

1. FLAG SALUTE & CERTIFICATION OF COMPLIANCE

Chairman Yechiel Herzl 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 at least 48 hours in advance. The public has the right to attend this meeting, and reasonable comprehensive minutes of this meeting will be available for public inspection. This meeting meets the criteria of the Open Public Meetings Act.”

2. ROLL CALL

Mr. Franklin, Mr. Hibberson, Mr. Flancbaum, Mr. Herzl, Mr. Follman, Ms. Zografos

3. SWEARING IN OF PROFESSIONALS

Mr. David Magno, P.E., P.P., C.M.E. was sworn in.

4. MEMORIALIZATION OF RESOLUTIONS

1. **SP 2214 Torah Temimah of Lakewood Inc**
Lanes Mill Road Block 187.15, Lot 14
Preliminary and Final Major Site Plan for a school and gym

A motion was made and seconded to approve the resolution.

2. **SP 2067 Yeshiva Gedolah of South Jersey, Inc.**
Cross Street Blocks 457, 458, 466 - 469
Extension of Preliminary and Final Major Site Plan for a school campus

A motion was made and seconded to approve the resolution.

3. **SP 2232 Yosef Tress**
Spruce Street Block 778.05, Lot 27
Preliminary and Final Major Site Plan for a synagogue

A motion was made and seconded to approve the resolution.

4. **SD 2130 New Central Properties, LLC**
New Central Avenue Block 11, Lot 1.17
Correcting Resolution for a Minor Subdivision to create two lots

A motion was made and seconded to approve the resolution.

6. PUBLIC HEARING

1. **SP 2237AA Congregation Ohr Mattisyahu**
East County Line Road Block 174.04, Lot 59
Change of Use/Site Plan Exemption to convert existing house into a synagogue

A review letter prepared by Remington, Vernick & Vena Engineers dated April 19, 2017 was entered as an exhibit.

Mr. Dave Magno said variances sought include parking areas within 5 ft of a residential side yard property line, side yard setback for the existing worship building, perimeter buffer relief, as well as design waivers for curbing and sidewalk along the property frontage and from providing site lighting and landscaping. No submission waivers are requested.

Mr. Brian Flannery, P.E., P.P. was sworn in. This is an application for a site plan exemption. There is an existing structure and an accessory structure in the rear with 7 paved spaces. The applicant currently uses the accessory structure for area residents to come and pray but would like to make it an established house of worship. Site plan exemption is sought as no additional construction is needed, it is compatible with the area and it is an inherently beneficial use.

Mr. Herzl asked if the accessory structure would only be used for the synagogue.

Mr. Flannery said yes, the front building would remain a residence.

Mr. Herzl asked if it is the Rabbi's residence.

Mr. Flannery believes it is the Rabbi's son.

Mr. Jackson asked if there are any details as to what the accessory structure looks like.

Mr. Flannery said it is on a slab. It is sort of like a pool house.

Mr. Jackson asked if it has heat, electric, etc.

Mr. Flannery confirmed.

Mr. Herzl said it has to meet building code in order for it to be used for a synagogue.

Mr. Jackson wants the board to understand what they are approving, it could be a shed for all they know.

Mr. Flannery said it was built as more of a game room so it is larger than a shed. Approval would be required from the building department. Relief is required for 1.7 ft from the property line as well as the 1.9 ft side yard setback but both are existing conditions. Buffer relief is required as they are changing the use but it is an existing situation which is not getting any worse. This is an area with a lot of houses in close proximity and the current residents who

attend this synagogue predominantly walk. There has only been 7 spaces which complies with the ordinance and there is no intention to change that.

Mr. Herzl asked if there is a turnaround.

Mr. Flannery said no, it is stacked parking. It is not an ideal situation but there is room to turn around and pull out.

Mr. Jackson asked if there would be any other ancillary uses.

Mr. Flannery said none are proposed. The anticipated parking meets ordinance requirements and it is more than the applicant feels necessary due to the close proximity of the residents. No future expansion is planned.

