

1. FLAG SALUTE & CERTIFICATION OF COMPLIANCE

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

“The time, date and location of this meeting was published in the *Asbury Park Press* and posted on the bulletin board in the office of the Township of Lakewood 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. Grunberger, Mr. Franklin, Mr. Hibberson, Mr. Herzl, Mr. Neiman, Mr. Flancbaum, Mr. Follman, Mr. Cautillo

3. SWEARING IN OF PROFESSIONALS

Mr. Terence M. Vogt, P.E., P.P., C.M.E. was sworn in.

4. MEMORIALIZATION OF RESOLUTIONS

1. SP 2188AA Yeshiva Ohr Olam

Cross Street and Newport Ave

Block 499, Lot 1

Change of Use/Site Plan Exemption to convert an existing house to a school

A motion was made and seconded to approve the resolution.
All members present for the public hearing were in favor.

5. PROPOSED ORDINANCES

• 18-603 Site Plan Exemptions

Mrs. Morris explained that this is an existing section in the ordinance chapter 18-603. This is the section of the ordinance that pertains to site plan exemptions. There are provisions currently for the change of uses and for any small additions of 1,500 sf or less. For any applicant who has previously received a site plan approval from the Planning Board, they would not be required to come back before the board if they do not have variances. However, because of the way this was worded as a previously approved site plan, any change of use site plan exemptions that they were doing technically didn't have a site plan approval, they had a site plan exemption. So, they were getting tripped up on the language, for example, for the one just approved, if they wanted to come back for a 1,500 sf addition, they would not technically be exempt because of the way the ordinance was written.

Mr. Neiman understands. The applicant would still have to come for a change of use but if they want to make an addition to the change of use, they would have to come back before the board. So, if they change the language in the ordinance, they would not have to come back.

Mrs. Morris said that is correct. They would not have to come back and they would get the same consideration as any regular site plan approval that a previous board approval already has.

Mr. Neiman thinks that makes sense.

Mrs. Morris thinks it was an oversight the way it was written. It was unintentionally excluding particular sites because it was written as a previously approved site plan rather than a previously approved site plan or use.

Mr. Neiman is fine recommending this ordinance change to the Township Committee.

Mr. Franklin asked if 1,500 sf would be conforming.

Mrs. Morris said yes. They would not be permitted to have any variances. It can only be a small addition that conforms to the regular bulk requirements.

Mr. Flancbaum said it would go through the Zoning Officer.

Mrs. Morris said that is correct but she herself processes these reviews before they go to plot plan.

A motion was made by Mr. Follman, seconded by Mr. Cautillo to recommend the ordinance change to the Township Committee.

All were in favor.

6. PLAN REVIEW ITEMS

1. SD 2143 Kikar Shabbos LLC

Monmouth Ave & Fourth Street Block 160, Lot 1.01
Minor Subdivision to create two lots

A review letter prepared by Remington, Vernick & Vena Engineers dated June 29, 2016 was entered as an exhibit.

Mrs. Morris said notices were sent in error using the wrong property owners list but being that this is only a technical meeting, she knows in the past, the board has allowed tech reviews to go forward as long as the applicant properly notices for the public hearing meeting.

Mr. Ray Shea, Esq. said this is a minor subdivision with no new construction being proposed. This is an economic subdivision. They are taking the existing approval and simply creating a new lot for a future building to allow separate financing.

Mr. Vogt said there are a number of pre-existing variances. New variances include a minimum side yard setback for proposed lot 1.05, a minimum rear yard side setback for proposed lot 1.04, and a minimum rear yard setback for proposed lot 1.05.

Mr. Glenn Lines, P.E., P.P. said lot 1.02 is not part of their application. They are taking the large 'L' shaped property and subdividing right between two buildings. The plan doesn't show any outbound information for lot 1.02 so he does not know how it ended up in their review.

Mrs. Morris asked if this would eliminate any variances.

Mr. Lines said the minimum lot width variance for proposed lot 1.05. He said they are only subdividing lot 1.01.

