

1. CERTIFICATION OF COMPLIANCE

Chairman Michael 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. Herzl, Mr. Franklin, Mr. Ingber, Mr. Banas, Mr. Neiman, Mr. Schmuckler, Mr. Follman, Mr. Rennert

3. SWEARING IN OF PROFESSIONALS

Mr. Dave Magno was sworn in.

4. PLAN REVIEW ITEMS

- 1. **SD 1919** (Variance Requested)
Applicant: 118 Ocean Ave LLC
Location: Pearl Street & Bruce Street
Block 247 Lots 25 & 32
Minor Subdivision to create two lots

Project Description

The applicant seeks approval to subdivide one (1) existing lot into two (2) proposed lots. Existing Lot 25 in Block 247 would be subdivided into proposed Lots 25.01 and 25.02 as designated on the subdivision plan. Existing Lot 25 is a 100' X 150' rectangular, fifteen thousand square foot (15,000 SF) property. Two (2), rectangular 75' X 100', seven thousand five hundred square foot (7,500 SF) lots would be proposed as new Lots 25.01 and 25.02. All existing improvements would be removed from old Lot 25 with the creation of the proposed subdivision. The site is situated in the northern portion of the Township on the northeast corner of Bruce Street with Pearl Street. Bruce Street is an improved municipal road with pavement in good condition in front of the site. This Township road has a fifty foot (50') right-of-way and about a thirty foot (30') pavement width. Curb and sidewalk in poor condition exists along the frontage. Pearl Street is an improved municipal road with pavement in good condition in front of the site. This Township road has a forty foot (40') right-of-way with about a twenty-five foot (25') pavement width. Curb and sidewalk in poor condition exists along the frontage. Existing Lot 25 contains a one-story dwelling with a detached two-car garage and a paved driveway. All

existing improvements would be removed. Only three (3) trees are present on the site. The property slopes generally downward to the northeast, towards retaining walls which border the north and east property lines. No drainage was observed in this low area. Existing sanitary sewer and potable water is available. There is overhead electric on the north side of Bruce Street and the west side of Pearl Street. The proposed lots are situated within the R-7.5 Single-Family Residential Zone. The surrounding land uses are primarily residential. We have the following comments and recommendations: I. Waivers A. The following waivers have been requested from the Land Development Checklist: 1. B1 - Topography of the site. 2. B3 - Contours on the site to determine the natural drainage of the land. 3. B9 - Man-made features on-site. We have reviewed the requested waivers from the Land Development Checklist and can support the granting of the requested B-Site Features waivers from a completeness standpoint, provided topography is submitted prior to scheduling the public hearing. II. Zoning 1. The parcel is located in the R-7.5 Single-Family Residential Zone District. Single Family Detached Housing is a permitted use in the zone. 2. A variance has been requested for proposed Lot 25.01. A front yard setback of eighteen feet (18') is proposed from Bruce Street, whereas twenty-five feet (25') is required. 3. A five foot (5') right-of-way dedication along Pearl Street is required to provide the proper twenty-five foot (25') half right-of-way width unless a waiver is granted by the Board. Should the Board not require the right-of-way dedication, then a five foot (5') road widening easement shall be proposed. It should be noted that a dedication would require proposed bulk variances for lot area, at a minimum. 4. The applicant must address the positive and negative criteria in support of any variances that may be required. 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 1. A Survey for the property has been provided. The following revisions are required: a. Adding topography with contours. b. A graphic scale shall be added. c. Horizontal and vertical datum, as well as a vertical bench mark shall be added. d. The cross section shots for Bruce Street and Pearl Street must be to the hundredth of a foot for design purposes. 2. The chain link fence shown on the Survey as encroaching into the right-of-way will be removed according to the General Notes. 3. The Surveyor's Certification has not been signed since the monuments have not been set. The Surveyor's Certification must be revised to list the correct survey date. 4. General Note #1 shall be revised to list the correct Block number. 5. General Note #6 indicates vertical elevation is based on NGVD 1929. A vertical bench mark must be provided. 6. Surrounding Block and Lot numbers must be added to the plan. 7. Zones and Zone Boundary Lines must be added to the plan. 8. The existing offsets to the block wall and chain link fence surrounding the property shall agree with the survey. 9. The proposed setback lines shall be labeled and dimensioned. 10. Architectural plans have been provided for the proposed dwelling on new Lot 25.01. The proposed building dimensions should be added along with the rear deck. The proposed deck is low enough to not count towards building coverage. The maximum building coverage in the Zoning Data for proposed Lot 25.01 should be revised to twenty-eight percent (28%). 11. A proposed monument shall be added to the northeast outbound corner of the property. 12. Based on the coordinates provided, horizontal datum has been assumed. 13. The person listed in the Owners Certification must be confirmed as being correct. 14. The Secretary's Certification must be revised to list the Planning Board, not the Board of Adjustment. 15. The Legend should be revised to list "Monument to be Set" such that the monuments may be bonded and set after improvements are in place. 16. The Zoning Data indicates that four (4) off-street parking spaces are required and being provided. The proposed driveway shown on the Improvement Plan for Lot 25.01 is large enough to accommodate four (4) vehicles. The architectural plans show five

(5) bedrooms with an unfinished basement are proposed for the future dwelling on Lot 25.01. Testimony should be provided on the number of bedrooms for the any future dwelling on Lot 25.02. The Improvement Plan suggests basements are anticipated for the proposed dwellings. Testimony on off-street parking shall be provided. 17. Curb and sidewalk exist along the Pearl Street and Bruce Street frontages of the project. The Improvement Plan indicates five foot (5') wide sidewalk is proposed with a handicap ramp at the intersection. The plan also notes existing curb along both frontages will be replaced. A design with proposed grades is required. 18. A 30' X 30' Sight Triangle Easement to Lakewood Township is proposed at the intersection. 19. A proposed six foot (6') wide Shade Tree and Utility Easement is shown along the property frontages. The proposed areas on the individual lots have been provided. 20. The plan indicates that new lot numbers have been assigned by the Tax Assessor. The map shall be signed by the Tax Assessor should approval be granted. 21. The Notes on the Improvement Plan indicate that seasonal high water table will be provided at time of plot plan submittal. Soil boring locations and logs must be provided at that time. A minimum two foot (2') separation must be provided from seasonal high water table for basements on the new dwellings. The architectural plan for the proposed dwelling on new Lot 25.01 shows an unfinished basement. Testimony should be provided on whether the basement proposed for new Lot 25.02 will be unfinished. 22. The Improvement Plan notes storm water management shall be provided when plot plans are submitted as directed by the Township Engineer. Drainage will be required for the depressed areas on the north and east sides of the site. 23. The proposed grading for curb replacement along Bruce Street must be designed to provide a positive slope to the east. The proposed grading for curb replacement along Pearl Street must be designed to provide a positive slope to the north. Accordingly, the Typical Pavement Widening Section will require revision and should be titled Typical Gutter Reconstruction Section. 24. The Improvement Plan notes plot plans shall be submitted to the Township Engineer for both proposed lots. The proposed lot grading should maximize the direction of runoff to Pearl Street and Bruce Street and minimize runoff directed towards the low areas in the rear of the properties. 25. The project is located within the New Jersey American Water Company franchise area. A Note on the Improvement Plan states that the new lots to be serviced by public water and sewer. 26. Five (5) October Glory Maple shade trees are shown within the proposed six foot (6') wide shade tree and utility easement on the Pearl Street and Bruce Street frontages. 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. 27. Our site investigation indicates there are only three (3) existing trees on the property. The proposed shade trees will provide sufficient compensation even if all the existing trees have to be removed. Therefore, this development if approved, will comply with the Township Tree Ordinance. 28. 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. 29. Compliance with the Map Filing Law is required. 30. Construction details included on the Improvement Plan will require revisions. IV. 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; and d. All other required outside agency approvals. A revised submission should be provided addressing the above-referenced comments, including a point-by-point summary letter of revisions.

Mr. Magno stated the applicant is asking for submission waivers as well as a variance for front yard setback. The Board needs to act upon the requirement for a right-of-way dedication, if not,

the Board should require a road widening easement. The waivers are recommended with the condition that the information is provided prior to the public hearing.

A motion was made by Mr. Schmuckler, seconded by Mr. Follman to approve the submission waivers.

Affirmative: Mr. Herzl, Mr. Franklin, Mr. Ingber, Mr. Banas, Mr. Neiman, Mr. Schmuckler, Mr. Follman, Mr. Rennert

Mrs. Weinstein, Esq. appeared on behalf of the applicant. She stated that everything will be addressed at the public hearing.

A motion was made by Mr. _____, seconded by Mr. Follman to advance this application to the January 21, 2014 meeting.

Affirmative: Mr. Herzl, Mr. Franklin, Mr. Ingber, Mr. Banas, Mr. Neiman, Mr. Schmuckler, Mr. Follman, Mr. Rennert

- 2. SP 2046** (Variance Requested)
Applicant: Congregation Kehillas Hearthstone
Location: Hearthstone Drive & Jenna Court
Block 428.01 Lots 1 & 2

Preliminary and Final Major Site Plan for proposed addition to existing synagogue

Project Description

The applicant is seeking Preliminary and Final Site Plan approval for the construction of an addition to the existing synagogue along with site improvements, on the subject premises. The project would merge existing Lots 1 and 2 in Block 428.01, which also contains the rabbi's residence. The project site consists of Lots 1 and 2 in Block 428.01, situated in the R-12 Zone. The site is in the southwestern portion of the Township, on the northeast corner of Hearthstone Drive and Jenna Court. Both streets are improved municipal roadways in fair condition with fifty foot (50') right-of-ways. Curb and sidewalk in fair condition exist along both project frontages. Sanitary sewer and potable water are available and currently serve the existing lots. According to the site plan and our site investigation, the property is within a residential subdivision. Lot 1 is the corner property and contains the synagogue for which an addition is proposed on the east side. The adjacent property to the east is Lot 2 and contains the rabbi's residence. Lots 1 and 2 are proposed to be consolidated as the proposed improvements associated with the synagogue addition would cross the existing property line. Per the topographic survey and site investigation, the land gently slopes generally downward toward the existing roadways. There are some existing trees on the site which have not been located on the survey. Site access to the synagogue is proposed via two (2) access driveways and parking areas, one (1) from each street. These proposed driveways and parking areas will service seven (7) off-street parking spaces, where one (1) of the proposed off-street parking spaces would be van accessible handicap. An existing driveway on Jenna Court services the rabbi's residence. Proposed storm water management facilities have not been included in the Site Plan. A retaining wall is proposed around the synagogue addition for grading purposes. We have the following comments and recommendations: I. Waivers A. The following submission waivers have been requested: 1. B2 - Topography within 200 feet thereof. 2. B4 - Contours within 200 feet of the site boundaries. 3. B10 - Man-made features within 200 feet of the site. 4. C13 -

