project will be physically connected to the approved subdivision immediately to the south. 4. Traffic testimony should be provided at the Public Hearing F. Landscaping 1. Proposed shade trees have been provided along all existing and new roads. Proposed screening trees have been provided along the perimeter of three (3) sides of the project. Proposed screening has not been provided where the project abuts the neighboring residential development to the south. Proposed landscaping design has been included on Sheets 6 and 7 of 18. 2. The proposed utilities are shown on the Plan. The proposed sight triangle and utility easements shall be added to the Plan. Except for the proposed shade tree and utility easements, landscaping should not be located in the easements. The plans should be revised to eliminate planting conflicts. 3. A proposed

playground area behind the clubhouse is shown on the Landscape Plan. The proposed grading shall be revised such that swales are not located on the playground area. 4. The overall landscape design is subject to review and approval by the Board and should conform to recommendations from the Shade Tree Commission as practicable. The entire site will be cleared for the construction of the project. Compensatory plantings shall be addressed with the Tree Protection Management Plan. 5. Landscaping shall be reviewed in detail after compliance submission should subdivision approval be granted. G. Lighting 1. Street lighting has been provided for the proposed residential portion of the subdivision and the future parking lot on the clubhouse site. The proposed lighting is shown on Sheets 6 and 7 of 18. 2. The Plan indicates that Cobra Head, one hundred watt (100W) high pressure sodium pole mounted fixtures are proposed for street lighting. A detail shows the proposed height of the fixtures to be twenty-five feet (25'). 3. The Plan also indicates that two (2) Shoe Box type, one hundred watt (100W) high pressure sodium pole mounted fixtures are proposed for the future parking lot on the clubhouse site. A detail shows the proposed height of the fixtures to be twenty-five feet (25'), while the lighting schedule indicates sixteen feet (16'). 4. A point to point diagram has been provided to verify the adequacy of the proposed lighting. Preliminary review indicates the proposed lighting will be conforming. 5. It is anticipated that all lighting within public right-of-ways will be owned and maintained by the Township and all fixtures on individual lots will be privately owned and maintained. Confirming testimony should be provided regarding lighting ownership. 6. Lighting shall be reviewed in detail after compliance submission should subdivision approval be granted. H. Utilities 1. Public water and sewer services are being provided by the Lakewood Township Municipal Utilities Authority since the project is within their franchise area. 2. Proposed sanitary sewer will be constructed to connect to an existing system offsite on Kenyon Drive. 3. Proposed eight inch (8") water mains throughout the residential subdivision will connect to an existing sixteen inch (16") main in New Hampshire Avenue and an existing twelve inch (12") main in Kenyon Drive. I. Signage 1. Proposed regulatory signage locations should be added. Construction details have been provided. 2. No project identification signs are proposed. 3. All signage proposed that is not reviewed and approved as part of this application, if any, shall comply with Township ordinance. J. Environmental 1. Site Description. Per review of the plans, aerial photography and a site inspection of the property, the tract consists of 8.785 acres in area, and is currently undeveloped with mostly forested uplands and some open soil areas. The project is located in the eastern portion of the Township on the easterly side of New Hampshire Avenue north of Cedar Bridge Avenue. The Kenyon Drive cul-de-sac in the industrial park reaches the northern border of the property. The site is bordered to the north and east by commercial development of the Industrial Park, and on the south by future residential development. 2. Environmental Impact Statement The applicant has submitted an Environmental Impact Statement. The document has been prepared by Trident Environmental Consultants to comply with Section 18-820 of the UDO. The report presents an inventory of existing environmental conditions at the project site; an analysis of consequential impacts that the proposed project will impose on the site; an overview of mitigation and restoration efforts toward attenuation or elimination of any potentially adverse impacts. 3. Tree Management, This application shall include the submission of a Tree Management Plan. It should be noted that the Existing Conditions Plan locates trees ten inches (10") or greater in diameter within a tree plot area on the site. The plan also shows and lists pitch pines which are sixteen inches (16") or greater in diameter. 4. Phase I If existing, a Phase I Study should be provided to address potential areas of environmental concern, if any within the site. K. Construction Details 1. Construction details are provided on at least Sheets 10 through 15 of 18 in the plan set. 2. All proposed construction details must comply with applicable Township or NJDOT standards unless specific relief is requested in the current application (and justification for relief). Details

shall be site specific, and use a minimum of Class B concrete. 3. Final review of construction details will take place after compliance submission, if/when this project is approved by the Board. L. Final Plat (Major Subdivision) 1. Revisions should be made in accordance with previous comments contained in this report. 2. All non-radial lines shall be labeled. 3. The Secretary's Certification shall be edited. 4. The Municipal Clerk's Certification for the streets shall correct the Zoning Board approval to the Planning Board. 5. Compliance with the Map Filing Law is required. 6. The Final Plat will be reviewed in detail after design revisions are undertaken for the project. IV. Regulatory Agency Approvals Outside agency approvals for this project may include, but are not limited to the following: a. Township Developers Agreement; b. Township Tree Ordinance (as applicable); c. Lakewood Industrial Commission; d. Lakewood Fire Commissioners; e. Lakewood Township Municipal Utilities Authority (water and sewer); f. Ocean County Planning Board; g. Ocean County Soil Conservation District; and h. All other required outside agency approvals.

Mrs. Morris stated that the industrial commission did not receive plans in time for a review. They will issue their review before the public hearing.

Mr. Vogt stated that the applicant is requesting a waiver from the tree protection management plan. It is supported for purposes of the hearing. If the application gets approved, it will be provided during compliance.

Mr. Banas asked about CAFRA.

Mr. Flannery said it is within the CAFRA zone but they exempt under 75 units.

Mr. Banas said even though this is an addition the major subdivision to the south.

Mr. Flannery said this is a different applicant. It is not an addition to that subdivision. They did not connect the roads on the proposed subdivision but they could and it would still not be under CAFRA.

Mrs. Miriam Weinstein, Esq., on behalf of the applicant, stated that the roads will be public and the trash will be picked up by DPW. She stated a waiver may be required for item number 8, whereas a minimum of 8 basic designs are required in every development consisting of more than 25 houses. They have only provided 4 designs.

Mr. Vogt would interpret that as a waiver.

Mr. Vogt stated that variances are requested for minimum lot area and minimum front yard setback.

Mr. Flannery said that is correct. That relates to a couple of isolated situations. The lot area variances requesting are for singles. There are four different spots where that is the case. The applicant could have built townhouses but instead went with duplexes. He will explain further at the public hearing. In addition, they are asking for front setback just for the sides of the five duplexes fronting on London Avenue. They are way under the density permitted by ordinance. A community building has been provided. Yaakov Drive lines up with the adjoining development to the south and they would do the right thing and connect those roads.

Mr. Schmuckler asked why they should be allowing any variances for this project. It is not necessary. There is not one tot lot on this project. The one open space is on a hill. Kids can't play there.

Mr. Banas supports his comments.

Mr. Flannery argued that they could just put in townhouses and be compliant.

Mr. Schmuckler said that is fine but they need to provide playgrounds and open space.

Mr. Flannery said there are open spaces associated with the shul in the back. They could add more play equipment to those areas.

Mr. Schmuckler said 30% of the houses should be removed and then you can add more play areas and it would be a beautiful development. This is way too crowded.

Mr. Flannery and Mrs. Weinstein said they hear the Board and they will go back and talk to the applicant.