Mr. Vogt questioned what new variance relief is being requested.

Mr. Lines said aggregate side yard setback between new lots 1.04 and 1.05, minimum side yard setbacks of 5.95 ft and 3.65 ft.

Mr. Neiman asked how they approved two buildings on one lot.

Mrs. Morris said there are no ordinance provisions prohibiting more than one principal use on a lot.

Mr. Neiman asked if any parking variances are being requested.

Mr. Lines said originally the plan proposed a parking lot and there was a deal to reconstruct the public parking lot behind the recreation center.

Mr. Neiman said the existing parking does not suffice for this project.

Mr. Herzl asked who owns lot 1.03. He asked if that is part of the parking for lot 1.05.

Mr. Lines said he does not have the certified list with him.

Mr. Jackson said a separate site plan approval will be needed on one of the lots.

Mr. Doyle said the board has already granted two separate site plan approvals on one lot.

Mr. Franklin asked that a parking layout be provided at the public hearing.

A motion was made and seconded to advance this application to the August 16, 2016 meeting.
All were in favor.

2. SP 2187 KG Investments

Chestnut and River Avenue Block 1070, Lots 1 & 3
Preliminary and Final Major Site Plan for a combined retail and office building, existing gas pumps to remain

A review letter prepared by Remington, Vernick & Vena Engineers dated June 27, 2016 was entered as an exhibit.

Mr. Vogt stated that submission waivers are requested including an environmental impact statement, tree protection management plan and architectural drawings. These waivers can be supported from a completeness standpoint only. However, architectural drawings are to be submitted prior to the public hearing. Tree protection can be addressed during resolution compliance.

A motion was made and seconded to approve the waivers as recommended by the Board Engineer and Planner.
All were in favor.

Mr. Brian Flannery, P.E., P.P. said this is the BP site on Route 9 and Chestnut Street. They are combining the lot behind which currently has a home on it. The house and car wash will be removed and a new building with retail on the first floor and office on the second floor would be built. Two of the gas booths will also remain.

Mr. Vogt stated that variances include minimum front yard setback, relief for the number of off-street parking spaces, relief for a parking setback from the centerline of a state highway as well as design waivers for curb, sidewalk and shade tree/utility easements.

Mr. Neiman said they are not going to ask for waivers from providing curb and sidewalk at the public hearing.

Mr. Flannery said no, they will not.

Mr. Flancbaum asked about parking.

Mr. Flannery said they are short about 10 spaces. They would provide testimony based on the uses at the public hearing.

A motion was made and seconded to advance this application to the August 16, 2016 meeting.

Affirmative: Mr. Grunberger, Mr. Franklin, Mr. Hibberson, Mr. Herzl, Mr. Mr. Flancbaum, Mr. Follman, Mr. Cautillo

Abstain: Mr. Neiman

3. SD 2144 Chaim Abadi

Shady Lane Drive

Block 12.01, Lots 7 & 11

Minor Subdivision to create three lots

A review letter prepared by Remington, Vernick & Vena Engineers dated June 27, 2016 was entered as an exhibit.

Mrs. Morris said that the applicant already had a concept plan review before the Board and is requesting a combined plan review and public hearing.

Mr. Vogt stated that variances requested include minimum lot area, lot width, side yard setback, combined side yard setback, accessory structure side yard setback as well as design waivers from providing street trees, curb and sidewalk along the Shady Lane frontage.

Mr. Joe Kociuba, P.E., P.P. said they had requested a combined hearing, however, they were advised that there were some people in the audience who may have some concerns with the application. He said they would proceed with the technical review only. The application is for a 3 lot subdivision. The lots are approximately 10,000 sf in a 12,000 sf zone.

Mr. Neiman said strong testimony must be provided as this is a very serene R-12 zone.

Mr. Brian Flannery, P.E., P.P. said they did come for a concept hearing and the indication was that it did fit in. They didn't think there would be any opposition. The applicant is their neighbor and he is happy to meet with them. He asked that they schedule this application for the next available meeting.

Mr. Neiman would like to hear concerns from one of the neighbors.