Environmental Impact Statement. 5. C14 - Tree Protection Management Plan. 6. C15 - Landscaping Plan. 7. C17 - Design calculations for drainage facilities. We support the B-Site Features waivers as there is enough information provided for design. We support the waiving of an Environmental Impact Statement due to the developed nature of the site. The applicant will be required to comply with the Township Tree Protection Ordinance as a conditional of Board approval (if/when granted). The submission waiver for landscaping should only be from a completeness standpoint and should be required prior to the public hearing. The submission waiver from design calculations for drainage facilities should only be from a completeness standpoint. Drainage facilities should be proposed to eliminate the increase in runoff by the development. Identify proposed drainage prior to the public hearing. II. Zoning 1. The parcels are located in the R-12 Zone. Single Family Detached Housing and places of worship are a permitted uses in this zone. Places of worship are subject to the provisions of Section 18-905 of the UDO. 2. A variance is required for Minimum Front Yard Setback. The existing synagogue, for which the addition is proposed, is located 25.7 feet from the Hearthstone Drive right-of-way, whereas thirty feet (30') is required. This is an existing nonconforming condition. 3. A variance is required for Minimum Rear Yard Setback. The proposed consolidation of the properties will turn the easterly existing side yard of Lot 2 into a rear yard. Therefore, the 10.2 foot dimension from the existing residence to the property line will require a minimum rear yard setback variance since twenty feet (20') would be necessary. 4. A variance is requested for Maximum Building Coverage. The proposed building coverage is shown to be thirty percent (30%) and the maximum allowable coverage is twenty-five percent (25%). However, we cannot confirm whether the proposed coverage is correct since there are discrepancies in the preliminary architectural plans, no dimensions for the existing residence, and no information on the future status of the existing sheds. 5. Depending on the future status of the existing sheds, setback variances may be required for accessory structures. 6. Section 18-905A., of the UDO must be addressed to determine whether any variances or waivers are required from the Parking Regulations. 7. Section 18-905B., of the UDO must be addressed to determine whether any waivers are required from the Buffer Requirements. III. Review Comments A. Site Plan/Circulation/Parking 1. A topographic survey has been submitted. A revised survey is required which shall include the following: a. An outbound survey with individual areas for existing Lots 1 and 2. This will enable us to confirm the lot area provided. b. A horizontal datum and a vertical bench mark. c. Individual tree locations. d. The existing curb ramps at the intersection. e. The existing mailbox along the Hearthstone Drive frontage. f. The new fence on adjoining Lot 16 which connects to the fence on Lot 1. 2. Seven (7) off-street parking spaces are proposed for the synagogue, including one (1) van accessible handicap space. The existing split level rabbi's residence contains a driveway capable of parking two (2) vehicles. The number of parking spaces being proposed and the number of required spaces must be included on the plans. This should be included under the "Zoning Data for the R-12 Zone". 3. A General Note shall be added addressing horizontal datum. 4. A vertical bench mark must be provided. 5. General Note #10 indicates that Lots 1 and 2 will be consolidated through deed. A description and deed of easement shall be provided to the board attorney and engineer for review. 6. The provided minimum lot width shall be revised to one hundred feet (100') since it will be measured across the Hearthstone Drive frontage. 7. Revision dates must be corrected in the plan set. 8. The plan must be revised clarifying existing improvements to remain and to be removed. 9. Proposed setback lines shall be added to the site plan. 10. The existing synagogue is incorrectly shown as a two-story house and does not match the survey in configuration and location. The base map needs to be corrected since proposed site improvements will be impacted. 11. As noted previously, synagogue site access is proposed via driveways that intersect Hearthstone

Drive and Jenna Court. The proposed curb locations for the parking areas must be dimensioned from the right-of-way lines. Proposed dimensioning should be completed throughout the site.

12. As depicted on the site plan, sidewalk is to be replaced in the vicinity of the proposed driveway crossings. Proposed sidewalk is also shown connecting the parking areas to the building.

13. The proposed handicap accessible space, not the aisle, must be provided with appropriate signage. Curb ramps have been proposed onsite where necessary. The existing curb ramps at the intersection shall be shown. Detectable warning surface must be proposed for these existing curb ramps at the intersection.

14. The General Notes indicate that solid waste and recycling to be collected by the Township. A proposed refuse area is shown on the side of the synagogue. The refuse/recyclable storage area detail provided does not match the plan.

15. Curbing shall be proposed along Hearthstone Drive and Jenna Court where new driveways are to be constructed and existing driveways are to be removed. Curbing has also been proposed for the interior of the parking areas.

16. A proposed Sight Triangle Easement has been depicted at the intersection. Sight Triangle Easements shall be added to the access driveways. All of these easements will be dedicated to the Township. Descriptions and deeds of easement shall be provided to the board attorney and engineer for review.

17. A Shade Tree and Utility Easement has been proposed for the future lot consolidation. A description and deed of easement shall be provided to the board attorney and engineer for review.

B. Architectural

1. The proposed building addition is approximately eighteen feet (18') high consisting of a one-story structure with a basement. The proposed first floor is at grade. The proposed building addition does not exceed the allowable height of thirty-five feet (35').

2. The existing and proposed building layout and square footage must be checked and coordinated with the site plan, especially since variances are necessary.

3. ADA accessibility will be provided to the first floor.

4. Testimony should be provided as to whether the synagogue has a sprinkler system. The proposed addition will require new sanitary sewer and potable water services.

5. Testimony should be provided as to where HVAC equipment is proposed for the building and how the equipment will be adequately screened.

6. The roof drainage of the existing and proposed building must be coordinated with the site plan.

7. We recommend that renderings be provided for the Board's review and use at the public hearing, consistent with the building footprint as depicted on the site plans.

C. Grading

1. A dedicated grading plan has been provided and is feasible.

2. The soil log provided justifies the proposed basement depth. The proposed basement floor elevation shall be added to the plans.

3. A review of the final grading plan will be performed during compliance, if/when Board approval is granted.

D. Storm Water Management

1. As indicated previously, no proposed storm water management facilities have been provided.

2. We recommend the installation of storm water management facilities to handle the increase in runoff from the site.

3. Storm water management can be provided as a condition of Board approval, if/when granted.

E. Landscaping

1. No landscaping has been provided with the submission.

2. The final landscape design is subject to review and approval by the Board and should conform to recommendations (if any) from the Shade Tree Commission as practicable.

3. Landscaping shall be reviewed in detail during compliance should site plan approval be granted.

F. Lighting

1. No site lighting information has been provided with the submission.

2. Lighting should be provided to the satisfaction of the Board.

3. The final lighting design shall be reviewed during compliance review, if/when Board approval is granted.

G. Utilities

1. The existing site is served by public water and sewer from New Jersey American Water Company since the project is within their franchise area. Based on the preliminary Architectural Plans additional sewer and water services will need to be provided for the addition.

H. Signage

1. No signage has been proposed. We recommend that final signage and markings be provided as a condition of Board approval, if/when forthcoming.

2. All signage proposed that is not reviewed

and approved as part of this application, if any, shall comply with Township ordinance. I. Environmental 1. Site Description To assess the site for environmental concerns, a natural resources search of the property and surroundings was completed 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 issue associated with development of this property. Testimony should be provided on any known areas of environmental concern that exist within the property. 2. Environmental Impact Statement A waiver has been requested from an Environmental Impact Statement since the site has been previously developed. 3. Tree Management Plan As indicated previously, a Tree Management Plan must be provided. The applicant must comply with the Tree Protection ordinance requirements as a condition of Board approval (if/when granted). J. Construction Details 1. Construction details have been provided. 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 during compliance (if/when approval is granted). IV. Regulatory Agency Approvals Outside agency approvals for this project may include, but are not limited to the following: a. Developers Agreement (if required, at the discretion of the Township); b. Township Tree Ordinance; c. Ocean County Planning Board; d. Ocean County Soil Conservation District; and e. All other required outside agency approvals.

Mr. Rennert stepped down for this application.

Mr. Magno stated that many submission waivers are being requested. Some of them require no further action and the Board can approve them. Other items are for completeness and as long as they are provided for the public hearing that is okay.

Mrs. Weinstein requested that this application be heard at next week's meeting.

Mr. Neiman had no problem with that.

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

Mrs. Weinstein said this application is for the approval of an addition to an existing synagogue. They will be consolidating two lots. One lot will have the synagogue and the other lot will be the rabbi's residence.

A motion was made by Mr. _____, seconded by Mr. Follman to advance this application to the December 17, 2013 meeting. Affirmative: Mr. Herzl, Mr. Franklin, Mr. Ingber, Mr. Banas, Mr. Neiman, Mr. Schmuckler, Mr. Follman

- 3. SP 2043** (Variance Requested)
Applicant: Casa Nova Today, LLC

Location: Lexington & First Street
Block 124 Lot 1
Preliminary and Final Major Site Plan for proposed mixed use building

Project Description

The applicant and owner is Casa Nova Today, LLC, PO Box 869, Lakewood, NJ 09701. The applicant requests Preliminary and Final Site Plan, and Bulk variance approval for construction of a two-story, 44' x 102' "mixed use" Commercial building. No on-site parking is proposed as part of this application. As indicated on the site plans, an existing one-story building and rear parking area would be removed as part of the proposed project. The applicant previously-requested Preliminary and Final Site Plan, Use and Bulk variance approval for construction of a four-story, multifamily apartment building consisting of twenty (20) one-bedroom garden apartments via Lakewood Zoning Board application #3797, filed in March, 2012. Several site plan sheets (Sheets 4 and 5) of the current submission still depict information from the previous (apartments) application, and will be corrected in the forthcoming (revised) submission which will be reviewed prior to the public hearing for this application. The existing property is 55' x 110' feet in size, and situated on the southeast corner of Lexington Avenue and First Street. Concrete curb and sidewalk exist along both property frontages. Per Sheet 2 of the site plans, sidewalk along the property's First Street frontage would be replaced. We have the following comments and recommendations per review of the current application: I. Waivers A. The following waivers have been requested from the Land Development Checklist: 1. B2- Topography within 200 feet of site. 2. B4- Contours within 200 feet of site. 3. B10- Man-made features within 200 feet of site. 4. C13 - Environmental Impact Statement. 5. C14 - Tree Protection Management Plan. 6. C17 - Drainage calculations We support the requested submission waivers due to the developed nature of this site (and adjoining properties). II. Zoning (Section 18-903 (D)) 1. The project is situated in the B-4 (Wholesale Services) Zone. As indicated previously, the application documents refer to a proposed "mixed use" commercial building at the site. Testimony will be necessary to confirm that the proposed use(s) is permitted within the B-4 zone at the forthcoming public hearing. 2. At a minimum, bulk variances appear necessary for minimum lot area (5,500 sf existing, minimum 20,000 sf required), front yard setback (3 foot proposed, minimum 25 feet required, rear yard setback (3 feet proposed, minimum 30 feet required) and side yard setback (5 feet proposed, minimum 10 feet required). 3. Per the parking requirements listed on Sheet 3 of the site plans, the applicant proposes no off-street parking spaces compared to 30 required per the UDO. Relief is necessary. Per a note provided on Sheet 3, "An agreement has been reached to provide off-site parking". Testimony will be necessary to justify the proposed parking variance at the forthcoming public hearing. II. Review Comments A. Site Plan/Circulation/Parking 1. As depicted on the plan, virtually the entire site would be occupied by the proposed office building. It should be noted that there are no maximum building or lot coverage limits in the B-4 zone. Further, the existing site is predominantly impervious in nature as a result of the on-site dwelling and paving. 2. However, based on the proposed encroachments into most of the site's Front, Rear, and Side Yard setbacks, and the lack of parking spaces, compared to UDO and RSIS standards, the proposed plan may exceed a reasonable development intensity for this property. The applicant must be prepared to justify the proposed development intensity for the Board's consideration. 3. Testimony should be provided regarding proposed refuse and recyclables handling and pickup (where stored, and by whom). B. Architectural 1. Architectural plans have been submitted, but lack sufficient information and detail for review purposes by the Board and our office. Detailed architectural plans will be required for review of the revised submission, prior to the forthcoming

