

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

3. SWEARING IN OF PROFESSIONALS

Mr. Vogt was sworn in.

4. MEMORIALIZATION OF RESOLUTIONS

1. **SD 1550a** Seymour Investments / Cross Trade LLC
Denial of request to remove a condition of approval

The applicant's attorney requested that this resolution be carried.

2. **SD 1883** (Variance Requested)
Applicant: Boneh Builders LLC
Location: East Kennedy Boulevard
Block 174 Lots 17, 18, 50
Amended Resolution - Major Subdivision to create thirteen lots

A motion was made by Mr. Franklin, seconded by Mr. Follman approve the resolution.

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

Abstained: Mr. Rennert

3. **SD 1886** (No Variance Requested)
Applicant: Yaakov Klugman
Location: Marlin Avenue
Block 1159.02 Lot 30
Minor Subdivision to create 2 lots

A motion was made by Mr. Franklin, seconded by Mr. Follman approve the resolution.

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

Abstained: Mr. Rennert

**PLANNING BOARD MEETING
AUGUST 20, 2013**

**TOWNSHIP OF LAKEWOOD
PUBLIC HEARING MEETING**

4. **SD 1891** (Variance Requested)
Applicant: 11 Clover LLC
Location: Clover Street
Block 539 Lots 1, 2, 17, & 18
Minor Subdivision to create 7 lots

A motion was made by Mr. Franklin, seconded by Mr. Follman approve the resolution.
Affirmative: Mr. Franklin, Mr. Banas, Mr. Schmuckler, Mr. Follman
Abstained: Mr. Rennert

5. **SP 2011** (Variance Requested)
Applicant: Sudler Lakewood Land, LLC
Location: Route 70, Paco Way
Block 1160.04 Lot 49
Site Plan for a proposed warehouse and office space

A motion was made by Mr. Franklin, seconded by Mr. Follman approve the resolution.
Affirmative: Mr. Franklin, Mr. Banas, Mr. Schmuckler, Mr. Follman
Abstained: Mr. Rennert

6. **SD 1894** (Variance Requested)
Applicant: School Gardens Realty, LLC
Location: School Garden Street
Block 243 Lots 6-8, 26, 27.01 & 27.02
Major Subdivision for thirteen lots (6 fee-simple duplexes and one single family)

A motion was made by Mr. Franklin, seconded by Mr. Follman approve the resolution.
Affirmative: Mr. Franklin, Mr. Banas, Mr. Schmuckler, Mr. Follman
Abstained: Mr. Rennert

7. **SP 2023AA** (No Variance Requested)
Applicant: Shiras Chaim Inc
Location: Albert Avenue
Block 854 Lot 3
Change of Use/Site Plan Exemption from single-family residence to supplemental school building for after hours activities

A motion was made by Mr. Franklin, seconded by Mr. Follman approve the resolution.
Affirmative: Mr. Franklin, Mr. Banas, Mr. Schmuckler, Mr. Follman
Abstained: Mr. Rennert

Mr. Schmuckler has an issue with the resolution as it says this is change of use from a residence to a new school. The resolution should only be for resource rooms and offices for the adjacent school.

A motion was made by Mr. Schmuckler, seconded by Mr. Franklin to include the proposed changes.

Affirmative: Mr. Franklin, Mr. Banas, Mr. Schmuckler, Mr. Follman
Abstained: Mr. Rennert

8. **SP 2030AA** (No Variance Requested)
Applicant: Congregation Noam Hatalmud
Location: Lanes Mill Road
Block 187 Lot 6
Change of Use/Site Plan Exemption to convert existing house into a school

A motion was made by Mr. Franklin, seconded by Mr. Follman approve the resolution.
Affirmative: Mr. Franklin, Mr. Banas, Mr. Schmuckler, Mr. Follman
Abstained: Mr. Rennert

9. **SP 2025AA** (No Variance Requested)
Applicant: Mesivta Ohr Yisrael
Location: Nieman Road
Block 251.02 Lot 30
Change of Use/Site Plan Exemption from single-family residence to boys' high school

Mrs. Weinstein, Esq. would like the three year time frame removed as a condition. She prefers adding a condition for the maximum number of classrooms.