Mr. Marvin Jeremaius lives directly across the street. They moved into this area because it is a serene neighborhood with 12,000 sf lots. He asked that this remain an R-12 zone.

A motion was made and seconded to advance this application to the August 2, 2016 meeting. All were in favor.

4. SD 2145 ARM Realty & Construction

Netherwood Drive Blocks 433, 434, 435, & 436
Preliminary and Final Major Subdivision to create 21 lots

A review letter prepared by Remington, Vernick & Vena Engineers dated June 30, 2016 was entered as an exhibit.

Mr. Vogt stated that submission waivers requested include topography, contours and man-made features within 200 feet are supported as enough information has been provided for the design. Waivers from providing septic information as well as an environmental impact statement is also requested. We can support waiving the testing for conventional septic disposal system for completeness purposes only. The testing will be required prior to the public hearing to complete the proposed design. The waiver from providing an EIS is supported as long as the site contains no environmental constraints.

Mr. Neiman asked if there are any wetlands.

Mr. Brian Flannery, P.E., P.P. said no, the wetlands are at least 200 feet away.

Mr. Vogt said according to NJDEP mapping, the wetlands are several hundred feet to the east and north east, therefore, the waiver from providing an EIS can be supported. The applicant will have to comply with the tree protection ordinance.

Mr. Flannery said the soils information provided would also document the lack of wetlands in consistency with the state map.

Mr. Neiman asked if there is any public sewer in the area.

Mr. Flannery said the sewer is located in an unfeasible distance away. Certainly the applicant will look at any other development in the area. More information on the septic and soils will be provided at the public hearing.

A motion was made and seconded to approve the waivers as recommended by the Board Engineer and Planner. All were in favor.

Mr. Vogt said variances requested include minimum lot area, lot width, front yard setback and aggregate side yard setback.

Mr. Flannery said with respect to lot area, it is 12 sf. All the lots are 12,000 sf except for the corner lots where they are dedicating 12 sf for the curb radii.

Mrs. Miriam Weinstein, Esq. said the applicant was very careful to keep these lots at 12,000 sf as the neighbors in Hearthstone want the neighborhood to remain that way.

Mr. Flannery said they would demonstrate at the public hearing that they could get the same number of lots by improving more streets that Public Works would have to maintain and opening more avenues for traffic.

Mr. Neiman asked what they are opening up.

Mr. Flannery said the whole area is paper streets.

Mrs. Morris said she had questions concerning Netherwood Avenue. She asked if the proposed portion of Netherwood will connect to the existing road.

Mr. Flannery said yes, it would connect to all the way to Cross Street.

Mrs. Morris said they would need a waiver from improving Princewood Avenue because they have a dual frontage.

Mr. Flannery said that is correct.

Mr. Neiman asked why they are not improving Princewood as well.

Mr. Flannery said it would be more roads for the Township to maintain. It would be more of an attraction for vehicles.

Mr. Neiman argued not everyone will go through Netherwood, they would go through other streets as well.

Mr. Flannery said there are two points on the County road that would present traffic conflicts. It would be a difficult application with the County to get them to improve two when only one is necessary.

Mrs. Weinstein said it was already presented to the County.

Mr. Joshua Schmuckler said this was already approved at the board previously and the County does not want a second street opened.

Mr. Neiman said the application was for one of the blocks.

Mr. Flannery said yes, it is the same property.

Mrs. Weinstein said this application would supersede the previous approval. The review letter states this is a 22 lot subdivision but it should be 21 lots.

A motion was made and seconded to advance this application to the August 16, 2016 meeting. All were in favor.

- 5. SP 2189 Sephardic Bet Yaakov Inc**
Prospect Street Block 411, Lots 26 & 27
Preliminary and Final Major Site Plan for an addition to an existing school

A review letter prepared by Remington, Vernick & Vena Engineers dated June 30, 2016 was entered as an exhibit.

Applicant has requested a combined plan review and public hearing at this meeting.

Mr. Neiman asked if it was noticed for such.