Mr. Jackson asked what the anticipated parking demand would be.

Mr. Flannery said the house would use 2 spaces which leaves 5 spaces for the synagogue.

Mr. Franklin said 9 spaces are shown on the plan.

Mr. Flannery said the engineer reviewed it and a few are not up to code which they agree with so they are proposing 7 spaces.

Mr. Jackson said it looks like the lot is configured for two houses with walkways.

Mr. Flannery said there are two separate sections due to the geometry of the property. There is only one dwelling.

Mr. Jackson asked if there is only one kitchen.

Mr. Flannery confirmed.

Mr. Herzl asked how large the synagogue is.

Mr. Flannery said it's 25x37 so the whole building is less than 1,000 sf.

Mr. Herzl said no simcha hall is proposed.

Mr. Flannery said it is on a slab so there is no basement. The applicant would have to comply with ADA requirements, they would meet with Public Works. If they do not agree to pick up the trash then they would hire a private hauler. No additional lighting or landscaping is proposed as they feel it is sufficient and it is serviced by existing utilities.

Mr. Jackson said per the plan there is a one store building in the back left corner.

Mr. Flannery believes that is a shed.

Mr. Chaim Abadi was sworn in. He said it is a storage shed.

Mr. Herzl asked if it is possible to create a turnaround.

Mr. Flannery said it is not practical.

Mr. Herzl is concerned about cars backing out into the road.

Mr. Flannery said they don't do it now so he doesn't anticipate they would do it in the future. If they create a turnaround then they will not have room for parking.

Mr. Franklin doesn't think the County will allow them to back out.

Mr. Herzl also thinks the County won't allow them to have two openings.

Mr. Franklin said the board should ensure this is set up the proper way before approving.

Mr. Flannery said it is set up so it has a one in and one out and that is the way it is utilized today. It doesn't meet generally accepted standards but it is an existing condition. The County hasn't complained about it and it has been there a long time. No one in their right mind is going to back out into County Line Road. The people going there know the neighborhood and the traffic conditions. The first person that pulls in understands he will not be able to leave until the other people behind him do.

Mr. Franklin asked if there is room for the cars to back up on the property so they can go out head first.

Mr. Flannery said if the board feels it is needed, they would agree to put in a hammerhead. They back up on the grass now.

Mr. Franklin said they should have a paved area to do this.

Mr. Flannery agrees to that as a condition of approval subject to review by the board engineer.

Mr. Jackson said the County doesn't review conditions which are not up to current code but when a matter comes before the board, they have the opportunity to look at it and make sure it is safe and functions. To say the County hasn't said anything is not how it works, it is only when the applicant comes for approval that it triggers a review. The hammerhead turnaround would be a condition of approval subject to review and approval by the board engineer.

Mr. Herzl asked how many parking spaces they would lose.

Mr. Flannery believes one at the most. They felt they had parking for 9 vehicles but per the generally accepted standards, it was determined there were 7. He can assure the board 9 vehicles will park there even after they put in the hammerhead.

Mr. Follman questioned the number of daily prayer services.

Mr. Brown said he was told there would be two, one in the morning and one in the evening.

Mr. Herzl opened to the public.

Mr. Shloma Klein was sworn in. He asked if sidewalks are proposed.

Mr. Flannery said the County is putting in sidewalks. The applicant would agree to install sidewalks if the County does not.

Mr. Klein said therefore he is asking for a waiver from providing sidewalks.

Mr. Flannery said they would like to wait and bond the sidewalks and if the County plans don't come through, the applicant would install the sidewalks.

Mr. Jackson asked for a time frame.

Mr. Flannery said 6 months.

Mr. Magno said same situation with curbing.

Mr. Flannery confirmed.

Mr. Klein questioned the size of the home and the shed in the back corner as the plan indicates it is a one story building with a deck. He asked how many bedrooms are in the house. They may not comply with parking requirements as it looks like there are two separate units.