Mr. Banas remembers discussing when there is a change to the type of school then the applicant would have to come back before the Board.

Mr. Jackson said that paragraph can be removed.

A motion was made by Mr. Franklin, seconded by Mr. Follman approve the resolution.
Affirmative: Mr. Franklin, Mr. Banas, Mr. Follman
Abstained: Mr. Rennert, Mr. Schmuckler

5. PROPOSED ORDINANCE REVIEW

- Creation of a new R-10A Zone; re-zoning of some properties to R-10A

Mr. Schmuckler suggested that the impact fee ordinance be adopted before this ordinance. He would like that to be included in the letter of recommendation to the committee.

Mrs. Morris believes both ordinances will be at the committee meeting for a second reading at the same time.

A motion was made by Mr. Schmuckler, seconded by Mr. Franklin to recommend the ordinance.
Affirmative: Mr. Franklin, Mr. Banas, Mr. Schmuckler, Mr. Follman, Mr. Rennert

6. PUBLIC HEARING

1. **SD 1897** (Variance Requested)
Applicant: David Rothenberg and Associates Inc
Location: Third Street
Block 70 Lot 2
Minor Subdivision to create four fee-simple duplex units

Applicant has requested to carry this application to the September 10th meeting. This project will not be heard.

A motion was made by Mr. Follman, seconded by Mr. Schmuckler to carry the application to the September 10, 2013 meeting. No further notice.
Affirmative: Mr. Franklin, Mr. Banas, Mr. Schmuckler, Mr. Follman, Mr. Rennert

2. **SD 1905** (Variance Requested)
Applicant: Bergen Equities, LLC
Location: Bergen Avenue
Block 246 Lot 66 & 69
Minor Subdivision to create 4 fee simple duplex units

Project Description

The applicant seeks approval to subdivide two (2) existing lots into four (4) proposed lots containing two (2) duplexes. The Tax Map shows existing Lot 66 is an 80' X 200' rectangular tract containing sixteen thousand square feet (16,000 SF), or 0.37 acres. The Tax Map indicates that existing Lot 69 is an irregular property with eighty feet (80') of road frontage. These lands in Block 246 would be subdivided into proposed Lots 66.01 through 66.04 as designated on the subdivision plan. Two (2) zero lot line duplex buildings would be proposed on the combination of new Lots 66.01/66.02 and 66.03/66.04. All existing improvements would be removed from existing Lots 66 and 69. The site is situated in the northern portion of the Township on the southeast corner of the intersection of Bergen Avenue with Sampson Avenue. Bergen Avenue is an improved municipal road in good condition with a sixty foot (60') right-of-way and about a forty foot (40') pavement width. Curb and sidewalk in fair condition exists along Bergen Avenue, but will be replaced because of the amount of disturbance proposed. Sampson Avenue 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 freshwater wetlands shown immediately to the southwest of the property. A fifty foot (50') transition area associated with these off-site freshwater wetlands traverses the southwest corner of the proposed subdivision. In fact, transition area averaging is proposed to permit construction of the units with usable back yards. The existing lots contain a one-story frame dwelling, a shed, and a stone driveway. All existing improvements would be removed. Small trees are present throughout the site. The property slopes generally downward to the southwest, towards freshwater wetlands. The Improvement Plan indicates proposed sanitary sewer to be extended on Bergen Avenue to service the future units. An existing potable water line has been added across the project frontage on the south side of Bergen Avenue. There is overhead electric on the north side of Bergen Avenue. The proposed lots are situated within the R-7.5 Single-Family Residential Zone. The surrounding land uses are residential. We have the following comments and recommendations per testimony