Mr. Abe Penzer, Esq. said no but they have removed all variances so this is now a by-right application. This application is only for 2 of the 5 lots they own in the area. They would be coming back on the other 3 lots for a

full site plan. They just need to get this approved quickly because the high school girls do not want to be together with the elementary school kids.

Mr. Joshua Schmuckler said they did notice for public hearing.

Mr. Neiman said then they will hear it as a public hearing item.

Mr. Penzer said it was brought to their attention by the board engineer that they would be short on parking spaces. They would make it a condition of approval that they would providing parking as per ordinance requirements. As a result, no variances are being requested. There will be a maximum of 285 children. Most of the parents live in the area and would drop off/pick up their kids. The maximum amount of buses would be 5.

Mr. Neiman asked if the buses are able to make the turns adequately.

Mr. Penzer said yes, the circulation works as it is now. Any items in the engineer's review letter can be met during resolution compliance. He said the school has plenty of room, up to 450 kids, but the high school girls prefer not to be with the elementary girls.

Mr. Neiman asked if they need any additional parking.

Mr. Glenn Lines, P.E., P.P. was sworn in. He said they do need more parking.

Mr. Neiman asked how many parking spots there currently are now.

Mr. Penzer said there are 10 spaces.

Mr. Neiman asked how that could be with a school this size.

Mr. Penzer said they have a limited number of classrooms and teachers.

Mr. Lines said they would need 18 or 19. The total needs to be clarified with the board engineer. They would provide additional parking on one of the adjacent lots which is within 500 ft and that is permitted by ordinance. The teachers would have to walk over to the school.

Mr. Neiman asked where they are planning to have PTA and other events.

Mr. Penzer said they have 3 other lots in the area. They would have everything required when they come back for a full site plan.

Mr. Neiman asked where these 3 lots are located.

Mr. Lines said to the west.

Mr. Jackson said if they are using those lots then they need site plan approval.

Mr. Lines said that is correct, they will be back for a site plan.

Mr. Neiman said they would be using the lot for parking.

Mr. Penzer said it would be for parking and future buildings. They just need to get through this year because of the issue with the high school and elementary girls.

Mr. Jackson said the lot is all wooded, it would have to be improved.

Mr. Penzer understands. They would not do anything else besides maybe putting parking spaces without coming back before this board.

Mr. Neiman doesn't get how there are only 8 spots for both a high school and elementary school. Bais Tova has over 500 spaces.

Mr. Jackson said those lots should be part of this application so you know that is what they are used for. What will happen is there will be an application down the road on those lots for something else and they'll lose track that they were supposed to be parking spaces.

Mr. Penzer said they don't have a problem providing parking but they do not want to pave because they will be putting a building there in the future. He asked that the board approve this plan for a year or two until they can come back.

Mr. Vogt asked what lots they are talking about.

Mr. Lines does not have a list with him.

Mr. Jackson asked how many students and teachers are in this school.

Mr. Penzer said a maximum of 285 students, high school and elementary.

Mr. Lines said when they add up all of the teachers, office, custodial staff, they come up with 19 spaces.

Mr. Vogt said according to what was submitted, they would need 8 or 9 additional spaces.

Mr. Flancbaum asked if they had any space on this property to add 9 spots.

Mr. Penzer said normally there are 25 children to a teacher so that works out to 10 spaces plus any employees.

Mr. Jackson said any parking on other lots would be part of this application.

Mr. Penzer understands. The ordinance says anything within 500 ft can be used. The only issue is if they can get away without having to pave it as they would only have to rip it up later when they come in for a full site plan. He asked if a time limit could be granted just so the school doesn't have the extra expense.

Mr. Vogt said there is a Township requirement regarding paving of parking. If the board is going to act on that but that would have to be waived.

Mrs. Morris argued that lot is not part of this application or included in the certified list that was used to notify property owners within 200 ft. She does not feel comfortable putting in improvements that are not part of this application.

Mr. Penzer said he has done this before. They can use those parcels for parking if they are within 500 ft. All of the lots are owned by the same applicant.

