

1. CERTIFICATION OF COMPLIANCE

Vice Chairman Banas 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. Banas, Mr. Sussman, Mr. Follman, Mr. Rennert

3. SWEARING IN OF PROFESSIONALS

Mr. Terry Vogt was sworn in.

4. MEMORIALIZATION OF RESOLUTIONS

1. Resolution of Appointment – Board Officers and Professionals

A motion was made and seconded to approve.

Affirmative: Mr. Herzl, Mr. Franklin, Mr. Banas, Mr. Sussman, Mr. Follman, Mr. Rennert

2. SD 1914 (Variance Requested)

Applicant: Pearl Goldstein
Location: Towers Street
Block 855.04 Lot 23

Minor Subdivision to create two lots

A motion was made and seconded to approve.

Affirmative: Mr. Herzl, Mr. Franklin, Mr. Banas, Mr. Sussman, Mr. Follman, Mr., Rennert

3. SD 1917 (No Variance Requested)

Applicant: Appolo Homes, LLC
Location: Appolo Road
Block 104 Lot 53.16 & 60
Preliminary and Final Major Subdivision to create 8 lots

A motion was made and seconded to approve.

Affirmative: Mr. Herzl, Mr. Franklin, Mr. Banas, Mr. Sussman, Mr. Follman, Mr., Rennert

4. **SP 2040** (No Variance Requested)
Applicant: Woodhaven Lumber & Millwork
Location: 200 James Street
Block 345 Lot 11
Preliminary and Final Major Site Plan for a proposed 1,800 square foot storage building.

A motion was made and seconded to approve.
Affirmative: Mr. Herzl, Mr. Franklin, Mr. Banas, Mr. Sussman, Mr. Follman, Mr., Rennert

5. **SP 1838B** (No Variance Requested)
Applicant: NJ Hand
Location: Towers Street & Vine Avenue
Blocks 815, 815.01, 818, 819, 831, 832
Lots 1, 1, 1, 1, 3 & 5, 3
Site Plan for Phase III of the Lakewood Commons for 62 Affordable units

A motion was made and seconded to approve.
Affirmative: Mr. Herzl, Mr. Franklin, Mr. Banas, Mr. Sussman, Mr. Follman, Mr., Rennert

6. **SP 2042** (Variance Requested)
Applicant: 210 Ocean Ave, LLC
Location: 208 Ocean Avenue
Block 536 Lot 12
Preliminary and Final Major Site Plan for a proposed office building

A motion was made and seconded to approve.
Affirmative: Mr. Herzl, Mr. Franklin, Mr. Banas, Mr. Sussman, Mr. Follman
Abstained: Mr. Rennert

7. **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

A motion was made and seconded to approve.
Affirmative: Mr. Herzl, Mr. Franklin, Mr. Banas, Mr. Sussman, Mr. Follman
Abstained: Mr. Rennert

8. **SD 1887** (Variance Requested)
Applicant: Harold Frankel
Location: County Line Road East & Clifton Avenue
Block 106 Lots 4 & 5
Minor Subdivision to create three lots (two duplex units and one synagogue).

Mr. Jackson said this is a revised resolution addressing the side yard setback variance that was requested but not reflected in the resolution. He also said the building coverage is shown as 25.9% and the resolution did not reflect that additional .9% variance.

A motion was made and seconded to approve.

Affirmative: Mr. Herzl, Mr. Franklin, Mr. Banas, Mr. Sussman, Mr. Follman

Abstained: Mr. Rennert

5. PLAN REVIEW ITEMS

- 1. SD 1927** (Variance Requested)
Applicant: Aryeh Weinstein
Location: Caranetta Drive
Block 86 Lots 11 & 12
Minor Subdivision to create three lots

Project Description

The applicant seeks approval to subdivide two (2) existing single family residential lots into three (3) proposed lots. The site, consisting of existing Lots 11 and 12 in Block 86 would be subdivided into proposed Lots 11.01, 11.02, and 12.01 as designated on the subdivision plan. The existing tract consists of two (2) adjacent irregular lots totaling about 1.27 acres. Existing Lot 11 contains about 26,175 square feet and has a two and half story masonry dwelling with attached back porch and a detached wood shed. Existing Lot 12 contains approximately 29,089 square feet and has a two-story brick dwelling with detached frame garage and detached wood shed. These existing dwellings would remain on proposed Lots 11.01 and 12.01. A new residential building lot proposed as Lot 11.02 would be created in between.

Proposed Lot 11.01 would become a 14,395.90 square foot irregular lot containing the existing two and a half story dwelling. Proposed Lot 11.02 would become a 14,464.75 square foot irregular new building lot. Proposed Lot 12.01 would become a 26,404.04 square foot irregular lot containing the existing two-story brick dwelling. The site is situated in the central portion of the Township on the southeast corner of the intersection of Caranetta Drive with Bradshaw Road. Lake Manetta borders the property on the south side. Caranetta Drive is an improved municipal road in fair condition with a fifty foot (50') right-of-way and about a thirty foot (30') pavement width. Curb and sidewalk in fair condition exists along Caranetta Drive. Bradshaw Road is an unimproved fifty foot (50') right-of-way along the western frontage of the site. The right-of-way is unimproved since it leads to Lake Manetta shown immediately to the south of the property. A flood plain limit line traverses the south edge of the proposed subdivision. The land rises rapidly from the lake. Therefore, the flood plain is close to the waters edge. Existing Lot 11 contains the two and a half story masonry dwelling, a wood shed, and a bituminous concrete driveway. While the masonry dwelling will remain on proposed Lot 11.01, the future status of the driveway and shed are unclear. Existing Lot 12 contains the two-story brick dwelling, a detached garage, a wood shed, and a concrete driveway. The dwelling and shed will remain on proposed Lot 12.01, while the garage will be removed. The future status of the driveway has not been indicated. Small trees are present on the site. Except for the front of the site which slopes toward Caranetta Drive, the property slopes generally downward to the south, towards the lake. Existing sanitary sewer, potable water, and gas are buried in Caranetta Drive. There is overhead electric on the north side of Caranetta Drive. The proposed lots are situated within the R-12 Single-Family Residential Zone. The surrounding land uses are residential. We have the

following comments and recommendations: I. Zoning 1. The parcels are located in the R-12 Single-Family Residential Zone District. Single-family detached housing is a permitted use under R-12 Zoning requirements. 2. Per review of the Subdivision Map and the zone requirements, variances are required for Minimum Lot Width. New Lots 11.01 and 11.02 propose 83.62 foot lot widths, whereas ninety feet (90') is required. 3. Minimum Front Yard Setback variances are required for proposed Lot 11.01. The southwest corner of the existing dwelling to remain is located 11.40 feet from the right-of-way of unimproved Bradshaw Road and the northwest corner of the house is located 29.79 feet from Caranetta Drive. A minimum front yard setback of thirty feet (30') is required. It should be noted that the porch of the existing dwelling is closer to the right-of-way than 11.40 feet, but a dimension has not been provided. 4. A Minimum Side Yard Setback variance for an Accessory Structure is required for proposed Lot 12.01. The existing shed to remain would be 9.73 feet from the side line, whereas ten feet (10') is required. 5. A design waiver is required from the improvement of Bradshaw Road. Bradshaw Road is an unimproved right-of-way leading to the lake. Since the development of Bradshaw Road would provide no future access to development, we recommend the Board grant this design waiver. 6. A design waiver is required for the proposed side lot lines not being perpendicular to the right of way. We recommend the granting of this design waiver since all of the proposed side lot lines would be parallel to the existing right-of-way line of Bradshaw Road and the existing eastern side lot line of the original tract. 7. The applicant must address the positive and negative criteria in support of the required variances. At the discretion of the Planning Board, supporting documents will be required at the time of Public Hearing, including but not limited to aerials and/or tax maps of the project area and surroundings to identify the existing character of the area. II. Review Comments 1. An Outbound and Topographic Survey has been provided. The survey should be revised as follows: a. Note #8 contains conflicting information. Horizontal datum should be NAD 1983 since the bearings are noted to be NAD 1983. b. The existing curb at all intersections shall be drawn to be radial. c. Significant figures for dimensions should be no more than to the hundredth of a foot. d. Existing regulatory signs should face toward traffic. 2. According to our investigation, we believe a Category One Waterway is associated with the lake bordering the site. However, no riparian buffers are shown. Testimony should be provided. 3. The Surveyor's Certification has not been signed since the monuments have not been set. 4. The acreage in General Note #3 should be 1.27 acres. 5. General Note #9 should be revised to indicate that horizontal datum is NAD 83. Coordinates must be provided on three (3) outbound corners. 6. Vertical datum has been assumed. A bench mark must be provided. 7. General Note #12 must be revised as no proposed buildings are shown. 8. General Note #13 must be revised since dry wells will not be required for the proposed lots with the existing dwellings to remain. 9. The proposed lot and easement dimensions must be checked and corrected. 10. The line weight of the lot line to be removed must be revised. 11. Proposed monuments must be indicated. The Legend shall be revised to show "monuments found" as open boxes and "monuments to be set" as solid boxes. 12. It appears the existing wood shed on old Lot 11 may temporarily remain on proposed Lot 11.02. The future status of the wood shed should be clarified. 13. The Zoning Data Table requires revisions. 14. The Zoning Data indicates that four (4) off-street parking spaces are required and being provided. The existing driveways from old Lots 11 and 12 are shown to be crossing proposed lot lines. Proposed driveways should be shown which are large enough to accommodate four (4) vehicles. Testimony should be provided on the number of bedrooms and whether basements exist and/or are proposed for the various dwellings. Testimony on off-street parking shall be provided. 15. Curb and sidewalk exist along the Caranetta Drive frontage of the project. The existing curb and sidewalk should be replaced where existing and proposed

driveways will be altered. A pedestrian bypass shall be proposed since the existing sidewalk is only four feet (4') wide. Detectable warning surface shall be constructed at the existing curb ramps. Accordingly, an Improvement Plan should be provided. 16. A sight triangle easement has been proposed at the intersection of Caranetta Drive and Bradshaw Road. 17. A proposed six foot (6') wide shade tree and utility easement is shown along the property frontage. Proposed dimensions shall be added, checked, and corrected. Areas shall be provided for the proposed easement on an individual lot basis. 18. New lot numbers should be assigned by the Tax Assessor. The map shall be signed by the Tax Assessor should approval be granted. 19. Seasonal high water table information must be provided for proposed Lot 11.02 if a basement is proposed. A soil boring location and log must be provided. A minimum two foot (2') separation will be required from seasonal high water table should a basement be proposed for the new dwelling. Testimony should be provided on whether any basement proposed will be unfinished. 20. Proposed lot grading should be addressed. Proposed lot grading should maximize the direction of runoff to Caranetta Drive and minimize runoff directed towards adjoining properties and the lake. 21. The project is located within the New Jersey American Water Company franchise area. The future dwelling on proposed Lot 11.02 will be connected to the existing water main and sanitary sewer in Caranetta Drive. 22. Unless a waiver is granted, shade trees are required within the proposed six foot (6') wide shade tree and utility easement on the Caranetta Drive and Bradshaw Road 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. 23. Our site investigation indicates there are many small trees on the property. This development, if approved must comply with the Township Tree Ordinance at time of Plot Plan review for the proposed dwelling on new Lot 11.02. 24. 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. 25. Compliance with the Map Filing Law is required. 26. An Improvement Plan with construction details shall be submitted. III. Regulatory Agency Approvals Outside agency approvals for this project may include, but are not limited to the following: a. Township 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. Vogt said variances are being requested for minimum lot width, front yard setback, minimum side yard setback and design waivers regarding the improvements of Bradshaw Road as well as the proposed side lot lines not being perpendicular to the right of way.