provided at the 8/6/13 Planning Board Plan Review Meeting and comments from our initial review letter dated August 1, 2013: I. Zoning 1. The parcels are located in the R-7.5 Single-Family Residential Zone District. Two-Family Housing and Duplexes are permitted uses provided newly created lots have a minimum lot size of ten thousand square feet (10,000 SF) and have a minimum lot width of sixty feet (60'). Zero lot line residential development pertains to the zone. 2. A variance has been requested for Minimum Front Yard Setback. The proposed duplex for new Lot 66.04 would be constructed 10.99 feet from the right-of-way of unimproved Sampson Avenue. A minimum front yard setback of twenty-five feet (25') is required. The Board shall take action on the required front setback variance. 3. A design waiver is required from the improvement of Sampson Avenue. Sampson Avenue is an unimproved right-of-way leading to freshwater wetlands. Since the development of Sampson Avenue would be curtailed by the presence of wetlands, we recommend the Board grant this design waiver. The Board shall take action on the required design waiver. II. Review Comments 1. The Surveyor's Certification references a Survey dated 5-2-2012. A signed and sealed copy of this Survey is required. An Outbound & Topographic Survey dated 05-21-13 has been submitted. The Surveyor's Certification shall be revised for resolution compliance submission should approval be granted. 2. The Surveyor's Certification has not been signed since the monuments have not been set. Statement of fact. 3. The Survey to be provided and the base map for the Subdivision and Improvement Plan must show the existing edge of pavement at the Bergen Avenue and Sampson Avenue intersection. Revised Survey, Subdivision, and Improvement Plan shall be provided with resolution compliance submission should approval be granted. 4. A freshwater wetlands transition area traverses the southwest corner of the tract. Transition area averaging has been proposed to allow for the construction of units with usable back yards. Proposed bearings and distances, as well as tie distances are required for the transition area line, transition area reduction line, and transition area addition line. Pins shall be set where the approved transition area averaging line intersects property lines and at any changes in direction of the line. New Jersey Department of Environmental Protection is included on the list of outside agency approvals. The NJDEP approved transition area averaging shall be provided with resolution compliance submission should subdivision approval be granted. Improvements may not be proposed within transition areas without additional State approvals. 5. Coordinates must be provided on three (3) outbound corners. Horizontal datum has been assumed. The coordinates can be provided with resolution compliance submission should approval be granted. 6. A vertical datum and bench mark must be provided. The vertical datum and bench mark can be provided with resolution compliance submission should approval be granted. 7. Zones and Zone Boundary Lines must be added to the Minor Subdivision Plan. The Zones and Zone Boundary Lines can be provided with resolution compliance submission should approval be granted. 8. The General Notes require revisions. The General Notes revisions can be provided with resolution compliance submission should approval be granted. 9. The Zoning Data Table requires revisions. The Zoning Data Table revisions can be provided with resolution compliance submission if approval is granted. 10. The Zoning Data indicates that four (4) off-street parking spaces are required and being provided. The proposed driveways shown on the Improvement Plan are large enough to accommodate four (4) vehicles. Testimony should be provided on the number of bedrooms and whether basements are anticipated for the proposed duplexes. Testimony on off-street parking shall be provided. 11. Proposed offset dimensions must be provided to the hundredth of a foot. Additional variances may be required. The proposed eleven foot (11') offset dimension on new Lot 66.04 shall be corrected to 10.99 feet. The correction can be provided with resolution compliance submission should approval be granted. 12. Curb and sidewalk exist along the Bergen Avenue frontage of the project. The existing curb and