Mr. Flannery said they would need to comply with RSIS which only goes up to 3 parking spaces per unit. They have 7 spaces they can utilize. He testified what the typical usage of the house is which is a couple of cars. 7 spaces is more than adequate and it complies with RSIS.

Mr. Klein said RSIS speaks only up to 5 bedrooms, the UDO takes over from 5 and above how many parking spaces are required. The question is not if they are compliant with RSIS, the question is whether they are compliant with the UDO.

Mr. Magno said a site plan exemption was submitted so he cannot tell the board how many parking spaces are required as testified, they do not have any information on the existing building to tell how many are required. It is important that the board decide what they are approving for conforming parking spaces. The applicant's engineer already testified they would provide a plan with a turnaround which is going to affect the parking configuration. The question is whether the board is approving 7 conforming parking spaces and there may need to be additional changes besides the turnaround in order to do that or are they going to ask for 6 spaces.

Mr. Herzl thinks they have room for 7 spaces but they may need to take away from the grass area.

Mr. Flannery said Mr. Magno is implying that a typical perpendicular parking space is 18 ft deep with a 24 ft paved access aisle behind it and that is not what the applicant is proposing. The applicant is proposing parallel spaces in more of a stacked driveway configuration that then will provide a hammerhead in the travel portion of the driveway which vehicles can back into and pull out straight. The applicant would agree to at least 7 conforming parking spaces.

Mr. Magno said they would not have the constant 24 ft backup aisle because there is parallel parking on the other side.

Mr. Herzl closed to the public.

A motion was made and seconded to approve the application.

All were in favor.

2. SP 2235 Congregation Alexander Inc
East 7th Street Block 231, Lot 30
Preliminary and Final Major Site Plan for a synagogue

A review letter prepared by Remington, Vernick & Vena Engineers dated May 18, 2017 was entered as an exhibit.

Mr. Magno said submission waivers are requested for EIS and a tree protection management plan. The site is previously developed and no known environmental constraints exist per NJDEP mapping, therefore, waiving of the EIS is supported. Waiving of the tree protection management plan is supported for completeness purposes only, architectural plans have been provided so that submission waiver is no longer required.

A motion was made and seconded to approve the submission waivers as supported by the board engineer and planner.

Mr. Magno said variances sought include minimum rear yard, side yard, combined side yard setback, maximum building coverage. Relief is required from providing a parking area closer than 5 ft to a residentially zoned side property lines in accordance with the UDO, relief is required from providing a perimeter buffer of 20 ft.

Mr. Ira Karas said this is a site plan for a two-story shul with a basement.

Mr. Brian Flannery, P.E., P.P. was sworn in. This is an application for a neighborhood shul on 7th Street. It is an existing 7,500 sf residential lot where a 34 ft wide shul is proposed. The applicant needs relief for the setback of 10.67 ft which is measured to the landing for the stairs going to the building. The actual setback to the building itself is 20 ft which complies with the ordinance. A minimum side yard setback of 5 ft is requested due to a bump out on one portion of the building that is 1.33 ft. They have a combined setback of 14.67 whereas 15 ft is required. Building coverage requested is 34.3% whereas 30% is required. Parking within 5 ft of the property line is also being requested. The only parking they have is four rows of double stacked parking and the most westerly double stacked

parking is the handicapped parking and it's got the access area for the handicapped vehicle. The parking is closer, the applicant is proposing an 8 ft high fence along both property lines to provide relief for the neighbors.

Mr. Herzl said his testimony concerning the variances does not match the chart on the plans.

Mrs. Morris noticed that as well. There were slightly different numbers on the review letter as opposed to what was shown on the plans.

Mr. Flannery said the board engineer is usually correct.

Mr. Herzl said the plans need to be corrected.

Mr. Flannery confirmed. Relief is required from the perimeter buffer but again they are providing an 8 ft fence. The engineer's report notes 4 ft is the maximum allowed in the front and they are asking for relief to keep it 8 ft there as well. If the board doesn't feel that is appropriate then that would be within their discretion. The design waivers from providing street trees is requested as there really is no place for them. If the board wants the applicant to plant one on the property line, they would be willing to do that. The design waiver for the non-residential driveway in excess of 30 ft is requested. In order to maximum parking, they felt this was an appropriate way to do it.