A motion was made by Mr. Herzl, seconded by Mr. Follman to advance the application to the March 18, 2014 meeting. No further notices.

Affirmative: Mr. Herzl, Mr. Franklin, Mr. Banas, Mr. Follman, Mr. Rennert, Mr. Sussman

2. **SD 1930** (Variance Requested)
Applicant: Nosiva, LLC
Location: Ridge Avenue & Highgrove Crescent
Block 223 Lots 9.04 & 83
Minor Subdivision to create three lots

Project Description

The applicant seeks subdivision approval to convey six thousand six hundred square feet (6,600 SF) of land to Lot 9.04 in Block 223 from Lot 83. Furthermore, the applicant seeks to subdivide the remainder of Lot 83 to create two (2) zero lot line properties for a proposed duplex. Existing Lot 83 in Block 223 would convey eighty feet (80') of its rear yard to the rear yard of existing Lot 9.04. The existing properties involved with this minor subdivision total 44,665.75 square feet or 1.02 acres in area are known as existing Lots 9.04 and 83 in Block 223. Existing Lot 9.04 is a very irregular shaped 18,802 square foot property containing a two-story dwelling having frontage on a cul-de-sac called Highgrove Crescent. Existing Lot 83 is rectangular 82.50' X 313.50' vacant lot containing 25,863.75 square feet, which fronts on Ridge Avenue. The existing rear portion of Lot 83 is surrounded on three (3) sides by a portion of single family Lot 9.04. The proposed subdivision of the existing properties would create new Lots 83.01 through 83.03. The two (2) zero lot line properties would become proposed Lots 83.01 and 83.02. The single family property would become proposed Lot 83.03. A rectangular 80' X 82.50' section of the rear yard from existing Lot 83, totaling six thousand six hundred square feet (6,600 SF), would be conveyed to existing Lot 9.04. Therefore, proposed Lots 83.01 and 83.02 would both become 41.25' X 225' rectangular properties of 9,281.25 square feet each with frontage on Ridge Avenue, after an eight and a half foot (8.5') right-of-way dedication along Ridge Avenue is provided. Proposed Lot 83.03 on the subdivision plan would become an irregular 25,402 square foot tract for the single-family dwelling fronting on Highgrove Crescent. The site is situated in the northern portion of the Township between the north side of Ridge Avenue and the south side of Highgrove Crescent. Highgrove Crescent is a paved municipal road (cul-de-sac) with a fifty foot (50') right-of-way. This cul-de-sac is fairly new, and is in good condition with belgian block curb and concrete sidewalk. Ridge Avenue is a twenty-four foot (24') wide paved municipal road in poor condition, which is undergoing widening on the opposite side. An eight and a half foot (8.5') right-of-way dedication is proposed to provide the proper twenty-five foot (25') half right-of-way width in front of the site. Curb and sidewalk exists across the site frontage. Trees exist on the single family lot. The front portion of the vacant lot has been cleared; the rear of the lot is mostly brush with a few large trees interspersed. The proposed lots are situated within the R-10 Single Family Residential Zone. The surrounding uses are mostly residential. It should be noted that this review is based on the application being a stand alone project. However, an adjoining Minor Subdivision (SD1922) is on the Public Hearing portion of the current (2/4/14) Board agenda, which also will add land to existing Lot 9.04. Therefore, depending on the action taken on SD1922, final details for this Minor Subdivision application and the accompanying plans may change (slightly) prior to the Public Hearing. Per communications with the applicant's professionals, plans for this application (SD1930) will be revised as necessary prior to the forthcoming public hearing. 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. A partial waiver for not providing topography for Lot 9.04 in Block 223 has been requested since there are no improvements proposed on the property fronting Highgrove Crescent. Accordingly, we have reviewed the partial waiver requested and can support its granting. II. Zoning 1. The parcels are located in the R-10 Single Family Residential Zone District. Single Family Detached Housing, Two Family Housing, and Duplex Housing are all permitted uses in the zone. Minimum lot area for single family housing is ten thousand square feet (10,000 SF). Minimum lot area for two family housing is twelve thousand square feet (12,000 SF). 2. An existing minimum front yard setback nonconformance is shown on the Minor Subdivision for proposed Lot 83.03, which was granted by a previous Subdivision approval. 3. An existing shed on proposed Lot 83.03 is shown 6.3 feet from the rear property

line. Unless the shed is removed or relocated, an accessory structure setback variance will be required. 4. Unless off-street parking is added to new Lot 83.03, it appears a variance is required for the number of off-street parking spaces. 5. Per review of the Minor Subdivision Map, it appears no waivers are required. 6. 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 aeriels and/or tax maps of the project area and surroundings to identify the existing character of the area. III. Review Comments 1. A Plan of Survey has been provided for Lots 9.04 and 83. The survey should be revised to include the following: a. The missing shade tree and utility easement along the Highgrove Crescent frontage. b. New chain link fencing and gate on Lot 9.04. c. Topography on Lot 83 (assuming the Board grants the partial waiver from providing topography on Lot 9.04). Topography with existing tree locations must exist since this information is shown on the Improvement Plan. d. The missing inlet and depressed curb along Ridge Avenue in the vicinity of the southernmost property corner. 2. There are many fence encroachments. All encroachments shall be eliminated as a condition of any approvals. 3. The area of proposed conveyance shall properly list Block 223. 4. Setback lines shall be corrected on proposed Lot 83.03. 5. Proposed outbound corner monuments shall be completed. The proposed outbound corner markers shall be offset where necessary. 6. An existing six foot (6') wide Shade Tree and Utility Easement to Lakewood Township is missing from proposed Lot 83.03. Easement areas shall be shown on an individual lot basis. 7. Horizontal and vertical datum shall be indicated along with a vertical bench mark. 8. The minimum lot area for proposed Lot 83.03 shall be listed in the "single family" row of the Requirements Table. 9. The Requirements Table shows the minimum lot width of proposed Lot 83.03 to be forty feet (40'), which would require a variance. However, the lot width appears to be much larger. 10. A minimum lot width of 82.50 feet should be added to the Requirements Table for the combination of proposed Lots 83.01/83.02. 11. The minimum side and rear yard setbacks of proposed Lot 83.03 in the Requirements Table need corrections. 12. Confirmation must be provided that combination of proposed Lots 83.01/83.02 do not exceed the minimum aggregate side yard setbacks. Based on the Improvement Plan, it appears the required twenty-five foot (25') minimum aggregate side yard setbacks will be adhered to. 13. 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 driveways shown on the Improvement Plan indicate that the parking configuration will provide four (4) off-street parking spaces for proposed Lots 83.01 and 83.02. The existing off-street parking configuration on proposed Lot 83.03 is not large enough to accommodate four (4) vehicles. Additional off-street parking must be proposed unless a variance is granted. 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. 14. The Minor Subdivision Plan should show that new lot numbers were assigned by the tax assessor's office. If approved, the map shall be signed by the tax assessor. 15. The Surveyor's Certification has not been signed since the outbound corner markers have not been set. 16. Compliance with the Map Filing Law is required. 17. The Improvement Plan proposes two (2) Green Vase Zelkova shade trees with a one and a half inch (1-1/2") caliper along the Ridge Avenue frontage. The proposed caliper size shall be increased. 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 Survey and Improvement Plan. This development, if approved must comply with the Township Tree Ordinance at time of Plot Plan review. 18. 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. 19. 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. 20. Drywells are proposed to address storm water from the development. Drywells shall be sized at the time of plot plan submission 21. Proposed grading is indicated on the Improvement Plan. The proposed grading scheme is directing runoff to adjoining properties. Proposed onsite drainage will be required to rectify this matter. Proposed curb and gutter grades shall be designed to direct runoff to the existing inlet which has not been shown at the southeast side of the site. 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. Construction details should be revised on the Improvement Plan in accordance with the any conditions of approval required by the Board. 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 American Water Company; and e. All other required outside agency approvals.

Also see SD 1922 Benzion Eidelman.

Mr. Vogt said submission waivers are being requested for topography and contours. The waivers are recommended.

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

Mr. Vogt said an existing minimum front yard setback non-conformance is shown on the plan for proposed Lot 83.03, which was granted by a previous approval. An existing shed on proposed Lot 83.03 is shown 6.3 feet from the rear property line. Unless the shed is removed or relocated, an accessory structure setback variance will be required. Unless off-street parking is added to new Lot 83.03, it appears a variance is required for the number of off-street parking spaces.

Mr. Adam Pfeffer, Esq. on behalf of the applicant stated that the variances are pre-existing. The duplex proposed is fully conforming. They are subdividing the back portion of the property which will then be deeded over to the proposed lot 83.03 and they will come more into conformance.

Mr. Charles Surmonte said the acquisition of this property will eliminate the rear yard variance for the shed and under application SD 1922. The owner of 117 Highgrove Crescent is in the process of acquiring some property to the southwest and when they acquire that property, the other setback relief on the shed will be eliminated as well.

A motion was made by Mr. Follman, seconded by Mr. Sussman to advance the application to the March 18, 2014 meeting. No further notices.