Mrs. Morris said that is when there is existing parking that is already paved elsewhere and you have an agreement to use it. Not to get the paving requirement waived on another adjacent property.

Mr. Penzer asked why they would need an agreement. The applicant owns the lot.

Mr. Jackson said you don't need an agreement but you need an approval to use it. Right now it is wooded, you can't just bring in a bulldozer and knock down trees and park cars there.

Mrs. Morris said it is typically when it is an existing parking lot.

Mr. Lines said they would fill in the existing swimming pool and widen the driveway. This would allow them to add additional spaces on the subject lot in order to meet the ordinance.

Mr. Vogt asked if they could make those new rear spots employee only.

Mr. Penzer said they have no issue with that.

Mr. Lines said that is a great suggestion as those cars would be there all day.

Mr. Vogt said they could angle the parking right next to the driveway.

Mr. Flancbaum said they would provide 19 spots.

Mr. Penzer confirmed.

Mr. Vogt asked if they own the adjacent property to the west.

Mr. Penzer said yes.

Mr. Vogt would recommend at least 20 spaces so they are covered. There is a prior approval for the last addition that the board approved 12 spaces at that time.

Mr. Jackson asked if these spaces will add any additional variances or waivers.

Mr. Vogt said not that he can see. If they use the existing driveway, they would be able to maintain at least a 20 ft buffer to the westerly property line. What the board could do as a precaution is request a fence.

Mr. Lines said they own the lot next door.

Mr. Vogt asked about building coverage.

Mr. Penzer said the coverage is 200 sf. A shed is shown erroneously on the plans. They would meet the lot coverage ordinance.

Mr. Vogt said all of the other variances are pre-existing.

Mr. Penzer said that is correct.

Mr. Neiman opened to the public.

Mr. Sholom Herskovitz, 204 Elaine Street, was sworn in. He and his neighbors have concerns including insufficient parking, safety and traffic. He said the teacher's park along his street and on Prospect Street on the corner and people can't make left turns. He wants to ensure there are enough parking spaces for the teachers so they do not park on the streets.

Mr. Neiman said he lives across the street from Bnos Yaakov which is only an elementary school and they have 70 parking spaces and it is not enough. He doesn't think enough parking is being provided but they are meeting the ordinance. As a school, they should make sure that teachers don't park along his block. It is not fair that his driveway or mail box should be blocked.

Mr. Bill Hobday, 30 Schoolhouse Lane, was sworn in. He asked who will keep track of all of these conditions that the board has imposed.

Mr. Neiman said they're not going to get resolution compliance until they fill the pool and add the additional parking spaces.

Mr. Vogt said they will review the revised plans that would have to meet all of the conditions of the board's resolution. Once those are signed off and it's built, prior to a CO, the inspection department has to go out and make sure all of the site improvements that were supposed to be installed were.

Mr. Flancbaum said they would need to post a performance bond for the improvements.

Mr. Solomon Dwek, 202 Elaine Street, was sworn in. He said he has no issue with cars being parked along his street. If they are adding 9 more spots then there should definitely not be a problem.

Mr. Follman asked if his kids attend this school.

Mr. Dwek said yes.

Mr. Neiman closed to the public.

Mr. Vogt asked if the board will be requiring any buffer for the parking. They will be extending property along the western side of the property.

Mr. Neiman said no, since they own the property to the west.

A motion was made and seconded to approve the application.

Affirmative: Mr. Grunberger, Mr. Franklin, Mr. Hibberson, Mr. Herzl, Mr. Neiman, Mr. Flancbaum, Mr. Follman

No: Mr. Cautillo

7. PUBLIC HEARING

1. SP 2185AA Shabsi Brody

30 Gudz Road

Block 11.30, Lot 13

Change of Use/Site Plan Exemption to convert an existing house to a school and dormitory

A review letter prepared by Remington, Vernick & Vena Engineers dated June 8, 2016 was entered as an exhibit.