Mr. Herzl asked if there is any on-street parking in the area.

Mr. Flannery said it is limited.

Mr. Franklin said it is very limited. There is another synagogue one block over which has many members parking on the street. This area is already too crowded.

Mr. Herzl asked if this is the maximum number of spaces provided.

Mr. Flannery confirmed, the ordinance would require 5 and they are providing 7. He doesn't see how they could fit any more spaces on the property.

Mr. Herzl asked what the basement would be used for.

Mr. Flannery said it is a normal basement. The applicant would agree to the typical restrictions where the basement would only be used for shabbos or non-driving holidays.

Mr. Herzl said the basement would not be rented out for parties.

Mr. Flannery confirmed. There is a need for a small shul such as this for residents who do not want to go to the larger facility down the street which has a bigger crowd and are taking up the parking. This would accommodate people in a closer proximity that are able to walk. If the board feels the variances are not appropriate, they could make the building a little smaller but it is his testimony the minimal relief requested, the benefits outweigh the detriments.

Mr. Herzl asked if they could add additional spaces if the building were smaller.

Mr. Flannery said no, it would eliminate the variance in the rear for the steps.

Mr. Jackson said if they did eliminate the variances and made the building smaller then it would have a less intense use and parking demand. The building coverage of 34% is pretty substantial. If they make the building comply with all of the bulk variances then it is a by right application. The board may want to leverage the bulk criteria in order to make it a less intense use.

Mr. Flannery said if they eliminate all of the variances including the building coverage and rear yard setback, the building will be about 11% smaller. He does think they would get less use of the building and they certainly will not be able to add any parking, it would only crowd the congregants.

Mr. Jackson questioned the 20 ft buffer requirement.

Mr. Flannery said the fence proposed, in his opinion, meets the intent of the buffer.

Mr. Jackson said that 20 ft buffer would take a big bite out of their building.

Mr. Flannery said it would, it would render the lot useless.

Mr. Karas argued even if they complied with the maximum building coverage, the sanctuary space would remain the same.

Mr. Herzl opened to the public.

Mr. Shloma Klein was sworn in. He said the architectural plans show 150 seats where the applicant is only providing 7 spaces.

Mr. Jackson said the parking standards are very liberal in recognition that a lot of people walk to service and also to facilitate the development of this type of facility.

Mr. Klein said the architectural plans show a mikva in the basement.

Mr. Mordechai Swadron was sworn in. He complained that certain neighbors did not receive notice until the Friday before the meeting.

Mrs. Morris said her records indicate the post office stamped them received on May 12th.

Mr. Swadron said there will be two cul-de-sacs in this neighborhood. He is concerned about safety and said many of the congregants do not live walking distance of the shuls in the neighborhood and illegally park on the street. He asked that the board not grant any variances.

Mr. Raphael Nauman was sworn in. he is in favor of the application but asked that due to the parking constraints, there be no party hall in the shul and to provide ample parking for the synagogue.

Mr. Michael Flam was sworn in. He was told the sanctuary itself will not change regardless, it is the ancillary uses which would become smaller. The steps in the back are for the women so it is easier for them to get in the synagogue.

Mr. Yehuda Shapiro was sworn in. He said the simcha hall was not shown on the plans because they did take the neighbors into consideration understanding the parking concerns. He is in favor of eliminating parking towards the corner of the road but that would be up to the Township.

Mr. Herzl asked if the basement will be used as mikva or a simcha hall.

Mr. Shapiro said it will be a mikva. There will be not simcha hall. There is a kitchen on the plans which would only be used for kiddish and on Shabbos.

Mr. Isaac Scholar was sworn in. he is a member of this synagogue and currently they are renting a facility which is located in the middle of a residential block. They do have services and gatherings there and have been active for 7 years in that location. The only concerns they have heard from the neighbors is to ask how they could get more involved or how to participate in services.