Affirmative: Mr. Herzl, Mr. Franklin, Mr. Banas, Mr. Follman, Mr. Rennert, Mr. Sussman

- 3. SP 2048** (Variance Requested)
Applicant: 945 Airport, LLC
Location: Hillside Boulevard

Block 1160.01 Lot 222
Minor Site Plan for change of use to lumber yard and warehouse

Project Description

The applicant is seeking Site Plan approval to change the existing use (Sears warehouse which is currently vacant) to a lumber yard and warehouse. The existing facility is located on the southeast side of a curve in Airport Road, north of Oak Street, within the Lakewood Industrial Park. According to the site plan, forty-five (45) off-street parking spaces are proposed in existing paved parking lots. The site plan also indicates that sixty-nine (69) off-street parking spaces are required. The parking requirements are based on one (1) space per every four hundred square feet (400 SF) of floor space or one (1) for each employee whichever is greater. The existing building to remain is approximately twenty-seven thousand five hundred square feet (27,500 SF) in area. Existing parking lots surround three (3) sides of the building. The largest of the existing parking areas, on the north side of the building, is proposed to be used for lumber rack storage. Only the existing parking areas on the south and west sides of the building will be used for future off-street parking. Access to the site will continue to be provided by three (3) existing driveways from Airport Road. The tract consists of an irregular lot, which is 3.57 acres in area. The site is developed with a one-story masonry building. There are wooded areas on the undeveloped eastern and southern fringes of the property. The property generally slopes downwards to the southeast, towards an existing inlet with a pipe which discharges into a drainage ditch within a fifty foot (50') wide drainage easement. Freshwater wetlands most likely exist in this ditch on southern side of the tract. Flagging, presumed to be wetlands flagging was observed on the south side of the ditch, east of this site. The site fronts the southeast side of a curve in Airport Road, north of Oak Street. Access to the site is from Airport Road which is an improved Municipal Road having a sixty foot (60') wide right-of-way and a forty foot (40') pavement width. The road is curbed, but no sidewalk exists since it is within the Lakewood Industrial Park. Municipally supplied water and sewer services are already serving the site. The existing land around the site is largely developed. The site is located in the M-1 Industrial Zone. Lumber yards and warehouses are a permitted uses in the zone. I. Zoning 1. The site is situated within the M-1, Industrial Zone. Per Sections 18-903M.1.a. & b., of the UDO, lumber yards and warehouses are allowed permitted uses. 2. Per review of the site plans and application, the applicant has requested a variance for the number of off-street parking spaces. Forty-five (45) off-street parking spaces are proposed, where sixty-nine (69) spaces are required. The calculation of sixty-nine (69) spaces is based on one (1) space per four hundred square feet (400 SF) of floor area. The existing building is approximately twenty-seven thousand five hundred square feet (27,500 SF). 3. According to Section 18-903M.7.c., the required minimum front yard setback may be decreased from one hundred feet (100') to fifty feet (50') with approval of the Lakewood Industrial Commission. The proposed lumber rack storage would be located fifty-one feet (51') from the front property line. 4. Per review of the site plans and application, the following design waivers are required: • Providing sidewalk along the project frontage. It should be noted that there is no existing sidewalk along Airport Road in the vicinity of this project which is in the Industrial Park. • Providing shade trees, as well as a shade tree and utility easement along the Airport Road project frontage. • The proposed six foot (6') high chain link fence in the front yard will require a waiver for the height. A height of four feet (4') is allowed. II. Review Comments Per review of the current design plans, we offer the following comments and recommendations: A. Site Plan/Circulation/Parking 1. A Boundary and Topographic Survey has been submitted. The following should be addressed: a. Horizontal and vertical datum, as well as a vertical bench mark shall be provided on the plan. b. A tie

distance shall be provided to the nearest intersecting road. c. The year in General Note #1 shall be corrected to "2013". d. The topography within the drainage easement is not accurately shown. Since no improvements will take place within the drainage easement, the topography may be eliminated should a waiver be granted by the Board. 2. The Property Owners list on the Cover Sheet shall be corrected. 3. The Area Map on the Cover Sheet should be revised to correctly show the adjoining drainage easements shown on the Tax Map and Survey. 4. The site area shall be consistent among the Survey, Notes, and Zone Requirements. 5. General Note #6 shall list the site to be in the Industrial Zone. 6. General Note #9 shall be expanded upon. Horizontal datum shall be addressed. Topography has been noted to be based on NAVD 1988. A vertical bench mark shall be provided. 7. General Note #12 must be revised since the existing striping has virtually worn away. 8. General Note #13 indicates that refuse removal shall be performed by a private waste hauler. There is an existing trash compactor with a concrete pad on the east side of the building. The private waste hauler will need access through a proposed gate which will restrict access to this area. 9. General Note #14 is probably incorrect as freshwater wetlands likely exist within the fifty foot (50') wide drainage easement. However, the nature of any site improvements proposed would not impact freshwater wetlands or transition areas. 10. The asphalt areas of the existing parking lots are in fair to poor condition. An overlay with sections of reconstruction should be considered. 11. Based on the detail provided, the limits for the proposed canopies of the triple lumber rack storage would be seventy-two feet (72'), instead of the sixty-four feet (64') shown. 12. The proposed fence should be relocated to not conflict with proposed off-street parking. 13. Two (2) handicapped parking spaces are required per ADA requirements since the number of proposed off-street parking spaces will not exceed fifty (50). Curb ramps, striping, and signage shall be properly designed. 14. The proposed off-street parking shall be designed with a minimum space size of 9' X 18'. 15. Testimony should be provided on loading and deliveries for the site. 16. No sight triangles associated with the site access driveways have been indicated and should be added. B. Architectural 1. No architectural plans have been provided. Testimony should be provided on the future renovations (if any) to the existing warehouse building. The existing building height is far less than the sixty-five foot (65') allowable height. C. Grading 1. No proposed grading is provided. Existing elevations must be shown in enough detail to confirm that ADA accessibility is complying. 2. If necessary, a review of final grading revisions will be performed during compliance if/when approval is granted. D. Storm Water Management 3. General Note #11 indicates that a proposed Auto-Stak rack system is to be installed over existing impervious surface. Therefore, no increase in impervious area is proposed. Hence, additional storm water management facilities are not required. D. Landscaping 1. No new landscaping has been provided. E. Lighting 1. Site lighting has not been addressed. G. Utilities 1. Public water and sewer services are being provided by the Lakewood Township Municipal Utilities Authority. 2. Testimony should be provided that no new water and sewer connections are proposed for the building. 3. Fire service should be addressed. H. Signage 1. General Note #15 indicates the existing Sears signs shall be removed and replaced with lumber yard identification signs. The future status of the signs has not been indicated. 2. No new proposed free-standing or wall mounted signage have been provided on the site plans. 3. All signage proposed that is not reviewed and approved as part of this site plan application shall comply with the Township Ordinance. I. Environmental 1. Site Summary Per review of the site plans, aerial photography, and a site inspection of the property, the tract is currently improved with an existing masonry warehouse building with loading docks, parking, and other site amenities. Wooded areas have been left on the undeveloped portions of the property. The property generally slopes downwards to the southeast. Freshwater wetlands most likely exist within the drainage ditch on the

southern edge of the tract. 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. No other issues exist per existing GIS mapping. Testimony should be provided to address potential areas of environmental concern. 2. Tree Management Plan A Tree Protection Management Plan will not be required provided no existing trees are removed from the site, as currently indicated. J. Construction Details 1. Construction details are provided on the Site Plan sheet in the plan set. 2. All proposed construction details must comply with applicable Township or NJDOT standards unless specific relief is requested in the current application (and justification for relief). Details shall be site specific, and use a minimum of Class B concrete. 3. Construction details must be completed for all improvements. 4. Revisions are required for the chain link fence and gate details. 5. Construction details will be reviewed after revisions are submitted for the project. III. Regulatory Agency Approvals Outside agency approvals for this project may include, but are not limited to the following: a. Township Developers Agreement (if applicable); b. Township Tree Ordinance (if applicable); c. Lakewood Industrial Commission; d. Lakewood Fire Commissioners; e. Lakewood Township Municipal Utilities Authority (water and sewer); f. Ocean County Planning Board; and g. All other required outside agency approvals.

Mrs. Morris stated the applicant has requested that this application be heard in full tonight. It is a minor site plan for a change of use.

Mr. Jackson said he does not have a problem with the request. The applicant did notice for the hearing and this application is not going to require any new construction. The landlord has indicated that there is a chance they will lose their tenant if they don't get this approved tonight.

Mrs. Morris said this would have just been a change of use application except for the fact that a variance is needed for parking and therefore they are not exempt from site plan requirements.

Mr. Vogt said a variance is requested for off-street parking. A minimum front yard setback which will be 51 ft from the property line is allowable. It may be decreased with the approval of the Lakewood Industrial Commission.

Mr. Sean Gertner, Esq. said they received notice from the Lakewood Industrial Commission that they support this application and the variance.

Mr. Vogt said the applicant is also requesting design waivers from providing sidewalk across the project frontage which is consistent in the Industrial Park as well as waivers from shade trees and the proposed six foot (6') high chain link fence in the front yard will require a waiver for the height.

Mr. Stevens, P.E., P.P., was sworn in. He stated that this is the old Sears building located on Airport Road in the Industrial Park. This building has been vacant for some time. The new tenant is going to be a lumber yard with retail sales. The majority of the materials will be kept inside. An outdoor lumber rack is being proposed outside of the building. A fence is being proposed around the property in order to secure those building materials. A variance is being requested for parking. They are required to have 69 spaces. The applicant is proposing 45. There are currently 11 employees and there will be 11 employees at the new facility. Most of the

business is a delivery business. Currently they have approximately 14 pick ups per day at the facility so he believes the 45 parking spaces provided are sufficient. The property has existing utilities including water, sewer and fire.

Mr. Banas opened to the public. Seeing no one come forward, he closed to the public.

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

6. 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

The applicant has requested this application be carried to the February 18, 2014 meeting. No further notices.

A motion was made by Rennert, seconded by Mr. Follman to carry the application.
Affirmative: Mr. Herzl, Mr. Franklin, Mr. Banas, Mr. Sussman, Mr. Follman, Mr. Rennert

- 2. SD 1919** (Variance Requested)
Applicant: 118 Ocean Ave LLC
Location: Pearl Street & Bruce Street
Block 247 Lot 25
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 per testimony provided at the 12/10/13 Planning Board Plan Review Meeting and comments from our initial review letter dated December 2, 2013: 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. The Board granted the submission waivers subject to providing topography 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. Statements of fact. 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. The Board shall take action on the requested variance. 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. The Board shall take action on the dedication. Depending on the Board's action, either a dedication or road widening easement shall be shown on revised plans submitted for resolution compliance should subdivision approval be granted. 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. Unnecessary grading and dimension layers from the Improvement Plan are shown on the Minor Subdivision Plan. These layers shall be turned off prior to resolution compliance submission should approval be granted. 2. 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. The Survey has been resubmitted with topography and the required information added to the plans. 3. The chain link fence shown on the Survey as encroaching into the right-of-way will be removed according to the General Notes. The removal can be shown on plans submitted for resolution compliance should approval be granted. 4. Surrounding Block and Lot numbers must be added to the plan. The surrounding Block and Lot numbers do not agree with the Tax Maps and should be checked prior to resolution compliance submission should approval be granted. 5. The existing offsets to the block wall and chain link fence surrounding the property shall agree with the survey. The existing offset of 0.8 feet does not agree with the survey and can be corrected with resolution compliance submission should approval be granted. 6. 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%). The proposed building dimensions shall be completed and corrected prior to resolution compliance

submission should approval be granted. 7. 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. 8. 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. The proposed sidewalk design is in conflict between a five foot (5') width and a four foot (4') width with pedestrian bypasses. Corrections shall be provided with resolution compliance submission should approval be granted. 9. 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. The proposed Shade Tree and Utility Easement must be revised to be located behind either the dedication or road widening easement to be provided along Pearl Street. Depending on the Board's action, the appropriate corrections can be provided with resolution compliance submission should approval be granted. 10. 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. The map shall be signed prior to filing should approval be granted. 11. 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. 12. 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. The Improvement Plan note shall be modified accordingly for resolution compliance submission should approval be granted. 13. 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. A minimum slope of half percent shall be designed for the Bruce Street gutter. The Pearl Street gutter shall be designed with a constant slope. Corrections shall be provided with resolution compliance submission should approval be granted. 14. 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. The proposed grading on the Improvement Plan shall include the right-of-way improvements and new Lot 25.01 based on the architectural plans submitted. The corrections can be provided with resolution compliance submission should approval be granted. 15. 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. The Board should provide landscaping recommendations. As recommended by the Shade Tree Commission, the three (3) proposed

shade trees along Pearl Street have been changed to Green Mountain Silver Linden and the two (2) proposed shade trees along Bruce Street have been changed to American Elm. The call outs for American Elm shall be revised to "AE" with resolution compliance submission should approval be granted. 16. Compliance with the Map Filing Law is required. Statement of fact. 17. Construction details included on the Improvement Plan will require revisions. We will review the construction details after resolution compliance submission should approval be granted. 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. The shade trees proposed will provide sufficient compensatory planting to comply with the Township Tree Ordinance since there are only three (3) existing trees onsite.