A motion was made by Mr. Banas, seconded by Mr. Schmuckler to approve the waiver.
Affirmative: Mr. Banas, Mr. Sussman, Mr. Neiman, Mr. Schmuckler, Mr. Follman, Mr. Rennert

A motion was made by Mr. Follman, seconded by Mr. Schmuckler to advance the application to the July 22, 2014 meeting.

Affirmative: Mr. Franklin, Mr. Sussman, Mr. Neiman, Mr. Schmuckler, Mr. Follman, Mr. Rennert
No: Mr. Banas

- 2. SD 1949** (Variance Requested)
Applicant: Aaron Finkelstein
Location: 2, 4, 6 Congress Street & 227 Ocean Avenue
Block 250 Lots 2, 3, 4, & 5
Minor Subdivision to create 6 fee simple duplex units

Project Description

The applicant seeks minor subdivision approval for the subdivision of four (4) existing residential lots into six (6) residential lots for three (3) zero lot line duplex units. The project involves an existing 31,056 square foot (0.71 acre) property comprised of four (4) lots known as Lots 2 through 5 in Block 250. The proposed properties are designated as new Lots 2.01 through 2.06 on the subdivision plan. The overall tract is roughly "L" shaped containing numerous existing buildings. The subdivision plan indicates all existing structures would be removed. Public water and sewer is available. Curb and sidewalk exists along the Route 88 and Congress Street frontages. Only sidewalk exists along the Bruce Street frontage. The site is situated in the northern portion of the Township on the west of Congress Street between Route 88 and Bruce Street. Bruce Street is an improved Township Road with pavement in fair condition, no curb, and sidewalk in poor condition. Bruce Street has a fifty foot (50') right-of-way with about a thirty foot (30') pavement width. Congress Street is a fully improved Municipal Road with pavement in fair condition, curb and sidewalk in poor condition. Congress Street also has a fifty foot (50') right-of-way with an approximately thirty foot (30') pavement width. In addition, the project has

fifty foot (50') of frontage along Route 88, west of Congress Street. Route 88 is an improved State Highway with pavement, curb, and sidewalk in fair condition. This State Highway only has a fifty foot (50') right-of-way width a thirty foot (30') pavement width in this location. Proposed Lots 2.01 through 2.06 would become zero lot line properties. The pairs of zero lot line properties would have combined areas exceeding ten thousand square feet (10,000 SF). The site is relatively flat and contains some large trees. Sanitary sewer exists under both Bruce Street and Congress Street. Potable water is readily available under the south side of Bruce Street and the west side of Congress Street. Overhead electric and gas are also present. The surrounding lots are mixed uses since the project abuts a commercial zone. However, all the lots within the tract are situated within the R-7.5 Single Family Residential Zone. We have the following comments and recommendations: I. Zoning 1. The parcels are located in the R-7.5 Single-Family Residential Zone District. Zero Lot Line Duplex Housing with a minimum combined lot area of ten thousand square feet (10,000 SF) is a permitted use in the zone. 2. Front Yard Setback variances are required for proposed Lots 2.01, 2.02, 2.05, and 2.06. Front yards of twenty feet (20'), twenty-two feet (22'), ten feet (10'), and ten feet (10') are proposed for new Lots 2.01, 2.02, 2.05, and 2.06 respectively. Twenty-five foot (25') front yard setbacks are required. 3. A Rear Yard Setback variance is required for the combination of proposed Lots 2.05/2.06. Rear yard setbacks of seven feet (7') are proposed. Fifteen foot (15') rear yard setbacks are required. 4. The Maximum Building Coverage of thirty-five percent (35%) is being exceeded for the combination of proposed Lots 2.01/2.02. Unless the proposed building footprint is slightly reduced, a coverage variance would be required. 5. The applicant must address the positive and negative criteria in support of any required variances. At the discretion of the Planning Board, supporting documents will be required at the time of Public Hearing, including but not limited to aerials and/or tax maps of the project area and surroundings to identify the existing character of the area. II. Review Comments 1. We have reviewed the Outbound & Topographic Survey Plan provided and the following revisions are required: a. The title block should include Lots 2 through 5. b. A graphic scale shall be added. c. We calculate the tract area as 31,056 square feet. d. All valves, walks, driveways, fences, signs, poles, and mailboxes shall be added. e. Existing roadway elevations must be to the hundredth of a foot for design purposes. f. Locate the large trees for future compliance with the Township Tree Ordinance. 2. General Note #2 shall be edited to include all of the existing Lots in the tract. 3. Zones and Zone Boundary Lines shall be added to the Map. 4. Coordinates shall be provided on at least three (3) outbound corners. 5. Ocean Street shall be revised to Ocean Avenue (a.k.a. Route 88). 6. The Surveyor's Certification has not been signed since the monuments are not in place. 7. The incorrect owner is listed in the Notary Public's Certification. 8. Our review of the subdivision map indicates the proposed areas for new Lots 2.01 through 2.06 should be 5,808, 4,224, 4,779, 5,577, 5,368, and 5,300 square feet respectively. These values should appear on the plan and in the Zoning Data. 9. Our review of the subdivision map indicates that the proposed areas for the combinations of new Lots 2.01/2.02, 2.03/2.04, and 2.05/2.06 should be revised to 10,032, 10,356, and 10,668 square feet respectively in the Zoning Data. 10. The proposed front lot line for new Lot 2.04 shall be 30.22 feet for the summation of the individual lot lines with the overall tract frontage to be correct. 11. The proposed minimum lot widths for new Lot 2.04 and the combination of new Lots 2.03/2.04 in the Zoning Data require correction. 12. The proposed front setback dimension for new Lot 2.05 shall be corrected to ten feet (10'). 13. An asterisk shall be added to the proposed front yard setback of new Lot 2.01 in the Zoning Data. The proposed front yard setback of new Lot 2.02 in the Zoning Data shall be corrected to twenty-two feet (22'). 14. The proposed 38.01 foot lot line dimension on new Lot 2.05 should be corrected to thirty-eight feet (38') such that the summation of the proposed lot line dimensions is consistent with the overall tract. 15. The proposed rear yards for new Lots 2.05 and 2.06 shall