sidewalk is being replaced in front of the proposed duplex lots. The proposed sidewalk shall meet the existing sidewalk in front of adjoining Lot 25. The proposed sidewalk shall extend to the intersection of Sampson Avenue where a curb ramp with detectable warning surface shall be constructed. The proposed dimensions associated with these Bergen Avenue improvements should be erased, since existing improvements will be met. Accordingly, General Note #13 on the Improvement Plan shall be eliminated. The call out where proposed sidewalk meets existing sidewalk shall be added to the plans. The call out can be provided with resolution compliance submission should approval be granted. 13. No sight triangle easement has been proposed at the intersection of Bergen Avenue and Sampson Avenue since Sampson Avenue will not be improved. Statement of fact. 14. A proposed six foot (6') wide shade tree and utility easement is shown along the property frontage. Areas which require minor corrections have been provided for the proposed easement on an individual lot basis. Final corrections to the proposed shade tree and utility easement can be provided with resolution compliance submission should approval be granted. 15. The Owners Certifications signature blocks require corrections. The Owners Certifications can be rectified with resolution compliance submission should approval be granted. 16. New lot numbers should be assigned by the Tax Assessor. The map shall be signed by the Tax Assessor should approval be granted. Statements of fact. 17. 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 should basements be proposed for the new dwellings. Testimony should be provided on whether any basement proposed will be unfinished. 18. The Improvement Plan notes storm water management shall be provided when plot plans are submitted as directed by the Township Engineer. The revised Improvement Plan indicates that subsurface recharge will be proposed. 19. The proposed grading for the curb replacement along Bergen Avenue must be revised to provide a six inch (6") reveal with a positive slope to the east. Accordingly, the Typical Pavement Widening Section will require revision and should be titled Typical Gutter Reconstruction Section. A better proposed grading design for the curb replacement shall be provided with resolution compliance submission should approval be granted. 20. The Improvement Plan shows proposed site grading. The proposed lot grading does not provided enough overland slope and should maximize the direction of runoff to Bergen Avenue and minimize runoff directed towards adjoining properties and freshwater wetlands. Proposed grading should also be revised to not encroach past the approved transition area averaging line. Proposed contour lines should be corrected. A better proposed grading design shall be provided with resolution compliance submission should approval be granted. 21. The project is located within the New Jersey American Water Company franchise area. The Notes on the Improvement Plan state that the new lots to be serviced by individual well and septic and approved by the Ocean County Health Department. However, the existing sanitary sewer in Bergen Avenue will be extended for the future dwellings. The revised plans show an existing water line to service the proposed units. The Ocean County Health Department Note shall be corrected for resolution compliance submission if approval is granted. 22. 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 duplexes on the combination of Lots 66.01/66.02 and 66.03/66.04. Statements of fact. 23. Compliance with the Map Filing Law is required. Statement of fact. 24. Construction details included on the Improvement Plan will require revisions. Conditions imposed by any approval will impact the construction details. Therefore, a revised Improvement Plan shall be provided with resolution compliance submission should approval be granted. III. Regulatory Agency Approvals Outside agency approvals for this

**PLANNING BOARD MEETING
AUGUST 20, 2013**

**TOWNSHIP OF LAKEWOOD
PUBLIC HEARING MEETING**

project may include, but are not limited to the following: a. Township Tree Ordinance (as applicable); b. Ocean County Planning Board; c. Ocean County Soil Conservation District; d. Ocean County Board of Health (if required); e. New Jersey Department of Environmental Protection; and f. All other required outside agency approvals.

Mr. Vogt stated that the applicant is requesting a variance for minimum front yard setback and a design waiver for the improvement on Sampson Avenue.

Mrs. Weinstein, Esq. on behalf of the applicant stating that they are seeking a front yard setback variance which is on a paper street that will never be paved since it leads to wetlands. They are asking that this be treated as a side yard rather than a front yard setback.

Mr. Brian Flannery, P.E., P.P. was sworn in. He said that this is a very simple application. Two lots front on Bergen Avenue, both are large enough to be duplex lots. This application sets a new line between the two lots which provides for better duplexes. The one variance requested is technically a front yard setback to Sampson Avenue which is an unimproved right-of-way which goes into wetlands. Exhibit A-1 is the subdivision map and exhibit A-2 is a tax map. He highlighted the proposed lots in orange and an adjacent lot in blue. About 10 years ago a developer filled wetlands without any permits or approvals which caused serious drainage issues to this adjacent lot. This application has nothing to do with that. This application proposes that the front of the lots will grade toward Bergen Avenue using that storm sewer system. The only water that will go in the direction of that adjacent lot is from the roofs and they are proposing a stormwater management system for each roof that will contain the 100 year flood for each of the roofs. They will be making the situation better but certainly not fixing it. The Township would probably have to address the issue with the adjacent property owner and they would have to deal with the DEP to obtain permits. The rest of the comments in the engineer's report will be addressed at the time of resolution compliance.