Mr. Yeshaya Harari was sworn in. He is concerned about the safety of his children.

Mr. Yehuda Dewick was sworn in. He said the Rabbi is concerned for both his congregants and the neighbors.

Mr. Chaim Gutman was sworn in. He said he has tried to reach out to the neighbors to hear their concerns. The building size of the main sanctuary is not going to change and if they do have to make it smaller, the parking and the number of members attending would remain the same.

Mr. Eli Schwartz was sworn in. He said he currently walks to this synagogue now and this new proposed synagogue would be much closer to his home. He is in favor of this application as it will be a benefit to the members and the community.

Mr. Klein said he supports this application.

Mr. Herzl closed to the public. He asked how many prayer services would there be daily.

Mr. Karas said three services a day, morning, afternoon and evening.

Mr. Herzl said there would be curbs and sidewalks.

Mr. Flannery confirmed.

Mr. Follman said only members of the congregants should be able to utilize the mikva, it should not be open to the public.

Mr. Herzl said it shouldn't be open to the public as there is not enough parking.

Mr. Flannery said the applicant agrees.

A motion was made and seconded to approve the application.
All were in favor.

- 3. SD 2109 292 Sampson Ave, LLC**
Sampson Ave Block 246, Lot 24
Minor Subdivision to create two lots

Legal notice was not provided for this application. This project will not be heard.

- 4. SD 2144 Chaim Abadi**
Shady Lane Drive Block 12.01, Lots 7 & 11
Minor Subdivision to create three lots

Mr. Grunberger arrived.

A review letter prepared by Remington, Vernick & Vena Engineers dated May 18, 2016 was entered as an exhibit.

Mr. Magno said it should be noted that if there is a right-of-way dedication along Miller Road instead of an easement, the lot sizes would be reduced to under 10,000 sf. The applicants engineer's should clarify the exact variances being requested.

Mr. Chaim Abadi was sworn in. They are splitting up the land in order to get his daughter a larger house.

Mr. Brian Flannery, P.E., P.P. was sworn in. A tax map was submitted as an exhibit highlighting lots which are undersized in the vicinity. In the block where this property is located, there are ten undersized lots and in the whole R-12 area to the south of Miller Road there is another 18. There are three lots in this area which are unique in that they have more frontage than other lots. When an application came in on Carasaljo many years ago, it was indicated there were only two other similar lots so it's not going to be replicated other than two other times. Last year when they came in on the corner of Forest, they indicated there was only one similar lot in the area which is Mr. Abadi's daughter's lot. The two lots which would front on Shady Lane are consistent with the area. They take one of the lots which is along Miller Road which is undersized at only 50 ft wide and they would make that bigger and would reconfigure the 30,000 plus sf to come up with 3 lots that exceed 10,000 sf which would fit in the area with nice, buildable houses. There are some other lots in the area that are more than the 12,000 sf required by the zone but they don't have the frontage that this lot does where it would lend itself to another subdivision so that would continue going and degrade the neighborhood. Variances requested include minimum lot variance, lot width, side yard and combined side yard setbacks. The report indicates 4 spaces are proposed but only 3 would fit in the existing driveway. The existing house is a three bedroom with no basement apartment so 3 spaces is more than sufficient. Drywells would be provided as well as curb and sidewalks. The other items can be addressed. The

new houses will have at least 4 parking spaces. The road widening needed is on the southwesterly side of the road. There is a consistent 60 ft right-of-way where the County already did a road project there where sidewalk is installed. If the County wants additional right-of-way, they would propose an easement which he feels comfortable the County would accept. The most they would want is an additional 3 ft and typically the County wants the pavement in the right-of-way. The County would not agree to a road widening easement where there is going to be pavement but since they are never anticipating pavement being wider than 30 ft from center line which would be wider than Route 9. As a result of the right-of-way dedication, lot 11.01 would be 9,614 instead of 10,007 and 11.02 would be 9,668 sf instead of 10,094 sf.