public hearing. In addition, renderings of the proposed building should be provided at time of hearing for review by the Board and public. 2. Testimony should be provided regarding location and screening of proposed HVAC units. Said information should be provided on the forthcoming (revised) architectural plans that will be submitted for review prior to the public hearing. 3. We defer to the Fire Official in regards to the adequacy of emergency access and fire suppression capability for the proposed office building. This issue can be addressed during compliance, if/when approval is granted. C. Grading and Utilities 1. Per communications with the applicant's professionals, a revised Grading and Utility Plan will be provided for review prior to the forthcoming public hearing. D. Stormwater Management 1. As indicated by the applicant's engineer's, the proposed development would not impact impervious cover, resulting in a (slight) decrease in existing impervious coverage at the site. 2. However, the collection and discharge of stormwater from the proposed building must be managed via roof leaders and a collection system, at a minimum. 3. A more detailed review of stormwater management will be performed during compliance if Board approval is granted. E. Landscaping 1. No landscaping is proposed. While we recognize that the vast majority of the site would be covered with the proposed building, it appears that some trees, shrubbery or foundation plantings could be provided around the perimeter of the building. 2. Landscaping and buffering must be provided to the satisfaction of the Board. 3. A more detailed review of landscaping will be performed during compliance if Board approval is granted. F. Lighting 1. No lighting data for the existing or proposed condition has been provided. Testimony should be provided as to whether new lighting is proposed. 2. Non-security building lighting (if any) should be put on timers. G. Signage 1. No signage information is provided. Any signage proposed that is not reviewed and approved as part of this site plan application shall comply with Township ordinance requirements. H. Environmental 1. No EIS was provided for this project. Due to the developed nature of the existing site and surroundings, minimal environmental impacts from redevelopment are likely provided that reasonable soil erosion and sediment control measures are implemented during construction (and disposal of site materials and debris per applicable regulations). 2. Our office performed a review of NJDEP Geographic Information System (GIS) mapping of the property to determine if there are any known environmental constraints associated with the project area. No environmental constraints are identified within the project area. J. Construction Details 1. Construction details will be reviewed in detail during compliance, if/when Board approval is granted. III. Outside Agency Approvals Outside agency approvals for this project may include, but are not limited to the following: a. Ocean County Planning Board; b. Water and Sewer service (NJAW), if proposed; c. Ocean County Soil Conservation District; d. Developer's Agreement (at the discretion of the Township); e. All other required outside agency approvals.

Mr. Adam Pfeffer, Esq. on behalf of the applicant stated they will address everything at the public hearing.

Mr. Schmuckler asked that the applicant be ready to address the parking.

Mr. Mango said there are submission waivers that need to be acted on by the Board. A motion was made by Mr. Schmuckler, seconded by Mr. Ingber to approve the submission waivers.

Affirmative: Mr. Herzl, Mr. Franklin, Mr. Ingber, Mr. Banas, Mr. Neiman, Mr. Schmuckler, Mr. Follman, Mr. Rennert

A motion was made by Mr. Herzl, seconded by Mr. Ingber to advance this application to the January 21, 2014 meeting.

Affirmative: Mr. Herzl, Mr. Franklin, Mr. Ingber, Mr. Banas, Mr. Neiman, Mr. Schmuckler, Mr. Follman, Mr. Rennert

- 4. SD 1918** (Variance Requested)
Applicant: Shaul Halpern
Location: Pine Street
Block 774.04 Lot 14.01
Minor Subdivision to create two lots

Project Description

The applicant proposes to subdivide the existing tract, Lot 14.01 in Block 774.04, into two (2) separate lots. There is an existing one-story frame dwelling and a frame shed on the existing lot. The plans indicate all existing structures within the subdivision are to be removed and the existing shed to be moved. Proposed Lot 14.03 would become a 10,628 square foot irregular lot fronting on Pine Street. Proposed Lot 14.04 is to be subdivided from the rear (northern) portion of the property, which lot will have limited frontage on Ashley Avenue, a partially improved street. This proposed lot would become a twenty-four thousand square foot (24,000 SF) irregular lot. Public water and sewer is available. The site is situated in the central portion of the Township on the north side of Pine Street, east of its intersection with Doctor Martin Luther King Drive. The surrounding area is predominantly residential. Pine Street is an improved municipal road that has an existing right-of-way width of sixty-six feet (66'). Curbing and sidewalk in fair condition exist along the property frontage. Potable water exists under the north side of the street. Sanitary sewer exists under the centerline of the road. There is overhead electric on the south side of the right-of-way. The northeast corner of the tract also has limited frontage (half the right-of-way width) on the terminus of Ashley Avenue. Ashley Avenue is a partially improved municipal road that has an existing right-of-way width of fifty feet (50'). A dead end stub of Ashley Avenue, south of Wynatt Street almost extends to the site. Potable water exists under the sidewalk on the west side of the stub. There is a new trench for an underground gas line in the west side of the pavement. Overhead electric exists within the east side of the right-of-way. The closest sanitary sewer manhole was observed on Ashley Avenue, north of Wynatt Street. Most of the existing 0.795 acre property falls within a valley. There are many small trees on the site. The tract is located in the R-10 Single Family Residential Zone. Variances are requested to create this subdivision. We have the following comments and recommendations: I. Waivers 1. The applicant has requested submission waivers from providing Site Features in accordance with the Land Development Checklist. Our office has no objection to the granting of these waiver requests for completeness purposes provided a Topographic Survey and Improvement Plan prior to compliance review, if/when Board is granted. The applicant agrees with this condition. II. Zoning 1. The property is located within the R-10 Single-Family Residential Zone District. Single-family detached dwellings are a permitted use in the zone. 2. Proposed Lot 14.04 is to be subdivided from the rear (northern) portion of the property. This lot will have limited frontage, half right-of-way width, on the terminus of Ashley Avenue, which is a partially improved street. The street condition appears to meet the requirements of a "Public Street" as defined per Subsection 18-200 B of the Lakewood UDO. 3. The following variances are being requested for proposed Lot 14.03: • Minimum Side Yard Setback – seven and a half feet (7.5') proposed, ten feet (10') required – proposed condition. • Minimum Aggregate Side Yard Setback – fifteen feet (15') proposed,

twenty-five feet (25') required – proposed condition. 4. The applicant must address the positive and negative criteria in support of the requested 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 1. Environmental Constraints Mapping indicates the possibility of freshwater wetlands on this site. Per communications with the applicant's professionals, the applicant agrees to provide a wetlands assessment by a qualified professional as a condition of approval, if/when granted. 2. The Survey shows numerous encroachments, chain link fence, driveway, and shed, which must be rectified with any approvals. The Minor Subdivision indicates the shed to be moved. Per communications with the applicant's professionals, these issues will be addressed during compliance, if approval is granted. 3. The applicant must demonstrate that the proposed Lot 14.04 can be serviceable by emergency and public vehicles such as garbage trucks. 4. The General Notes indicate that four (4) off-street parking spaces are to be provided for each future dwelling. The plan proposes four (4) off-street paved spaces for the future dwelling on Lot 14.03. A proposed dwelling is not shown for new Lot 14.04. The applicant should provide testimony detailing the number of bedrooms for the proposed dwelling on new Lot 14.03, as well as the number proposed to be built eventually on new Lot 14.04 to have the parking requirement on the record. Parking must be provided to the satisfaction of the Board. 5. Testimony should be provided as to whether basements will be proposed for the future dwelling on the proposed lots. If basements are proposed, seasonal high water table information will be required. 6. The portion of proposed Lot 14.04 that fronts on Ashley Avenue should be dimensioned to demonstrate that access to the property can be achieved when Ashley Avenue is completely improved. 7. The subdivision is located within the franchise area of New Jersey American Water Company. The plan should indicate that public water and sewer are to be provided. 8. Based on the proposed configuration of the future dwelling to be located on Lot 14.03, the following corrections should be made to the Schedule of Bulk Requirements: a. Proposed Front Yard Setback, forty feet (40'). b. Proposed Building Coverage, 16.8%. 9. There is an existing ten foot (10') wide shade tree and utility easement across the frontage of old Lot 14.01. This existing easement would continue on proposed Lot 14.03. Unless a waiver is granted, shade trees shall be proposed, as well as a shade tree and utility easement added along the property frontage of new Lot 14.04. 10. 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 many existing small trees on the property. This development, if approved must comply with the Township Tree Ordinance at time of Plot Plan review for proposed Lots 14.03 and 14.04. 11. The applicant proposes to install a new driveway apron along the property frontage of future Lot 14.03. An Improvement Plan with construction details shall be provided during compliance review, if/when granted. 12. Existing topography and proposed grades will be required for the improvements along Pine Street. 13. Testimony is required on the disposition of storm water from the development of the proposed lots. 14. Proposed lot numbers must be assigned by the tax assessor's office. 15. 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. 16. Compliance with the Map Filing Law is required. 17. A proposed monument should be added to the northerly outbound corner where existing Lot 14.02 abuts proposed Lot 14.04. 18. The existing monument found along Pine Street is broken and shall be shown to be replaced. IV. 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 Environmental Protection; and e. All other required outside agency approvals.

Mr. Rennert stepped down for this application.

Mr. Magno said submission waivers are requested for this application which the Board needs to act upon.

Mr. Schmuckler asked if there is a requirement for frontage on the second lot.

Mr. _____ said they have partial frontage on the second lot and that is something that will be discussed at the public hearing.

Mr. Schmuckler asked what the requirement is.

Mr. Abraham Penzer, Esq. said there was an ordinance adopted by the Township in regard to this matter. They will be prepared to discuss it at the public hearing.