be seven feet (7') with an asterisk in the Zoning Data. 16. The proposed side yard for new Lot 2.05 shall be twenty-five feet (25') in the Zoning Data. 17. The proposed maximum building coverage for the combinations of new Lots 2.01/2.02, 2.03/2.04, and 2.05/2.06 shall be corrected in the Zoning Data. 18. Four (4) off-street parking spaces will be provided per unit. This exceeds the three (3) off-street parking spaces which are required for units with unspecified number of bedrooms to comply with the NJ R.S.I.S. parking requirements. The plans indicate that four (4) off-street parking spaces per unit will be required. A minimum of four (4) off-street parking spaces are required for proposed units with basements. Parking should be provided to the satisfaction of the Board. The Improvement Plan proposes eight (8) off-street parking spaces for new Lot 2.01, four (4) spaces along each street frontage. 19. A "monument to be set" symbol shall be moved to the intersection of the proposed side lot line for new Lots 2.01 and 2.02 with the right-of-way. 20. The Minor Subdivision Plan shows new lot numbers were assigned by the tax assessor's office. If approved, the map shall be signed by the tax assessor. 21. Public water and sewer is available to the project site. The project will be serviced by New Jersey American Water Company, since the site is within their franchise area. 22. Six foot (6') wide shade tree and utility easements dedicated to the Township are proposed along the property frontages of new Lots 2.01 through 2.06. The proposed easement information and areas are shown on an individual lot basis. The proposed easement area on new Lot 2.04 shall be corrected to one hundred eighty-three square feet (183 SF). The proposed six foot (6') dimension for the easement on new Lot 2.04 shall be checked since the line is skewed. 23. A 25' X 25' Sight Triangle Easement to the Township of Lakewood is proposed at the intersection of Bruce Street and Congress Street. A similar easement proposed at the intersection of Congress Street and Route 88 shall be revised since the easement will be dictated by the State instead of the Township. 24. The plans propose fourteen (14) "Willow Oak" street trees. The locations of the proposed shade trees are shown on the plans. Proposed shade trees shall not conflict with sight triangle easements or driveways. Landscaping should be provided to the satisfaction of the Board, and should conform to recommendations (if any) from the Township Shade Tree Commission as practicable. Our site investigation indicates there are some large existing trees on-site. This development, if approved must comply with the Township Tree Ordinance at time of Plot Plan review. 25. The Improvement Plan proposes to replace the existing curb and sidewalk along the Congress Street property frontage. The Improvement Plan also proposes to replace existing sidewalk and construct new curb along Bruce Street. This is prudent because the existing sidewalk and curb is in poor condition at these locations. Detectable warning surface shall be proposed for the curb ramp at the Congress Street and Route 88 intersection. 26. Testimony is required on the disposition of storm water from the development. The project may qualify as major development. At a minimum, dry wells will be required for storm water management and shall be provided when plot plans are submitted. 27. Testimony is required on site grading from the development. The Improvement Plan requires that proposed grading be added because of the intensity of the proposed project. 28. Should proposed utility connections and curb construction disturb more than twenty percent (20%) of the respective road lengths along the site frontages, an overlay would be required. 29. Due to no construction proposed at this time, the Board may wish to require the cost of improvements to be bonded or placed in escrow to avoid replacing them in the future. 30. Compliance with the Map Filing Law is required. 31. Construction details should be revised on the Improvement Plan in accordance with the conditions of any approvals. 32. Final construction details will be reviewed during compliance should subdivision approval be granted. III. Regulatory Agency Approvals Outside agency approvals for this project may include, but are not limited to the following: a. Township Tree Ordinance (as applicable); b.

Ocean County Planning Board; c. Ocean County Soil Conservation District; d. New Jersey Department of Transportation (if required); and e. All other required outside agency approvals.

Mr. Vogt stated that variances are requested for front yard setback, rear yard setback and maximum building coverage.

Mrs. Miriam Weinstein, Esq., on behalf of the applicant, stated they can comply with all of the comments in the letter. They will be eliminating the maximum building coverage variance.

Mr. Neiman would like the 10 ft front yard setback eliminated as well.

Mr. Glenn Lines, P.E. stated that the existing structure is less than the 10 ft. Testimony will be provided at the public hearing.

Mr. Neiman doesn't care. They can't approve 10 ft front yard setbacks.

Mrs. Morris stated the applicant requested this be advanced to the June 24th meeting without revised plans.

Mr. Neiman does not agree with that. He would like to see revised plans.

A motion was made by Mr. Schmuckler, seconded by Mr. Follman to advance the application to the July 22, 2014 meeting.

Affirmative: Mr. Franklin, Mr. Banas, Mr. Sussman, Mr. Neiman, Mr. Schmuckler, Mr. Follman, Mr. Rennert

- 3. SP 2067** (No Variance Requested)
Applicant: Yeshiva Gedolah of South Jersey, Inc.
Location: North side of Cross Street
Block 457, Lots 2, 4, & 6; Block 458, Lots 1-6
Block 466, Lots 1-3, 7, 10, & 11; Block 467, Lots 1, 2, 5, & 6
Block 468, Lot 1; Block 469, Lots 1, 5-7

Preliminary and Final Major Site Plan for a proposed school campus, consisting of 3 story school, 3 multi-family campus housing buildings, 5 townhouses, a mikvah, and a gym

Project Description

The applicant is seeking Preliminary and Final Site Plan approval under the Township's "Campus Ordinance" for the construction of a campus facility on the 13.35 acre property, including the following elements: • A four (4) story, 48,449 square foot school building (including basement) within existing Block 467 (as depicted on plans incorrectly labeled as "Proposed new commercial building"). The basement is depicted as unfinished. The first floor would contain school facilities, while the second and third floors are proposed to contain dormitory units and supporting facilities (147 beds per the site plans). • A 75' x 60' "Future Gymnasium" as depicted on Block 467. • Five (5) proposed townhomes on Block 467 (as depicted on plans labeled as "Proposed new single family townhomes"). • A 1,200 square foot, one story Mikvah proposed on slab in the northwest corner of Block 468. • Three (3) four-story apartment buildings within

Blocks 457, 458, 466 and 469 as depicted on the site plans and as illustrated on architectural plans labeled "Proposed Four Story Apartment Building Complex". Per the unit count referenced on Sheet Z-1 of these plans, each building would contain 72 three-bedroom apartments and 16 two-bedroom apartments (88 apartments per building, 264 total apartments).

- Various parking facilities as depicted for the School Building and Future Gymnasium (Block 467), Mikvah (Block 468), and Apartment Buildings.
- Various storm water management facilities throughout the site, including but not limited to above ground retention basins on the apartment building and school building parcels, and various recharge and collection piping/trench systems throughout the site.
- Proposed road improvements as depicted on the site plans, including construction of new cart ways and sidewalks within Lewin Avenue (between Cross Street and Beaver Street), Nassau Street (between Lewin Avenue and Columbus Avenue), Rachel Avenue (between Cross Street and Nassau Street), and Columbus Avenue (between Nassau Street and Beaver Street).
- Proposed vacations of portions of Rachel Avenue, Nussbaum Avenue, and Amsterdam Avenue as depicted on the site plans (for development of the apartment buildings and amenities).

As noted on the site plans, the proposed school would be located at the front of the parcel, which would be served by several parking areas along a "U-shaped" access along the property's Rachel Avenue frontage. Parking is provided for the dormitory units as well (towards the rear of the site). Parking for the townhouse units is accessible from the proposed Nassau Street. Parking areas for the apartment units are located in a "U-shaped" layout around the three buildings and are accessible from the proposed Beaver Street, Lewin Avenue, Nassau Street, or Columbus Avenue. The proposed project is located on the northeast side of Cross Street. Cross Street is a paved County Highway with variable cart way and ROW widths as depicted on the site plans, survey, and tax maps. Sidewalk and curbing do not exist along the property frontage. Per the site plans, potable water service and sanitary sewer service are proposed from an existing water main within Cross Street. As depicted on the survey, the property contains a one-story dwelling, gravel access drives, a garage, two sheds, and a concrete driveway. The remainder of the property is predominantly wooded. Properties surrounding the site appear to be predominantly low-density residential.

I. Waivers A. The following waivers have been requested from the Land Development Checklist: 1. B2 - Topography within 200 feet thereof. 2. B4 - Contours of the area within 200 feet of the site boundaries. 3. B10 - Man-made features within 200 feet thereof. 4. C13 -Environmental Impact Statement. The Survey and Site Plan show enough topography to prepare the design. Therefore, we support the "B-Site Features" requested waivers. A waiver has been requested from the submission of an Environmental Impact Statement. Per review of available data (including NJDEP GIS mapping of the area), the undeveloped portion property appears to consist of wooded uplands with no wetlands or other environmental 'critical' areas. Therefore, we support the requested waiver of the EIS.