Mr. Vogt said a variance is requested for a front yard setback for proposed lot 25.01. A 5 ft right-of-way dedication or road widening easement is proposed along Pearl Street depending upon how the Board wants to act.

Mrs. Miriam Weinstein, Esq. on behalf of the applicant stated this application is for a minor subdivision upon which two new single family homes will be constructed. The lot contains double the square footage of what is required in the zone. All existing structures will be demolished. This is an area that was recently rehabilitated and transformed. This happens to be one of the few remaining lots that are certainly in need of redevelopment. The only variance they are seeking is for front yard setback for the corner lot which is necessitated by the fact that one of the lots is on a corner. The testimony will show that this is in keeping with the character of the neighborhood.

Mr. Glenn Lines, P.E. was sworn in. He reiterated that the corner lot will need a front yard setback. The existing house does not conform to the front yard variance requirements so it is not going to be a noticeable change.

Mr. Vogt stated that Bruce Street is really the secondary frontage.

Mr. Lines said that is correct.

Mr. Vogt said what they are proposing is a right-of-way easement.

Mr. Lines said no. Bruce Street has a 50 ft wide right-of-way already so they do not need a dedication or easement on the Bruce side. Both houses will face Pearl Street.

Mr. Rennert asked if this will conform to nearby houses.

Mr. Lines said the duplexes behind them have the same situation.

Mr. Rennert asked what the setbacks are for those duplexes.

Mr. Lines said they're both on the 25 ft setback line. He said he believes the houses caddy corner are about 20 ft off the setback line.

Mrs. Weinstein said she thinks the question is if the side of the house fronting on Bruce is going to jut out significantly further than the adjacent houses.

Mr. Lines said one portion of the house will only jut out about 5 ft.

Mr. Banas opened to the public. Seeing on 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. Banas, Mr. Follman, Mr. Rennert, Mr. Sussman

- 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

The applicant has requested this application be carried to the February 18, 2014 meeting. No further notices.

A motion was made by Rennert, seconded by Mr. Follman to carry the application.
Affirmative: Mr. Herzl, Mr. Franklin, Mr. Banas, Mr. Sussman, 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

The applicant has requested this application be carried to the February 18, 2014 meeting. No further notices.

A motion was made by Rennert, seconded by Mr. Follman to carry the application.
Affirmative: Mr. Herzl, Mr. Franklin, Mr. Banas, Mr. Sussman, Mr. Follman, Mr. Rennert

- 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

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. 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. We have the following comments per review of the revised submission and comments from our initial review letter dated December 3, 2013: 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. Fact. 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. Fact. 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. Fact. 4. The applicant’s professionals must provide planning testimony in support of the requested variance and design waiver relief. Per FWH’s 12/19/13 response letter, testimony will be provided at the Public Hearing. 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. Fact. 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. Fact. 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. Per FWH’s 12/19/13 response letter, testimony will be provided at the Public Hearing. 5. The applicant must apply for a sign application from the Lakewood Zoning Office in accordance with the requirements of UDO Subsection 18-812. Per FWH’s 12/19/13 response letter, the applicant agrees to apply for said permit. 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. Fact. 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). Fact. 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 (pending); b. Soil Conservation District (pending);;

c. Sewer and water utilities(pending); ; 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 as he has a conflict on this matter. Mr. Dasti will represent the Planning Board on this application.

Mr. Vogt said this is an amended approval for a three-story, 15,248.5 sf professional medical building near the footprint of the currently-approved two-story building. The plans identify 11,613 sf of the new building as tenant space. Seven additional parking spaces are proposed nearest to the building, including two handicap accessible spaces. Interior sidewalk revisions are proposed around the new building footprint, including newly-proposed handicap accessible ramps. A new 72 sf, 20 ft high sign is proposed in the northeast corner of the site and other minor site plan revisions.

Mr. Adam Pfeffer represented the applicant.

Mr. Brian Flannery, Esq. was sworn in. He said this is an application for a site that was approved in 2008. There are insignificant changes as they affect zoning. A two-story building was approved. They are now proposing a three-story building. It is a benefit to the town as it is a better ratable. This is for a medical office which is certainly a use they believe the town encourages. With respect to the changes, a sign is being requested and the variance requested is a 79.5 ft front yard setback off of Chestnut Street, whereas a 100 ft front yard setback is required. The initial application included a variance approved for an 88 ft front yard setback. The variance is for an outside stairwell to make the building more usable. A third story is being added, additional parking and the front yard setback variance for the stairwell. He reiterated that this application is a benefit to the town.

Mr. Banas said there was a problem with the sign.

Mr. Vogt said it is a freestanding sign which is 20 ft high. He asked Mr. Flannery if it conforms to the UDO requirements.

Mr. Flannery said it does. He said they are not asking for any variances for the sign. They will get a sign permit from the zoning officer.

Mr. Rennert asked if the minimum lot area variance was previously approved.

Mr. Flannery said yes. It is an existing condition.

Mr. Banas opened to the public.

Ms. Noreen Gill, 192 Coventry Drive, was sworn in. She said she thought she heard Mr. Flannery say municipal parking.

Mr. Flannery did not say that. It is parking just for this building. They added additional parking.

Seeing no one further, Mr. Banas closed to the public.

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

- 6. 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 west 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 per testimony provided at the 12/10/13 Planning Board Plan Review Meeting and comments from our initial review letter dated December 4, 2013: 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. Statements of fact. 2. Per review of the application and Minor Subdivision Map, no variances are being requested. Statement of fact. 3. Per review of the application and Minor Subdivision Map, it appears no waivers are required. Statement of fact. 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. Fence encroachments from adjoining properties are shown on the Survey. The encroachments must be rectified as a condition of any approvals. The Minor Subdivision map shall be revised to rectify the encroachments with resolution compliance submission should approval be granted. 2.

A Topographic Survey has not been provided and is required. Topographic information along with individual tree locations is shown on the Improvement Plan. A revised survey with topographic information and individual tree locations has been provided. The terminal electric pole between the curb and sidewalk near the south property line shall be added for resolution compliance submission should approval be granted. 3. The scales for the Minor Subdivision and Improvement Plan shall be corrected to one inch equals twenty feet (1"=20'). The correction on the Minor Subdivision can be provided with resolution compliance submission should approval be granted. 4. 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. General Note #3 shall be corrected to "horizontal datum is assumed". Vertical datum shall also be noted as assumed. The bench mark shown on the Improvement Plan shall be referenced. These corrections can be provided with resolution compliance submission should approval be granted. 5. Zones and Zone Boundary Lines shall be added accordingly. The Zones and Zone Boundary Lines can be provided with resolution compliance submission should approval be granted. 6. Proposed outbound corner monuments shall be added. The proposed outbound corner markers shall be offset where necessary. The proposed outbound corner monuments can be provided with resolution compliance submission should approval be granted. 7. 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. The proposed easement dimensions can be completed with resolution compliance submission should approval be granted. 8. 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. Testimony should be provided on off-street parking. 9. 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 by the tax assessor prior to filing should approval be granted. 10. 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. Testimony shall be provided as to whether a waiver is being requested from providing shade trees. 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. The Township Tree Ordinance shall be complied with. 11. 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. General Notes can be added for resolution compliance submission should approval be granted. 12. 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. The General Notes on the Improvement Plan for drywells and topography can be corrected with resolution compliance submission should approval be granted. 13. 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. Proposed grading and tree removal can be provided with resolution compliance submission should approval be granted. 14. 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. At a minimum, the existing concrete sidewalk shall be shown as being replaced within driveway apron areas for resolution compliance submission should approval be granted. 15. A proposed gutter reconstruction design is required along Ashley Avenue for curb replacement and to provide adequate slope for drainage. The proper construction detail can be provided with resolution compliance submission should approval be granted. 16. Compliance with the Map Filing Law is required. Statement of fact. 17. Construction details should be revised on the Improvement Plan in accordance with the conditions of approval required by the Board. Construction details will be reviewed after 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. New Jersey American Water Company; and e. All other required outside agency approvals.

Mr. Vogt stated there are no variances to the best of his knowledge.

Mr. Surmonte, P.E., was sworn in. He said this is a conforming subdivision. They are proposing four parking spaces on each lot. They do intend on providing street trees. The plans don't currently show them but they will amend the plans to include them. All other comments in the engineer's review letter will be met.

Mr. Banas opened to the public. Seeing no one come forward, he closed to the public.

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

7. **SD 1922** (No Variance Requested)
Applicant: Benzion Eidelman
Location: Ridge Avenue and Highgrove Crescent
Block 223 Lots 84.01, 84.02, & 9.04
Minor Subdivision to realign lot lines

Project Description

The applicant seeks minor subdivision approval to convey three thousand nine hundred seventy-five square feet (3,975 SF) of land to Lot 9.04 in Block 223 by realigning the existing lot lines. A recently completed two-story duplex on zero lot line properties for existing Lots 84.01 and 84.02 in Block 223 would convey fifty feet (50') of their rear yards to the rear yard of existing Lot 9.04. The existing properties involved with this minor subdivision total 34,754 square feet or 0.80 acres in area are known as existing Lots 9.04, 84.01, and 84.02 in Block 223. Existing Lot 9.04 is a very irregular shaped property containing a two-story dwelling having frontage on a cul-de-sac called Highgrove Crescent. Existing Lots 84.01 and 84.02 are rectangular zero lot line properties containing a recently completed two-story duplex, which fronts on Ridge Avenue.