A motion was made by Mr. Schmuckler, seconded by Mr. Follman to advance this application to the January 21, 2014 meeting.

Affirmative: Mr. Herzl, Mr. Franklin, Mr. Ingber, Mr. Banas, Mr. Neiman, Mr. Schmuckler, Mr. Follman

- 5. SP 1887B** (No Variance Requested)
Applicant: Allen Morgan
Location: Chestnut Street
Block 1087 Lot 17
Amended Preliminary and Final Major Site Plan for an office building

Project Description

Remington, Vernick & Vena Engineers (RV&V) has reviewed the Amended Preliminary and Final Major Site Plan Approval application with associated variances for the above referenced project. At the September 23, 2008 Planning Board Meeting, the application received preliminary and final major site plan approval with associated variances subject to the conditions set forth per Planning Board Resolution SP# 1887, dated October 28, 2008. Our office has performed two (2) compliance reviews for the existing approved project. The approved project is not fully-compliant, which is the rationale behind hearing this application as an amendment to the existing site plan approval. The following items have been reviewed for the current (amended) application: I. ITEMS SUBMITTED 1. One (1) set of plans entitled "Amended Preliminary and Final Site Plan, Chestnut Professional Building, Lot 17 – Block 1087" prepared by FWH Associates, P.A., signed and sealed by Brian S. Flannery, P.E., consisting of eleven (11) sheets, carrying the latest revision date of 11/11/13. 2. Two (2) copies of proposed floor plans and elevations entitled "Morgan Medical Center" prepared by W. Lerman Architecture, signed by Wayne Lerman, A.I.A., consisting of four (4) sheets, dated September 19, 2013. 3. Two (2) sets of drainage area maps entitled "Preliminary and Final Site Plan," Chestnut Professional Building" prepared by FWH Associates, P.A., signed and sealed by Brian S. Flannery, P.E., consisting of two (2) sheets, carrying the latest revision date of 3/30/11. 4. Two (2) copies of the Storm Water Management Report, prepared by FWH Associates, P.A., signed

and sealed by Brian S. Flannery, P.E., revised September 22, 2010. 5. Two (2) copies of the Storm Water Management Operation & Maintenance Manual, prepared by FWH Associates, P.A., signed and sealed by Brian S. Flannery, P.E., revised September 22, 2010. 6. Two (2) copies of the Environmental Impact Statement, prepared by Trident Environmental Consultants, signed by Katie Kinsella, Senior Environmental Scientist, dated July 8, 2008. 7. Planning Board Resolution SP# 1887 with adoption date of October 28, 2008. 8. Lakewood Planning Board application, not dated. 9. Lakewood Land Development Checklist, dated October 24, 2013. Per review of the initial application (SP#1887), the applicant received Preliminary and Final Planning Board approval for a two-story, 10,000 sf medical building within a 24 foot-wide, two-way access drive connecting to an existing commercial drive within the larger (existing facility). The amended site plan is very similar to the existing approved plan (including site layout, parking and vehicular access), including but not limited to the following revisions: • A three-story, 15,248.5 sf Professional Medical building is proposed near the footprint of the currently-approved two-story building. The Site Plans identify 11,613 sf of the new building as "Tenant Space". Minor deviations in previously-approved front and rear yard setbacks are proposed. • Seven (7) additional parking spaces are proposed nearest to the building, including two (2) handicap accessible spaces. The remainder of proposed off-street parking and interior access drive are identical to the previously-approved plan. • Interior sidewalk revisions are proposed around the new building footprint, including newly-proposed handicap accessible ramps. • A new 72 sf, 20 foot high sign is proposed in the northeast corner of the site. • Minor design revisions including stormwater management, utilities, landscaping and lighting in support of the new building and additional parking. This review is limited to assessing the revisions to the previously-approved design (only). Should amended site plan approval be granted, final review of the amended design will be performed during compliance review. II. Zoning 1. The site is situated within the B-5 Zone. Per Section 18-903E of the UDO, professional offices remain permitted in the B-5 zone. 2. Per review of the site plans and application, the following variance is required: a. Front Yard Setback – A 79.5' front yard setback is proposed, whereas a 100-foot (100') front yard setback is required. The initial application included a variance approved for an 88' front yard setback. b. The existing lot size (1 acre) is less than the 2 acre zoning minimum. All remaining bulk requirements comply with B-5 standards. 3. Per review of the site plans, a design waiver was previously approved for perimeter buffer (5 feet provided, 50 feet proposed), and remains necessary for the amended application. 4. The applicant's professionals must provide planning testimony in support of the requested variance and design waiver relief. III. Plan Review 1. The applicant's professionals must provide summary testimony addressing the proposed revisions to the previously-approved design, including but not limited to architectural revisions, additional off-street parking, sidewalk and other site revisions. We recommend that the applicant bring architectural renderings to the forthcoming Public hearing. 2. As indicated previously, seven (7) additional on-site parking spaces are provided in the amended site design in support of the larger building. The proposed number of parking spaces (78) complies with UDO standards for the amount of newly-proposed professional office space. 3. As indicated above, a new 72 sf, 20 ft high freestanding sign is proposed in the northeast corner of the property as depicted on Site Plan Sheet 3. A sign detail is provided on Site Plan Sheet 4, which depicts the sign to be internally-lit. 4. Testimony shall be provided to confirm that the proposed sign meets the requirements of UDO Subsections 18-812 (signs) and 18-804.05 (sign illumination), or request relief. 5. The applicant must apply for a sign application from the Lakewood Zoning Office in accordance with the requirements of UDO Subsection 18-812. 6. Per review of the amended Landscape Plan (Sheet 6), Landscaping is almost identical to the approved plan except for foundation planting revisions resulting from the architectural changes.

Landscaping should be provided to the satisfaction of the Board. 7. Similarly, lighting is almost identical to the previously-approved plan. If not done already, we recommend that non-security lighting be placed on timers to operate during business hours (only). 8. If/when Board approval is granted, final design revisions (grading, stormwater management, lighting, landscaping, utilities, other) in support of the amended application will be provided during compliance review. IV. Outside Agency Approvals The required outside agency approvals may include, but are not limited to: a. Ocean County Planning Board; b. Soil Conservation District; c. Sewer and water utilities; d. Sign Permit (Lakewood Zoning Office); e. Developer's Agreement (at the discretion of the Township); and f. All other required Outside Agency approvals. The applicant must obtain amended (or new) approvals for the revised concept (or letters of non-applicability). V. Original Approval Resolution Conditions (#SP1887) Condition 14 required that the applicant will install a curb cut and paint a crosswalk. Condition 16 required that the applicant will install signage on the building and any signage on the site will comply with the ordinance. Condition 17 required that the applicant will supply the driveway easement agreement to the Lakewood Township Engineer for his review.

Mr. Jackson stepped down for this application.

Mr. Adam Pfeffer, Esq. on behalf of the applicant stated that they have reviewed the engineer's review letter and all of the technical issues will be addressed at the public hearing.

Mr. Neiman asked if they are putting a second story on this building.

Mr. Pfeffer said it is actually a third story. An approval was already granted for a two story building and are now going for a third story.

Mr. Neiman asked about parking.

Mr. Pfeffer said they are compliant with parking. They actually added a few more parking stalls on the side of the building.

A motion was made by Mr. Schmuckler, seconded by Mr. Follman to advance this application to the January 21, 2014 meeting.

Affirmative: Mr. Herzl, Mr. Franklin, Mr. Ingber, Mr. Banas, Mr. Neiman, Mr. Schmuckler, Mr. Follman

- 6. SD 1920** (No Variance Requested)
Applicant: School Gardens Realty, LLC
Location: Holly Street
Block 243.01 Lots 12 & 27.02*
(*approved Lots 6.05-6.07)
Minor Subdivision to realign lot line

Project Description

The applicant is seeking a Minor Subdivision approval. The applicant proposes the relocation of the rear lot line of Lot 12 to increase the lot area to twenty thousand square feet (20,000 SF). The subject property (Lot 12) is located on the westerly side of Holly Street, in the north central

portion of the Township, two hundred feet (200') north of Bergen Avenue. The existing irregular 19,427 square foot property has approximately one hundred sixty feet (160') of frontage on Holly Street. Holly Street is an improved municipal road with a right-of-way width of sixty feet (60') and a pavement width of approximately thirty-six feet (36'). There is existing curb and sidewalk along the frontage of Lot 12. The site is currently occupied by an existing two-story residential dwelling with a detached garage. The land is pretty flat, but generally the site slopes to the east toward Holly Street. Some very large trees also exist on the site. In order to create the proposed subdivision, land would be taken from the recently approved major subdivision, which was Application # SD-1894. The minor subdivision submitted for review incorrectly indicates that property is being taken from existing Lots 6.05 – 6.07. Since the major subdivision has yet to be filed, the lots shown as existing have not been created. Therefore, it is the opinion of this office that this project should actually be an amended major subdivision. Furthermore, should this application be tabled until which time the adjoining major subdivision is filed, the project would still be a "creeping" major subdivision. We have the following comments and recommendations: I. Zoning 1. Unless the applicant's professionals can demonstrate otherwise, we recommend this project be resubmitted for Amended Major Subdivision Approval.

Mrs. Morris stated that, per the board engineer's letter, an amended major subdivision is required.

Mr. Jackson said he has had discussions with Mr. Doyle, Mr. Vogt and Mr. Magno regarding the nature of this application and whether this can be done in this manner. The issue is, this was part of a major subdivision that was granted by the Board. The applicant wants to amend that by taking a portion from the approved subdivision and add it on to lot 12. The consequence of that is by adding that extra area on to lot 12, it makes lot 12 big enough where lot 12 can be subdivided without notice to anyone. Mr. Jackson believes this should be noticed to the neighbors.

Mr. Banas asked how many buildable lots there would be.

Mr. Jackson said there was twelve not including what you could get out of lot 12.

Mr. Neiman said if you would like to subdivide that second lot, you would have to notice like you were doing a major subdivision.

Mr. Schmuckler asked how you would enforce that.

Mr. John Doyle, Esq. on behalf of the applicant stated that the original subdivision was for 12 lots. This application is not creating any new variances. All they are doing is shifting the lot line 700 ft. The issue is the map has not yet been filed for the major subdivision. If the map had been filed, it would be a minor subdivision. So they would agree that this map could not be filed until the major subdivision map is filed. They would agree that in the future, if lot 12 (new lot 12.01?) gets subdivided, notice would be required.

Mr. Schmuckler asked if the applicant is willing to send out notices for the public hearing.

Mr. Doyle said it is not a requirement.

Mr. Jackson said this really isn't a minor subdivision because the major subdivision was never perfected. He is concerned that this is a little different than what the Board approved and it has ripple effects on lots around it.

Mr. Magno said the map should be filed first and then the applicant can come back with an amended major subdivision.