Mr. Brian Flannery, P.E., P.P. was sworn in. He said there was a letter from the neighbors that he assumes was also sent to the board. The applicant met with the neighbors afterwards and came to an agreement. Two of the stipulations the neighbors wanted, with respect to the school, that it be clear that this approval will be limited for a maximum of two years. In August of 2018, the approval would be void and anything additional to be done on this plan would need a new site plan. In September of 2017 there would be a request for an extension.

Mr. Neiman asked if this board can grant a two year approval.

Mr. Flannery said the applicant is requesting an exemption from site plan to allow it to be used as a school for a maximum period of two years.

Mr. Jackson asked what they would do about it when the time expires.

Mr. Flannery said it becomes a residence. The applicant does not own the property, he is renting it. The applicant has a contract to purchase a different piece of property that he'll be coming to this board with a site plan and a permit for the school.

Mr. Jackson asked why they can't get a permit for the school and then get approval. It is unusual to have something that morphs into something else after two years.

Mr. Flannery said the extension request is a provision that the board's allowed to do. The applicant is only asking for that for two years. The ordinance allows this to be used as a school but requires either a site plan exemption or a site plan. The applicant isn't going to do a site plan because this is a temporary place. At the last meeting, the room was full of objectors. Tonight, it is not as the applicant has met with some of the objectors.

Mr. Neiman just wants to make sure the board can grant an approval. The applicant would have to abide by any code for the school and dormitory.

Mr. Flannery said that is correct. They would have to go to the building department and any rooms that are going to be used for a dormitory would need a building permit.

Mr. Neiman asked about the state of the property.

Mr. Flannery said the property is a mess. If the board grants this extension, the applicant will fix up the property. The plans have been revised as Mr. Franklin suggested at the last meeting to angle the parking spaces. Floor plans of the house have been submitted as per the board's request.

Mr. Neiman asked him to explain what will happen in August of 2018.

Mr. Flannery said this school will be located somewhere else.

Mr. Neiman said it will no longer be a school, it will be a house.

Mr. Flannery said that is correct.

Mr. Franklin thinks the parking spaces should be made on a right angle so the cars can back out and go out head first out onto Gudz Road.

Mr. Flannery agrees to make that change.

Mr. Vogt said they do not have a site design, just a concept plan. The original concept plans show 12 stacked spaces and this revised plan shows 6 which may or may not work. He does not know the dimensions or shape of the driveway.

Mr. Neiman said the board had asked for site plans.

Mr. Vogt said there was discussion. If the board wants to approve this, they recommended during compliance, that a site plan design must be submitted.

Mr. Flannery said the applicant would provide that as a condition of approval.

Mr. Flancbaum asked if architectural drawings were submitted.

Mr. Flannery said plans were submitted showing the layout of the existing dwelling and how it would be utilized.

Mr. Herzl asked how they would get to the trailer in the back. There is no path.

Mr. Flannery said it would be addressed when the site plan is submitted to the board engineer.

Mr. Grunberger asked if the board may see the letter he referenced from the neighbors.

Mrs. Morris does not remember seeing one.

Mr. Neiman opened to the public.

Ms. Noreen Gill, 192 Coventry Drive, was sworn in. She asked about the trailer, sewer and the number of students.

Mr. Flannery said it is public sewer. There will be no additional trailers added and the trailer is used for a classroom. There are currently 19 students and anticipate getting up to 30.

Mr. Bill Hobday, 30 Schoolhouse Lane, was sworn in. He asked if this is the property that was in the paper which the Township Manager closed down.

Mr. Neiman said yes. It was closed down because there was no Planning Board approval.

Mr. Hobday asked if there were any repercussions for having an illegal school.

Mr. Jackson said that has no bearing on the application. The board is not here to punish or judge. The board is here to look at the application and to see what the application is on its merits.

Mr. Nathan Schlesinger, 17 Oasis Court, was sworn in. He wants to make sure the promises made to the neighbors are fulfilled.

Mr. Neiman said they would use the letter as an exhibit in the resolution.