The existing rear line of the zero lot line properties borders a portion of single family lot. The proposed subdivision of the existing properties would create new Lots 84.03 through 84.05. The two (2) zero lot line properties would become proposed Lots 84.03 and 84.04. The single family property would become proposed Lot 84.05. A rectangular 50' X 79.50' section of the rear yards from existing Lots 84.01 and 84.02, totaling 3,975 square feet, would be conveyed to existing Lot 9.04. Therefore, proposed Lot 84.03 would become a 39.50' X 175' rectangular property of 6,912.50 square feet with frontage on Ridge Avenue. Proposed Lot 84.04 would become a 40' X 175' rectangular property of seven thousand square feet (7,000 SF) with frontage on Ridge Avenue. Proposed Lot 84.05 on the subdivision plan would become an irregular 20,841.5 square foot tract for the single-family dwelling fronting on Highgrove Crescent. The site is situated in the northern portion of the Township between the north side of Ridge Avenue and the south side of Highgrove Crescent. Highgrove Crescent is a paved municipal road (cul-de-sac) with a fifty foot (50') right-of-way. This cul-de-sac is fairly new, and is in good condition with belgian block curb and concrete sidewalk. Ridge Avenue is a twenty-four foot (24') wide paved municipal road in poor condition, which is undergoing widening on the opposite side. The proper twenty-five foot (25') half right-of-way width exists in front of the site. New curb and sidewalk constructed with the duplex exists across the site frontage. Trees exist on the single family lot, but not the duplex part of the site. The proposed lots are situated within the R-10 Single Family Residential Zone. The surrounding uses are mostly 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. We have reviewed the requested waivers from the Land Development Checklist and can support the granting of the requested B-Site Features waivers since the project only involves land conveyance. II. Zoning 1. The parcels are located in the R-10 Single Family Residential Zone District. Single Family Detached Housing, Two Family Housing, and Duplex Housing are all permitted uses in the zone. Minimum lot area for single family housing is ten thousand square feet (10,000 SF). Minimum lot area for two family housing is twelve thousand square feet (12,000 SF). 2. Per review of the various documents, we note the front setback line was incorrectly drawn from the old right-of-way line on the Plot Plan. (The front setback line is also incorrectly drawn on the Minor Subdivision.) As a result, the new duplex unit has been constructed too close to Ridge Avenue. Therefore, the following two (2) minimum front yard setback variances are required: • Proposed Lot 84.03, 26.4 feet constructed, thirty feet (30') required. • Proposed Lot 84.04, 26.5 feet constructed, thirty feet (30') required. 3. An existing minimum front yard setback nonconformance is shown on the Minor Subdivision for proposed Lot 84.05, which was granted by a previous Subdivision approval. 4. A minimum rear yard setback variance is required for proposed Lot 84.05. The Minor Subdivision Plan incorrectly shows a side yard instead of a rear yard to the back of existing Lot 83. (A previous filed map confirms the yard in question should be a rear yard.) A dimension of 19.7 feet is shown from the dwelling to the property line and a dimension of 5.8 feet is shown from the deck to the property line. A twenty foot (20') rear yard setback is required. Since a deck height is not indicated, we cannot speculate on the controlling dimension. It should be noted this is an existing nonconformance which was not previously acted upon. (A previous filed map shows a different offset which is conforming.) 5. An existing shed on proposed Lot 84.05 is shown 3.5 feet from the property line of existing Lot 83. Unless the shed is removed or relocated, an accessory structure setback variance will be required. 6. Unless off-street parking is added to proposed Lot 84.05, it appears a variance is required for the number of off-street parking spaces. 7. Per review of the Minor Subdivision Map, it appears no waivers are required. 8. 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. III. Review Comments 1. A Plan of Survey has been provided for Lots 9.04, 84.01, and 84.02. The survey should be revised to include the following: a. The missing shade tree and utility easement along the Highgrove Crescent frontage. b. Areas of the individual lots. c. New chain link fencing and gate on Lot 9.04. d. The elimination of "remains of wood fence" which has been removed. 2. There are many fence encroachments. All encroachments shall be eliminated as a condition of any approvals. 3. Proposed side lines of new Lots 84.03 and 84.04 are one hundred seventy-five feet (175') long. The plan shall be revised accordingly. 4. The front line of proposed Lot 84.03 should be dimensioned to 39.50 feet along the Ridge Avenue frontage. 5. Setback lines shall be corrected on proposed Lot 84.05. 6. Proposed outbound corner monuments shall be added. The proposed outbound corner markers shall be offset where necessary. 7. An existing six foot (6') wide Shade Tree and Utility Easement to Lakewood Township is missing from proposed Lot 84.05. Easement areas shall be shown on an individual lot basis. 8. A horizontal datum shall be indicated along with coordinates on at least three (3) outbound corners. 9. A Legend shall be added. 10. The minimum lot area for proposed Lot 84.05 shall be listed in the "single family" row of the Requirements Table. 11. The Requirements Table shows the minimum lot width of proposed Lot 84.05 to be forty feet (40'), which would require a variance. However, the lot width appears to be much larger. 12. The minimum side and rear yard setbacks of proposed Lot 84.05 in the Requirements Table need corrections. 13. Confirmation must be provided that proposed Lots 84.03 and 84.04 do not exceed the maximum building coverage. The Final Survey shows wood decks which are not included on the Minor Subdivision. 14. 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 driveways shown on the Final Survey indicate that the parking configuration will provide four (4) off-street parking spaces for proposed Lots 84.03 and 84.04. The existing off-street parking configuration on proposed Lot 84.05 is not large enough to accommodate four (4) vehicles. Additional off-street parking must be proposed unless a variance is granted. 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. 15. According to the application, General Note #6 should be corrected to "Benzion Eidelman". 16. The Minor Subdivision Plan should show that new lot numbers were assigned by the tax assessor's office. If approved, the map shall be signed by the tax assessor. 17. The approval box shall be corrected to Planning Board. 18. The Surveyor's Certification has not been signed since the outbound corner markers have not been set. 19. Compliance with the Map Filing Law is required. IV. Regulatory Agency Approvals Outside agency approvals for this project may include, but are not limited to the following: a. Ocean County Planning Board; and b. All other required outside agency approvals.

Also see SD 1930 Nosiva, LLC.

Mr. Charles Surmonte, P.E. was sworn in. The application you heard earlier under plan review, SD 1930 Nosiva, LLC, was for the applicant to acquire an area of the property to the southwest. Under this application they are proposing to acquire another 5,000 sf of property to the rear of this duplex lot. The acquisition of this property will make the shed conforming.

Mr. Vogt said they identified two minimum front yard setback variances.

Mr. Surmonte said that is on the existing house on Highgrove Crescent.

Mr. Vogt asked if this application is conforming.

Mr. Surmonte said yes.

Mr. Vogt asked about the minimum lot rear yard setback variance for lot 84.05.

Mr. Surmonte said he would like to back up. He mixed up the two plans. This is the application where by the duplex was built a couple of feet forward in the setback line. They are requesting relief for the front yard setback.

Mr. Vogt said an accessory setback variance will be required for the shed.

Mr. Surmonte said yes, until the other land is required under application SD 1930 Nosiva, LLC. They are providing the required off-street parking on the two lots off of Ridge Avenue. The existing condition on the property on Highgrove Crescent they are asking for relief on that.

Mr. Vogt asked if he interprets that as an existing non-conformance.

Mr. Surmonte said yes.

Mr. Rennert asked what is going on lot 84.05.

Mr. Surmonte said nothing. The owner of 117 Highgrove Crescent is looking to expand his property. He will acquire about 5,000 sf under this application and another 4,000 – 5,000 sf under SD 1930.

Mr. Banas 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. Banas, Mr. Follman, Mr. Rennert, Mr. Sussman

- 8. SP 2047** (No Variance Requested)
Applicant: Congregation Olam Chesed Inc
Location: Hillside Boulevard
Block 11.12 Lot 25, 26, & 28
Preliminary and Final Major Site Plan for proposed synagogue

Project Description

The applicant is requesting Preliminary and Final Major Site Plan approval to construct a two-story, 9,219 sf Shul with 'future' finished basement on the referenced property. The existing property contains two (2) single-family dwellings. The remainder of the site appears undeveloped in its current condition. Per review of the Architectural Plan, the facility will include a 2,760 sf Main Sanctuary, an 1,190 sf Bais Medrash area, two (2) classrooms, two (2) offices, a lobby, and a conference room. An access drive and off-street parking are proposed, extending from Hillside Avenue. Several single-family residences exist north of the property. Property to the east is undeveloped, and will likely remain undeveloped due to existing wetlands

and associated buffers. The property is located in the R-15 Zone District. Shuls are permitted uses. I. Zoning 1. The parcel is located in the R-15 Single-Family Residential District. Shuls are permitted in the zone, subject to the provisions of Section 18-905. 2. No variances are requested with the application. 3. Disturbance within the 20 foot landscape buffer adjoining residential Lots 23 and 24 is proposed for construction of the Shul building. The applicant is requesting relief from this requirement. 4. The following submission waivers re necessary for this application: • B2 – Topography within 200 feet of the site. • B4 – Contours within 200 feet of the site. • B10 – Man-made features within 200 feet of the site. • C13 – Environmental Impact Statement (EIS). We support the waivers as granted, provided that the applicant provides copies of the wetlands and buffer information (reports, etc.) as indentified on the plan. The applicant agrees with this request. II. Review Comments A. Site Plan/Circulation/Parking 1. As indicated previously, Per review of the Architectural Plan, the facility will include the facility will include a 2,760 sf Main Sanctuary, an 1,190 sf Bais Medrash area, two (2) classrooms, two (2) offices, a lobby, and a conference room. . Per UDO requirements, Subsection 18-905A, we estimate that up to twenty-four (24) off-street parking spaces required. Eleven (11) off-street parking spaces are provided. Per communications with the applicant’s professionals, there are at least twelve (12) additional off-street parking spaces within 300 feet of the site which may be used as parking in accordance with UDO requirements. Off-street parking will be will be addressed to the Board’s satisfaction at the Public hearing (and relief sought if deemed necessary). 2. A 24-foot wide, two-way access is proposed from Hillside Boulevard, as well as a separate drive that would allow for drop off or pickup of congregants. Per communications with the applicant’s engineer, a circulation plan will be provided during compliance review, if/when Board approval is granted. 3. Per review of the site plan, existing lots 25 and 26, immediately north of the proposed Shul are developed with single-family dwellings. 4. As depicted on the Site Plans. Sidewalk and curbing exist along Hillside Avenue. Per communications with the applicant’s professionals, the applicant agrees to repair any damaged sidewalk, curbing or paving along the property frontage during construction. 5. No trash or recyclables storage areas are depicted on the plans. 6. No traffic signage information (e.g., directional signs, stop signs or stop bars) are illustrated on the current plan. Said information would be provided and reviewed i detail during compliance review, if/when Board approval is granted. The applicant agrees to this requirement. 7. 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 not specified, but appears to be stucco and glass as depicted for both stories, as well as side and rear elevations. 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, a “Future Finished 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. C. Grading 1. Per review of the proposed grading, the overall design is well-prepared. As depicted, proposed grading avoids steeper slopes associated with the wooded wetlands area present within the interior of the property. 2. Included in the grading design is a shallow retaining wall system proposed around telephone utilities present in the front of the site, as well as a proposed

handicap accessible ramp system proposed on the southern side of the Shul building. 3. Final review of the grading design, including but not limited to the proposed retaining wall and handicap accessible ramp system 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 to attenuate runoff from the proposed Shul building, parking area and access drive. 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 will be provided to our office for final review of the proposed design (including seasonal high water table and percolation rates). The applicant agrees to this condition. 4. A stormwater system 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 detailed Lighting and Landscaping Plan is provided on Sheet 4 of the plans. As depicted, street trees are provided along Hillside Boulevard, as well as around the access drive and parking areas. Buffer and foundation plantings are depicted along the Shul frontage. 2. The Lighting design is also provided on Site Plan Sheet #4 of the submission, and is well-prepared. Light sources, illumination intensities and cut sheets for the various fixtures are provided. 3. We recommend that non-security lighting (i.e., other than proposed building-mounted lighting) be placed on timers for when the Shul is not in operation. 4. A final review of the lighting design will occur during compliance, if/when Board approval is granted. The applicant agrees to this condition. 5. A detailed Tree Protection Plan is provided on Sheet 7 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. F. Utilities 1. Proposed utilities are not depicted on the current design plans. However, per review of the site plans, public water and sewer exist within Hillside Boulevard, and should be suitable for the proposed Shul. As a result, NJAW approval of the necessary water and sewer services are 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. 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. Freshwater wetlands are depicted within the interior of the site, consistent with what is depicted on the Site Plans. 2. As depicted on the Site Plans, an encroachment into the 50-foot wetlands buffer is proposed to construct the Shul. Said encroachment is permissible per NJDEP regulations, but will require NJDEP Land Use approval to do so. Per communications with the applicant's professionals, the applicant agrees to this condition. 3. Existing mature vegetation is also depicted on the Tree Management/Protection plan, as well as compliance with the Township Tree Protection Ordinance standards. 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. New Jersey American Water (NJAW) for water and sewer; d. NJDEP (wetlands buffer average or transition area waiver); e. Developer's Agreement (at the discretion of the Township); and f. All other required outside agency approvals.