Mr. Magno said the board should consider granting those variances because if the board approves the larger lot sizes and they don't get the easement, then the applicant would have to come back.

Mr. Flannery said the applicant would appreciate that de minimis change.

Mr. Herzl opened to the public.

Mr. Adini Natan was sworn in. She is Chaim Abadi's daughter and has lived at this property for 8 years. She would like to stay in the area as her family is close by. She has looked at other lots in the area but there is not much in her budget for a growing family. In order to afford the new home, they would need to sell off the extra lot. She respectfully asked that the board approve the application.

Mr. Shloma Klein was sworn in. He said there was testimony that curbs and sidewalks would be provided but per the engineer's report, a waiver is being requested.

Mr. Magno said the applicant now agrees to provide curb and sidewalk.

Mr. Flannery said they would provide curb and sidewalk on Shady Lane. The County did the road project on Miller which already has curb and sidewalk.

Mr. Klein asked if the applicant spoke to the board members before this meeting.

Mr. Abadi said he has not spoken to any of the board members concerning this application.

Mr. Klein said the applicant is asking to go down two zones.

Mr. Moshe Blech, 135 Forest Drive, was sworn in. He feels this would accomplish good things in the neighborhood. The house they are taking down in the back looks like a trailer. The area would get cleaned up and look nice which would improve their taxes.

Mr. Herzl closed to the public.

A motion was made and seconded to approve the application.

Affirmative: Mr. Grunberger, Mr. Franklin, Mr. Flancbaum, Mr. Herzl, Mr. Follman, Ms. Zografos

No: Mr. Hibberson

Mr. Herzl left the meeting.

- 5. SD 2173 Shulem Illowitz**
Joe Parker Road Block 189.04, Lots 188-190
Extension of Minor Subdivision to create four lots

Mr. Brian Flannery, P.E., P.P. Was sworn in. The 190 days for minor subdivisions was something they came up with around 40 years ago where you could get it done within that time. Nowadays you need County, health department approvals, etc. The reason the board has not seen these for 10 years is due to the permit extension act so nothing expired. Starting in June, everything is going to expire so the board will probably see every minor subdivision come back for an extension. This application is on a County road and dealing with the County cannot be done within 6 months.

Mr. Franklin opened to the public.

Mr. Klein asked what they need to do to get final approval.

Mr. Flannery said they must file the map with the County.

Mr. Franklin closed to the public.

A motion was made and seconded to approve a one year extension.
All were in favor.

- 6. SD 2063 Eli Schwab**
Joe Parker Road Block 189.16, Lot 157
Extension of Minor Subdivision to create three lots

Mrs. Morris said this application had previously received an extension in July of last year when they had anticipated the permit extension act was going to expire at that time.

Mr. Brian Flannery, P.E., P.P. said this application is on a County road. The County required an easement from the neighbor which they just received so they are requesting a one year extension.

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

A motion was made and seconded to approve a one year extension.
All were in favor.

- 7. SD 1963 Nachman Taub**
Read Place Block 855.02, Lot 26
Extension of Minor Subdivision to create two lots

Mrs. Morris said this application had previously received an extension in July of last year when they had anticipated the permit extension act was going to expire at that time.

Mr. Brian Flannery, P.E., P.P. said there was a problem with the Ocean County Health Department. There was a neighbor's septic which was impacting the facilities but they have finally worked it out. He requested a one year extension.

Mr. Franklin opened to the public.

Mr Klein said since the extensions are so long, it is likely the property was sold. He questioned if the ownership affidavits need to be updated.

Mr. Jackson said it is not really clear what the procedure for any of this is. The statute says you only have to give notice if it is so many acres. There is really no instruction in the statute. Common sense would tell him that stuff is not important. It is a question as to whether the applicant perfected the subdivision and if not, what is the reason.

Mr. Franklin closed to the public.

A motion was made and seconded to approve a one year extension.
All were in favor.