Mr. Banas opened to the public.

Mr. Jan Kristbergs, 331 Ocean Avenue, was sworn in. He is the executor of the property. He objects to the proposed subdivision. He stated that a developer destroyed a stormwater drain on the lot east. He has attempted throughout the years to alert the Township and the DEP of this condition. He thanked Mr. Franklin for his help. He believes any increase in development surrounding the wetlands is exacerbating the situation.

Mr. Schmuckler suggested that perhaps the Township Engineer could reach out to the DEP to try and resolve this issue.

Mrs. Morris said a request could be made through the Manger's office.

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

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

- 3. SP 2026AA** (No Variance Requested)
Applicant: Bais Medrash of Central Jersey
Location: Marlin Avenue
Block 1159.02 Lot 7

Change of Use/Site Plan Exemption from single-family residence to boys' college with future dormitory

Applicant has requested to carry this application to the September 10th meeting. This project will not be heard.

A motion was made by Mr. Follman, seconded by Mr. Schmuckler to carry the application to the September 10, 2013 meeting. No further notice.

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

- 4. SP 2034AA** (No Variance Requested)
Applicant: Me'Ohr Hatalmud, Inc
Location: Chestnut St & Caldwell Avenue
Block 1097 Lot 2

Change of Use/Site Plan Exemption from single-family residence to boys' high school

Project Description

The applicant is seeking Site Plan Exemption/Change of Use approval for conversion of an existing 1.5-story single-family residential dwelling located on Caldwell Avenue, approximately 125 feet north of its intersection with Chestnut Street into a Boys' high school. The property is located on the east side of Caldwell Avenue. As depicted, Caldwell Avenue in its current condition is "semi-improved" along the property frontage, and at varying cartway widths within the 50-foot wide ROW. Vehicular access and off-street parking appear to be proposed from Caldwell Street as depicted on the plans. Per review of the architectural plan, the proposed first floor of the school will include a classroom, a 729 sf Bais Medrash area, an office, and coffee room and lunch room areas. two (2) offices. The second floor will contain two (2) offices and a "Rec Room". The existing basement is depicted as "to be unoccupied". Besides the proposed (gravel) off-street parking, the only proposed site or building alteration appears to removal of a portion of an existing wooden walk where the parking is proposed. Per review of aerial mapping, the site is within a predominantly undeveloped area, with limited single-family residential development surrounding the site. I. Zoning 1. The property is located in the R-20 (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 exist nor are any proposed for the proposed change of use. 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.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 paved access/off-street parking. • Providing curbing. • Providing sidewalk. • Providing shade trees and utility easements. 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 (and teachers) are proposed at the school. b. Will any students (or parents) drive and park at the school. c. How many buses (if any) are proposed. d. Will any students will be dropped off and picked up (by car). 2. As

depicted on the plans, access to the converted dwelling, for purposes of the proposed school converted use, will continue to be from the existing "semi-improved" Caldwell Street cartway. Unless improvements to the cartway are proposed, the applicant will have to demonstrate, to the Board's satisfaction that use of the Caldwell Street cartway without improvements will be acceptable. 3. If change of use approval is granted, without Caldwell Street cartway improvements, we recommend that the Township review the proposed roadway, as a condition of approval, to ensure that safe access to the proposed school can be accommodated using for Township vehicles as needed (e.g., for DPW, emergency services, etc.). 4. Depending how students, parents and/or teachers will arrive to and from the school (i.e., cars, buses, or both), the applicant should testify regarding pedestrian access between the school and parking/drop-off areas (if proposed). 5. As indicated previously, the proposed stone parking area on the property will provide the equivalent of seven (7) gravel off-street parking spaces. Per Section 18-906C of the UDO, seven (7) off-street spaces are required (assuming potential use of the 'Rec Room'). Parking should be provided to the satisfaction of the Board. 6. Per Note 16 on the Change of Use plan, continued pickup of trash and recyclables (by the DPW) is proposed. 7. Testimony should be provided regarding proposed lighting (if any). 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 (if any) 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 (and Township review of proposed use of Caldwell Street).