Mr. Rennert stepped down.

Mr. Vogt said he does not believe there are any variances requested with the application. They had previously identified submission waivers. He asked if they were acted upon.

Mrs. Morris confirmed that they were approved.

Mr. Abraham Penzer, Esq. on behalf of the applicant stated that this is a neighborhood synagogue which is serving a tremendous need in this area. The people who live in the area walk to it and are pleased. Being that they are happy with this synagogue, they would like to bring their children. The rabbi bought the entire property in the back which is all wetlands and what they are proposing is behind the house that he resides in to put the synagogue which would front on Hillside Boulevard. There are ten off-street parking spaces but they were asked, because it is a park and there is empty space, if they could put extra parking in the area. They looked into it and they could add an additional 55 parking spaces for a total of 65 parking spaces. They really don't need a third of those spaces because everybody is from the neighborhood. All the comments can be met in the engineer's review letter. This application is fully conforming but since they are so close to the wetlands they will have to go to the DEP for the averaging buffer.

Mr. Glenn Lines, P.E. was sworn in. He said the synagogue would be located on the corner of lot 28. They could add 55 parking spaces within easy walking distance of the synagogue. Right now almost everybody walks. The synagogue is currently located in the basement of lot 26. The residents are already used to the parking arrangement and they are really just giving them a bigger space so they can go to the synagogue with their children.

Mr. Follman asked if there is going to be a Simcha hall.

Mr. Penzer said no.

Mr. Follman asked what is going to be in the basement.

Mr. Penzer said it is going to be the shul.

Mr. Follman asked if the shul will take up the upstairs and downstairs.

Mr. Penzer said yes but they would like to have a youth minion. There are people learning there as well.

Mr. Banas opened to the public.

Mr. Yehoshua Greenspan, 145 North Crest Place, was sworn in. He is a board member of the mikvah nearby. He said a mikvah is a very sensitive and private thing. He is concerned about the additional members of the shul parking near the mikvah and it will infringe on the rights of the privacy of the mikvah. He has received many calls of concern from the members of the mikvah. He is also concerned that the basement will be a Simcha hall as it is over 6,000 sf.

Mr. Follman said he would like to make it a condition in the resolution to make sure no Simcha hall will be in the basement. He does not believe there is enough parking.

Mr. Greenspan would like this application sent to arbitration to settle it privately.

Mr. Jackson said that would be between himself and the applicant. The Board can not entertain that.

Mr. Greenspan would like this application rejected. They have over 1,000 people using the mikvah and this will restrict their use of it.

Mr. Banas understands his position.

Mr. Jackson asked how far away the mikvah is.

Mr. Penzer said about 1,000 ft.

Mr. Jackson asked if the mikvah has its own parking.

Mr. Greenspan said no.

Mr. Jackson asked if it is a private, sensitive operation.

Mr. Jackson asked how many people come to the mikah a day.

Mr. Greenspan said about 30 people at night. It is staggered.

Mr. Jackson asked Mr. Penzer how that would interact with the hours of the proposed shul.

Mr. Penzer said he was the one who represented the mikvah. The mikvah insisted on not having any parking. Instead they put trees around the mikvah so they would have more privacy. He does not understand why nobody from the mikvah called him about these concerns. He would be happy to meet with them.

Mr. Greenspan apologized for not coming to him. They received many calls from concerned members. He would like to meet with Mr. Penzer and work it out.

Mr. Banas closed to the public.

Mr. Penzer said he confident they can resolve this issue. He said this is a conforming application.

Mr. Franklin would like to carry this to the next meeting so they can meet and work this out.

Mr. Penzer does not think it is fair. He sent out 75 notices and one person came. He would like a set meeting date to meet with Mr. Greenspan.

Mr. Greenspan said he could meet tomorrow at 10am in Mr. Penzer's office.

Mr. Jackson said at the next meeting the chairman can reopen to new testimony if he wished but right now this hearing is closed and pending decision on February 18th.

A motion was made by Mr. Franklin, seconded by Mr. Herzl to carry this application to the February 18, 2014 meeting. No further notices.

Affirmative: Mr. Herzl, Mr. Franklin, Mr. Banas, Mr. Follman, Mr. Sussman

- 9. SD 1926** (Variance Requested)
Applicant: S&M Investors LLC
Location: Cedarbridge Avenue and New Hampshire Avenue
Block 1603 Lot 1.04 (old Lot 1.02)
Preliminary and Final Major Subdivision for 66 duplex units, 1 single-family home, 2 open space lots, and 2 commercial lots

Project Description

The applicant is seeking a Preliminary and Final Major Subdivision approval. The applicant proposes to subdivide one (1) future vacant lot into sixty-seven (67) residential lots, two (2) commercial lots, and five (5) open space lots. The proposed sixty-seven (67) residential lots would consist of one (1) single family lot, with thirty-three (33) duplex buildings on sixty-six (66) zero lot line properties. The proposed two (2) commercial lots would consist of a clubhouse lot with a play area and parking lot, as well as a "Future Site Plan" lot, which is not part of this application per communications with the applicant's professionals (but depicted for the Board's information). The proposed five (5) open space lots would be dedicated to a Homeowners Association for drainage and one (1) of the open space lots would contain a play area. The existing irregular property totaling 669,183 square feet, or 15.362 acres in area is known as future Lot 1.04 in Block 1603. The large vacant wooded tract is located northeast of intersecting County Highways Cedar Bridge Avenue and New Hampshire Avenue. Both County Highways are improved four (4) lane roads with one hundred foot (100') right-of-ways. This major intersection of these highways is signalized. Future Lot 1.04 surrounds future Lot 1.03 with more than five hundred feet (500') of frontage on New Hampshire Avenue and over six hundred feet (600') of frontage on Cedar Bridge Avenue. Future Lot 1.03 was approved for a Quick Chek with Gasoline Station under Application #SP-2041. All utilities will be available to these sites. Access to the proposed development will be provided by new roads. Flannery Avenue will intersect Cedar Bridge Avenue at a future traffic signal about eight hundred feet (800') east of New Hampshire Avenue. Another means of access would be from Bridgewood Avenue which will intersect New Hampshire Avenue. This right in/right out/left in intersection which prohibits

left turns out to New Hampshire Avenue will be roughly seven hundred fifty feet (750') north of Cedar Bridge Avenue. Curb is being proposed along Cedar Bridge Avenue, but not New Hampshire Avenue. Sidewalk is not being proposed along the County Roads. However, both curb and sidewalk are proposed within the residential development. Proposed storm water management facilities and utilities are associated with this project. The proposed drainage system consists of a conventional storm sewer collection system that collects storm water and directs runoff to onsite underground recharge systems. Proposed sanitary sewer would be extended to the site along Cedar Bridge Avenue from an existing system on Oberlin Avenue North. Potable water for the subdivision will be extended from existing mains in New Hampshire Avenue and Oberlin Avenue North. The proposed lots are situated within the B-6 Corporate Campus/Stadium Support Zone. Except for the north side of the existing site, the surrounding area is mostly developed. We have the following comments and recommendations: I. Zoning

1. The site is situated within the B-6 Corporate Campus/Stadium Support Zone. In accordance with Ordinances 2013-16 and 2013-49, the following permitted use has been added. Residential uses and design standards permitted in the B-1 zoning district, except that no residential building of any type shall be permitted to front on Cedar Bridge Avenue or that portion of New Hampshire Avenue that is within three hundred fifty feet (350') from the intersection of New Hampshire Avenue and Cedar Bridge Avenue.
2. A variance is being requested from providing the Minimum Lot Area for proposed single family Lot 1.27 in Block 1603. A lot area of 5,999 square feet is being provided, whereas seven thousand five hundred square feet (7,500 SF) is required.
3. A variance is being requested from providing the Minimum Front Yard Setback for proposed single family Lot 21 in Block 1603.01. A front yard setback of 22.83 feet is proposed, whereas a front yard of twenty-five feet (25') is required.
4. Testimony should be provided as to whether any variances are required for the Clubhouse on proposed Lot 31 in Block 1603.01.
6. Waivers are required for proposed lot lines which are not perpendicular or radial to the right-of-way. The only instance where this appears necessary is at the cul-de-sac.
7. The following partial design waivers appear to be required:
 - Providing sidewalk along the County Highway frontages.
 - Providing curb along New Hampshire Avenue.
8. 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

- A. General
1. A Future Site Plan application will be required for proposed development of Lot 1.47 in Block 1603.
2. A revised Boundary & Topographic Survey for Lot 1.02 has been submitted which shows all Vegetative Buffer Easements along the frontages of New Hampshire Avenue and Cedar Bridge Avenue have been vacated.
3. Off-street parking: According to the plans provided, the applicant is proposing four (4) off-street parking spaces per unit which is enough to be in compliance with the RSIS and Township standards. Up to six (6) bedrooms per unit with unfinished basements are permitted for this project to be in compliance with parking ordinance 2010-62. The construction plans indicate that basements will be proposed.
4. Off-street parking along with handicap accessibility must be addressed for the proposed clubhouse on new Lot 31 in Block 1603.01.
5. The applicant shall confirm that trash and recyclable collection is to be provided by the Township of Lakewood. Each unit shall have an area designated for the storage of trash and recycling containers. This matter shall also be addressed for the clubhouse.
6. New road names, Chase Avenue, Flannery Avenue, Newwood Hills Avenue, and Bridgewood Avenue, have been proposed for the project.
7. The proposed lot numbers shall be approved by the Tax Assessor. The Final Plat shall be signed by the Lakewood Tax Assessor.
8. The requirements in 18-821 (Building Uniformity in Residential