8. SD 2140 Yeshaya Ackerman
Ann Court Block 187, Lots 84 & 100.05
Extension of Minor Subdivision to realign lot lines

Mr. Brian Flannery, P.E., P.P. said this is the application where the neighbor wanted more land in their back yard to install a pool and working with the neighbors has taken longer than expected but they have made a deal now and are ready to move forward. A one year extension is requested.

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

A motion was made and seconded to approve a one year extension.
All were in favor.

9. SD 2170 Thomas Rosenberg
Ridge Avenue Block 223, Lots 83.05, 88, & 89
Extension of Minor Subdivision to create three lots

Mr. Brian Flannery, P.E., P.P. said there was a prior minor subdivision which was just filed so now they are preparing this one to be filed with the County.

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

A motion was made and seconded to approve a one year extension.
All were in favor.

10. SD 2153 Meir S Kaufman
South Street Block 855.06, Lots 26 & 32
Extension of Minor Subdivision to create three lots

Mr. Joe Kociuba, P.E., P.P. said this application was approved November 1, 2016 and as the board is aware, they have 190 days to perfect the application or they have to request an extension. They are still working out details with regards to water and sewer and as a result are requesting a one year extension.

Mr. Franklin opened to the public.

Mr. Klein questioned why certain applications come in for extensions.

Mr. Kociuba said some of the outside approvals take longer than anticipated, therefore, the MLUL allows the applicant to receive extensions.

Mr. Follman asked if there is any downside to extending applications.

Mr. Kociuba said typically the downside would be if the town rezoned the location and had a different intent from a planning perspective for the area.

Mr. Follman asked what variances were requested.

Mr. Kociuba said there were variances granted for lot area and width.

Mrs. Morris questioned if the board cannot grant an extension if they have changed their mind on whether or not to approve the subdivision.

Mr. Jackson said the basis for not perfecting the map is that they are hindered by some outside agency. It is really on them to show why they did not get their approval. The board could deny it if they forgot about it and it sat around for 150 days.

Mr. Follman said this is in an R-20 zone and they are going down to R-15.

Mrs. Morris said 20,000 sf is required whereas each of the proposed lots would contain a minimum of 14,500 sf.

Mr. Kociuba said obtaining approval for the utilities has been problematic and that is the reason for the extension. As far as he knows, the MUA is bringing sewer to the area but they do require septic designs at this point which they are in the process of getting approvals for.

A motion was made and seconded to approve a one year extension.
All were in favor.

- 11. SD 2131 Heshy and Rivka Weiss**
East County Line Road Block 106, Lot 12
Extension of Minor Subdivision to create two lots

Mr. Brian Flannery, P.E, P.P. said they are dealing with the County and requested a one year extension.

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

A motion was made and seconded to approve a one year extension.
All were in favor.

7. OAK STREET CORE RESIDENTIAL DEVELOPMENT SUBDIVISIONS

- **SD 2261AO Shvat II, LLC**, Block 1034, Lot 3
- **SD 2262AO Block 1042, LLC**, Block 1042, Lot 3
- **SD 2264AO Oak Vine Development, LLC**, Block 1035, Lots 8 & 9
- **SD 2265AO Oak Vine Development, LLC**, Block 1026, Lot 1

A review letter prepared by Remington, Vernick & Vena Engineers dated May16, 2017 was entered as an exhibit.

Mr. Franklin opened to the public.

Mr. Klein wanted the board to be aware that they are approving a total of 16 duplexes with these applications.

Mr. Franklin closed to the public.

A motion was made and seconded to approve the applications.
All were in favor.

8. PUBLIC PORTION

Mr. Klein said a few months ago, Take Back Lakewood sent an email to the board members mentioning an application he felt was not right. The board attorney answered and said the board members should not be communicating with the public before the meeting. That application was not even open to the public as it was just a technical thing but there was just recently an application which he knows for a fact that a yeshiva called up the board members to vote down that application which subsequently was pulled. A lot of applicants are communicating with the board beforehand but per the direction of the board attorney, that is illegal.

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