Mr. Rennert stepped down.

Mr. Lankry from the Zoning Board will sit in for this application.

Mr. Vogt stated that waivers are requested for the perimeter buffer, landscaping, paved access/off-street parking, curb, sidewalks, shade tree and utility easements.

Mrs. Weinstein, Esq. on behalf of the applicant explained the growth rate of Lakewood and the need for schools. There are still children that do not have a school to go to. The school will have a total of two classes for this school with 23 boys. There are 15 boys in the incoming 9th grade and there are 8 students in the 10th grade. This is for a high school and is expected to grow to four classes within two years. This school has limited financial resources and have stretched themselves to the max to purchase this property that is very suitable for a school. This application is merely for site plan exemption. The applicant is requesting some waivers as Terry pointed and most notably it would be from the improvement of Caldwell Street and installation of curb and sidewalk. The applicant hopes this will be temporary solution until the school has ample resources and enough students to construct a new building.

Mr. Graham MacFarlane, P.E., P.P., was sworn in. The plan proposes adequate parking for the staff that will be teaching. No other site improvements, land clearing or disturbance in connection with the application. The subject is constrained by an existing pond or open water body on site as well as some freshwater wetlands for which an LOI has been issued. There is a 50 ft wetlands buffer associated. Access to the site will be provided through Caldwell Avenue

which is an existing municipal right-of-way. It is semi-improved with a gravel road bed. It is currently not paved.

Mr. Schmuckler asked how they know this is going to only be short term.

Mrs. Weinstein said this house is not large enough to accommodate a very large school. Like most schools in Lakewood they tend to grow very quickly.

Mr. Schmuckler would like to see some kind of time limit.

Mrs. Weinstein would rather have a classroom limit.

Mr. Schmuckler is concerned that in a few years the school will be sold and no improvements will be done.

Mr. Franklin believes this is a bad site for a school. There is a 50 ft buffer for the wetlands, Caldwell Avenue is not paved as well as no pavement on the parking lot. The kids may be playing in the buffer area.

Mr. Banas asked how the students are getting to the school.

Mr. MacFarlane stated that the students will arrive and depart via two private vans. The site will be accessed from Chestnut Street directly onto Caldwell Avenue.

Mr. Banas asked about the access point.

Mr. MacFarlane said there is a dirt driveway on Caldwell Avenue and another access point on Chestnut Street which they will not be using.

Mr. Schmuckler would like the entrance on Chestnut Street closed off so you can't drive through that.

Mr. Franklin said public works won't plow the dirt road.

Mrs. Weinstein believes they do.

Mr. Franklin said they don't plow any gravel/dirt roads.

Mr. MacFarlane said if the school had to contract for snow plowing they would do that.

Mr. Banas asked about the parking.

Mr. MacFarlane said they are proposing gravel parking spaces.

Mr. Banas said that is insufficient and he also won't vote for this application because no curb and sidewalk is proposed.

Mrs. Weinstein said that is why Mr. Schmuckler was asking for a time frame as this is a temporary solution. They would agree to a two year limit.

Mr. Schmuckler asked what would happen two years from now. The applicant can't build on this site as there is wetlands everywhere unless they buy an adjacent lot.

Mr. MacFarlane explained that they could expand this site further.

Mr. Lankry asked what he thinks the largest size building could be developed there.

Mrs. Weinstein asked for a break to discuss with the applicant.

Mr. Banas called the meeting back to order.