II. Zoning 1. The parcels are located in the R-20/12 Residential District. 2. Per the UDO, a Planned Educational Campus (at the time this application was deemed complete) was defined as follows: An educational campus of an institution of higher education that offers a regular educational program that is substantially-equivalent to that of an accredited institution and that contains housing and accessory uses proportionate to the educational facilities intended for faculty and students who will attend or staff the institution's educational facilities and that is adjoining to or within five hundred (500) feet of faculty and student housing so as to create a unified campus setting. The land and all structures including dwelling units shall be owned by the educational institution or a wholly-owned educational entity. The occupancy of the residential uses in the facility should be limited to students, faculty, or staff of the educational institution, by persons directly associated with the educational institution, and or by their immediate families. The applicant's professionals must be prepared to provide testimony to demonstrate compliance with this project's compliance with the

Township's 'Campus Ordinance'. 3. Per review of the Site Plan and the bulk requirements of the campus ordinance, no bulk variances are being requested, nor appear necessary for the proposed project. 4. Since the entire development will be bordered by public right of ways, no perimeter buffer requirements apply. 5. A design waiver is required from providing lighting (at this time). If granted by the Board (for purpose of public hearing), detailed lighting designs for the school, townhomes, apartments, mikvah, parking areas, and streets will be required during compliance review, if/when Board approval is granted. III. Review Comments The following comments are based on our initial review of the (current) overall campus concept. Additional comments may be forthcoming based on review of future design submissions and design revisions if/as required by the Board. A. Site Plan/Circulation/Parking 1. Testimony should be provided as to whether phasing of this project is contemplated. If so, improvements will have to be constructed as necessary to support each respective phase. 2. As indicated on the site plans, access to the proposed campus will be provided via constructing portions of Rachel Avenue and Lewin Avenue, extending from the north side of Cross Street. 3. Access to the proposed school building will be provided from two (2) access points along Rachel Avenue, leading to a 24' foot wide access aisle within the proposed school parking lot. The applicant's professionals must provide testimony that the proposed circulation is adequate for the largest vehicles to service this parcel. Design revisions may be necessary for access of Township or emergency vehicles. 4. Access to the Mikvah facility and parking lot will be provided via a 24' wide access drive extending from Lewin Avenue. 5. Access to the proposed townhomes will be provided via driveways extended from Nassau Street. 6. As depicted on the Overall Site Plan (Site Plan Sheet 3), multiple 24-foot wide paved access are proposed to the parking facilities proposed to serve the apartment buildings, including accesses along Lewin Avenue, Nassau Street and Columbus Avenue. The applicant's professionals must provide testimony that the proposed circulation is adequate for the largest vehicles to service this parcel. Design revisions may be necessary for access of Township or emergency vehicles. 7. As noted on the site plans, the applicant's engineer estimates at least (288) off-street parking spaces necessary per UDO requirements for the school, Mikvah, school, townhomes, future and gymnasium and apartment units. As depicted, over 500 off-street spaces are proposed. As such, proposed off-street parking appears to exceed Campus Ordinance and School off-street parking requirements. 8. No handicap accessible spaces are identified on the current design concept. Spaces must be identified on revised plans for the Board's consideration. 9. Testimony should be provided by the applicant's professionals as to the maximum number of students and teachers/staff anticipated at the site. 10. Per review of the site plans, all interior access drives are 24-feet wide, and can accommodate two-way traffic. A detailed circulation plan will be required during compliance, if/when Board approval is granted, to confirm access for the largest vehicles anticipated to access the school/dormitory and apartment uses. 11. Road widening tapers are not currently depicted for the proposed entrance/exits. Said areas would be designed during compliance review, if/when approval is granted. 12. Sight triangles must be provided for both proposed access driveways. 13. No interior sidewalks or pedestrian access ways are identified on the current site plans for any of the proposed buildings. Said information must be provided on revised plans for the Board's consideration prior to the public hearing. 14. No information is provided regarding trash/recyclable storage areas and/or pickup. Said information must be provided on revised site plans for the Board's consideration. If DPW pickup is proposed, final design plans will require DPW review and approval during compliance review. 15. Coordination between the final site plans and final architectural plans will be required for the proposed school and apartment/dormitory buildings. 16. All necessary signage should be completed on the site plan, such handicap signage and directional signage. 17. Any proposed sidewalk along the site frontage shall be five feet (5') wide, unless pedestrian bypass areas are designed. 18. Proposed

shade tree/utility easements will have to be recorded (if approval is granted). 19. Proposed (public) road designs for Lewin Avenue, Rachel Avenue, Nassau Street, and Columbus Avenue must meet all applicable Township standards, and will be reviewed in detail during compliance (if approval is granted). The applicant should be aware that the proposed "hammerheads" shown at termini for Lewin Avenue and Columbus Avenue may require replacement by RSIS-compliant cul-de-sac bulbs. 20. If Board approval is granted, Township vacations of portions of Rachel Avenue, Nussbaum Avenue, and Amsterdam Avenue will be necessary as a condition of approval.

B. Architectural

1. Architectural plans have been provided for the proposed school. The set includes floor plans and a building elevation. The proposed building includes three (3) floors and a finished basement. As indicated previously, the first floor would contain school facilities, while the second and third floors are proposed to contain dormitory units and supporting facilities (147 beds per the site plans).
2. The proposed school building height must be identified on the architectural drawings. We note that as scaled, the building height will be less than the 65 foot height allowed in the Campus Ordinance for student dormitory structures on common property.
3. Architectural plans have been provided for the proposed apartment buildings. The set includes floor plans and building elevations. The proposed building includes four (4) floors.
4. The architectural plans should be revised to provide a floor plan for the fourth floor (or clarified as necessary).
5. Additional architectural drawings should be provided for the (smaller) apartment building proposed in the northeast corner of the site.
6. Architectural plans have been provided for the proposed Mikvah, and appear satisfactory for public hearing purposes.
7. Seasonal high water table information is required to substantiate the proposed basement floor elevation for the proposed school.
8. We recommend that the location of proposed HVAC equipment be shown for all buildings. Said equipment should be adequately screened.

C. Grading

1. Per review of the current grading design (Site Plan Sheets 6-9); the design concept is feasible as proposed. However, additional information should be provided on revised grading plans for the Board's consideration prior to the public hearing, including but not limited to finished floor elevations for the buildings (and the proposed basement elevation for the school building), proposed grading design information for the proposed recharge basins, grades for the proposed storm water piping systems, trenches, inlets, and outfalls.
2. If/when Board approval is granted, detailed grading design information will be required during compliance, including but not limited to the following:
 - a. Additional proposed elevations for pedestrian circulation and the handicap parking spaces to ensure ADA/PROWAG slope compliance.
 - b. Additional proposed elevations provided at control points, such as building landings, curb corners, and curb returns.
 - c. Additional spot elevations will be needed in parking areas to complete the design.
3. Final (public) road designs will be reviewed by Township Engineering during compliance review.