Mr. Schlesinger said he is not opposed to the extension but certain conditions should be met including installing a fence along the perimeter of the property as there is constant construction, removing the trailer that is not in use and cleaning up the property of garbage and debris.

Mrs. Morris said part of the problem is they do not have a current property survey so they have no idea what is or is not on the property and what is in compliance with the setbacks. There is a trailer shown on the aerial map that is not shown on the plans.

Mr. Schlesinger said the trailer adjacent to Gudz Road is in use. The one that is adjacent to Oasis Court is not in use and it is an eyesore. It should be removed.

Mrs. Morris said without a current property survey, the engineer wouldn't even have been able to mention that it should be removed in his review letter.

Mr. Flannery said the applicant indicates that he had submitted a survey.

Mrs. Morris said the survey is 6 years old and does not show that trailer.

Mr. Flannery said the site plan will certainly require a survey. With respect to the trailers, the trailer in front that is boarded up is the one that would be used. The other one along Oasis Court will be removed. The applicant has no problem with conditions in the resolution to clean up the property.

Mr. Neiman said there is a pool there also.

Mr. Flannery said yes but it is not in use.

Mr. Follman said it is a dump back there.

Mrs. Morris pointed out that on the aerial you can see that the pool is filled with garbage.

Mr. Jackson asked how a school could operate under these types of conditions. With the track records this property has, why should the board excuse this.

Mr. Shabsi Brody was sworn in. He said the pool had issues which were not rectified immediately but he has seen to it that it will be cleaned out. Fences were put up around the pool but were destroyed numerous times. They are more than happy to be good neighbors even if they are not at fault to try and keep the upkeep of the property including but not limited to trash. There were windows that were cracked by neighbors when they weren't there. As far as the lawn maintenance, they did not keep up with it and would commit to do their best going forward.

Mr. Neiman said a good fence should be provided for both their safety and the safety of the neighbors especially if there is vandalism.

Mr. Brody said he did discuss putting up a fence with Mr. Schlesinger as he wants to be a good neighbor. They are there short term so every investment counts and they would like to limit it as much as possible.

Mr. Neiman said two years is a short time but it also a substantial amount of time.

Mr. Franklin asked if there is water in the swimming pool.

Mr. Brody said it is empty.

Mr. Franklin asked where the water goes when it rains.

Mr. Brody said there is a cover on the pool.

Mr. Franklin said they would still have an issue with mosquitoes and other bugs.

Mr. Brody said they do have it treated for mosquitoes every other Friday.

Mr. Jackson reiterated that the property is a disgrace. It has been shut down by the Township and the neighbors are all upset. He questioned how the property even got to this condition in the first place and why the board should believe it is not going to be like this going forward.

Mr. Brody said if they were to visit today, you would see that some work has been put into the property. The picture in the paper was taken the day of the construction where they were connecting to city water.

Mr. Flancbaum said the board had asked them to come back with at least a site plan and survey.

Mr. Cautillo said that everything he has heard and seen shows a total lack of responsibility on the part of the people that are running the school and they are asking the board to approve to continue and make it bigger. He said the property is a disgrace. The school was closed down as they were using the house as a dormitory illegally which endangers the lives of children.

Mr. Brody said they are working on getting a certificate of occupancy from the Township

Mr. Neiman asked if they could stipulate as part of the approval that the applicant has to submit a site plan showing everything on this lot, removing whatever is not being used including the trailer, providing a fence on the left side of the property, have the pool maintained and clean up this property in order to make this property look how a school should be.

Mr. Vogt asked what type of fence should be provided along the westerly property line.

Mr. Flannery thinks a 4 ft chain link fence would provide the security and it would allow neighbors to see that there isn't a problem.

Mr. Vogt said it would have to be a 4 ft high fence at a minimum within the front yard setback. Their original review asked for a site plan prepared by a licensed engineer addressing all applicable design. Currently 6 parking spaces are proposed on the concept plan. He does know whether this concept works or not. The first question is if the board is satisfied with 6 off-street parking spaces.

Mr. Neiman said these are kids that don't drive to school. With these types of schools, he believes 6 spots will suffice.