Mr. Rosati, P.E. said once the map is filed, this can be broken up in to 12 different entities. He does not see how this would be an amended major.

Mr. Schmuckler would still like the applicant to re-notice.

Mr. Banas feels this is approaching a creeping major subdivision.

Mr. Doyle reiterated that they are not creating any new lots.

Mr. Neiman said the applicant needs to either perfect the original subdivision or come back now as an amended major subdivision.

Mrs. Morris stated the board engineer recommend this application come back as an amended major subdivision. The applicant would have to renotice and submit revised plans showing all of the lots.

Mr. Neiman said the applicant can come back on January 21st for just the public hearing only.

Mr. Doyle agrees with that.

- 7. SP 2044** (No Variance Requested)
Applicant: Congregation Bnos Yaakov Inc
Location: County Line Road & Kent Road
Block 1 Lot 3
Block 1.01 Lot 5
Preliminary and Final Major Site Plan for building addition

Project Description

The applicant is seeking Preliminary and Final Site Plan approval consolidate the subject properties and construct an addition to the existing school along with site improvements, on the subject premises. The two (2) existing lots would be consolidated into a single tract for the proposed site, since the addition and improvements would cross onto lands containing an existing dwelling to remain. The project site consists of Lot 3 in Block 1 and Lot 5 in Block 1.01, situated in the R-15 Zone. The site is in the northwestern portion of the Township. Lot 3 in Block 1 is a large property containing freshwater wetlands associated with the North Branch of the Metedeconk River. The southern portion of this site which contains an existing school is on the uplands section beyond the transition area. This tract is located on northwest corner of County Line Road West and Kent Road. Both streets are improved County Highways. Curb in good condition exists along both project frontages. However, neither frontage has sidewalk nor is any proposed. Lot 5 in Block 1.01 is at the end of a cul-de-sac known as Cathedral Drive. This lot contains an existing one-story frame dwelling and the rear of this property abuts the

school tract. The cul-de-sac is improved and has existing curb and sidewalk. According to the plans, sanitary sewer and potable water is available and serves the existing lots. The plans indicate a proposed addition to the south side of the existing school. The proposed addition and associated site improvements cross onto Lot 5 in Block 1.01. An existing interior parking area would have to be altered to accommodate the proposed addition. The modified parking lot would provide a total of fifty-six (56) off-street parking spaces throughout the school site, two (2) being designated as handicap accessible. Minimum parking space size would be 9' X 18', with a minimum aisle width of twenty-four feet (24'). An unmarked drop off area exists in front of the main school access which fronts Kent Road. The existing dwelling to remain on Lot 5 in Block 1.01 has a bituminous driveway with a car port on the south side of the house. The existing driveway and car port are capable of parking three (3) vehicles. Access to the school is provided via a circular drive configuration on the Kent Road frontage and a right turn in, right turn out drive on the County Line Road West frontage. These existing driveways will service the off-street parking spaces. Proposed storm water management facilities have been proposed for the building addition. The site is in a developed section of the Township with the surrounding properties being mostly residential uses. The property is located in the R-15 Zone District. We have the following comments and recommendations: I. Waivers A. The following submission waivers have been requested: 1. B2 - Topography within 200 feet thereof. 2. B4 - Contours within 200 feet of the site boundaries. 3. B10 - Man-made features within 200 feet of the site. 4. C13 - Environmental Impact Statement. 5. C14 - Tree Protection Management Plan. 6. C15 - Landscaping Plan. 7. C16 - Soil Erosion and Sediment Control Plan. We can support the B-Site Features waivers only from a completeness standpoint. The surveys provided are over two years old and require updating. We can accept a partial topographic survey which must include all areas of existing and proposed improvements. Topographic mapping north of the transition area line will not be necessary. We can support the waiving of an Environmental Impact Statement due to the proposed addition being located close to County Line Road West away from the freshwater wetlands. The applicant will be required to comply with the Township Tree Protection Ordinance as a conditional of Board approval (if/when granted). The submission waiver for landscaping should only be from a completeness standpoint and should be required prior to the public hearing. The submission waiver from a Soil Erosion and Sediment Control Plan should only be from a completeness standpoint. The project will disturb in excess of five thousand square feet (5,000 SF). Therefore, a Soil Erosion and Sediment Control Plan must be provided prior to the Public Hearing. II. Zoning 1. The parcels are located in the R-15 Single-Family Residential District. Detach Single Family Dwellings and Schools are permitted uses in the zone. Schools are subject to the provisions of Section 18-906. 2. A waiver is required from the construction of sidewalk along the frontages of County Line Road West and Kent Road. 3. A waiver is required to permit the existing fence which is not shown on the plans and is more than four feet (4') high to remain in the front yard of County Line Road West 4. Section 18-906A., of the UDO must be addressed to determine the extent of any waivers from the Buffer Requirements. 5. A waiver is required from Section 18-906B., of the UDO. Off-street parking is proposed less than five feet (5') from the property line of neighboring Lot 4, which would require a twenty foot (20') buffer. 6. Section 18-906C., of the UDO must be addressed to determine whether any variances are required from the Parking Regulations. 7. 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. III. Review Comments A. Site Plan/Circulation/Parking 1. Two (2) outdated Surveys have been submitted for the project. The

Surveys must be updated to address the following: a. Lot areas. b. Horizontal and vertical datum, as well as a vertical bench mark. c. The location of all existing improvements upland of the transition area line such as fences, poles, signs, drainage, utilities, trash enclosures, handicap facilities, and trees. d. Existing contours. 2. The General Notes on the Title Sheet indicate the vertical datum is assumed. A vertical bench mark shall be added, as well as a horizontal datum. 3. General Note #6 on the Title Sheet must be revised since it indicates that no freshwater wetlands exist on the site. 4. The General Notes on the Title Sheet indicate the existing water and sewer connections are to remain. Testimony should be provided as to whether the proposed addition can utilize these existing service lines. 5. General Note # 9 on the Title Sheet must be edited. 6. The Existing Conditions Plan will need to be revised in accordance with the updated survey information required. 7. The provided lot area in the Zoning Requirements can be confirmed in accordance with the updated survey information to be submitted. 8. The provided lot width in the Zoning Requirements shall be based on the Cathedral Drive frontage. The applicant's professionals shall provide confirmation that the one hundred foot (100') minimum width is being met and that a variance is not necessary. 9. The provided front yard setback from Cathedral Drive shall be added to the Zoning Requirements. 10. The provided aggregate side yard setback in the Zoning Requirements shall be based on the total of the side yard offsets of the existing dwelling. 11. While we cannot confirm the provided building coverage, it is certainly less than the twenty-five percent (25%) allowable. 12. The off-street parking requirements must be detailed, including the existing dwelling to remain. Based on the proposed number of off-street parking spaces, three (3) handicap spaces shall be provided. The number of van accessible spaces must also be indicated. 13. Testimony shall be provided as to how the existing dwelling to remain is associated with the school. 14. A consolidation of the existing properties is required since the proposed addition and improvements cross the property line. A deed of consolidation and description shall be provided for review by the Planning Board Attorney and Engineer prior to filing with the Ocean County Clerk, should site plan approval be granted. 15. The existing lot line to be eliminated by the consolidation should be shown and labeled. 16. Proposed setback lines should be added to the site plan based on the consolidation. 17. The proposed aisle width for the parking lot should be corrected to twenty-four feet (24'). 18. Proposed curb radii and curb returns must be added for the parking area reconfiguration. 19. Top course paving has never been placed on the existing parking area. The plans shall note that the entire parking area shall be topped upon completion of the other improvements. 20. The proposed parking area encroaches over a Water Company easement. Approval from the Water Company would still be necessary even if the Board granted the buffer waiver for the proposed parking area. 21. The existing easement along the County Line Road West must be added. 22. Unless waivers are granted, proposed shade trees as well as shade tree and utility easements should be added. In addition, a deeds of easement and descriptions shall be provided for review by the Planning Board Attorney and Engineer prior to filing with the Ocean County Clerk, should site plan approval be granted. 23. The proposed school addition dimensions must be coordinated with the architectural plans. 24. The General Notes on the Site Plan should be edited where necessary. 25. There is an existing trash enclosure on the north side of the parking area which has not been depicted on the plans. The applicant's professionals should provide testimony on solid waste collection. 26. Zones and Zone Boundary Lines shall be added to the plans. B. Architectural 1. Only preliminary floor plans have been submitted for the proposed two-story building addition. Elevations are required. According to the Zoning Requirements, the building does not exceed the allowable height of thirty-five feet (35'). 2. The existing and proposed building square footage and dimensions should be checked and coordinated with the site plans. 3. The architectural plans

show an elevator in the existing school building which would make the existing school and the proposed addition ADA accessible. 4. Testimony should be provided as to whether the school has a sprinkler system. Testimony should be provided as to whether the proposed addition will require any new sanitary sewer or potable water services. 5. The location of existing and proposed HVAC equipment should be shown. Said equipment should be adequately screened. 6. The proposed roof drainage of the building must be coordinated with the site plans. 7. We recommend that color renderings of the building be provided for the Board's use at the forthcoming public hearing for the application. C. Grading 1. A detailed grading plan is required complete with existing and proposed contours. The existing contours shall be based on the updated survey information required. 2. The third Plan Note for the grading must be corrected. 3. Final grading can be addressed during compliance review should approval be granted. D. Storm Water Management 1. The Drainage Calculations need to be revised. The project is large enough to be classified as Major Development. Therefore, both water quality and quantity shall be addressed in the proposed design. 2. Predevelopment and Post Development Drainage Area Maps, along with a Storm Water Management Report, shall be provided for the project design with the resubmission documents for the public hearing. 3. The existing storm water management system should be shown on the plans to determine whether the proposed improvements are sufficient. 4. Storm water management will be reviewed in detail with a revised submission. E. Landscaping 1. No landscaping has been provided with the submission. 2. The final landscape design is subject to review and approval by the Board and should conform to recommendations (if any) from the Shade Tree Commission as practicable. 3. Landscaping shall be reviewed in detail during compliance should site plan approval be granted. F. Lighting 1. No site lighting information has been provided with the submission. 2. Lighting should be provided to the satisfaction of the Board. 3. The final lighting design shall be reviewed during compliance review, if/when Board approval is granted. G. Utilities 1. The site is served by public water and sewer from New Jersey American Water since the project is within their franchise area. Based on the preliminary architectural plans additional sewer and water services may be needed for the proposed addition. H. Signage 1. Existing regulatory signage shall be shown and proposed where necessary. 2. There is a temporary site identification sign which has not been shown on the site plan. No site identification or building 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. 3. 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. Our review is consistent with the freshwater wetlands and transition area line shown. 2. A waiver has been requested from an Environmental Impact Statement based on previous disturbance to the location of the proposed addition. 3. The uplands of the existing property has sporadic locations of large trees. A Tree Protection Management Plan must be provided as a condition of approval to comply with the Township's Tree Ordinance. 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. 2. Construction details are provided with the current design submission.