D. Storm Water Management

1. The storm water design is depicted on Site Plan Sheets 7-10. As indicated previously, various storm water management facilities are designed throughout the site, including but not limited to above ground retention basins on the apartment building and school building parcels, and various recharge and collection piping/trench systems throughout the site.
2. The proposed project is large enough to qualify as major development and must meet the requirements of the New Jersey Department of Environmental Protection Storm Water Management Rules (NJAC 7:8). Per review of the schematic design, it is feasible as proposed (pending receipt of additional grading information).
3. Seasonal high water table information is required to justify the proposed depth of the storm water recharge basins and trenches. The results of Soil Logs should be provided to indicate that a two foot (2') separation will be maintained from the seasonal high water table elevations to the bottoms of the recharge beds (during compliance, if approved).
4. The Drainage Calculations should indicate permeability rates to be used for the proposed recharge systems. Permeability testing results must be provided to justify the design (during compliance, if

approved). 5. Roof leader systems should be provided for the proposed buildings (during compliance, if approved). 6. Predevelopment and Post Development Drainage Area Maps were provided for the review of the design. 7. A Storm Water Management Facilities Maintenance Plan(s) must be provided, one for privately maintained systems and one for systems (if any) proposed to be maintained by the Township. This plan(s) can be provided during compliance review if/when Board approval is granted. 8. A detailed review of the overall design will be performed during compliance review, if/when Board approval is granted. E. Landscaping and Lighting 1. As indicated previously, a lighting design has not been provided at this time. If amenable to the Board, we have no objection to a detailed lighting design being deferred until compliance review (if/when forthcoming). 2. The landscaping design is provided on Site Plan Sheet 11. As depicted, shade trees are proposed along various public roadways, around parking areas and the larger retention basin proposed near Lewin Avenue. Shrubs and foundation plantings are proposed around the various buildings as identified on the plan. 3. Additional landscaping (if any) should be provided to the satisfaction of the Planning Board and/or Shade Tree Commission. 4. We recommend all proposed sight triangles, utilities, and easements be added to the plan to prevent any planting conflicts. 5. A detailed review of the landscape design will be performed during compliance review (if Board approval is granted). F. Utilities 1. The Utility Plan (Site Plan Sheet 10) shows proposed water and sewer extensions services proposed from existing systems within Cross Street, extending into the site. 2. If amenable to the Board, utility designs can be completed during compliance (if approval is granted), and per applicable requirements of New Jersey American and Water (NJAW). 3. Fire hydrants (if proposed) should be indicated on the plans (or as directed by the Township Fire Official). Again, this information could be provided during compliance review (if approval is granted). G. Traffic 1. Traffic information should be provided for the Board's consideration. At a minimum, a summary traffic generation report should be provided prior to the Public Hearing to quantify potential traffic generation from the school and apartments using industry standards (e.g., ITE manual trip generation rates), and potential traffic impacts (if any). Testimony from a qualified traffic consultant may be advisable at the forthcoming public hearing. 2. Testimony should be provided as to whether significant pedestrian traffic (from offsite) is anticipated for the school. H. Signage 1. No signage information is provided. A full signage package for free-standing and building-mounted signs identified on the site plans (requiring relief by the Board) must be provided for review and approval as part of the site plan application. 2. All signage proposed that is not reviewed and approved as part of this site plan application, if any, shall comply with Township ordinance. I. Environmental 1. To assess the site for environmental concerns, our office performed a limited natural resources search of the property and surroundings using NJ Department of Environmental Protection (NJDEP) Geographic Information Mapping (GIS) system data, including review of aerial photography and various environmental constraints data assembled and published by the NJDEP. Data layers were reviewed to evaluate potential environmental issues associated with development of this property. 2. Testimony should be provided on any known areas of environmental concern that exist within the property. 3. Much of the existing property is wooded. A Tree Protection Management Plan (Site Plan Sheet 13) has been provided, as well as existing tree survey provided on the submitted Outbound and Topographic Survey. 4. Compliance with the Township's Tree Protection ordinance will be addressed as a condition of Board approval (if granted). J. Construction Details 1. All proposed construction details must comply with applicable Township and/or applicable standards unless specific relief is requested in the current application (and justification for relief). Details shall be site specific, and use a minimum of Class B concrete. A detailed review of construction details will occur during compliance review; if/when this application is approved. IV. Regulatory Agency Approvals Outside agency

approvals for this project may include, but are not limited to the following: a. Developers Agreement at the discretion of the Township; b. NJAW (water and sewer service); c. Lakewood Township (public roadway, lighting and drainage improvements); d. Lakewood Township (road vacations of Rachel Avenue, Nussbaum Avenue, and Amsterdam Avenue); e. Township Tree Ordinance (as applicable); f. Ocean County Planning Board; g. Ocean County Soil Conservation District; and h. All other required outside agency approvals.

Mr. Vogt stated that waivers are requested for topography, contours, man-made features and EIS. The waivers are supported.

A motion was made by Mr. Follman, seconded by Mr. Schmuckler to approve the waivers. Affirmative: Mr. Franklin, Mr. Banas, Mr. Sussman, Mr. Neiman, Mr. Schmuckler, Mr. Follman, Mr. Rennert

Mr. Vogt stated that the applicant will have to satisfy the Board that what they propose meets the campus definition at the time of the application.

Mr. Neiman said since this is such a large application, he asked if Mr. Vogt has everything he needs for his review.

Mr. Vogt said there are additional items that he would like the Board to have. The concept is feasible but there are items not yet shown on the current plans. A big concern is the interior circulation is not shown. Trash locations and recycling are also not shown.

Mrs. Miriam Weinstein, Esq. on behalf of the applicant, said they have reviewed the engineer's review letter and everything can be provided that was requested of them. Revised plans will be submitted for the July 22nd meeting.

Mr. Schmuckler wants to also see how pedestrians are going to maneuver around the development. There will be many children on this campus. He wants to make sure it is safe.

A motion was made by Mr. Follman, seconded by Mr. Schmuckler to advance this application to the July 22, 2014 meeting.

Affirmative: Mr. Franklin, Mr. Banas, Mr. Sussman, Mr. Neiman, Mr. Schmuckler, Mr. Follman, Mr. Rennert

- 4. SD 1950** (Variance Requested)
Applicant: Binyomin Meisels
Location: 295 Albert Avenue & Charity Tull Avenue
Block 854 Lots 5 & 6
Minor Subdivision to create three lots

Project Description

The applicant seeks approval to subdivide two (2) existing lots into three (3) proposed lots. The site, consisting of existing Lots 5 and 6 in Block 854 would be subdivided into proposed Lots 5.01, 5.02, and 5.03 as designated on the subdivision plan. Sanitary sewer and potable water are not available. The existing tract consists of two (2) adjacent rectangular 100' X 200' lots of twenty thousand square feet (20,000 SF), creating a square 200' X 200' forty thousand square

foot (40,000 SF) parcel. Existing Lot 5 contains a two-story dwelling with attached two-car garage and a back deck. Existing Lot 6 is a vacant wooded lot. The site is situated in the central portion of the Township and has road frontages on three (3) sides. Existing Lot 5 with the dwelling is on the northerly corner of the intersection of Albert Avenue with East Spruce Street. Albert Avenue is an improved municipal road in fair condition with a fifty foot (50') wide right-of-way and almost a thirty foot (30') pavement width. No curb and sidewalk exists along Albert Avenue. East Spruce Street is an unimproved fifty foot (50') right-of-way. Existing Lot 6 which is vacant is on the easterly corner of the intersection of East Spruce Street with Charity Tull Avenue. Charity Tull Avenue is also an unimproved fifty foot (50') right-of-way. The proposed subdivision is contingent upon the vacation of the unimproved right-of-ways. Half of the unimproved right-of-ways, a twenty-five foot (25') width, would be added to the proposed lot areas. Proposed Lot 5.01 would become a 65' X 225' rectangular 14,625 square foot new building lot. Proposed Lot 5.02 containing the existing two-story dwelling would become an 80' X 225' rectangular eighteen thousand square foot (18,000 SF) lot. Proposed Lot 5.03 would become an 80' X 225' rectangular eighteen thousand square feet (18,000 SF) new building lot. All proposed lots would front Albert Avenue. Existing Lot 5 contains the two-story masonry dwelling, attached garage, and a bituminous concrete driveway. All of these improvements would remain on proposed Lot 5.02. Existing Lot 6 which is wooded would become the rear yards of proposed Lots 5.01 through 5.03. The property slopes generally downward to the south, towards Albert Avenue. Individual septic disposal systems and potable wells will be required to serve this subdivision. There is overhead electric on the northwest side of Albert Avenue. The proposed lots are situated within the R-20 Single-Family Residential Zone. Unless vacant, the surrounding land uses are generally residential. We have the following comments and recommendations: The Minor Subdivision Plan must be signed and sealed by a Professional Land Surveyor, not a Professional Engineer, and must meet the Map Filing Law.