Mr. Vogt said assuming the board acts favorably, 6 off-street parking spaces at a right angle properly designed is adequate. Other design elements which are not addressed include the trailer to be removed, lighting, landscaping.

Mr. Flannery does not see any need for lighting. The school would prefer, since it is a temporary situation, to leave the existing landscaping.

Mr. Vogt said the revised plan will show a minimum of 6 off-street parking spaces, a 4 ft chain link fence along the westerly property line, at least one trailer, site debris, etc has to be removed prior to CO.

Mr. Neiman said of course they would have to go through all of the building code requirements.

Mr. Vogt said they would be subject to any outside agency approvals. He asked if the board has a preference concerning the pool.

Mr. Flannery said they would show on the site plan fencing around the pool that meets the code. Included on the site plan would be the maintenance for the mosquitoes so the pool cover would be treated and any other potential areas as well.

Mr. Neiman said in the future, when the board asks for a full site plan or survey showing all of these things, it would have made this whole process much easier.

Mr. Flannery understands and will make that perfectly clear to any future applicants.

Mr. Herzl asked if there should be some sort of path from the trailer to the driveway.

Mr. Vogt said they had recommended that if the board acts favorably, they would get full site plans that include ramps and pedestrian access, paving, curb, sidewalk restoration as deemed necessary by the township engineering department and any other necessary improvements deemed necessary by the board. He asked how many kids they expect to be living in the dormitory.

Mr. Flannery said a maximum of 12. That would be subject to meeting the criteria of the building code.

Mr. Schlesinger said if this is going to be approved as a Yeshiva, then the Yeshiva should take the responsibility for cleaning up that property. He does not want blame to go back and forth between the landlord and the renter.

Mr. Jackson said whomever is occupying and operating should be held accountable, not the landlord.

Mr. Vogt said typically these items, fence, trailer removal, cleaning up the property, are typically done prior to issuance of a CO, not during resolution compliance.

Mr. Hobday thinks an extension would allow the applicant more time to procrastinate and believes it is unjust to that neighborhood.

Mr. Moses Shvarzblat, 51 Pamela Drive, was sworn in. He has no issue with the Yeshiva being there. The Rabbi assured him that they will do their best to maintain the property. He is in favor of the application.

A motion was made by Mr. Franklin, seconded by Mr. Cautillo to deny the application.

Affirmative: Mr. Franklin, Mr. Hibberson, Mr. Flancbaum, Mr. Cautillo

No: Mr. Grunberger, Mr. Herzl, Mr. Follman

Abstain: Mr. Neiman

2. SP 2192 Lakewood Industrial Commission

Airport Road

Block 1160, Lots 220, 242, & 246

Courtesy site plan review for airport hangars

Mrs. Morris said this is a courtesy review of a site plan for a property located on Airport Road. Being that it is a courtesy review, they do not have a formal presentation prepared but the board engineer did issue a brief review letter detailing the project.

Mr. Vogt said the Industrial Commission wanted to appear because it is public improvements. There are 3 hangar buildings proposed immediately east of the taxi runway on the airport. It is well within their property. They have utility connections, an extensive drainage system. Four new basins are actually being proposed as part of this application.

Mr. Neiman said there was a height restriction in this area a few years ago.

Mr. Vogt said they looked at the architectural plans and from what they remember, the hangars are relatively shallow. From a practical standpoint, they couldn't build anything big because there is a flight path there.

Mr. Neiman said that was the reason for the height restriction in this area.

Mr. Vogt said the maximum building height is listed as 65 ft and the hangars will be significantly under that.

8. CORRESPONDENCE

- **SP 2132AA** - request to modify approved walkway and trash storage provisions

Mrs. Morris announced that this item will not be heard.

9. PUBLIC PORTION

10. APPROVAL OF MINUTES

11. APPROVAL OF BILLS

12. ADJOURNMENT

The meeting was hereby adjourned. All were in favor.

Respectfully submitted
Sarah L. Forsyth, Planning Board Recording Secretary