We will review the construction details during compliance should site plan approval be granted. 3. Performance guarantees should be posted for any required improvements in accordance with Ordinance provisions. 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 (as applicable); c. Ocean County Planning Board; d. Ocean County Soil Conservation District; and e. All other required outside agency approvals.

Mr. Rennert stepped down for this application.

Mrs. Morris advised the Board that the applicant has yet to post all of the escrow and application fees.

Mr. Penzer, Esq. stated the applicant has no problem with the escrow. The issue is in regard to the storm drainage. The applicant feels that the storm drainage being requested is quite expensive and not necessary.

Mr. Kociuba, P.E. showed a plan to the Board showing the school. This was a three phase approval. The third phase was never constructed and that is what the application is for today. The addition has about a 4,600 sf footprint with two stories totaling 9,000 sf.

Mr. Neiman asked about any additional parking being provided.

Mr. Kociuba said no additional parking is proposed. There was additional parking constructed previously. There will be a total of 56 parking stalls which meets the parking requirements.

Mr. Neiman asked about the drainage.

Mr. Kociuba had submitted this application as an amended site plan. The board engineer believes this is a new major site plan in which case they would need to do a pre and post analysis of the entire site. They can treat just the additional impervious but the concern is labeling this as a major site plan and they would have to follow DEP regulations versus if it is not a major site plan they would still treat the additional water but would not be subjected to additional extensive requirements.

Mr. Penzer said those requirements are listed on page 6 and 7 of the board engineer's review letter.

Mr. Schmuckler asked if the additional parking is triggering this.

Mr. Kociuba said no.

Mr. Penzer said this is a fully developed site and that is why they are seeking so many waivers. Other items would be a condition of approval.

Mr. Magno said that most of the site features that the applicant is asking a waiver from are in parts of the site that are not involved with the application.

A motion was made by Mr. Schmuckler, seconded by Mr. Follman to approve the submission waivers.

Affirmative: Mr. Herzl, Mr. Franklin, Mr. Ingber, Mr. Banas, Mr. Neiman, Mr. Schmuckler, Mr. Follman

Mr. Neiman told Mr. Penzer to try and work out with the board engineer the added drainage issues and the parking issue.

Mr. Penzer said they will change the plan as the board engineer pointed out a portion of the parking area encroaches on an easement from NJAW.

Mr. Penzer asked if this application could be on the January 7, 2014 meeting.

A motion was made by Mr. Schmuckler, seconded by Mr. Follman to advance the application to the January 7, 2014 meeting.

Affirmative: Mr. Herzl, Mr. Franklin, Mr. Ingber, Mr. Banas, Mr. Neiman, Mr. Schmuckler, Mr. Follman

- 8. SP 2045** (Variance Requested)
Applicant: Yeshiva Gedolah Bais Yisroel
Location: Ridge Avenue
Block 175 Lots 11 & 82
Preliminary and Final Major Site Plan for proposed school

Project Description

The applicant is requesting Preliminary and Final Major Site Plan approval to construct a two-story, 11,520 sf School and Yeshiva on the referenced property. The existing property is vacant, with a Jersey Central Power & Lighting (JCP&L) right-of-way within the southern edge of the property and the north branch of the Metedeconk River with associated wetlands forming the northern property line, as well as the Township boundary. Per review of the Architectural Plan, the facility will include a 1,583 sf Bais Medrash area, two (2) classrooms, two (2) offices, a lobby, and eleven (11) dorm rooms. Several single-family residences exist east of the property. Property north of the school and adjacent properties is undeveloped, and will likely remain undeveloped due to existing wetlands and category one buffers. In addition to proposed site improvements that will support the School/Yeshiva, road widening improvements are proposed along the property's Ridge Avenue frontage as depicted on the site plans, and as designed on the 4-Sheet road design plan set. At the July 11, 2011 Zoning Board Meeting, a previous application for a three-story, 23,745 sf school and synagogue (and basement) on this property received preliminary and final major site plan approval, together with use and bulk variances, subject to the conditions set forth per Zoning Board Resolution #3776, dated July 25, 2011. The property is located in the R-15 Zone District. Schools are permitted uses. 1. Zoning 1. The parcel is located in the R-15 Single-Family Residential District. Schools are permitted in the zone, subject to the provisions of Section 18-905. 2. Per review of the site plans, a front yard setback variance is necessary (15 feet is proposed, 30 feet is required). 3. The applicant must address the positive and negative criteria in support of the required variance. 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. 4. Additionally, disturbance within the 20 foot residential buffer adjoining residential Lot 84 is proposed for construction of an infiltration basin. Per Note #2 on Site Plan Sheet #2, the applicant is requesting relief from this requirement, and proposes to install a 6-foot high screen as stipulated per UDO (Subsection 18-906A3). 5. No submission waivers appear necessary for this application. 6. A (partial) design waiver is required for sidewalk along the improved road frontage. Sidewalk is proposed east of the entrance drive, but not to the west. 7. Similarly, a (partial) design waiver appears necessary for on-site curbing in the area between the paved access drive and bioretention swale, intended to promote sheet flow of stormwater into the swale. We support the waiver; however, the applicant may wish to consider end treatment at the edge of paving where vertical curbing is not proposed (to minimize future maintenance). II. Review Comments A. Site Plan/Circulation/Parking 1. Testimony should be provided by the applicant for the Board summarizing the proposed use of the school, including but not limited to the following: a. How many students are proposed at the school. b. Will any students (or parents) drive and park at the school. c. How many buses (if any) are proposed. d. Will any students will be dropped off and picked up (by car). 2. As indicated previously, Per review of the Architectural Plan, the facility will include a 1,583 sf Bais Medrash area, two (2) classrooms, two (2) offices, a lobby, and eleven (11) dorm rooms. Per UDO requirements, Subsection 18-906C, we estimate that up to six (6) off-street parking spaces are required (including the lobby area, and one space for the Bais Medrash area). Spaces for dorm rooms are not required per the UDO. 3. As depicted on the plan, twelve (12) off-street parking spaces are proposed, in excess of UDO requirements. 4. Testimony will be provided by the applicant's engineer regarding the adequacy of the access drive alignment to accommodate the largest vehicles (buses, DPW vehicles, other) intended to access the site. Per communications with the applicant's engineer, a circulation plan will be provided during compliance review, if/when Board approval is granted. 5. As depicted on the Site Plans and on the Ridge Avenue improvement plans, full-depth pavement widening is proposed along the entire property frontage, including what appears to be acceleration and deceleration pavement tapers. Said design is well-prepared, and will be reviewed in detail during compliance review, if/when Board approval is granted. 6. As indicated previously, a (partial) design waiver is required for sidewalk along the improved road frontage. Sidewalk is proposed east of the entrance drive, but not to the west. Final sidewalk design, including handicap accessible ramps will be reviewed in detail during compliance review, if/when Board approval is granted. 7. As depicted on the Site Plans, a refuse enclosure is proposed at the westerly end of the proposed access drive. Per General Note #10, trash and recyclables pickup will be performed by the Township DPW. DPW approval of the proposed design is necessary. The applicant agrees to this requirement. 8. The currently-depicted traffic signage and marking information on the site plans is generally well-prepared. Said information will be reviewed in further detail during compliance review, if/when Board approval is granted. The applicant agrees to this requirement. 9. A sight triangle easement is depicted for the proposed access drive's intersection with (improved) Ridge Avenue. Survey data and testimony shall be provided for sight triangle easements. The applicant agrees to this requirement (as a condition of Board approval, if granted). 10. Proposed six foot (6') wide utility easements shall be added to the site plan and labeled along with providing bearings, distances, and areas. The applicant agrees to this requirement (as a condition of Board approval, if granted). B. Architectural 1. As depicted on the architectural plan, the front façade is proposed to be brick face for both stories. We recommend that architectural rendering be provided at the forthcoming public hearing, including building treatments for all elevations. 2. As depicted on the architectural plans, no basement is proposed. 3. Per review of the plans and communications with the applicant's professionals, the

building and site improvements are designed to be handicap accessible, and will be in conformance with Building Code requirements. 4. Per review of the plans and communications with the applicant's professionals, the building design will be code-compliant with respect to fire suppression. 5. Testimony should be required as to location of proposed HVAC equipment (roof-mounted, ground, other). Adequate buffer and/or screening of said units will be necessary. The applicant agrees to this requirement as a condition of Board approval, if/when forthcoming. 6. The site plans depict a detailed roof leader collection system, connecting proposed building gutter systems to proposed on-site stormwater management facilities. Said design is well-prepared, and will be coordinated with final architectural plans during compliance (if/when Board approval is granted). C. Grading 1. Per review of the proposed grading, the overall design is well-prepared. As depicted, final grades will be shallow, and consistent with existing grades with the exception of two (2) areas – along the interior sidewalk and building entrance, and around the proposed infiltration basin immediately east of the school building. Shallow retaining wall systems are proposed in both of these areas. 2. Similarly, proposed elevations are provided for the proposed Ridge Avenue improvements, and are generally well-prepared. 3. Final review of the grading design, including retaining all systems and road improvements will be addressed during compliance review should approval be granted. The applicant agrees to this condition. D. Storm Water Management 1. Per review of the submitted stormwater management design, it is generally well-prepared, and designed to comply with the requirements of the NJ Stormwater Rule (NJAC 7:8) as applicable to the project. The design includes a subsurface recharge system and bioretention swale to attenuate runoff from the proposed parking area and access drive, and a (surficial) infiltration basin with sand filter to attenuate runoff from the school building. 2. We recommend additional inlets and piping near the proposed drive entrance (or equivalent measures) to collect and convey pavement runoff to the proposed recharge system. This issue can be reviewed with the applicant's engineer during compliance, if/when Board approval is granted. The applicant agrees with this condition. 3. Soil data and borings locations are provided on Site Plan Sheet #3. A copy of the geotechnical report (and accompanying soil logs and percolation data) referenced on the plan summary should be provided to our office for final review of the proposed design (including seasonal high water table and percolation rates observed throughout the site). The applicant agrees to this condition. 4. As indicated in the Stormwater Management report, the applicant will be responsible for operation and maintenance of the proposed systems. A stormwater maintenance report will be provided during compliance review, if/when Board approval is granted. The applicant agrees with this condition. 5. Final review of the stormwater management system, and proposed maintenance will occur during compliance, if/when Board approval is granted. E. Landscaping and Lighting 1. A dedicated Landscaping Plan is provided on Sheet 5 of the plans. As depicted, street trees are provided along Ridge Avenue (outside of the site triangle), as well as around the access drive and parking areas. Buffer and foundation plantings are depicted within the proposed bioretention swale. 2. A six foot (6') high privacy fence between the infiltration basin and Lot 84 is necessary to buffer the project for compliance with Section 18-906 of the UDO. As indicated previously, the applicant agrees to this condition. 3. A detailed Tree Location and Tree Save Plan is provided on Sheet 6 of the site plans, and is well-prepared. The final design will be reviewed to document compliance with the Township Tree Protection Ordinance. The applicant agrees to this condition. 4. A dedicated Lighting Plan is provided on Site Plan Sheet #7 of the submission, and is well-prepared. Light sources, illumination intensities and cut sheets for the various fixtures are provided. 5. We recommend that non-security lighting (i.e., other than proposed building-mounted lighting) be placed on timers for when the school is not in operation. 6. A final review of the lighting design will occur