I. Zoning 1. The parcels are located in the R-20 Single-Family Residential Zone District. Single-family detached housing is a permitted use under R-20 Zoning requirements. 2. Per review of the Subdivision Map and the zone requirements, variances are required for Minimum Lot Area. New Lot 5.01 proposes an area of 14,625 square feet. New Lots 5.02 and 5.03 both propose areas of eighteen thousand square feet (18,000 SF). Twenty thousand square feet (20,000 SF) lot areas are required. 3. Per review of the Subdivision Map and the zone requirements, variances are required for Minimum Lot Width. New Lot 5.01 proposes a width of sixty-five feet (65'). New Lots 5.02 and 5.03 propose eighty foot (80') lot widths. One hundred foot (100') lot widths are required. 4. A Minimum Side Yard Setback variance is required for proposed Lot 5.02. The proposed lot line between new Lots 5.01 and 5.02 would only be located 3.6 feet from of the existing dwelling to remain. A minimum side yard setback of ten feet (10') is required. 5. A Minimum Aggregate Side Yard Setback variance is required for proposed Lot 5.02. The aggregate side yard setbacks from the existing dwelling to remain on proposed Lot 5.02 would be 17.8 feet. A twenty-five feet (25') aggregate side yard setback is required. 6. A design waiver would be required from constructing curb and sidewalk within the Albert Avenue right-of-way. 7. The applicant must address the positive and negative criteria in support of the required variances. At the discretion of the Planning Board, supporting documents will be required at the time of Public Hearing, including but not limited to aerials and/or tax maps of the project area and surroundings to identify the existing character of the area. II. Review Comments 1. An Outbound and Topographic Survey has been provided. The survey should be revised as follows: a. Datum and bench mark should be noted. b. Existing utility poles, regulatory signs, and mailboxes should be added. 2. Any approvals shall be contingent upon the vacation of the appropriate portions of Charity Tull Avenue and East Spruce Street by the Township Committee. 3. Certifications on the Minor Subdivision Plan shall be provided in

accordance with Section 18-604B., of the UDO. 4. The General Notes require editing and should reference datum and bench mark. 5. A Legend shall be provided. 6. Zones and Zone Boundary Lines shall be added. 7. Monuments to be set must be provided at the new outbound tract boundaries to be created by the vacation of Charity Tull Avenue and East Spruce Street. 8. The proposed front yard setback dimensions and setback lines shall be corrected to thirty feet (30') from Albert Avenue. 9. A proposed six foot (6') wide Shade Tree and Utility Easement has been shown along the frontage of Albert Avenue. Proposed easement areas must be provided on an individual lot basis. 10. The Variances Required Table needs revisions. 11. Off-street parking has not been addressed. Typically single-family dwellings with basements require four (4) off-street parking spaces. The existing garage and driveway for the dwelling to remain on new Lot 5.02 are large enough to accommodate at least four (4) vehicles. Proposed driveways for new Lots 5.01 and 5.03 should be shown on an Improvement Plan large enough to accommodate four (4) vehicles. Testimony should be provided on the number of bedrooms and whether basements exist and/or are proposed for the various dwellings. Testimony on off-street parking shall be provided. 12. No curb and sidewalk exist along the Albert Avenue frontage of the project. Proposed curb and sidewalk should be provided unless waivers are granted by the Board. 13. New lot numbers should be assigned by the Tax Assessor. The map shall be signed by the Tax Assessor should approval be granted. 14. Seasonal high water table information must be provided for proposed Lots 5.01 and 5.03 if basements are proposed. Soil boring locations and logs must be provided. A minimum two foot (2') separation will be required from seasonal high water table should basements be proposed for the new dwellings. Testimony should be provided on whether any basement proposed will be unfinished. 15. Proposed lot grading should be addressed. Proposed lot grading should maximize the direction of runoff to Albert Avenue and minimize runoff directed towards adjoining properties and open space. 16. Proposed storm water management shall be addressed. At a minimum, dry wells will be required to account for the increase in runoff due to additional impervious surfaces. 17. Potable water and sanitary sewer are not available. 18. Unless a waiver is granted, shade trees are required within the proposed six foot (6') wide shade tree and utility easement on the Albert Avenue frontage. Shade trees should be provided to the satisfaction of the Board and should conform to recommendations (if any) from the Township Shade Tree Commission as practicable. 19. Our site investigation indicates that existing Lot 6, half the property, is wooded. This development, if approved must comply with the Township Tree Ordinance at time of Plot Plan review for the proposed dwellings on new Lots 5.01 and 5.03. 20. Due to no construction proposed at this time, the Board may wish to require the cost of improvements to be bonded or placed in escrow to avoid replacing them in the future. 21. Compliance with the Map Filing Law is required. 22. An Improvement Plan with construction details shall be submitted. III. Regulatory Agency Approvals Outside agency approvals for this project may include, but are not limited to the following: a. Township Committee (road vacations); b. Township Tree Ordinance (as applicable); c. Ocean County Planning Board; d. Ocean County Soil Conservation District; e. Ocean County Board of Health; and f. All other required outside agency approvals.

Mr. Vogt stated that the current plan is signed by an engineer, per map filing law, the plan must be signed by a surveyor.

Mrs. Miriam Weinstein, Esq. said it will be signed by a surveyor. This approval is contingent upon approval of the vacation of both Charity Tull Avenue and East Spruce Street. It has been discussed with Mr. Wouters and they don't see any issues.

A motion was made by Mr. Follman, seconded by Mr. Rennert to advance the application to the June 24, 2014 meeting.

Affirmative: Mr. Franklin, Mr. Banas, Mr. Sussman, Mr. Neiman, Mr. Schmuckler, Mr. Follman, Mr. Rennert

5. PUBLIC HEARING

1. **SP 2057** (No Variance Requested)
Applicant: Congregation Satmar of Lakewood
Location: Kennedy Boulevard East
Block 174.11 Lot 38.02
Preliminary and Final Major Site Plan for a proposed synagogue