Developments) must be addressed. A minimum of eight (8) basic designs are required in every development consisting of more than twenty-five (25) houses. 9. Virtually all proposed storm water management has been designed within open space lots, drainage easements, and right-of-ways. The proposed open space lots and drainage easements will be owned and maintained by a Homeowners Association. It is our understanding the proposed right-of-ways will be Township owned and maintained. Some adjustments to the proposed storm water management system will be necessary to transition between Township and Homeowners Association ownership. 10. Per Subsection 18-911 F (2 (a-g)) of the zero lot line ordinance, a written agreement signed by the owner of the property is required, including provisions to address items associated with the use, maintenance, and repair of common areas and facilities associated with the overall property. Said agreement must be filed as part of this application to obtain the zero lot line subdivision approval from Lakewood Township. B. Plan Review 1. Ingress and egress easements through this project in favor of future Lot 1.03 (Quick Chek Application #SP-2041), are being created by the Minor Subdivision of Lot 1.02 (Application #SD-1913). The proposed cul-de-sac bulb is encroaching into this easement and the proposed shade tree and utility easement will conflict with the future access driveway to the Quick Chek site. It appears the proposed cul-de-sac can be shortened without losing any future residential lots. Minor modifications can be made to the lot lines in this vicinity which already require waivers. 2. Curb and sidewalk is proposed throughout the residential portion of the development. Proposed sidewalk shall be five feet (5') wide, unless pedestrian bypass areas are designed. The limits of proposed curb and sidewalk along County Highways need to be clarified. Curb and sidewalk is required across the entire project frontage unless waivers are granted. Proposed curb and sidewalk locations along County Highways will be dictated by Ocean County. Limits of proposed Township and County curb should be identified. 3. A vertical datum and bench mark should be added to the General Notes. 4. The Schedule of Bulk Requirements for the Future Site Plan should refer to proposed Lot 1.47. 5. Sight Triangle Easements to the Township of Lakewood are proposed throughout the interior of the development in accordance with AASHTO standards. Since Cedar Bridge Avenue and New Hampshire Avenue are County Highways, sight triangle easement requirements have been designed to County standards. 6. Ten foot (10') wide Shade Tree and Utility Easements are proposed along the road frontages. 7. The Site Development Plan should have typical dimensions for the location of proposed sidewalk within the right-of-way. The Site Development Plan depicts all proposed roads to be thirty-two feet (32') in width, with road stationing shown. We recommend the proposed stationing around the cul-de-sac bulb be transitioned from centerline to top of curb. 8. Typical dimensions should be provided for all the various proposed building boxes. No proposed building coverage variances are being requested. 9. No turnaround has been proposed at the terminus of Newwood Hills Avenue. Since there is an adjoining proposed open space lot, there is room to provide a turnaround. C. Grading 1. Grading is provided on Grading and Drainage Plans which are Sheets 4 through 6 of 23. The design attempts to minimize the amount of retaining walls needed to tie proposed grading to neighboring properties. A wall is proposed along a portion of the north side of the site which approaches a maximum height of six feet (6'). Accordingly, fencing should be provided on top of the wall and guide rail at the terminus of Newwood Hills Avenue. 2. Basements are proposed for all the units throughout the development. Soil boring locations are shown on the Grading and Drainage Plans. The soil boring logs are provided in Appendix E of the Storm Water Management Report. The proposed boring logs will have to be checked to verify that the proposed basement floors will be two feet (2') above seasonal high water table. 3. Profiles have been provided for all proposed roads. 4. Off road profiles are required for the proposed storm

drainage easements. 5. A detailed review of the grading can be completed during compliance submission; if/when this subdivision is approved. D. Storm Water Management 1. A proposed storm sewer collection system has been designed to collect and convey storm water runoff. The storm water from the development will be directed to seven (7) onsite underground recharge systems, an infiltration basin, and individual recharge systems designed for the roof runoff from the perimeter proposed duplex units and the clubhouse. It appears an emergency outlet for the seven (7) underground recharge systems has been designed to outlet from a proposed bubbler inlet located along the north property line. 2. If approval is granted, a meeting with the Department of Public Works will be necessary during compliance to review proposed ownership and maintenance responsibilities. 2. Our review of the project indicates it will be classified as Major Development since more than a quarter acre of impervious surface will be added and over an acre of disturbance will take place. As a result, the project must meet water quality and water quantity reduction rate requirements. The Storm Water Management Report must be revised to address water quality. 3. Soils information and permeability testing has been completed within the proposed project to confirm the seasonal high water table and permeability rate used in the routing calculations. The Storm Water Management Report should better discuss these matters in the Narrative. 4. Predevelopment and Post Development Drainage Area Maps have been provided for review. 5. The Storm Water Management Report and Design also includes hydrographs, pipe calculations, conduit outlet protection calculations, and roof recharge trench calculations. The Report and Design will be reviewed in detail after revisions to the project are made. 6. Storm Water Management Operation & Maintenance Manuals have been submitted per the NJ Storm Water Rule (NJAC 7:8) and Township Code. The Manuals are for the recharge trenches and for the Cedarwood Hills subdivision as a whole. The Manuals will be reviewed in detail after the storm water management design is found to be acceptable. E. Traffic 1. A revised Traffic Impact Analysis has been submitted for review, assessing impacts from sixty-seven (67) residences, a fifty-five hundred square foot (5,500 SF) Quick Chek with gas pumps, and a future twenty thousand square foot (20,000 SF) office/retail building. 2. The Analysis examines future traffic from a mixed-use development anticipated to be constructed and fully tenanted by 2016. 3. The following highlights some of the findings of the analysis: a. The Cedar Bridge Avenue and New Hampshire Avenue signalized intersection will operate at levels of service "D" for the AM and PM peak hours. b. The proposed Cedar Bridge Avenue signalized intersection with Flannery Avenue will operate at levels of service "B" for the AM and PM peak hours. c. The proposed New Hampshire Avenue intersection with the southern site access will operate at levels of service "A" and "B" during peak hours. d. The proposed New Hampshire Avenue intersection with Bridgewood Avenue will operate at a level of services "B" during the AM and PM peak hours. e. All driveways and intersections associated with the project will operate within acceptable traffic engineering parameters. 4. Traffic testimony should be provided at the Public Hearing. F. Landscaping 1. Proposed shade trees have been provided along all new roads except for Chase Avenue. Proposed screening trees have been provided along the east side of the project where disturbance reaches a neighboring developed property. Proposed landscaping design has been included on Sheets 10 through 12 of 23. 2. The proposed easements and utilities are shown on the Plan. Except for the proposed shade tree and utility easements, landscaping should not be located in the easements. The plans should be revised to eliminate planting conflicts. 3. Two (2) proposed playground areas are shown on the Landscape Plans. A location is proposed on the clubhouse lot and another location on an open space lot at the Flannery Avenue and Newwood Hills intersection. 4. The overall landscape design is subject to review and approval by the Board and should conform to recommendations from the Shade Tree Commission as practicable. The entire site will be

cleared for the construction of the project. Compensatory plantings shall be addressed with the Tree Protection Management Plan. 5. Landscaping shall be reviewed in detail after compliance submission should subdivision approval be granted. G. Lighting 1. Street lighting has been provided for the proposed residential portion of the subdivision and the future parking lot on the clubhouse site. The proposed lighting is shown on Sheets 10 through 12 of 23. 2. The Plan indicates that Cobra Head, one hundred watt (100W) high pressure sodium pole mounted fixtures are proposed for street lighting. A detail shows the proposed height of the fixtures to be twenty-five feet (25'). 3. The Plan also indicates that two (2) Shoe Box type, one hundred fifty watt (150W) high pressure sodium pole mounted fixtures are proposed for the future parking lot on the clubhouse site. A detail shows the proposed height of the fixtures to be sixteen feet (16'). 4. A point to point diagram has been provided to verify the adequacy of the proposed lighting. The proposed parking lot lighting will be conforming, but the street lighting must be adjusted to not exceed the uniformity ratio. 5. It is anticipated that all lighting within public right-of-ways will be owned and maintained by the Township and all fixtures on individual lots will be privately owned and maintained. Confirming testimony should be provided regarding lighting ownership. 6. Lighting shall be reviewed in detail after compliance submission should subdivision approval be granted. H. Utilities 1. Public water and sewer services are being provided by the Lakewood Township Municipal Utilities Authority since the project is within their franchise area. 2. Proposed sanitary sewer will be constructed to connect to an existing system on Oberlin Avenue North. 3. Proposed eight inch (8") water mains throughout the residential subdivision will connect to an existing sixteen inch (16") main in New Hampshire Avenue and an existing twelve inch (12") main in Oberlin Avenue North. I. Signage 1. Proposed regulatory signage and details should be completed. 2. No project identification signs are proposed. 3. All signage proposed that is not reviewed and approved as part of this application, if any, shall comply with Township ordinance. J. Environmental 1. Site Description Per review of the plans, aerial photography and a site inspection of the property, the initial tract consisted of a total 18.48 acres in area, and is currently undeveloped and contains forested uplands. The proposed subdivision portion of the site is listed at 15.36 acres. The project is located in the eastern portion of the Township on the northeasterly corner of New Hampshire Avenue and Cedar Bridge Avenue. The intersection is signalized. The site is bordered to the north and east by commercial development of the Industrial Park. 2. Environmental Impact Statement The applicant has submitted an Environmental Impact Statement. The document has been prepared by Trident Environmental Consultants to comply with Section 18-820 of the UDO. The report has been prepared for the entire site, not just the application for subdivision approval. The report presents an inventory of existing environmental conditions at the project site; an analysis of consequential impacts that the proposed project will impose on the site; an overview of mitigation and restoration efforts toward attenuation or elimination of any potentially adverse impacts. 3. Tree Management This application shall include the submission of a Tree Management Plan. It should be noted that the Existing Conditions Plan locates trees ten inches (10") or greater in diameter within eight (8) tree plot areas for the site. 4. Phase I If existing, a Phase I Study should be provided to address potential areas of environmental concern, if any within the site. K. Construction Details 1. Construction details are provided on at least Sheets 15 through 20 of 23 in the plan set. 2. All proposed construction details must comply with applicable Township or NJDOT standards unless specific relief is requested in the current application (and justification for relief). Details shall be site specific, and use a minimum of Class B concrete. 3. Final review of construction details will take place after compliance submission, if/when this project is approved by the Board. L. Final Plat (Major Subdivision) 1. Revisions should be made in accordance with previous comments contained in this report. 2.

Non-radial lines shall be labeled. 3. Compliance with the Map Filing Law is required. 4. The Final Plat will be reviewed in detail after design revisions are undertaken for the project. III. Regulatory Agency Approvals Outside agency approvals for this project may include, but are not limited to the following: a. Township Developers Agreement; b. Township Tree Ordinance (as applicable); c. Lakewood Industrial Commission; d. Lakewood Fire Commissioners; e. Lakewood Township Municipal Utilities Authority (water and sewer); f. Ocean County Planning Board; g. Ocean County Soil Conservation District; and h. All other required outside agency approvals.