during compliance, if/when Board approval is granted. The applicant agrees to this condition. F. Utilities 1. As depicted on the Utility Plan (Site Plan Sheet #4), public water and sewer service are proposed via connections to existing public systems present within Ridge Avenue. As indicated per General Utility Note #24, proposed water and sewer main extensions and connections will be owned and operated by the Lakewood Township MUA (LTMUA). As a result, LTMUA approval of the design is required. The applicant agrees to this condition. 2. A final review of utilities, for site compliance purposes will occur as a condition of Board approval, if granted. The applicant agrees to this condition. G. Signage 1. No signage information is provided. A full signage package for free-standing and building-mounted signs, if any (requiring relief by the Board) must be provided for review and approval as part of the site plan application. 2. All signage proposed that is not reviewed and approved as part of this site plan application, if any, shall comply with Township ordinance. H. Environmental 1. An Environmental Impact Statement (EIS) report was provided for the project, and is generally well-prepared. Additionally, limits of freshwater wetlands, wetland buffers, and the local Category One development buffer are depicted on the site plan documents. Existing mature vegetation is also depicted on the Tree Management/Protection plan, as well as compliance with the Township Tree Protection Ordinance standards 2. As depicted on the site plans, no new development or disturbance within wetlands or buffers is proposed. I. Construction Details 1. All proposed construction details must comply with applicable Township and/or applicable standards unless specific relief is requested in the current application (and justification for relief). Details shall be site specific, and use a minimum of Class B concrete @ 4,500 psi. 2. Construction details are provided with the current design submission. We will review the construction details during compliance should site plan approval be granted. 3. Performance guarantees should be posted for any required improvements in accordance with Ordinance provisions. III. Regulatory Agency Approvals Outside agency approvals for this project may include, but are not limited to the following: a. Ocean County Planning Board; b. Ocean County Soil Conservation District; c. Lakewood Township MUA; d. NJDEP (sewer extension permit); e. Developer's Agreement (at the discretion of the Township); and f. All other required outside agency approvals.

Mr. Schmuckler left the meeting.

Mr. Rennert stepped down for this application.

Mr. Magno stated the application requires front yard setback variance. Design waivers for curb and sidewalk are being requested.

Mr. Graham MacFarlane, P.E. said the applicant previously received approval from the Zoning Board for a use variance. Design waivers are requested for sidewalk and curb. A front yard setback variance is also being requested.

Mr. Penzer said that is due to the unique shape of the property.

Mr. Neiman asked if there is also a dormitory.

Mr. Penzer said yes.

Mr. Neiman asked if it is in the same building.

Mr. MacFarlane said yes.

Mr. Penzer asked if this application could be on the December 17, 2013 meeting.

A motion was made by Mr. Follman, seconded by Mr. Herzl to advance the application to the December 17 2013 meeting.

Affirmative: Mr. Herzl, Mr. Franklin, Mr. Ingber, Mr. Banas, Mr. Neiman, Mr. Follman

9. SD 1921 (No Variance Requested)

Applicant: Moshe Becker

Location: Ashley Avenue

Block 774.02 Lot 8

Minor Subdivision to create two lots

Project Description

The applicant seeks minor subdivision approval of the subject property to create two (2) single family residential lots. The existing irregular property totaling twenty thousand square feet (20,000 SF) or 0.459 acres in area is known as existing Lot 8 in Block 774.02. The existing vacant lot would be subdivided into proposed Lots 8.01 and 8.02 as shown on the subdivision plan. Public water and sewer is available. The proposed subdivision of the existing property would create two (2) conforming residential properties. Proposed Lot 8.01 would become an irregular lot of 11,691 square feet with fifty feet (50') of frontage and one hundred fifty feet (150') of depth. Proposed Lot 8.02 would become a rectangular 55.39' X 150' lot of 8,309 square feet. The site is situated in the central portion of the Township on the east side of Ashley Avenue north of Wynatt Street. Ashley Avenue is an improved municipal road with a fifty foot (50') right-of-way and a pavement width of approximately thirty feet (30'). Curb and sidewalk in fair condition exists across the site frontage. The Improvement Plan shows the location of individual trees on the site. The Improvement Plan indicates the property to be sloping toward the southwest to the existing street. Public water is located under the east side of Ashley Avenue. Sanitary sewer is located approximately under the center of Ashley Avenue. Gas and overhead electric are also available. The proposed lots are situated within the R-7.5 Single-Family Residential Zone. A proposed two-story dwelling is under construction on neighboring Lot 1 to the south. The surrounding uses are mostly residential. We have the following comments and recommendations: I. Zoning 1. The parcel is located in the R-7.5 Multi-Family Residential Zone District. Single Family Detached Housing is a permitted use in the zone. 2. Per review of the application and Minor Subdivision Map, no variances are being requested. 3. Per review of the application and Minor Subdivision Map, it appears no waivers are required. 4. The applicant must address the positive and negative criteria in support of any 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 Survey has been provided. The survey should be revised to include the following: a. Editing of the Map References. b. Area of the lot. c. Clarification of what appears to be coordinates. 2. Fence encroachments from adjoining properties are shown on the Survey. The encroachments must be rectified as a condition of any approvals. 3. A Topographic Survey has not been provided and is required. Topographic information along with individual tree locations is shown on the Improvement Plan. 4. The scales for the Minor Subdivision and Improvement Plan shall be corrected to one inch equals twenty feet (1"=20'). 5. The General Notes reference the Outbound Survey map submitted which has been used for the base map of the Minor Subdivision and

Improvement Plan. Horizontal and vertical datum must be indicated, along with a vertical bench mark. 6. General Note #6 should indicate that the property is situated in the R-7.5 Zone. 7. The Requirements of the R-7.5 Zone shall be edited. Minimum Lot Width shall be fifty feet (50'), Minimum Front Yard Setback shall be twenty-five feet (25'), and Minimum Aggregate Side Yard Setback shall be fifteen feet (15'). 8. Coordinates must be shown on at least three (3) outbound corners. 9. Zones and Zone Boundary Lines shall be added accordingly. 10. Proposed outbound corner monuments shall be added. The proposed outbound corner markers shall be offset where necessary. 11. A proposed six foot (6') wide Shade Tree and Utility Easement to Lakewood Township has been provided along the Ashley Avenue frontage. Proposed easement dimensions must be completed to check the areas shown on an individual lot basis. 12. The General Notes indicate that four (4) off-street parking spaces will be required for each lot and that four (4) off-street parking spaces will be provided for each lot. The proposed driveways on the Improvement Plan have been dimensioned to show that the parking configuration will provide at least four (4) off-street parking spaces per lot. Off-street parking shall be in accordance with the Township Parking Ordinance. A minimum of four (4) off-street parking spaces for a dwelling unit with a basement is required. 13. 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. 14. The Improvement Plan provides a Deciduous Tree Planting Detail. However, proposed street trees are not shown on the Improvement Plan. Also, the proposed shade tree and utility easement shall be added to the Improvement Plan. Unless a waiver is granted, proposed street trees are required. 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 notes the larger existing trees on-site have been located on the Improvement Plan. This development, if approved must comply with the Township Tree Ordinance at time of Plot Plan review. 15. The General Notes on the Improvement Plan indicate that soil borings shall be performed prior to plot plan submission to determine the seasonal high water table information. 16. The proposed dwellings would be serviced by public water and sewer. The project is within the New Jersey American Water Company franchise area. Approvals will be required from the New Jersey American Water Company. 17. Drywells are proposed to address storm water from the development. Drywells shall be sized at the time of plot plan submission. General Note #11 on the Improvement Plan regarding the drywells must be edited. 18. Proposed grading is indicated on the Improvement Plan. As mentioned previously, the existing site slopes to Ashley Avenue. The proposed grading scheme is well designed. The existing trees to be removed should be indicated on the Improvement Plan. 19. Existing curb is being replaced along the Ashley Street frontage of the project where driveways are proposed. 20. The existing concrete sidewalk along Ashley Avenue shall be replaced with driveway aprons where the new driveways are proposed. Consideration should be given to replacing all the curb and sidewalk along the Ashley Avenue project frontage because of the amount of anticipated disturbance. 21. A proposed gutter reconstruction design is required along Ashley Avenue for curb replacement and to provide adequate slope for drainage. 22. 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. 23. Compliance with the Map Filing Law is required. 24. Construction details should be revised on the Improvement Plan in accordance with the any conditions of approval required by the Board. 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 American Water Company; and e. All other required outside agency approvals.

Mr. Magno stated that this application requires no waivers or variances.

A motion was made by Mr. Follman, seconded by Mr. _____ to advance the application to the January 21, 2014 meeting.

Affirmative: Mr. Herzl, Mr. Franklin, Mr. Ingber, Mr. Banas, Mr. Neiman, Mr. Follman

5. PUBLIC HEARING ITEMS

1. **SD 1912** (Variance Requested)
Applicant: Lakewood Investments LLC
Location: Columbus Avenue
Block 12.10 Lot 19
Minor Subdivision to create two lots

Mrs. Morris announced that the applicant's attorney requested this application be carried

Mr. Neiman would like this to be on the January 7, 2014 meeting.

Since there are many objectors in the audience, Mr. Schmuckler asked that the applicant's attorney contact the Planning Board office in advance if they know they are going to carry the application again. That way it could be put on the Township's website.

A motion was made by Mr. Schmuckler, seconded by Mr. Follman to carry the application to the January 7, 2014 meeting. No further notices.

Affirmative: Mr. Herzl, Mr. Franklin, Mr. Ingber, Mr. Banas, Mr. Neiman, Mr. Schmuckler, Mr. Follman, Mr. Rennert

Mr. Bernard Riley, from the office of Ron Gasiorowski, Esq., on behalf of an objector, stated that there is a 15,000 sq ft lot that the applicant is attempting to subdivide into two 7,500 sf lots. The zoning ordinance has an R-7.5 zone which requires 7,500 sf. The applicant is in the R-12 zone which requires 12,000 sf. The applicant is essentially asking the Board to rezone the property.

Mr. Jackson has already had conversations with Ron Gasiorowski concerning this. He advised Ron to submit any correspondence to him and the applicant's attorney and they will proceed accordingly.