Project Description

The applicant is seeking site plan approval for construction of what appears to be a dual school and synagogue use in a two-story building (and a finished basement). The architectural plans depict an 1,825 sf Bais Medrash three (3) rooms and a lobby on the first floor. A "Woman's section" is depicted on a second floor mezzanine. Finally, a Study Hall, Mikvah and supporting facilities are depicted in the Finished Basement. Site amenities include but are not limited to an access drive, parking area and interior sidewalks. The site is located on the north side of Kennedy Boulevard East, approximately 50 west of its intersection with Twin Oaks Drive. Developed areas south and east of the site are predominantly residential. Per the site plans, existing utilities include public water and sewerage. Sidewalk and curbing exist along the property frontage. We offer the following comments and recommendations regarding this project, review of the revised submission and testimony provided by the applicant's professionals at the March 18, 2014 workshop hearing: I. Waivers A. The following submission waivers have been requested (or appear necessary): 1. B2 - Topography within 200 feet thereof (50 feet provided). 2. B4 - Contours within 200 feet of the site. 3. B10 - Man-made features within 200 feet of site. 4. C13 - Environmental Impact Statement. 5. C14- Tree Protection Management Plan We support the above-referenced submission waivers Site Plan hearing purposes. Township Tree Protection requirements may be satisfied as a condition of Board approval (if/when forthcoming). Submission waivers were granted at the 3/18/14 workshop hearing. Tree Protection will be addressed during compliance review, if Board approval is granted. II. Zoning 1. The property is located in the R-15 (Single Family residential) Zone. Schools and synagogues are permitted uses in the zone, subject to the requirements of Sections 18-905 and 18-906 of the UDO. 2. Testimony must be provided from the applicant's professionals regarding the proposed use(s). Per testimony at the March 18, 2014 workshop hearing, proposed use of this facility will be for a synagogue (only), with no ancillary school uses proposed. We recommend that Board approval, if granted, cite the exclusion of the proposed facility's use for schools unless the applicant applies for Board approval of said uses as part of a future site plan application. 3. Per review of the Site Plan and the zone requirements, the proposed site layout complies with the Bulk requirements of the R-15 zone. Fact. 4. No new bulk variances appear necessary for the Site Plan application. As noted, there is an existing non-conforming lot width for the existing property (77.41 feet existing, 100 feet proposed). The site plans indicate that a lot width variance was granted under the prior subdivision which created the property. Fact. 5. As noted on the Bulk Requirements table on Site Plan Sheet #1, proposed off-street parking (16 spaces) exceeds UDO requirements for the main sanctuary area as proposed. Parking shall be provided to the satisfaction of the Board. 6. Perimeter buffer relief is necessary per 18-905B(1)b, where 20 foot buffer (or equivalent screening) is required

from adjacent property lines. Fact. 7. Parking area buffer relief is necessary per 18-905A(2), where screening of parking adjacent to residential property (within 20 feet of property line) is proposed. Fact. III. Review Comments A. Site Plan/Circulation/Parking 1. Final coordination will be required between the site plans and architectural plans. This can be addressed during compliance, if/when Board approval is granted. Fact. 2. Testimony should be provided from the applicant's professionals regarding the maximum number of congregants anticipated at the synagogue. Testimony should be provided at the public hearing. 3. Sixteen (16) off-street parking spaces are proposed as illustrated on the site plan. Per the UDO, 11 parking spaces are required for 1,825 sf of primary sanctuary space (as referenced on the Site Plans). The additional (5) spaces are provided for the proposed rooms and Mikvah facility. Parking shall be provided to the satisfaction of the Board. Fact. 4. Proposed pedestrian access will be provided via a 6'-foot wide sidewalk extending from the parking lot to the front entrance of the synagogue building. A separate ADA accessible sidewalk to the rear of the building is also proposed. Fact. 5. Testimony should be provided as to whether (at least) some congregants will walk to and from the synagogue. If so, it may be advisable to extend sidewalk from the Kennedy Boulevard frontage (to avoid conflict with vehicles in the parking lot). Testimony should be provided at the public hearing. 6. A trash and recyclables container storage area is proposed near the southwest corner of the parking lot. Confirming testimony shall be provided that containers will be placed curbside for pickup. Testimony should be provided at the public hearing. 7. The design of the entrance will be reviewed during compliance, if/when approval is granted to confirm that the proposed curb radii are adequate for safe ingress and egress (including emergency vehicles). Fact. B. Architectural 1. Preliminary architectural plans have been provided for the proposed Synagogue/school building. Fact. 2. Per the Zoning Data on the site plans, the building will be within the 35 foot zoning height limitation. Fact. 3. We recommend that renderings be provided for the Board's review and use prior to the public hearing. Fact. 4. No mechanical equipment has been shown for the proposed building. The sizes and locations of the proposed equipment must be shown on the site plans and architectural plans. The proposed equipment should be adequately screened. Fact. Adequate screening may be a condition of Board approval, if/when forthcoming. C. Grading 1. Per the Grading and Drainage Plan, the grading design as proposed is feasible and generally well-prepared. Proposed site grades are consistent with existing grades, and are less than 3% slope. Fact. 2. Final grading will be addressed during compliance review if/when approval is granted (including but not limited to site entrance and handicap accessible ramps). Fact. D. Storm Water Management 1. The Grading and Drainage Plans depict two (2) sets of underground recharge systems – one set to attenuate stormwater from the proposed parking lot and access drive, and a separate underground recharge area (including roof leaders) that will attenuate stormwater from the Synagogue building. Per review of the design, it is generally well-prepared. As noted, the project is not major development per NJAC 7:8. Fact. 2. Stormwater calculations were provided for review. Said calculations will be reviewed and finalized during compliance, if/when Board approval is granted. Fact. 3. Soil permeability data will be reviewed during compliance, if/when Board approval is granted. Fact. E. Landscaping 1. The proposed Landscaping Plan is generally-well prepared. Rows of arborvitae are proposed as perimeter buffer along the easterly and westerly limits of the parking lot, and behind the trash/recyclables container storage area. Additional foundation plantings are proposed along the building frontage, as well as Schip Laurels and Crepe Myrtles proposed within the site. Fact. 2. Landscaping should be provided to the satisfaction of the Board. Fact. 3. A final review of landscaping can be conducted during compliance, should site plan approval be granted. Fact. F. Lighting 1. As identified on the Lighting Plan, parking lot lighting will be provided 15' high pole mounted fixtures. Building lighting will be provided using several building-mounted lights. The lighting concept, as depicted

is generally well-prepared, pending minor modifications and shielding to prevent spillover onto adjacent Lot 39.02. The lighting design was revised vs. the initial submission. Four (4) 15-foot high pole-mounted lights are now proposed for the parking area and access drive, as well as seven (7) building-mounted fixtures. A plan revision date should be added for the above-referenced design changes. 2. We recommend that non-security lighting (i.e., the parking lot area at a minimum) be placed on timers so that site lighting is deactivated off-hours. Fact. 3. Final review of the lighting design will occur during compliance, if/when Board approval is granted. G. Utilities 1. Water and sewer utility connections are depicted on the plans, connecting to existing public water and sewerage within Kennedy Boulevard East. Fact. H. Signage 1. No signage information (other than parking or directional signage) is provided in the site plan submission. A full signage package for any free-standing and building-mounted signs identified on the site plans (requiring relief by the Board) must be provided for review and approval as part of the site plan application. Fact. 2. All signage proposed that is not reviewed and approved as part of this site plan application, if any, shall comply with Township ordinance. Fact. I. Environmental 1. To assess the site for environmental concerns, our office performed a limited natural resources search of the property and surroundings using NJ Department of Environmental Protection (NJDEP) Geographic Information Mapping (GIS) system data, including review of aerial photography and various environmental constraints data assembled and published by the NJDEP. The data layers were reviewed to evaluate potential environmental issues associated with development of this property. No environmentally-sensitive areas exist per available mapping. Fact. 2. Compliance with the Township Tree Protection ordinance must be provided as a condition of approval, if/when forthcoming. Fact. I. Construction Details 1. All proposed construction details must comply with applicable Township and/or applicable standards unless specific relief is requested in the current application (and justification for relief). Details shall be site specific, and use a minimum of Class B concrete. A detailed review of construction details will occur during compliance review; if/when this application is approved. Fact. IV. Regulatory Agency Approvals Outside agency approvals for this project may include, but are not limited to the following: a. Developers Agreement at the discretion of the Township; b. Township Tree Ordinance; c. Ocean County Planning Board; d. Ocean County Soil Conservation District; e. Water and Sewer (NJAW of LTMUA); and f. All other required outside agency approvals.