Mr. MacFarlane suggested that they improve 50 ft of Caldwell Avenue from the right-of-way and agree to pave parking spaces and provide adequate access to the school. Paving the intersection would alleviate any concerns for ingress and egress.

Mr. Banas asked about the curb and sidewalk.

Mr. MacFarlane said they are still asking for a waiver for curb and sidewalk. The area is rural in nature and there are no pedestrians in the area.

Mr. Banas said there are going to be children in the area.

Mr. Jackson asked if it is possible to allow a cartway to be constructed that would resemble a driveway.

Mr. Vogt said even if the Board approves this, ultimately this is a Township street. The Township would have to sign off on this.

Mr. Schmuckler suggested that the board approve this application with no waivers granted and they would have to bond for those improvements.

Mr. Vogt said the applicant may have to do a hold harmless agreement as the Township may not agree that there is adequate access for Township vehicles to service the school.

Mr. Schmuckler said before they can get a permanent CO the applicant would have to bond for those improvements.

Mr. Banas does not like the temporary CO idea.

Mr. Schmuckler said they could approve with no waivers and the road would have to be finished to the Township's requirements within 24 months. A bond would have to be placed before a CO is given.

Mr. Jackson said it doesn't work that way.

**PLANNING BOARD MEETING
AUGUST 20, 2013**

**TOWNSHIP OF LAKEWOOD
PUBLIC HEARING MEETING**

Mr. Vogt said it would not be an easy process with the bonding company if they had to go after the bond.

Mr. Lankry said his main concern is the safety of the children.

Mr. Banas suggested that this be carried so the applicant could come up with a better plan that fits with the Board's comments.

Mr. Banas opened to the public.

Mr. Joseph Paul, 306 Chestnut Street, was sworn in. He does not object to this application. He explained that Kettle Creek runs through his property across to the applicant's property and he wants to make sure that stays open and runs freely.

Mr. Banas closed to the public.

Mrs. Weinstein asked this application be carried.

A motion was made by Mr. Schmuckler, seconded by Mr. Lankry to carry the application to the October 1, 2013 meeting. No further notice.

Affirmative: Mr. Franklin, Mr. Lankry, Mr. Banas, Mr. Schmuckler, Mr. Follman

5. **SD 1892** (No Variance Requested)
Applicant: Yeshiva Yesodei Hatorah
Location: Bellinger St, South Bell Ave, South Lafayette Ave, Read Pl
Block 804 Lots 1 & 2
Block 823 Lot 1
Block 830 Lots 40 & 41
Major Subdivision for 41 townhouses and associated site improvements

Applicant has requested to carry this application to the September 10th meeting. This project will not be heard.

A motion was made by Mr. Follman, seconded by Mr. Schmuckler to carry the application to the September 10, 2013 meeting. No further notice.

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

6. **SD 1895** (Variance Requested)
Applicant: Ocean Ave Property Holdings, LLC
Location: Ocean Avenue
Block 536 Lots 1, 2, & 4
Major Subdivision for 19 lots (9 duplex units, 1 existing dwelling to remain)

A motion was made by Mr. Follman, seconded by Mr. Schmuckler to carry the application to the September 10, 2013 meeting. No further notice.

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

7. **SP 1954A** (No Variance Requested)
Applicant: Harley Davidson of Ocean County
Location: Route 70
Block 1086 Lot 16
Amended Preliminary & Final Site Plan for proposed addition to existing motorcycle dealership building with associated site improvements.

Proof of notice has not been provided. This application will not be heard.
A motion was made by Mr. Follman, seconded by Mr. Franklin to carry the application to the October 1, 2013 meeting. There will be new notices.
Affirmative: Mr. Franklin, Mr. Banas, Mr. Schmuckler, Mr. Follman, Mr. Rennert

7. PUBLIC PORTION
8. APPROVAL OF MINUTES
9. APPROVAL OF BILLS
10. ADJOURNMENT

The meeting was hereby adjourned. All were in favor.

Respectfully submitted
Sarah L. Forsyth
Planning Board Recording Secretary