2. **SD 1914** (Variance Requested)
Applicant: Pearl Goldstein
Location: Towers Street
Block 855.04 Lot 23
Minor Subdivision to create two lots

Project Description

The applicant seeks minor subdivision approval to subdivide an existing property known as Lot 23 in Block 855.04 and create two (2) rectangular single family residential lots, designated as

proposed Lots 23.01 and 23.02 on the subdivision plan. Existing Lot 23 is a rectangular 175' X 250' tract containing 43,750 square feet (1.004 acres) with an existing dwelling and appurtenances. The proposed subdivision would create two (2) identical new single family residential lots of eighty-seven and a half feet (87.5') wide by two hundred fifty feet (250') deep. These proposed lots would contain 21,875 square feet (0.50 acres). All existing improvements are to be removed. Public water and sewer is not available. As noted on the subdivision plans, water and sewer service will be provided by private wells and septic systems. The site is situated in the central portion of the Township on the south side of Towers Street, two hundred seventy-five feet (275') east of its intersection with Albert Avenue. Towers Street is a paved municipal road in fair condition without existing curb and sidewalk in front of the site. The existing right-of-way width is fifty feet (50'). Curbing and sidewalk are proposed along the property frontage as depicted on the Improvement Plan. Utility poles with overhead electric also exist within the right-of-way in front of the site. The property slopes to the south and contains many small trees. The proposed lots are situated within the R-20 Single Family Residential Zone. The surrounding uses are predominantly single-family residential. Lot width variances are being requested for the creation of proposed Lots 23.01 and 23.02. We have the following comments and recommendations per testimony provided at the 10/29/13 Planning Board Plan Review Meeting and comments from our initial review letter dated September 23, 2013: I. Zoning 1. The parcels are located in the R-20 Single-Family Residential Zone District. Single Family Detached Housing is a permitted use in the zone. Statements of fact. 2. Per review of the Minor Subdivision Map, the application, and the zone requirements, the following variances are required: • Minimum Lot Width (proposed Lots 23.01 and 23.02; 87.5 feet proposed, 100 feet required) – proposed condition. The Board shall take action on the required variances for minimum lot width. 3. 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. A Survey map has not been submitted, or referenced on the Minor Subdivision Plan. The information which has been used for the base map of the Minor Subdivision and Improvement Plans is incomplete. A survey map has been submitted. All features shown on the survey must be incorporated into the base map for resolution compliance submission should approval be granted. Testimony on the future status of the existing shed must be provided to insure a setback variance for an accessory structure is not required. Any encroachments must be rectified as a condition of any approval. 2. The vertical datum has been assumed. However, a vertical bench mark must be provided. A poor location has been chosen for the vertical bench mark since it will be disturbed by new sidewalk construction. A better bench mark location can be provided with resolution compliance submission should approval be granted. 3. General Note #4 states the proposed dwellings shall be served by individual septic and well. Statement of fact. 4. The General Notes indicate that four (4) off-street parking spaces will be required for each lot and that four (4) off-street parking spaces will be provided for each lot. Proposed driveways on the Improvement Plan must be dimensioned to show that the parking configuration will provide at least four (4) off-street parking spaces per lot. Off-street parking shall be in accordance with the Township Parking Ordinance. A minimum of four (4) off-street parking spaces for a dwelling unit with a basement is to be provided. Durable surface driveways will be required. The applicant's engineer indicates that driveways will be proposed with the plot plan submissions since the future unit configurations have not been designed. 5. 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. The map shall be signed prior to filing

should subdivision approval be granted. 6. The Surveyor's Certification has not been signed since the monuments have not been set. Outbound corner monuments to be set shall be added in the rear of the property for resolution compliance submission should approval be granted. 7. A space must be left in the Notary Public's Certification to fill in the names of the owners signing the map. A space must be left for Jesse and/or Kimberly Hyman's name(s) to be filled in. Pearl Goldstein's name shall be removed from the Certification since she is the applicant. 8. Three (3) proposed October Glory Maples and three (3) proposed Willow Oak street trees are shown on the Improvement Plan within the shade tree and utility easement. 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. There are many trees on the property. This development, if approved must comply with the Township Tree Ordinance at time of Plot Plan review. The Shade Tree Commission recommends coniferous buffering be added on the east and west sides of the property. 9. We recommend that soil borings shall be performed prior to plot plan submission to determine the seasonal high water table information. A note shall be added to the plans for resolution compliance submission should approval be granted. 10. The existing septic system for the dwelling within existing Lot 23 must be abandoned. Approvals will be required from the Ocean County Board of Health for the new systems. Statements of fact. 11. Testimony should be provided as to whether drywells will be proposed to address storm water management from the development. Drywells shall be sized at the time of plot plan submission. Testimony should be provided on storm water management. 12. Proposed four foot (4') wide concrete sidewalk, and concrete curb to be set fifteen feet (15') from the centerline, will be provided along Towers Street according to the Improvement Plan. Existing curb and sidewalk which is not shown on the Improvement Plan borders the project to the east. Therefore, the proposed design of the curb and sidewalk across the frontage of the site must meet these existing improvements. Furthermore, a pedestrian bypass must be designed in front of the site since the proposed sidewalk will increase the continuous length to over two hundred feet (200'). The revised plans show the proposed sidewalk will meet the existing sidewalk. Also, a proposed bypass has been added. The proposed design of the curb must be revised to meet the existing curb when plans are submitted for resolution compliance, assuming subdivision approval is granted. 13. Testimony should be provided on proposed grading. A proposed grading design will be required on the Improvement Plan for the curb and sidewalk construction. Testimony should be provided on grading. At a minimum, a proposed grading design for the right-of-way shall be provided with resolution compliance submission should approval be granted. 14. Compliance with the Map Filing Law is required. Statement of fact. 15. Construction details should be revised on the Improvement Plan in accordance with the any conditions of approval required by the Board. Conditions imposed by any approval will impact the construction details. Therefore, a revised Improvement Plan shall be provided with resolution compliance submission should 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. Ocean County Board of Health (potable wells and septic systems); and e. All other required outside agency approvals.

Mr. Mango said the variance requested is lot width.

Mr. Glenn Lines, P.E. was sworn in. He stated this is a simple application. They are proposing to subdivide one lot right down the middle. The lot width would be 87.5 ft where 100 ft is required. The majority of the lots on this block are already 87.5 ft wide.

Mr. Neiman asked if those lots have homes on them.

Mr. Lines said most do. There are some vacant lots. On the other side of the block are 93 ft wide lots which also do not meet the 100 ft.

Mr. Neiman opened to the public, seeing no one come forward, he closed to the public.

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

6. CORRESPONDENCE

- **SP 1998** - Discussion of project approval and the Board's intent regarding the inclusion/exclusion of clearing on Block 1130 Lot 1

Mrs. Morris said this applicant had previously appeared before the Board for clarification on the approval regarding the extent of the clearing as illustrated on the plans and as approved by this Board. The applicant is back to discuss this matter again, however, with public notice this time.

Mr. Liston, Esq. said there are a number of issues with this. First, this was noticed by Mr. Penzer as a public hearing and it does not appear as a public hearing on the agenda. Second, it is a public hearing because of an order from Judge Grasso in a pending matter in which he ordered that the board engineer conduct a site inspection. The site inspection was not done by Terry Vogt. The site inspection was done by Dave Magno. He received a once sentence memo from Mr. Magno today stating he had conducted a site investigation of the clearing limits on this property and finds the clearing consistent with the plans. He does not state when he went to property, what plans he looked at or if he shot topography. He believes it is a net opinion which is worthless. He called that to the attention of Mrs. Morris and Mr. Penzer. Therefore, he received a second letter stating Mr. Magno had conducted site investigations for various reasons three times since the site clearing was completed. He does not say when that was or what he did. Mr. Magno goes on to say that the clearing is consistent with the latest plans. The problem with that is the plans are dated October 17, 2013 and the Board approved plans that were dated prior to March 19, 2013. They do not know what revisions were made and whether they were made to cover what site clearing went on. He believes this matter should be carried and the court order be adhered to. He will insist that Mr. Vogt perform the inspection.

Mr. Penzer said he sent the notice to Mr. Liston. Mr. Liston should know that this Board treats correspondence items as a public hearing as long as it's noticed. He said that Mr. Liston had previously said there was not enough notice so he went and noticed this item. The real issue is did the applicant clear more than he was supposed to. He believes the notice meets all the requirements. He was the one who told Judge Grasso that Terry Vogt would inspect the site. The order does not say that Terry Vogt himself must do it. Mr. Magno conducted the inspection, who is here tonight, and can answer any questions Mr. Liston has.

Mr. Neiman asked what Mr. Jackson's opinion is on the notice.

Mr. Jackson said they noticed everyone, they are here, it is on the agenda. The way it is on the agenda does not matter. He thinks the notice is sufficient. He believes that when this goes back to Judge Grasso, a licensed engineer who regularly appears before the Board can be assigned a task by Mr. Vogt to go out and make the inspection. However, there is a risk that the Judge could not agree.

Mr. Liston does not agree. The order indicates that Terry Vogt should conduct the inspection. Mr. Vogt is most familiar with this application as he previously reviewed the plans and was at the meetings. He again said that the plans Mr. Magno used were not the plans the Board approved. They have been revised. He again asked that this be carried. He would like Mr. Vogt to conduct the inspection with the objector's engineer.

Mr. Penzer said he was the one who made the suggestion for Terry Vogt to do the inspection. Mr. Magno is the one who actually worked on this project. He is the one who does the field work.

Mr. Liston will not accept anything that Mr. Magno says this evening. It would go against the Judge's orders.

Mr. Penzer said he would agree to push this off and have Terry Vogt go out and do the inspection but without the objector's engineer present.

Mr. Liston agrees with that.

Mr. Neiman would like this to be resolved on January 7, 2014.

Mr. Jackson announced that this matter will be carried to the January 7, 2014 meeting. No further notices.

7. PUBLIC PORTION

Mr. Grosse said he is a neighbor to a property that was discussed before, Lakewood Investments, LLC. It is his understanding that the Master Plan has zoned that area as an R-12 and that most of the properties...

Mr. Jackson interrupted and said that if this is an objection to the application, it is not fair to the applicant if he is going to address the Board when they are not even here. You must do this at the public hearing meeting.

Mr. Neiman gave him two minutes.

Mr. Grosse said most of the current properties on the Master Plan in that area currently are within the rules of R-12 and as a neighbor he is asking that this variance not be granted.

Mr. Neiman said this Board has been very strict with R-12. They almost never grant any variances in R-12. He did look at the letter and the plans and to be honest the application is

going to have a hard time convincing the Board to go along with it. He will have to prove his case for this.

Mr. Schwartz, 50 Circle Place, asked that the Board to look around the room and understand the effort it took for people to come out tonight and understand what they want.

Mr. _____ asked the date of the meeting be changed.

Mr. Neiman said the date is January 7, 2014.

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