Mr. Rennert stepped down.

Mr. Jackson advised Mr. Herzl that sitting on this application would be in conflict as he has a business in the vicinity.

Mr. John Doyle, Esq., on behalf of the applicant, stated there are no variances.

Mr. Ron Gasiorowski, Esq., on behalf of an objector, stated he has an initial jurisdictional matter he'd like to raise. The subdivision was originally approved back in 2004.

The resolution of approval was passed out to the Board members.

Mr. Gasiorowski said at the time this was a straight forward subdivision which was for the creation of two residential lots. A condition of the resolution was read into record: "The applicant shall resubmit this entire proposal for re-approval should there be any deviation in the terms and conditions of this resolution or the documents submitted as a part of this application. All of which are made a part hereof and shall be binding on the applicant".

Mr. Neiman asked that by him coming now, if that is considered resubmitting an application.

Mr. Jackson said that Mr. Gasiorowski is probably going to make the argument that this is not developed according to the resolution and the property is still in its natural state and it is still the same way when it was approved and he believes as a result it is a modification to this subdivision.

Mr. Gasiorowski said this is an undersized lot, whereas there is insufficient frontage. When the subdivision was created, it created two lots each having frontage on a different street. The Board granted a variance to the applicant at that time for this undersized lot. They also granting a variance with regard to a side yard setback but they did it premised upon the representation by the applicant at that time that he was going to build two residential homes. When you look into the record, the then board engineer, demanded that the applicant revise the subdivision map so that it showed the footprint of the proposed dwellings. All of the property surrounding this lot has been developed including the other lot in this subdivision.

The subdivision map from 2004 and an aerial photograph of the property were entered as exhibits.

Mr. Gasiorowski said the Board granted approval back in 2004 for an undersized lot that was supposed to have a home built upon it. Now the applicant is coming in with a large house of worship. He believes the Board is still bound by the 2004 approval. The applicant should be required to notice in the paper explaining this.

Mr. Neiman asked isn't that what they are doing here now. They are coming in with a new application.

Mr. Gasiorowski disagreed. The notice does not indicate that they need a variance to build the synagogue. The notice is put in a way where it seems like the variance has already been granted which it has not. It has been granted for a single family home, not a synagogue. A new notice should be sent and clearly state that.

Mr. Jackson asked what the applicant should do in order to build a synagogue on that lot.

Mr. Gasiorowski said the applicant needs to submit a new application and basically reprove their case. If the applicant were building a house, they would not be here arguing this.

Mr. Doyle stated what Mr. Gasiorowski said is inconsistent with the facts. The application prior is not germane tonight. It was granted as a minor subdivision with variances which created two lots. The resolution says "residential zone" and primarily it is in a residential zone. It did not compel, restrict, condition or limit the applicant or any successor from building a permitted use. To make an approval prevent a synagogue from being built where it is permitted is a bad precedent and against the law. This Board, on previous occasions, has deed restricted lots. There were not requirements this lot be restricted for only a single family home. The notice stated it was for an approval to construct a house of worship. There is no question what they are seeking approval for. The notice also stated that this lot was created via a prior approval by the Planning Board with details of that approval.

Mr. Schmuckler asked if they are in fact requesting that variance.

Mr. Doyle does not feel that they need the variance. The variance has already been granted. However, if it is felt that they need a variance, they already properly noticed for it.

Mr. Jackson said the removal of the condition that it is no longer for a single family home may affect the grant of the variance. It may not be as simple as a notice issue.

Mr. Gasiorowski said when the applicant came before the Board 10 years ago, he told them he was going to build a house. The subdivision map showing the single family lot is a binding condition of that approval.

Mr. Doyle said the resolution does not state that you can only build a house on that lot nor on the engineer's review letter.

Mr. Doyle said it is a proposed dwelling which is physically generally placed on a plan to show that the setbacks are met.

Mr. Jackson is struggling to figure out why this application is deficient. They noticed for a shul and stated this is a modification to a previous application. There is nothing that prohibits the owner of this lot from coming back and wanting to build a synagogue, which is a permitted use, instead of a single family home.

Mr. Gasiorowski's argument is that back in 2004 when the subdivision was approved, adjacent neighbors may not have had an issue with the variance as it was for a single family home. Now 10 years later an applicant wants to use that variance to build a large synagogue and the notice does not correctly state that.

Mr. Neiman said this is tough because they are not sure whether they are asking for the variance or not. If they are, they could send the two parties to mediation and try to work it out. If the applicant is not asking for a variance, the Board does not have the right to do that.

Mr. Jackson said Mr. Gasiorowski makes a very good argument. The argument is that you do need a variance because the lot was subdivided on the premise that it was going to be a single family house with the condition that any deviation from that you have to come back to this Board. The Board should hear the application.

Mr. Doyle would like to present the application to the Board.

Mr. Gasiorowski still has an issue with the notice and thinks this should not be heard tonight.

Discussion ensued on what the notice should state.

Mr. Neiman asked that the board be polled to see if they should hear this application tonight.

A motion was made by Mr. Schmuckler, seconded by Mr. Follman to accept the notice as sufficient and go forward with the application.

Affirmative: Mr. Franklin, Mr. Sussman, Mr. Neiman, Mr. Schmuckler, Mr. Follman

No: Mr. Banas

A motion was made by Mr. Schmuckler, seconded by Mr. Sussman that a variance is required for this application.

Affirmative: Mr. Franklin, Mr. Banas, Mr. Sussman, Mr. Neiman, Mr. Schmuckler, Mr. Follman

Mr. Neiman said because there is a variance being requested, he would ask that this be mediated between the two parties.

Mr. Doyle said adjacent neighbors were met with previously for many hours. Various suggestions were made and have been incorporated. His impression was that they would be heard tonight and they have done their job.

Mr. Gasiorowski agrees that mediation would be needed.

A motion was made by Mr. Schmuckler, seconded by Mr. Follman to continue this application to the June 24, 2014 meeting.

Affirmative: Mr. Franklin, Mr. Banas, Mr. Sussman, Mr. Neiman, Mr. Schmuckler, Mr. Follman

- 2. SP 2064** (Variance Requested)
Applicant: Lev Avoth Foundation Inc
Location: 232 Iris Road
Block 19 Lot 4

Preliminary and Final Site Plan for a building addition to an existing synagogue
The applicant did not submit revised plans in time for this meeting. This matter will not be heard tonight and will be carried to the June 24th meeting.

A motion was made and seconded to carry this application to the June 24, 2014 meeting.
All were in favor.

6. CORRESPONDENCE

- **SD 1959** – Block 830, Lot 1.04 - subdivision of Lakewood Township owned property (adjacent to Somerset Walk)

Mrs. Morris stated this is a property that is adjacent to Pine River Village and the committee has made an ordinance to sell a portion of the property to them for a use for overflow parking. This is a subdivision that would take off a portion and retain the rest for a possible future sale to a developer.

A motion was made by Mr. Follman, seconded by Mr. Sussman to approve.
Affirmative: Mr. Franklin, Mr. Sussman, Mr. Neiman, Mr. Follman

7. PUBLIC PORTION

8. APPROVAL OF MINUTES

9. APPROVAL OF BILLS

10. ADJOURNMENT

The meeting was hereby adjourned. All were in favor.

Respectfully submitted
Sarah L. Forsyth
Planning Board Recording Secretary