Mr. Vogt stated that variances are being requested for minimum lot area, front yard setback, testimony shall be provided for the clubhouse and whether relief is required.

Mr. Samuel Brown, Esq. on behalf of the applicant stated that this is the residential component of a much larger tract that has been subdivided to accommodate various commercial uses. This is generally a conforming application except for a few minor variances. The units conform to the UDO and they modified the plans somewhat to what the Board recommended at the last meeting.

Mr. Brian Flannery, P.E., P.P. was sworn in. He marked a rendered version of the site development plan as exhibit A-1. Renderings of the recreational areas were marked as A-2 and A-3. At the tech meeting there was a question whether or not there was enough recreational area. Since that time they have added two recreational areas for a total of four. They are proposing 33 duplexes for a total of 66 units as well as one single family lot which will be on the cult-de-sac, a clubhouse lot and a commercial lot for a future building. Two variances are being requested. One is for the area of the lot for the single family. There is open space next to it which they could add some area but it would take away from the recreational area. He believes the variance is very minor and is offset by providing additional open space area. The other variance is because of the curvilinear nature of the roads, in order to have a buildings roughly the same size, one front corner of the building goes 2 ft over the setback line. He believes that it is de minimis. They have provided 8 parking spaces in front of the clubhouse. They will meet with Public Works to work out the storm drainage. He also said that a turnaround is not needed on Newwood Avenue but that will be worked out during resolution compliance.

Mr. Banas asked how big the playground is.

Mr. Flannery said the playground area near the clubhouse is approximately 60 ft x 80 ft. The playground area near Flannery Avenue is about 5,000 sf. At the terminus of Flannery Avenue there is an area of about 3,900 sf. Another narrow area with benches is approximately 30 ft x 200 ft along Netherwood Avenue.

Mr. Banas wants to make sure there is appropriate number of benches in the parks.

Mr. Flannery said they will work that out with the engineer during compliance.

Mr. Follman asked how far the commercial site is from the clubhouse.

Mr. Flannery said about 300 ft.

Mr. Follman asked if there will be parking on the streets.

Mr. Flannery said the roads are 32 ft wide so that would be enough room for parking there.

Mr. Vogt said the width of the street is 2 ft wider per RSIS requirements for on street parking.

Mr. Franklin said it should be fine to park on both sides.

Mr. Brown said each home will have four off-street parking spaces as well.

Mr. Rennert asked if there will be a catering hall in the clubhouse.

Mr. Flannery said it is going to be a typical clubhouse for these types of developments. When the residents move in and take over the responsibility for it they will do what every other community does. There are only 8 spaces there so there really isn't room for a catering hall.

Mr. Rennert lives in a similar development with a Simcha hall and there are only 4 parking spaces.

Mr. Jackson is concerned about the use of the community building. He said you can limit it to only community based functions but you can't limit to have no outside catering.

Mr. Rennert would like to limit it to just community based functions.

Mr. Brown said at this point they do not know how this is going to develop so it's hard to say. There is overflow parking in the area in case there are events.

Mr. Flannery made the point that it is the resident's community building. They govern it.

Mr. Banas opened to the public. Seeing no one he closed to the public.

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

- 10. SP 2049AA** (No Variance Requested)
Applicant: Congregation Mesivta of Eatontown
Location: New Hampshire Avenue
Block 1082.03 Lot 2
Change of Use/Site Plan Exemption from residence to school

Project Description

The applicant is seeking Site Plan Exemption/Change of Use approval for conversion of an existing two-story single-family residential dwelling at 1300 new Hampshire Avenue into a school. The site plat indicates a proposed (paved) enlargement of an existing paved driveway to provide six (6) 11'x18' off-street parking spaces and an 18-foot wide drive aisle. Access to the site is proposed from New Hampshire Avenue, a County Road with an 80' wide right-of-way. A 30' x 60' "Proposed Basketball Court" is depicted behind the proposed (expanded) parking area. The Change of Use plan, and accompanying survey depict a "Conservation Easement

Area” running through the rear of the property. No development or disturbance is proposed within this easement. As depicted on the site plan, Lot 2 is a rectangular-shaped 22,958 sf property with frontage on Squankum Road. The lot is situated on the west side of New Hampshire Avenue, approximately 215 feet south of its intersection with Belgian Hill Road. Curbing and sidewalk exist along the property frontage. Surrounding properties are predominantly single-family residential in nature. The property is situated within the R-20/12 Single Family Residential Zone. I. Zoning 1. The property is located in the R-12 Single-Family Residential Zone. Private Schools are a permitted use in the zone, subject to the requirements of Section 18-906 of the UDO. 2. Per review of the Change of Use Site Plan, no bulk variances are necessary for the change of use request. 3. Per review of the Change of Use Site Plan, the following design waivers are required for proposed project: • In accordance with Section 18-906A.2., of the UDO, a twenty foot (20’) buffer is required from a residential use or district. No buffer is proposed. and the parking expansion as depicted would be less than two (2) feet from the southerly property line adjoining Lot 3. • In accordance with Section 18-906A.3., of the UDO, landscaping shall be provided for the required buffer. No new landscaping is proposed for the twenty foot (20’) wide buffer area. • Providing landscaping. • Providing lighting. • Providing trash/recyclables storage location(s). II. Review Comments 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. No architectural plans have been provided with the application. As indicated on the Change of Use Site Plan, the proposed school will consist of three (3) classrooms, two (2) offices and one (1) meeting room. Confirming testimony regarding the school (and rooms as identified in the application documents) must be provided by the applicant’s professionals. 3. As indicated previously, six (6) 11’x 18’ off-street parking spaces are proposed. Six (6) parking spaces are required per the UDO for the room summary as proposed in the application documents. 4. Proposed parking will be located less than 2 feet from the southerly property line as depicted. Curb stops or similar barriers should be considered. Site disturbance to install said spaces must be limited to the applicant’s property, or consent from the owner of Lot 3 will be necessary to install the expanded parking area as depicted. 5. Note #6 on the Change of Use Plan indicates trash and recyclable container will be stored on the side of the building for curbside pickup by the Township. Since storage space will not be available on either side of the building, we recommend that a secured trash and recyclable storage area be created at the rear of the building (near the southwest corner). 6. Per communications with the applicant’s professionals, final design of the proposed (expanded) access drive and parking area will be provided during compliance, if/when Board approval is granted. 7. No lighting is proposed. Testimony must be provided regarding proposed hours of operation for the school. Lighting shall be provided to the satisfaction of the Board. 8. Information and/or testimony should be provided that existing utilities serving the building are adequate for the proposed school use. 9. Construction details will be required for proposed site improvements as approved by the Board. Per communications with the applicant’s professionals, this information will be provided during compliance, if/when Board approval is granted. 10. The site plan waiver (if approved) does not relieve the applicant’s obligation to obtain necessary outside agency approvals, building permits and construction code reviews.

Mrs. Miriam Weinstein, Esq. on behalf of the applicant stated that this is a change of use application from a two story single family home to a boy's high school. This is not a typical boys

school. This school caters to the boys who flounder in the typical system and strives to give them some extra loving care as well as vocational and other extra curricular activities that are not typically offered in other boys high schools in the community. No variances are being requested for this application. There are currently 25 students in the school. The students travel to and from school via one van. The hours of operation are different than other schools. They start later in the morning, around 9-9:30 am until about 7 pm. Two nights a week there are classes until 8:30 pm.

Mr. Glenn Lines, P.E. was sworn in. They are converting an existing house that fronts on New Hampshire Avenue into a school. They are using an existing driveway for parking which provides six spaces where six are required based on the ordinance. In the rear yard they are providing recreational activity with a basketball court. There is a large conservation area which was part of the original subdivision. All of the comments can be addressed in the engineer's review letter with the exception of the access driveway. They are on a County road and there is the possibility the County may require a different layout of the driveway. No additional lighting will be provided.

Mrs. Weinstein said there is a tall fence between the school and the neighbor to the south so the driveway shouldn't be a problem.

Mr. Vogt said the driveway would virtually be on the southerly property line.

Mr. Lines said they would work it out with the engineer during compliance.

Mr. Vogt said he would have to show that the paving is not on the property line and that this can be built without disturbing the fence or the adjacent property line or they would have to work something out with the neighbor.

Mrs. Weinstein said the fence belongs to the neighbor so they are clearly not going to disturb it.

Mr. Banas asked if an LOI was required.

Mr. Lines said this development has been in existence for at least 14 years. All the conservation easements were a requirement of CAFRA at the time. No additional permitting is required.

Mr. Follman asked about the fence.

Mrs. Weinstein said there is a fence all around the property.

Mr. Banas opened to the public.

Ms. Carmelita Camacho, 21 Belgian Hill Road, was sworn in. They own the lot next door but she was confused as to where the school was going.

Mr. Doselito Camacho, 21 Belgian Hill Road, was sworn in. He said there is only a fence in the back.

Mrs. Weinstein explained to him that they are not building anything new. They are using the existing house as a school.

Mr. Vogt wants to make sure that they do not put up the fence within the front yard setback without approval of the zoning officer.

Mrs. Weinstein said the applicant agrees to install a fence on the side of the property where the Camacho's live. The fence is probably going to go in the front yard setback because of the way the lot is situated.

Mr. Vogt said if the Board wants fencing installed that it be limited to the front yard setback and not go into it.

Mr. Banas agrees with that.

Mr. Vogt said the fence would probably begin approximately 45 to 50 ft from the edge of the roadway.

Mr. Banas 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. Banas, Mr. Follman, Mr. Rennert, Mr. Sussman

7. CORRESPONDENCE

- **SD 1844** – Discussion of side setback violation

Mr. Adam Pfeffer, Esq. explained that a corner of the house is approximately 1 ft over the setback line. It was not picked up by anyone until the as-built was submitted.

The Board found the variance de minimis and voted to approve this administratively.

A motion was made by Mr. Schmuckler, seconded by Mr. Banas.

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

- **SP 1978** – Discussion of accessory structure setback violation

Mr. Penzer said the building was beyond the setback by approximately 6 inches in error. He would like the Board to approve this administratively.

The Board found the variance de minimis and voted to approve this administratively.

A motion was made by Mr. Herzl, seconded by Mr. Follman to approve.

Affirmative: Mr. Herzl, Mr. Franklin, Mr. Banas, Mr. Follman, Mr. Sussman

- Correspondence from Brian Flannery with requested rezoning in the area of West Cross Street

The Board concurred with Mr. Slachetka's opinion that re-zoning in this area and on this scale, if appropriate, would best be handled as an amendment to the Land Use Element of the Master Plan. The Board recommends that T&M Associates prepare an investigative review of the subject area to determine what zone changes may be appropriate.

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

8. PUBLIC PORTION

9. APPROVAL OF MINUTES

10. APPROVAL OF BILLS

11. ADJOURNMENT

The meeting was hereby adjourned. All were in favor.

Respectfully submitted
Sarah L. Forsyth
Planning Board Recording Secretary